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THE

Wm Lamb

Statutes at Large,

FROM

MAGNA CHARTA

To the END of the

Eleventh Parliament of GREAT BRITAIN,

Anno 1761.

CONTINUED.

By DANBY PICKERING, of Gray's-Inn, Esq.
Reader of the Law Lecture to that Honourable Society.

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THE

Statutes at Large,

Anno tricesimo nono et quadragesimo

GEORGI II. REGIS:

Being the FOURTH Session of the

Eighteenth Parliament of GREAT BRITAIN.

VOL. XLII. PART II.

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A
T A B L E
OF ALL THE
S T A T U T E S

Passed in the Thirty-ninth and Fortieth Years of the
Reign of his Majesty

KING GEORGE the THIRD.

P U B L I C K G E N E R A L A C T S.

Cap. 1. **F**OR enabling his Majesty to accept the services of an additional number of volunteers from the militia, under certain restrictions.

Cap. 2. For continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand eight hundred.

Cap. 3. For continuing and granting to his Majesty a duty on pensions, offices, and personal estates, in *England, Wales,* and the town of *Berwick upon Tweed*; and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred.

Cap. 4. For raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand eight hundred; and for permitting exchequer bills, issued under an act of the last session of parliament, for granting to his Majesty a certain sum of money out of the consolidated fund, and for other purposes, if not paid by a certain day, to be received in payment of any of the branches of the publick revenue.

Cap. 5. For enabling his Majesty to direct the issue of exchequer bills to a limited amount, and in the manner therein mentioned, for the relief of the merchants of *Liverpool* and *Lancaster*.

Cap. 6. To enable the lords commissioners of his Majesty's treasury to issue exchequer bills to a limited amount, on the credit of such monies as may arise by virtue of an act of the thirty-

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eighth year of his present Majesty's reign, for granting certain additional duties of customs on goods exported and imported, and on tonnage of ships entering outwards or inwards to or from foreign parts, until the signing the preliminary articles of peace; and upon an act of last session of parliament for granting certain duties upon income.

Cap. 7. To prohibit, until the first day of *March* one thousand eight hundred, the making of low wines or spirits from wheat, barley, malt, or other sort of grain, or from any meal, flour, or any bran, in that part of *Great Britain* called *Scotland*.

Cap. 8. For reducing, until the first day of *June* one thousand eight hundred, the duties upon spirits distilled from melasses or sugar, or any mixture therewith; for prohibiting the distillation of spirits from wheat or wheat flour; and for reducing, until the twentieth day of *September* one thousand eight hundred, and better collecting the duties payable on the importation of starch.

Cap. 9. To continue, until the twentieth day of *February* one thousand eight hundred, several laws relating to the prevention and punishment of attempts to seduce persons serving in his Majesty's forces; to the empowering his Majesty to accept the services of such parts of the militia of this kingdom as may offer to serve in *Ireland*; to the admission of certain articles of merchandize in neutral ships, and the issuing of orders in council for that purpose; to the authorising his Majesty to make regulations respecting the trade to the *Cape of Good Hope*; to the establishing courts of judicature in the island of *Newfoundland*; to the enabling his Majesty to permit goods to be imported into this kingdom in neutral ships; and to continue, until the thirtieth day of *September* one thousand eight hundred, an act of the last session of parliament, for enabling his Majesty to prohibit the exportation, and permit the importation of corn, and for allowing the importation of other articles of provision, without payment of duty.

Cap. 10. To extend the period, limited by an act of the last session of parliament, for the benefit of preference to certain bodies, companies, and persons, in contracting for the redemption of land tax, until the twenty-fifth day of *March* one thousand eight hundred.

Cap. 11. To amend so much of an act, made in the last session of parliament, for granting certain duties upon income, as relates to the appropriation of the said duties, and of the duties upon goods imported and exported, granted by an act of the thirty-eighth year of the reign of his present Majesty.

Cap. 12. To enable the commissioners of the customs to allow, until the first day of *April* one thousand eight hundred, *British* plantation sugars to be warehoused; to revive so much of an act, made in the thirty-second year of the reign of his present Majesty, as relates to the ascertaining the average price of sugar, and regulating the allowance of drawback on the exportation thereof; and for allowing, until the fifth day of *May* one thousand eight hundred, certain drawbacks on sugar exported.

Cap.

Cap. 13. For allowing further time for the payment of instalments on certain sums of money advanced by way of loan to several persons connected with and trading to the islands of *Grenada* and *Saint Vincent*.

Cap. 14. For empowering his Majesty to shorten the time for the meeting of parliament in cases of adjournment.

Cap. 15. For continuing, until the expiration of six weeks after the commencement of the next session of parliament, an act, made in the thirty-eighth year of the reign of his present Majesty, intituled, *An act for empowering his Majesty for a time and to an extent to be limited, to accept the services of such parts of his militia forces in this kingdom as may voluntarily offer themselves to be employed in Ireland.*

Cap. 16. For continuing, until the expiration of six weeks after the commencement of the next session of parliament, an act, made in the thirty-seventh year of the reign of his present Majesty, intituled, *An act for the better prevention and punishment of attempts to seduce persons serving in his Majesty's forces, by sea or land, from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience.*

Cap. 17. To continue, until the first day of *March* one thousand eight hundred and three, an act, made in the thirty-third year of the reign of his present Majesty, for establishing courts of judicature in the island of *Newfoundland*; and to continue, until the expiration of forty days after the commencement of the next session of parliament, several laws relating to the admission of certain articles of merchandize in neutral ships, and the issuing of orders in council for that purpose; to the authorising his Majesty to make regulations respecting the trade to the *Cape of Good Hope*; and to the enabling his Majesty to permit goods to be imported into this kingdom in neutral ships.

Cap. 18. To prohibit, until the expiration of six weeks after the commencement of the next session of parliament, any person or persons from selling any bread which shall not have been baked a certain time.

Cap. 19. 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 directed by law, and for extending the time limited for those purposes, until the twenty-fifth day of *December* one thousand eight hundred; 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, until the twenty-fifth day of *December* one thousand eight hundred, to provide admissions duly stamped; to permit such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors, to make and file the same on or before the first day of *Michaelmas* term one thousand eight hundred; and for indemnifying deputy lieutenants and officers of the

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the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time directed by law, and for extending the time limited for that purpose, until the first day of *September* one thousand eight hundred.

Cap. 20. For further continuing, until the first day of *February* one thousand eight hundred and one, an act, made in the last session of parliament, intituled, *An act for further continuing, until the first day of March one thousand eight hundred, an act, made in the last session of parliament, intituled, 'An act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.'*

Cap. 21. To continue, until the first day of *February* one thousand eight hundred and one, an act, made in this present session of parliament, to prohibit the making of low wines or spirits from wheat, or other sort of grain, or from meal, flour, or bran, in that part of *Great Britain* called *Scotland*.

Cap. 22. For raising the sum of twenty millions five hundred thousand pounds by way of annuities.

Cap. 23. For granting to his Majesty additional duties of excise on *British* and foreign spirits, and tea.

Cap. 24. For the regulation of his Majesty's marine forces while on shore.

Cap. 25. To prohibit, until the first day of *October* one thousand eight hundred, the use of wheat in making starch.

Cap. 26. For granting to his Majesty the sum of two hundred thousand pounds, to be issued and paid to the governor and company of the bank of *England*, to be by them placed to the account of the commissioners for the reduction of the national debt.

Cap. 27. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 28. For establishing an agreement with the governor and company of the bank of *England*, for advancing the sum of three millions, towards the supply for the service of the year one thousand eight hundred.

Cap. 29. For granting bounties on the importation of wheat, wheaten flour, and rice, until the first day of *October* one thousand eight hundred.

Cap. 30. For extending, from the twenty-fifth day of *March* one thousand eight hundred, until the twenty-fifth day of *March* one thousand eight hundred and one, the period of preference, granted and continued by several acts to bodies corporate and persons for the redemption of land tax; and for enlarging several of the powers contained in the said acts.

Cap. 31. For appointing commissioners to put in execution an act of this session of parliament, intituled, *An act for continuing and granting to his Majesty a duty on pensions, offices, and persons, estates, in England, Wales, and the town of Berwick-upon-Tweed, and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred, together with those named in two former acts for appointing commissioners of the land tax.*

(Public General) 39 & 40 GEO. III.

Cap. 32. For indemnifying persons serving in volunteer corps, who have omitted to take out certificates for wearing hair powder; and to amend so much of an act, made in the thirty-fifth year of the reign of his present Majesty, intituled, *An act for granting to his Majesty, a duty on certificates issued for using hair powder*, as relates to the exempting persons serving in volunteer corps, and certain officers in his Majesty's navy serving on the establishment of the royal hospital at *Greenwich*, from the said duty; and for obliging persons claiming to be exempt from the duties on horses provided and furnished for volunteer corps to deliver certificates thereof to the proper officers.

Cap. 33. To enable the lords commissioners of his Majesty's treasury to issue exchequer bills, to a limited amount, on the credit of such aids or supplies as have been or shall be granted by parliament, for the service of the year one thousand eight hundred; and to enable the governor and company of the bank of *England* to advance cash or bullion, to be remitted abroad on account of foreign subsidies or services abroad.

Cap. 34. To permit the importation of goods and commodities from countries in *America*, belonging to any foreign *European* sovereign or state, in neutral ships, until the twenty-ninth day of *September* one thousand eight hundred and one.

Cap. 35. For granting a bounty on the importation of oats, until the first day of *October* one thousand eight hundred.

Cap. 36. To enable courts of equity to compel a transfer of stock in suits, without making the governor and company of the bank of *England*, or the united company of merchants of *England* trading to the *East Indies*, or the governor and company of merchants of *Great Britain* trading to the *South Seas* or other parts of *America*, party thereto.

Cap. 37. For defraying the charge of the pay and cloathing of the militia in that part of *Great Britain* called *England*, for one year, from the twenty-fifth day of *March* one thousand eight hundred.

Cap. 38. For repealing so much of an act, made in the last session of parliament, intituled, *An act for permitting certain goods imported from the East Indies to be warehoused; and for repealing the duties now payable thereon, and granting other duties in lieu thereof*, as relates to saltpetre.

Cap. 39. For increasing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.

Cap. 40. To enlarge the powers of the directors and guardians of the poor within the several hundreds, towns, and districts, in that part of *Great Britain* called *England*, incorporated by divers acts of parliament, for the purpose of the better maintenance and employment of the poor, as to the assessments to be made upon the several parishes, hamlets, and places therein mentioned, until the first day of *January* one thousand eight hundred and two.

Cap. 41. For explaining and amending several acts, made in the thirty-second year of King *Henry the Eighth*, and the first, thirteenth,

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thirteenth, and fourteenth years of the reign of *Queen Elizabeth*, so far as respects leases granted by archbishops, bishops, masters and fellows of colleges, deans and chapters of cathedral and collegiate churches, masters and guardians of hospitals, and others having any spiritual or ecclesiastical living or promotion.

Cap. 42. For the better observance of *Good Friday*, in certain cases therein mentioned.

Cap. 43. To confirm an agreement entered into between the commissioners of his Majesty's treasury and the most noble *Charles duke of Richmond*, in pursuance of an act, passed in the thirty-ninth year of the reign of his present Majesty, intituled, *An act to enable the commissioners of the treasury to contract with the most noble Charles duke of Richmond, for the absolute purchase of the property of the said duke, and of all others interested, in a certain duty of twelve-pence per chaldron on coals shipped in the river Tyne to be consumed in England, and to grant a compensation for the same, by way of annuity, payable out of the consolidated fund.*

Cap. 44. For granting, until the twenty-fifth day of *March* one thousand eight hundred and one, certain allowances to adjutants, serjeant majors, and serjeants of militia, disembodied under an act of this session of parliament, intituled, *An act for enabling his Majesty to accept the services of an additional number of volunteers from the militia, under certain restrictions.*

Cap. 45. For making perpetual so much of an act, made in the thirty-fifth year of the reign of his present Majesty, for better securing the duties on glafs, as was to continue in force for a limited time; and to continue several laws relating to the granting a bounty upon certain species of *British* and *Irish* linens exported, and taking off the duties on the importation of foreign raw linen yarns made of flax, until the twenty-fourth day of *June* one thousand eight hundred and one; to the better encouragement of the making of sail cloth in *Great Britain*, to the encouraging the manufacture of *British* sail cloth, and securing the duties on foreign-made sail cloth imported, to the securing the duties upon foreign-made sail cloth, and charging foreign-made sails with a duty, until the twenty-ninth day of *September* one thousand eight hundred and four, and from thence to the end of the then next session of parliament; to the regulating the fees of the officers of the customs, and of the naval officers in the *British* colonies in *America*, and of the officers of the customs in the island of *Newfoundland*, until the ninth day of *May* one thousand eight hundred and four, and from thence to the end of the then next session of parliament; to the landing rum or spirits of the *British* sugar plantations, before payment of the duties of excise, until the twenty-ninth day of *September* one thousand eight hundred and five, and from thence to the end of the then next session of parliament; to the encouraging the fisheries carried on at *Newfoundland* and parts adjacent, from *Great Britain*, *Ireland*, and the *British* dominions in *Europe*, until the first day of *January* one thousand eight hundred and two; and to the further support and encouragement of the fisheries carried

carried on in the *Greenland Seas* and *Davis's Straights*, until the twenty-fifth day of *December* one thousand eight hundred and one.

Cap. 46. For the more easy and expeditious recovery of small debts, and determining small causes in that part of *Great Britain* called *Scotland*.

Cap. 47. For repealing the rates and fares taken by licensed hackney coachmen, and for establishing other rates and fares in lieu thereof; and for explaining and amending several laws relating to hackney coaches and chairs.

Cap. 48. To repeal the duties on sugar and coffee exported, granted by an act, passed in the thirty-ninth year of his present Majesty's reign, for allowing *British* plantation sugar to be warehoused; for reviving so much of an act, made in the thirty-second year of the reign of his present Majesty, as relates to the ascertaining the average price of sugar, and regulating the allowance of drawback on the exportation thereof; and for allowing certain drawbacks on sugar exported, until the tenth day of *May* one thousand eight hundred and one.

Cap. 49. For the better ascertaining and collecting the duties granted by several acts passed in the last session of parliament, relating to the duties on income; and to explain and amend the said acts.

Cap. 50. To extend the provisions of an act made in the seventeenth year of the reign of King *George* the Second, intitled, *An act to amend and make more effectual the laws relating to rogues, vagabonds, and other idle and disorderly persons, and to houses of correction*.

Cap. 51. To permit blubber from the *Greenland* fishery and *Davis's Straights* to be boiled into oil after the arrival of the ships from the fishery, and for charging the duty thereon; for altering the convoy duty now payable on the importation of opium; for repealing the duties on the importation of oil of turpentine and tar, and charging other duties in lieu thereof; for exempting burr stones and stones used for the purpose of paving or the making or mending of roads, from the duties charged thereon when carried coastwise; for obliging masters of ships laden with tobacco to remove the same from their moorings when their cargoes are discharged; and for extending bonds given on licensed ships, vessels, or boats, to all cases wherein ships, vessels, or boats may be liable to forfeiture.

Cap. 52. For granting to his Majesty a certain sum of money, to be raised by a lottery.

Cap. 53. For granting a bounty on the importation of rye, until the fifteenth day of *October* one thousand eight hundred.

Cap. 54. For more effectually charging publick accountants with the payment of interest; for allowing interest to them in certain cases; and for compelling the payment of balances due from them.

Cap. 55. To amend so much of an act, made in the last session of parliament, for the augmentation of the salaries of the

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judges of the courts in *Westminster Hall*, and also of the lords of session, lords commissioners of justiciary, and barons of exchequer in *Scotland*, as relates to the salaries of the judges of the courts of session, justiciary, and exchequer in *Scotland*.

Cap. 56. For relief of persons entitled to entailed estates to be purchased with trust monies.

Cap. 57. For enabling the barons of the court of exchequer in *Scotland* to advance to the lord provost and magistrates of the city of *Edinburgh*, for the purpose of completing the improvements of the harbour of *Leith*, a certain sum, being part of the money which by an act of the last session of parliament was directed to be paid into the said court of exchequer by the proprietors of the *Forth* and *Clyde* navigation.

Cap. 58. For further continuing and amending an act, made in the last session of parliament, for enabling his Majesty to prohibit the exportation and permit the importation of corn; and for allowing the importation of other articles of provision without payment of duty.

Cap. 59. To remove doubts arising from the construction of an act, made in the thirty-ninth year of his present Majesty's reign, intituled, *An act for permitting certain goods imported from the East Indies to be warehoused, and for repealing the duties now payable thereon, and granting other duties in lieu thereof*.

Cap. 60. To lessen the duties on wine and spirits the produce of the *British* settlement of the *Cape of Good Hope*; and to empower the importers to land the same before payment of the duties of excise, and to lodge the same in warehouses; and to allow the same to be shipped free of duty as stores, to be consumed on board merchants ships on their voyages.

Cap. 61. To revive and continue, until the first day of *July* one thousand eight hundred and one, such part of an act, made in the present session of parliament, for reducing the duties upon spirits distilled from melasses or sugar, or any mixture therewith, and for other purposes, as relates to the duties on wort or wash brewed or made from melasses or sugar.

Cap. 62. To allow, for nine months after the passing of the act, the use of sugar in the brewing of beer.

Cap. 63. For repealing part of the duties and drawbacks of customs on kid skins imported, and the exemption of imported kid skins from excise duty on being dressed in *Great Britain*.

Cap. 64. For permitting the free importation of linseed cakes and rape cakes in neutral ships.

Cap. 65. To continue, until the first day of *January* one thousand eight hundred and four, several acts relating to the admission of certain articles of merchandize in neutral ships, and to the issuing of orders in council for that purpose.

Cap. 66. To repeal so much of an act, passed in the second year of King *James* the First, as prohibits the use of horse hides in making boots and shoes; and for better preventing the damaging of raw hides and skins in the tanning thereof.

Cap. 67. For the union of *Great Britain* and *Ireland*.

Cap.

Cap. 68. For extending the powers of the commissioners named in an act, made in this present session of parliament, intituled, *An act for appointing commissioners to put in execution an act of this session of parliament, intituled, 'An act for continuing and granting to his Majesty a duty on pensions, offices, and personal estates, in England, Wales, and the town of Berwick upon Tweed, and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred,' together with those named in two former acts, for appointing commissioners of the land tax; for indemnifying such persons, named in the said act, as have acted as commissioners of the land tax; and for rendering valid certain acts done by them.*

Cap. 69. For repealing the duties on perfumery and on licences for vending the same.

Cap. 70. To exempt from duty waste paper imported into this kingdom, for the purpose of being re-manufactured, except the duty imposed by an act of the thirty-eighth year of the reign of his present Majesty, for the better protection of the trade of this kingdom, and for granting new and additional duties of customs on goods imported and exported.

Cap. 71. To authorise bakers and other persons to sell bread to his Majesty's forces on the march, which shall not have been baked twenty-four hours, and to indemnify all persons by whom such bread may have been so sold.

Cap. 72. To amend several laws relating to the duties on stamped vellum, parchment, and paper.

Cap. 73. For repealing the duties of excise on distilleries in Scotland, and on the exportation of *British-made* spirits from England to Scotland, and for granting other duties in lieu thereof; and for altering, amending, and continuing certain acts of parliament for the regulation of distilleries in Scotland.

Cap. 74. For amending several acts for regulating the price and assize of bread.

Cap. 75. For making allowances in certain cases to subaltern officers of the militia in time of peace.

Cap. 76. For indemnifying governors, lieutenant governors, and persons acting as such, in the *West India* islands, who have permitted the importation and exportation of goods and commodities in foreign bottoms.

Cap. 77. For the security of collieries and mines, and for the better regulation of colliers and miners.

Cap. 78. To discharge from a disputed and dormant claim of the publick, several estates belonging to the right honourable *William Carr* earl of *Erroll*, lord high constable of Scotland.

Cap. 79. For establishing further regulations for the government of the *British* territories in *India*, and the better administration of justice within the same.

Cap. 80. For erecting a lazaret on *Chetney Hill*, in the county of *Kent*; and for reducing into one act the laws relating to quarantine, and for making further provision therein.

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Cap. 81. To repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, *An act to prevent frauds in the buying and selling of hops*, and for the better collection of the duty on hops; and to prevent frauds and abuses in the trade of hops.

Cap. 82. For suspending, until the twentieth day of *August* one thousand eight hundred, the duties on foreign hops imported, and for granting other duties in lieu thereof.

Cap. 83. For permitting *French* wines to be imported into this kingdom from the isles of *Guernsey*, *Jersey*, or *Alderney*, in bottles or flasks.

Cap. 84. To render valid indentures of apprenticeship of poor children and others, made upon improper stamps, upon certain conditions; and to indemnify all persons who may have incurred penalties thereby; and for allowing attested copies of indentures, leases, or deeds, to be stamped after the ingrossing, writing, or printing thereof.

Cap. 85. To continue, until the fifth day of *April* one thousand eight hundred and one, and amend an act of the last session of parliament, for continuing several acts for the encouragement of the *British* fisheries.

Cap. 86. For the better preservation of timber in the *New Forest*, in the county of *Southampton*; and for ascertaining the boundaries of the said forest, and of the lands of the crown within the same.

Cap. 87. For the more effectual prevention of depredations on the river *Thames*, and in its vicinity; and to amend an act, made in the second year of the reign of his present Majesty, to prevent the committing of thefts and frauds by persons navigating bum boats and other boats upon the river *Thames*.

Cap. 88. Concerning the disposition of certain real and personal property of his Majesty, his heirs and successors; and also of the real and personal property of her Majesty, and of the Queen consort for the time being.

Cap. 89. For the better preventing the embezzlement of his Majesty's naval, ordnance, and victualling stores.

Cap. 90. For settling disputes that may arise between masters and workmen engaged in the cotton manufacture in that part of *Great Britain* called *England*.

Cap. 91. To prohibit, until the fifteenth day of *October* one thousand eight hundred, the exportation of rice.

Cap. 92. For establishing certain regulations in the offices of the house of commons.

Cap. 93. For regulating trials for high treason and misprison of high treason, in certain cases.

Cap. 94. For the safe custody of insane persons charged with offences.

Cap. 95. To indemnify all persons who have printed, published, or dispersed, or who shall publish or disperse, any papers printed under the authority of the commissioners or head officers

of

of any publick boards, from all penalties incurred by reason of the name and place of abode of the printer of such papers not being printed thereon.

Cap. 96. For explaining and amending so much of an act, passed in the present session of parliament, relating to the duties on income, as respects the delivery of the statements to the commercial commissioners of *London*, under the amount of twenty pounds.

Cap. 97. To incorporate certain persons by the name of *The London Company for the Manufacture of Flour, Meal, and Bread*, for a limited time.

Cap. 98. To restrain all trusts and directions in deeds or wills, whereby the profits or produce of real or personal estate shall be accumulated, and the beneficial enjoyment thereof postponed beyond the time therein limited.

Cap. 99. For better regulating the business of pawnbrokers.

Cap. 100. To authorise his Majesty to grant commissions to natives of the seven united provinces, or of the hereditary states of the prince of *Orange*, to serve on board certain *Dutch* ships of war, surrendered to his Majesty's fleet, and in regiments in the pay of his Majesty; and to enable any such natives to enlist as soldiers in such regiments, under certain restrictions.

Cap. 101. To give further time for the payment, on the conditions therein mentioned, of instalments, on certain loans advanced to the house of *Alexander Houstoun* and company, to *Charles Ashwell* esquire, and to *William Johnstone* esquire, being persons connected with and trading to the islands of *Grenada* and *Saint Vincent*.

Cap. 102. For raising the sum of three millions five hundred thousand pounds by loans or exchequer bills, for the service of the year one thousand eight hundred.

Cap. 103. For raising the sum of three millions, by loans or exchequer bills, for the service of the year one thousand eight hundred.

Cap. 104. For raising the further sum of three millions by loans or exchequer bills, for the service of the year one thousand eight hundred.

Cap. 105. For the better regulating the practice, and for preventing delays in the proceedings of the court of common pleas at *Lancaster*.

Cap. 106. To repeal an act, passed in the last session of parliament, intituled, *An act to prevent unlawful combinations of workmen*; and to substitute other provisions in lieu thereof.

Cap. 107. To permit, until six weeks after the commencement of the next session of parliament, the importation of *Swedish* herrings into *Great Britain*.

Cap. 108. For indemnifying the governor of *Surinam*, or the person acting as such, for having permitted the importation and exportation of goods and commodities in foreign bottoms; and for making void all seizures of ships, vessels, or goods, for any thing done in pursuance of such permission.

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Cap. 109. For granting to his Majesty a certain sum of money out of the consolidated fund, for applying certain sums of money therein mentioned, for the service of the year one thousand eight hundred; for further appropriating the supplies granted in this session of parliament, and for making forth duplicates of exchequer bills, lottery tickets, certificates, receipts, annuity orders, or other orders, lost, burnt, or otherwise destroyed.

PUBLICK LOCAL AND PERSONAL ACTS.

1. AN act for altering, amending, and rendering more effectual, an act, made in the twenty-first year of the reign of King George the Second, intituled, *An act for draining and preserving certain fen lands in the severall parishes of Maney, Upwell, Welney, Downham, Witcham, and in a certain extra-parochial place in Byal fen, within the Isle of Ely, and county of Cambridge.*

2. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers, of two acts, passed in the twenty-sixth year of his late Majesty, and in the nineteenth year of his present Majesty, for repairing the road from the borough of *Leicester*, in the county of *Leicester*, to the town of *Asby-de-la-Zouch*, in the said county.

3. An act for more effectually repairing, widening, and improving the roads from the borough of *Leicester*, in the county of *Leicester*, to the town of *Narborough*; and from the said borough of *Leicester* to the town of *Earl Shilton*; and from the said town of *Earl Shilton* to the town of *Hinckley* in the said county.

4. An act for continuing for a further term of twenty-one years, and from thence to the end of the then next session of parliament, the term of two acts, one made in the twelfth, and the other in the twenty-fifth year of the reign of his present Majesty, for clearing, depthening, repairing, maintaining, and improving, the haven and piers of *Great Yarmouth*; and for depthening and making more navigable the severall rivers emptying themselves into the said haven; and preserving ships wintering therein from accidents by fire; and also for building a new bridge over the haven of *Great Yarmouth*; and for altering and enlarging the powers thereof, so far as the same relate to the said haven and piers.

5. An act for dividing, allotting, and inclosing, the commons and waste grounds within the parishes of *Cantley* and *Haffingham*, in the county of *Norfolk*, and for draining and preserving the same, and also certain marsh lands within the said parishes.

6. An act for continuing for the term of twenty-one years, and from thence to the end of the then next session of parliament,

ment, and for altering and enlarging the powers of two acts, one made in the thirty-first year of the reign of his late majesty King George the Second, and the other in the seventeenth year of the reign of his present Majesty, for repairing the high road leading from *Brent Bridge*, in the county of *Devon*, to *Gasking Gate*, in or near the borough of *Plymouth*, in the said county.

7. An act for more effectually amending, widening, improving, and keeping in repair, several roads, leading from the town of *Iwelchester*, in the county of *Somerset*.

8. An act for increasing the tolls authorized to be taken on the road leading from *Sevenoaks Common* to the market house in *Tunbridge Town*, by an act passed in the thirty-third year of the reign of his present Majesty, for repairing the road leading from *Sevenoaks Common* to *Woodsgate*, *Tunbridge*, *Wells*, and *Kipping's Cross*, in the county of *Kent*, and from *Tunbridge Wells* to *Woodsgate* aforesaid.

9. An act to continue, for twenty-one years, and from thence to the end of the then next session of parliament, the term, and alter the powers, of two acts, made in the thirtieth year of the reign of his late Majesty, and the fifth year of the reign of his present Majesty, for amending the roads leading from the village of *Milford*, in the county of *Surrey*, through *Petworth*, to the top of *Duncton Hill*, and from *Petworth* to *Stopham Bridge*, in the county of *Suffex*.

10. An act for the appointment and regulation of pilots for the conducting of ships and vessels into and out of the port of *Kingston-upon-Hull*; and for ascertaining the salvage for anchors, cables, and other ships materials, found in the river *Humber*; and for the better ascertaining the tonnage of ballast lighters employed at the said port.

11. An act for opening and making two new streets in the city of *Aberdeen*.

12. An act for more effectually repairing the road from *Summerods Bar*, near the town of *Hexham*, in the county of *Northumberland*, to the town of *Alston*, in the county of *Cumberland*.

13. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers, of two acts, passed in the thirty-third year of the reign of his late majesty King George the Second, and in the seventeenth year of the reign of his present Majesty, for diverting, altering, widening, repairing, and amending the roads from the town of *Halifax*, and from *Sowerby Bridge*, in the county of *York*, by *Tadmorden*, to *Burnley* and *Littleborough*, in the county of *Lancaster*.

14. An act for more effectually repairing the road from *Glenwhalsi*, through *Haltwhistle*, *Hexham*, and *Corbridge*, to the military road near *Sbildon Bar*; and for making and repairing a branch road from *Corbridge* aforesaid, to *Heddon-on-the-Wall*, all in the county of *Northumberland*.

15. An act for more effectually repairing, widening, and improving the road from the village of *Magor* to the bridge foot

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in the town of *Chepstow* in the county of *Monmouth*, and several other roads in the counties of *Monmouth*, *Gloucester*, *Hereford*, and *Brecon*, to continue in force for twenty-one years, and from thence to the end of the then next session of parliament.

16. An act for amending, altering, improving, and keeping in repair, the road leading from the turnpike road in *Witney* to the turnpike road on *Swerford Heath*, and also the road leading from the turnpike road from *Woodstock* to *Birmingham*, through *Charlbury*, to the turnpike road from *Chipping Norton* to *Burford*, all in the county of *Oxford*.

17. An act for making and repairing the road from the town of *Stonehaven*, through the *Slug-mount*, to the new bridge over the river *Dee* at *Coblebeugh*, in the county of *Kincardine*.

18. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers, of two acts, made in the thirty-second year of the reign of his late majesty King *George the Second*, and in the eighteenth year of the reign of his present Majesty, for repairing the road from *Wakefield* to *Austerlands*, in the west riding of the county of *York*.

19. An act to continue for twenty-one years, and from thence to the end of the then next session of parliament, the term, and alter and enlarge the powers of an act, made in the twenty-ninth year of the reign of his present Majesty, for amending, widening, turning, varying, altering, and keeping in repair, several roads therein mentioned; in the county palatine of *Lancaster*, so far as the same relates to the road from *Hastingsden* to *Todmorden*, being the second district of the said roads; and for making and maintaining a branch therefrom, at or near a place called *Fearns* in *Wolfenden Booth*, to *Edge Side* in the same booth, and another branch therefrom, at or near a place called *Robert's Mill* in *Bacup Booth*, into the *Rochdale* turnpike road in the parish of *Spotland*, all in the said county palatine of *Lancaster*.

20. An act for more effectually repairing the road from *Almuth*, through *Alnwick* and *Rothbury*, to *Hexham*, and a branch from the said road, between *Alnwick* and *Rothbury*, to *Jockey's Dike Bridge*, in the county of *Northumberland*.

21. An act for dividing, allotting, inclosing, draining, and preserving the open fields, commons, fens, and waste grounds, within the parish of *Ludham*, in the county of *Norfolk*.

22. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers of two acts, passed for widening and repairing the high road leading from *Heron Syke*, which divides the counties of *Lancaster* and *Westmorland*, to the town of *Kirkby*, in *Kendal*, and from the said town of *Kirkby*, in *Kendal*, through the town of *Shap*, to *Emont Bridge*, in the said county of *Westmorland*.

23. An act for making and maintaining a navigable canal, from the river *Thames*, near to the town of *Gravesend*, in the county of *Kent*, to the river *Medway*, at a place called *Nicholson's Ship*

Ship-Yard, in the parish of *Frindsbury*, in the said county; and also a certain collateral cut, from *White Wall* in the said parish, to the said river *Mekway*.

24. An act for amending the several acts passed for making, extending, finishing, and completing the canal navigation from *Manchester* to or near *Ashton-under-Lyne* and *Oldham*, and the several cuts and other works authorised to be made and done by the company of proprietors of the said canal navigation; and for granting to the said company further and other powers.

25. An act for lighting the streets and lanes of the borough of *Berwick-upon-Tweed*, and the quays and wharfs belonging to the said borough, and that part of the bridge over the river *Tweed* which lies within the liberties of the said borough, and also the street of *Castlegate*, within the said borough or the liberties thereof; and for paving the foot-paths of the streets of the said borough and of *Castlegate* aforesaid; and for preventing obstructions, nuisances, and annoyances therein.

26. An act to alter, explain, amend, and render more effectual, an act, passed in the twenty-ninth year of the reign of his late majesty King *George the Second*, intituled, *An act for draining and preserving certain fen lands in the Isle of Ely and county of Norfolk, lying between The Hundred Foot River and the Ouzo, and bounded on the south by the hard lands of Mepall, Wicham, Wentworth, Wichford, Ely, Downham, and Littleport; and for empowering the governor, bailiffs, and commonalty of the company of conservators of the great level of the fens, commonly called Bedford Level, to sell certain lands lying within the limits aforesaid, commonly called Invested Lands.*

27. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers of two acts, passed in the thirty-first year of the reign of his late majesty King *George the Second*, and in the nineteenth year of the reign of his present Majesty, for repairing and widening the road from *The Swan Inn at Leatherhead*, to *The May Pole* at the upper end of *Spital or Somerset Street*, in the parish of *Stoke*, near the town of *Guildford*, in the county of *Surrey*.

28. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers of two acts, passed in the thirty-first year of the reign of his late majesty King *George the Second* and the tenth year of the reign of his present Majesty, for repairing several roads in the counties of *Dorset* and *Devon*, leading to and through the borough of *Lyme Regis*, and from the turnpike road on *Uplyme Hill* to the turnpike road at *The Three Ashes*, in the parish of *Crewkerne*, in the county of *Somerset*, and other roads therein mentioned.

29. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term and altering and enlarging the powers of two acts, made in the twenty-ninth year of the reign of his late majesty King

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George the Second and the twentieth year of the reign of his present Majesty, so far as the same relate to repairing and widening the road from the borough of *Ripon*, by *Ingrum Bank*, to the town of *Pateley Bridge*, in the county of *York*.

30. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers of an act, passed in the twenty-first year of the reign of his present Majesty, intituled, *An act for more effectually repairing the road leading from the town of Denbigh to the town of Saint Asaph, and from thence to the town and port of Ruthland, in the counties of Denbigh and Flint; and for repealing an act, made in the thirty-second year of his late majesty King George the Second, so far as the same relates to the said road.*

31. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term and altering the powers of two acts, passed in the thirtieth year of the reign of his late majesty King George the Second, and in the nineteenth year of the reign of his present Majesty, for amending, widening, and keeping in repair, several roads therein mentioned, so far as the said acts relate to the road leading from the town of *Wixham* in the county of *Denbigh*, to *Pentre Bridge* in the county of *Filt*.

32. An act for repealing an act, passed in the thirty-fifth year of his present Majesty's reign, intituled, *An act for making and repairing certain roads in the county of Aberdeen*; and for the more effectually amending, widening, repairing, and keeping in repair the said roads, and other roads in the said county, and for levying a conversion money in lieu of the statute labour, and otherwise regulating the making and repairing the high roads and bridges in the said county.

33. An act for draining, improving, and preserving the low lands and grounds within the townships of *Crofton*, *Mawdesley*, *Rufford*, *Bispham*, *Tarleton*, and *Bretberton*, in the county palatine of *Lancaster*.

34. An act for enlarging the powers of so much of two acts, made in the twenty-ninth and thirty-third years of the reign of his present Majesty, for making and repairing certain roads in the county of *Perth*, as relates to the road from *Perth* to *Cupar*, or the neighbourhood thereof, towards *Glammiss*, as far as the confines of the said county.

35. An act for the better relief and employment of the poor of the parish of *Saint John Hampstead*, in the county of *Middlesex*.

36. An act for better enabling the company of proprietors of the *Rochdale* canal to raise money for completing the said canal, and to vary the line of the said canal, and to alter, explain, and amend, the act, passed in the thirty-fourth year of the reign of his present Majesty, for making the said canal.

37. An act to enable the *Dearne and Dove* canal company to finish and complete the said canal, and the several collateral cuts branching

branching therefrom; and for explaining, amending, and enlarging the powers of an act, passed in the thirty-third year of the reign of his present Majesty, for making and maintaining the said canal and collateral cuts; and for encreasing the tolls thereby granted.

38. An act for altering and amending an act, passed in the thirty-fourth year of the reign of his present Majesty, for making and maintaining the *Peak Forest* canal; and for granting to the company of proprietors of the said canal further and other powers.

39. An act for enabling the *Huddersfield* canal company to finish and complete the *Huddersfield* canal; and for amending the act, passed in the thirty-fourth year of the reign of his present Majesty, for making and maintaining the said *Huddersfield* canal.

40. An act for amending and making more effectual an act, passed in the twelfth year of the reign of his present Majesty, for embanking, draining, and preserving certain fen lands and low grounds, in the parish of *Ramsay*, in the county of *Huntingdon*, and in the parishes of *Doddington*, *March*, *Benwick*, *Wimblington*, and *Chatteris*, within the *Isle of Ely*, in the county of *Cambridge*; and for amending the road from a certain bridge, in the parish of *Chatteris* aforesaid, called *Carter's Bridge*, by a drain called *Vermuyden's*, or *The Forty Feet Drain*, to a bridge called *The Forty Feet Bridge*, in the said parish of *Ramsay*; so far as the said act relates to embanking the lands therein described, called by the name of *The Upper District or Division*.

41. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers of an act, passed in the eighteenth year of the reign of his present Majesty, for building a bridge across the river *Tawey* at a place called *The Wich Tree*, in the parish of *Llansamlett*, to the opposite shore in the parish of *Llangefelach*, in the county of *Glamorgan*; for making proper avenues or roads to and from the said bridge, and also for repairing and widening the road from *Pentre Brook*, near a place called *Aberdwyberthy*, in the parish of *Saint John's*, near *Swansea*, to the said intended bridge.

42. An act for raising a further sum of money for carrying into execution two several acts, passed in the thirty-fifth and thirty-eighth years of the reign of his present Majesty, for widening and improving the entrance into the city of *London*, near *Temple Bar*, for making a more commodious street or passage at *Snow Hill*, and for raising on the credit of the orphans fund, a sum of money for those purposes; and for explaining and amending the said acts.

43. An act for making and maintaining a road from, or from near, *Lightpill Gate*, on the road leading from *Bath* to *Dudbridge*, in the parish of *Redborough*, to join the turnpike road from *Painswick* to *Cheltenham*, at or near to *Birdlip*, in the parishes of

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Frimpsfield and Cowley, or one of them, all in the county of Gloucester.

44. An act for shutting up and discontinuing certain roads and foot paths, leading through the grounds of sir *Richard Brook* baronet, in the townships of *Norton* and *Hulton*, in the parish of *Rumtorn*, and county palatine of *Chester*, and for making and maintaining other roads instead thereof.

45. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers of two acts, made in the thirty-second year of the reign of his late majesty King *George* the Second, and in the twentieth year of the reign of his present Majesty, for repairing and widening the roads from *Chapel Bar*, near the west end of the town of *Nottingham*, to *Newbawn*, and from the *Four Lane Ends*, near *Oakerhorpe*, to *Ashberne*, and from the cross post on *Wirksworth Moor*, to join the road leading from *Chesterfield* to *Chapel-en-le-Frith*, at or near *Longston*, in the county of *Derby*, and from *Selston* to *Annesley Woodhouse*, in the county of *Nottingham*.

46. An act for more effectually repairing, widening, altering, and improving, the road from a place called *The Stone Pillar*, or *Cross Hand*, in the parish of *Chippenham*, in the county of *Wilts*, to or near to a bridge called *Knox Bridge*, in the parish of *Westerleigh*, in the county of *Gloucester*, and several other roads therein mentioned, in the said counties of *Wilts* and *Gloucester*.

47. An act for making wet docks, basons, cuts, and other works, for the greater accommodation and security of shipping, commerce, and revenue, within the port of *London*.

48. An act for providing a workhouse for the use of the parish of *Aldbourne* in the county of *Wilts*; and for appointing an additional overseer for the better government of the poor of the said parish.

49. An act for forming, paving, cleansing, lighting, watching, watering, and otherwise improving and keeping in repair, the streets, squares, and other publick passages and places, which are and shall be made upon certain pieces or plots of ground, in the parish of *Saint Pancras*, in the county of *Middlesex*, belonging to the most noble *Francis* duke of *Bedford*.

50. An act for enclosing and embellishing the centre or area of a certain square, intended to be called *Russell Square*, purposed to be made in the parish of *Saint George Bloomsbury*, in the county of *Middlesex*, and for forming and making the same into a pleasure ground, and for continuing and keeping the same in repair.

51. An act for the repairing the parish church of *Chelmsford*, in the county of *Essex*.

52. An act for explaining, amending, and continuing an act, made in the fifteenth year of the reign of his present Majesty, intituled, *An act for repairing the highways and bridges in the shire of Argyll*.

53. An act for repealing so much of an act, passed in the twenty-

twenty-fifth year of the reign of his present Majesty, intituled, *An act for the removal and rebuilding of the council chamber, guild-hall, and gaol of the city of New Sarum, and for ascertaining the tolls of the market, and regulating the chairmen within the said city*, as requires the mayor and commonalty of the city of *New Sarum* to build a new gaol within the said city, or the suburbs or precincts thereof; and for authorising the commitment of felons and other persons within the limits of the said city and the close thereof, to the gaol of the county of *Wilts*; and for explaining and amending the said act.

54. An act to alter, amend, and enlarge the powers of an act, passed in the thirty-first year of the reign of his present majesty King *George the Third*, for improving the navigation of the river *Ouse*, between *Newhaven Bridge* and *Lewes Bridge*, in the county of *Suffex*, and for the better draining of the low lands lying in *Lewes* and *Laughton Levels*, in the said county.

55. An act for enabling the company of proprietors of the navigation from the *Leicester* navigation to *Melton Mowbray*, in the county of *Leicester*, to complete their navigation, and to discharge the debts contracted by them in the making thereof; and for amending the act, passed in the thirty-first year of the reign of his present Majesty, for making and maintaining the said navigation.

56. An act to enable the company of proprietors of the *Oakham* canal to raise money for completing the said canal, and also for altering and amending an act, passed in the thirty-third year of the reign of his present Majesty, for making the said canal.

57. An act for better enabling the company of proprietors of the *Lancaster* canal navigation to complete the same.

58. An act for dividing, allotting, and inclosing, the common fields, marsh, meadow, and waste lands, in the manor of *Forebridge*, and in the parish of *Castle Church*, in the county of *Stafford*, and for embanking and draining part of the said common fields, marsh, meadow, and waste lands, and certain other low lands and grounds, in the said parish of *Castle Church*, and in the adjoining parishes, townships, and places, of *Stou Saint Thomas*, otherwise *Saint Thomas upon Sow*, *Coton*, *Berkswich*, and *Saint Mary* in *Stafford*, in the said county of *Stafford*.

59. An act for building a new bridge over the river *Chelmer*, or *Blackwater*, at *Fullbridge*, in the town of *Maldon*, in the county of *Essex*.

60. An act for establishing and well-governing the charitable institution, commonly called *The Asylum*, or house of refuge for the reception of orphan girls, the settlements of whose parents cannot be found; and for incorporating the subscribers thereto, and for the better empowering and enabling them to carry on their charitable and useful designs.

61. An act for repealing two acts, one made in the twenty-sixth year of the reign of King *George the Second*, and the other in the seventeenth year of the reign of his present Majesty, for repairing the road from the *Half-way House*, in the parish of

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Lower Compton, in the county of *Dorset*, through the town of *Yeovil*, *Crewkerne*, and *Chard*, to the east end of the town of *Axminster*, in the county of *Devon*, and several other roads therein mentioned; and also, for repealing so much of act, made in the eighteenth year of the reign of his present Majesty, for repairing several roads leading from the town of *Taunton*, in the county of *Somerset*, as relates to repairing the road from the direction post in *Widcombe Moor*, through *Street Ash Lane*, to *Chard*, and for making more effectual provision for those purposes, and for altering and diverting certain parts of the said roads.

62. An act for reviving, continuing, and amending, an act, passed in the sixteenth year of the reign of his present Majesty, for repairing the road from *Elsdon High Cross*, near the town of *Elsdon*, in the county of *Northumberland*, to the *Red Swyre*, upon the mid border betwixt *England* and *Scotland*.

63. An act for continuing the term and enlarging the powers of an act, passed in the twenty-first year of the reign of his present Majesty, for repairing and widening the road leading from the port of *Borrowstounness*, by the west of the borough of *Linthgow*, and by the towns of *Torphichen Bathgate*, and *Whiteburn*, and from thence southward to the confines of the county of *Linthgow*, at or near *Hollhouseburn*.

64. An act to continue for twenty-one years and from thence to the end of the then next session of parliament, the term and alter and enlarge the powers of two acts, passed in the thirty-third year of the reign of his late majesty King *George* the Second, and in the eighteenth year of the reign of his present Majesty, for repairing and widening the road from the bars at *Boughton*, within the liberties of the city of *Chester*, to *Whitchurch*, and from thence to *Newport* in the county of *Salop*, and several other roads therein mentioned, so far as the said acts relate to the road leading from *Newport* aforesaid to the village or place called *Welsh Harp*, in the township of *Stonnall*, in the county of *Stafford*, being the third district of the said roads.

65. An act for more effectually repairing, widening, altering, and improving, the roads therein mentioned, leading from the town of *Leominster*, in the county of *Hereford*.

66. An act for continuing for twenty-one years and from thence to the end of the then next session of parliament, the term and altering and enlarging the powers of two acts, passed in the thirtieth year of the reign of his late majesty King *George* the Second, and in the nineteenth year of the reign of his present Majesty, for amending, widening, and keeping in repair, several roads therein mentioned, so far as the said acts relate to the road leading from the town of *Rutbin*, in the county of *Denbigh*, to the town of *Mold*, in the county of *Flint*.

67. An act for continuing for twenty-one years and from thence to the end of the then next session of parliament, the term and altering and enlarging the powers of several acts, passed for amending the highway between *Hockliffe* and *Woburn*, in the county

county of *Bedford*, and for repairing the road leading through *Woburn* to *Tickford Bridge*, in *Newport Pagnell*, in the county of *Bucks*.

68. An act for continuing for twenty-one years and from thence to the end of the then next session of parliament, the term and altering and enlarging the powers of two acts, passed in the twenty-ninth year of the reign of his late majesty King *George the Second*, and in the eighteenth year of the reign of his present Majesty, for amending, repairing, and widening the roads leading from the *Rye-way*, in the parish of *Yarpole*, in the county of *Hereford*, to *Presleigne*, in the county of *Radnor*, and several other roads therein mentioned, in the said county of *Radnor*, and in the counties of *Hereford* and *Salop*.

69. An act for enlarging the term and powers of an act, made in the seventeenth year of his present Majesty's reign, for amending and keeping in repair the road from the town of *Warminster*, in the county of *Wilts*, to a place where the roads to *Bath* and *Bristol* divide, and from the town of *Frome* to the town of *Backington*, in the county of *Somerset*, and other roads therein mentioned.

70. An act for continuing for twenty-one years and from thence to the end of the then next session of parliament, the term and altering and enlarging the powers of two acts, passed in the twenty-ninth year of the reign of his late majesty King *George the Second*, and the sixteenth year of the reign of his present Majesty, for repairing and widening the road leading from the east side of *Lincoln Heath* to the city of *Peterborough*, and several other roads therein mentioned, in the counties of *Northampton* and *Lincoln*.

71. An act for continuing for twenty-one years and from thence to the end of the then next session of parliament, the term and altering and enlarging the powers of two acts, passed in the twenty-sixth year of the reign of his late majesty King *George the Second*, and in the fourteenth year of the reign of his present Majesty, for repairing and widening several roads leading from the town of *Bewdley*, in the county of *Worcester*; to the several places therein mentioned, in the counties of *Worcester* and *Salop*, respectively.

72. An act to continue for twenty-one years and from thence to the end of the then next session of parliament, the term and alter and enlarge the powers of two acts, passed in the thirtieth year of the reign of his late majesty King *George the Second*, and in the fifth year of the reign of his present Majesty, for repairing and widening the roads leading from *Spalding High Bridge* through *Littleworth*, and by *Frognall* and over *James Deeping Stone Bridge*, in the county of *Lincoln*, to *Maxcy Outgang*, in the county of *Northampton*, adjoining to the high road there.

73. An act for amending, widening, improving, and keeping in repair, the road leading out of the common highway from *Wigan* to *Golborn* and *Warrington*, near the northerly end of the southerly *Platt Bridge* in *Ince* in *Mackerfield*, by *Ramferlong*, into

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the turnpike road from *Wigan* to *Ashton*, in *Ashton in Mackerfield* in the county palatine of *Lancaster*.

74. An act for amending, widening, improving, and keeping in repair, the road leading from the south end of the *Moor Lane*, in the township of *Great Bolton*, into the turnpike road from *Manchester* to *Wigan*, near *Weſthoughtan Chapel*, in the county palatine of *Lancaster*.

75. An act for continuing the term and altering and enlarging the powers of two acts, passed in the thirty-first year of the reign of his late majesty King *George* the Second, and in the twentieth year of the reign of his present Majesty, so far as the same relate to such of the roads from *Tetbury*, and other places, in the county of *Gloucester*, as are comprized in the said last mentioned act, and for amending and repairing certain other roads in and through the parish of *Horsley*, and near *Tetbury* aforesaid, in the said county of *Gloucester*.

76. An act for continuing the term and altering and enlarging the powers of an act, passed in the nineteenth year of his present Majesty's reign, for amending the road from the nine mile stone on the *Bristol* road, at or near a place called *The Clay Pits*, to or near the chapel at *Stone*, and also the roads to or near *Berkeley*, *Dursley*, *Watton-under-Edge*, *Stroud*, and *Sodbury*, and several other roads in the counties of *Gloucester* and *Wilts*, except so far as the said act relates to the roads to or near *Sodbury* aforesaid.

77. An act to empower the guardians of the most noble *Henry* duke of *Newcastle*, an infant, to grant leases of certain parts of his estates in the county of *Nottingham*.

78. An act for vesting certain detached parts of the estates devised by the will of *Michael Hicks* esquire, in the counties of *Essex*, *Norfolk*, *Suffolk*, and *Gloucester*, and in *London*, in trustees, for carrying into execution certain agreements for sale of parts thereof, and to sell the other parts thereof, and to apply the money arising from such sales in the purchase of other estates in the said county of *Gloucester*, to be settled to the same uses.

79. An act for vesting the estates of *Penyſton Portlock Powney* esquire, deceased, situate in the county of *Berks*, in trustees, to be sold, for paying incumbrances and debts, and for laying out the surplus under the directions of the court of chancery in the purchase of other estates, to be conveyed to the trustees of the will of the said *Penyſton Portlock Powney*, in lieu thereof.

80. An act for effecting an exchange between the dean and chapter of the cathedral church of the Holy Trinity of *Glebeſter*, and the right honourable *James* lord *Selsey*, and the honourable *John Pracey*, of certain messuages, lands, and hereditaments, in the county of *Staff.*

81. An act for more effectually vesting and facilitating the raising of a sum of ten thousand pounds, which, by the settlement of the family estates of the right honourable *George Augustus* earl of *Guildford*, was provided for the portions of his younger children, in and for the benefit of the honourable lady *Maria North*,

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(the only child of the said earl by the right honourable *Marina* countess of *Guilford*, his late wife), if she shall live to attain the age of twenty-one years, or to be married.

82. An act for vesting part of the estates devised by the will of *Tristram Huddleston Fervoise* esquire, in trustees, to be sold, and for laying out the money to arise therefrom, under the direction of the court of chancery, in the purchase of other estates to be settled in lieu thereof, and to the same uses.

83. An act for investing part of the personal estate of *Robert Child* esquire, deceased, in the purchase of an estate, situate near *Osterley Park*, in the county of *Middlesex*, to be settled upon the trusts, and for the purposes therein mentioned.

84. An act for vesting the settled estates of sir *Clement Cottrell Dormer*, which were devised by the will of *William Philipps Lee* esquire, in trustees, to be sold, and for laying out the money arising thereby in the purchase of other estates, to be settled in lieu thereof, and to the same uses, and for other purposes.

85. An act for dividing, allotting, and inclosing, the commons and waste lands, within the parish of *Llanfwrog*, in the county of *Denbigh*.

86. An act for dividing, allotting, and inclosing, the open common fields, meadows, pastures, commons, and waste lands, within the parish of *Walton upon Thames*, and the manor of *Walton Leigh*, in the county of *Surrey*.

87. An act for dividing, allotting, and inclosing, the open common fields, meadows and pastures, commons and waste lands, in the parishes of *Byfleet* and *Weybridge*, and manor of *Byfleet*, with its members, in the county of *Surrey*.

88. An act for extending the royalty of the city of *Glasgow* over certain adjacent lands; for paving, lighting, and cleansing the streets, for regulating the police, and appointing officers and watchmen; for dividing the city into wards, and appointing commissioners; and for raising funds, and giving certain powers to the magistrates and council, and town and dean of guild courts, for the above and other purposes.

89. An act to empower the governor and company of the bank of *England* to purchase certain houses and ground contiguous to the bank of *England*, and to enable them to improve certain avenues adjacent thereto.

90. An act to explain, amend, and render more effectual, two acts, made in the thirty-first year of the reign of King *George* the Second, and in the twenty-ninth year of the reign of his present Majesty, for draining and preserving certain fen lands and low grounds in the *Iste of Ely*, and county of *Cambridge*, between the *Cam*, otherwise *Grant*, *Ouse*, and *Mildenhall* rivers, and bounded on the south-east by the hard lands of *Isleham*, *Fordham*, *Sobham*, and *Wicken*; and for empowering the governor, bailiffs, and commonalty, of the company of conservators of the great level of the fens, called *Bedford Level*, to sell certain lands within the said limits, commonly called *Invested Lands*; and for laying certain

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tain rates on vessels navigated upon the said rivers, towards supporting the banks thereof.

91. An act for better draining and preserving the lands and grounds in the fourth district of the north level, part of the great level of the fens called *Bedford Level*; and for amending and rendering more effectual an act, passed in the twenty-seventh year of the reign of his late majesty King *George* the Second, so far as relates to the said fourth district.

92. An act for dividing, allotting, and inclosing, certain waste lands, in the manor of *Wortben*, and the manors or townships of *Aston Pigot* and *Aston Rogers*, in the parish of *Wortben*, in the county of *Salop*, and for draining, and otherwise improving, certain inclosed lands adjoining or near a certain rivulet or brook called *The Rea*, commencing at or near a certain piece of water called *Marton Pool*, on the confines of the parish of *Chirbury*, and extending through the said parish of *Wortben*, to a bridge across the said river, called *Horse Bridge*, on the confines of the parish of *Westbury*, in the said county, and sundry streams or brooks emptying themselves therein.

93. An act for continuing for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers, of an act, passed in the seventeenth year of the reign of his present Majesty, for more effectually amending, widening, and keeping in repair, several roads leading from the market house, in the town of *Kidderminster*, in the county of *Worcester*, and several other roads therein mentioned.

94. An act for enlarging the term and powers of so much of an act, passed in the thirty-fourth year of his present Majesty's reign, for repairing several roads leading into the city of *Glasgow*, as relates to the road from *Park-house*, to or near the three mile house, in the county of *Lanark*.

95. An act for more effectually amending, widening, improving, and keeping in repair, several roads leading from the *Hundred House*, in the county of *Worcester*, and also several other roads therein mentioned.

96. An act for enlarging the term and powers of an act, made in the nineteenth year of the reign of his present Majesty, for amending and keeping in repair, the road from a certain bridge over a brook or stream called *Sudbrook*, near the city of *Gloucester*, to the nine mile stone on the *Bristol* road, at or near a place called *The Cloy Pitts*, in the county of *Gloucester*.

97. An act for enlarging the term and powers of an act, made in the eighteenth year of the reign of his present Majesty, for repairing and widening the road from the city of *Gloucester* to the town of *Stroud*, in the county of *Gloucester*.

98. An act for vesting part of the settled estates devised by the will of sir *Patrick Blake* baronet, deceased, situate and being in the counties of *Middlesex* and *Suffolk*, in trustees, to be sold for payment of incumbrances affecting the same estates, under the direction

direction of the court of chancery, and for laying out the surplus of the purchase money in other estates, upon the trusts and for the purposes therein expressed.

99. An act for vesting part of the estates devised by the will of sir *Richard Hotham* knight, deceased, in trustees, to be sold, for payment of incumbrances, and for laying out the surplus monies in other estates, to be settled in lieu thereof, and to the same uses.

100. An act for sale of certain estates in the parishes of *Claypole*, *Great Ponton*, and *Kirton*, in the county of *Lincoln*, devised by the will of the reverend *William Rastall*, doctor in divinity, and for laying out the money arising, by sale thereof in the purchase of other estates, to be settled to the same uses, and for other purposes in the said act mentioned.

101. An act for enabling the tenants for life, under the will of the late *William Wright* esquire, to convey in fee, or grant leases for long terms of years, for the purpose of building, of part of the estates devised by the said will, in the counties palatine of *Chester* and *Lancaster*.

102. An act to enable sir *George Pigot* baronet, *Margaret Fisher*, and *Francis Pigot*, to dispose of a certain diamond therein mentioned by a lottery.

103. An act for enabling the most noble *Charles* duke of *Richmond*, and the duke of *Richmond* for the time being, to charge with jointures the annuity of nineteen thousand pounds, (payable out of the consolidated fund, in lieu of the coal duty granted by King *Charles* the Second to *Charles* first duke of *Richmond*, and the heirs of his body), and the stocks on transfer of which the said annuity is made redeemable, and for enabling the sale of part of the said stocks, and investing the money arising from any such sale in the purchase of manors, lands, and hereditaments, and for other purposes.

104. An act to explain, amend, and render more effectual, an act, passed in the third year of the reign of King *James* the First, intituled, *An act for the recovering small debts, and for the relieving of poor debtors, in London*, and an act, passed in the fourteenth year of the reign of his late majesty King *George* the Second, to explain and amend the above-mentioned act, and likewise for extending the powers of the court of requests in the city of *London*, in and by the said two several acts continued and established.

105. An act for taking down, and rebuilding upon a more enlarged scale, the chapel of *Saint Mary*, in the town of *Caernarvon*.

106. An act for establishing a new church or chapel lately erected on the south side of *Hunter Street*, within the town and parish of *Liverpool*, in the county palatine of *Lancaster*.

107. An act for the appointment and regulation of pilots and hoblors for the conducting of ships and vessels into and out of the port or harbour, and river, of *Neath*, in the county of *Glamorgan*, for placing buoys upon the bar of *Neath*, and the removal of obstructions in the said port or harbour, and river; for

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regulating the mooring of ships and vessels therein, and for the regulation of porters within the said port or harbour, and river and within the town of *Neath*.

108. An act for altering and amending an act, made in the thirty-fifth year of his present Majesty's reign, intituled, *An act for making and maintaining a navigable canal from the town and county of the town of Southampton, to the city of New Sarum, in the county of Wilts, with a collateral branch to Northam, within the liberties of the town of Southampton.*

109. An act for enabling the *Horncastle* navigation company to raise a further sum of money to complete the said navigation, and for amending an act, passed in the thirty-second year of the reign of his present Majesty, for making and maintaining the said navigation.

110. An act for continuing, for twenty-one years, and from thence to the end of the then next session of parliament, the term, and enlarging the powers of two acts, passed in the twenty-seventh year of the reign of his late majesty King *George* the Second, and the fifth year of the reign of his present Majesty, for opening, making, widening, and keeping in repair, a road from *Ratcliff Highway*, through *Cannon Street*, in the county of *Middlesex*, into the road leading into the county of *Essex*, and also from the west end of *Brook Street* into *Cable Street*, and from *Upper Shadwell Street* into the *Back Lane*, of the said county of *Middlesex*.

111. An act for continuing, for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers, of two acts, passed for repairing, amending, and widening, the road from *Keighley*, in the west riding of the county of *York*, to *Kirkby in Kendal*, in the county of *Westmorland*, so far as the same relate to that part of the said road which lies within the counties of *Westmorland* and *Lancaster*.

112. An act for continuing, for twenty-one years, and from thence to the end of the then next session of parliament, the term, and altering and enlarging the powers, of two acts, passed in the twenty-eighth year of the reign of his late majesty King *George* the Second, and in the tenth year of the reign of his present Majesty, for repairing and widening the road from *Sutton*, in the county of *Surrey*, through the borough of *Reigate*, by *Sidlow Mill*, to *Povey Cross*, and several other roads therein mentioned, in the same county.

113. An act for vesting part of the settled estates of the most honourable *Arthur* marquis of *Downshire*, in the kingdom of *Ireland*, and earl of *Hillsborough*, in the kingdom of *England*, in trustees, to be sold, and for laying out the money arising thereby in the purchase of other estates, to be settled in lieu thereof, and to the same uses, and for other purposes.

114. An act for the partition of divers estates of the late sir *Humphrey* *Briggs* baronet, in which the right honourable *Richard* viscount *Fitzwilliam*, in the kingdom of *Ireland*, the reverend *Richard* *Huntley*, and *George* *Brooke* esquire, have undivided shares.

115. An act for confirming a partition made of the estates of the late *Humphrey Pitt* esquire, and certain powers of sale, mentioned in the partition deeds.

116. An act for dividing, allotting, and inclosing, the commons and waste lands in the parish of *Ysceiſiog*, in the county of *Flint*, and in the parish of *Nannerch*, in the county of *Flint* and *Denbigh*.

117. An act for enabling trustees to enfranchise copyhold messuages or tenements in the manor of *Brightelmston*, in the county of *Suffex*, and to grant leases of certain other tenements within the said manor, devised by the will of the late *Charles Scrase* esquire, deceased.

118. An act for draining, embanking, and preserving divers tracts of land within the township of *Muston*, in the parish of *Hunmanby*, and also within sundry other parishes, townships, or places adjoining or near to the rivers *Derwent* and *Harsford*, in the east and north ridings of the county of *York*.

119. An act for effectuating a partition or division of certain freehold and copyhold, or customary, messuages, lands, and hereditaments, in the county of *Worcester*, heretofore the estates of *Holland Cooksey* esquire, deceased, and for substituting *Thomas Bird* gentleman, to be a trustee in the place of *William Dowdeswell* esquire, now in parts beyond the sea, for all the purposes for which the said *William Dowdeswell*, jointly with *Thomas Blaney* gentleman, is a trustee of one undivided fifth part of the said freehold and copyhold, or customary, messuages, lands, and hereditaments.

120. An act for dividing, allotting, and inclosing, the commons, waste lands, and marshes, in the parish of *Whisford*, in the county of *Flint*, and for fencing the said marshes.

PRIVATE ACTS.

1. AN act for dividing, allotting, and inclosing the common and open fields, meadows, commonable lands, and waste grounds, within the parish of *Tilbrooke*, in the county of *Bedford*.

2. An act for dividing, allotting, and inclosing, the common and open fields, meadows, commonable lands, and waste grounds, within the parish of *Istip*, in the county of *Northampton*.

3. An act for dividing, allotting, and inclosing the commons and waste grounds within the parish of *Salhouse*, in the county of *Norfolk*.

4. An act for dividing, allotting, and inclosing, the commons and waste grounds, within the parish of *Langley*, in the county of *Norfolk*.

5. An act for dividing, allotting, and inclosing the common fields, half year or shack lands, warren commons, commonable lands, and waste grounds, within the parish of *Cawston*, in the county of *Norfolk*.

6. An

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6. An act for dividing, allotting, and inclosing the moor, commons, and waste lands, lying within the manor and parish of *Locking*, in the county of *Somerset*.

7. An act for dividing, allotting, and inclosing, the common and open fields, meadows, commonable lands, and waste grounds, in the parish of *Bytborn*, in the county of *Huntingdon*.

8. An act for dividing, allotting, and inclosing the commons and waste grounds, within the parish of *Thorpe*, next *Norwich*, in the county of *Norfolk*, and in the county of the city of *Norwich*.

9. An act for inclosing, dividing, and allotting, two certain tracts of land, now held and used as stinted common of pasture, within the parish of *Snettisham*, in the county of *Norfolk*.

10. An act for dividing, allotting, and inclosing, the open and common arable meadow, ley pasture, and waste lands, within the parish of *Wendlebury*, in the county of *Oxford*.

11. An act for separating the commons or waste grounds of the manor of *East Horsley*, in the county of *Surrey*, which lie in the several parishes of *East Horsley* and *Ockham*, within the said manor, and for settling the rights of common thereon.

12. An act for dividing, allotting, and inclosing, the open and common fields, common pastures, common meadows, and other commonable lands, lying within the parish of *Bloxham*, in the county of *Oxford*.

13. An act for dividing and inclosing several open fields and commons or waste grounds, within the parish of *Martin with Grafton*, in the county of *York*.

14. An act for dividing, allotting, inclosing, the commons and waste lands, within the parish of *Burlifcombe*, in the county of *Devon*.

15. An act for dividing, allotting, and inclosing, the several parcels of common, moor, and waste grounds, within the manor of *Skelmanthorpe*, in the west riding of the county of *York*.

16. An act for dividing, allotting, regulating, and inclosing, the open fields, meadows, pastures, commons, and waste grounds, within the parish of *Normanton upon Trent*, in the county of *Nottingham*.

17. An act for vesting in *Heneage Legge* and *William Sheldon* esquires, divers freehold lands and hereditaments, in the parish of *Saint Mary Magdalen Bermondsey*, in the county of *Surrey*, late the estate of *Sarah West* widow, and conveyed by her to *Joseph Martin* esquire, and *Beriah Hills* gentleman, by indentures of lease and release, bearing date respectively the twentieth and twenty-first days of *March* one thousand seven hundred and seventy-four, upon several trusts, and for enabling the said *Heneage Legge* and *William Sheldon* to execute such of the same trusts as are now subsisting.

18. An act for uniting the north mediety of the rectory of *Leverton*, in the county of *Lincoln*, with the south mediety of the same rectory, from and after the next avoidance of either benefice.

19. An act for dividing, allotting, inclosing, and laying in severalty,

severalty, the common and open fields, common meadows, commonable lands, commons, and waste grounds, within the parish of *Milton*, in the county of *Cambridge*.

20. An act for dividing, allotting, and inclosing, the common or waste ground called *Abby Woulds*, in the manor and parish of *Abby-de-la-Zouch*, in the county of *Leicester*.

21. An act for dividing, allotting, and inclosing, certain commons and waste lands, in the parishes of *Stoke-upon-Tern*, and *Hinstock*, in the county of *Salop*.

22. An act for dividing, allotting, and inclosing, the open common field, or mesne inclosure, commons, moors, and waste grounds, within the manor of *Denby*, otherwise *Denby with Clayton West*, in the west riding of the county of *York*.

23. An act for dividing, allotting, and inclosing, the common and open fields, meadows, commonable land and waste grounds, within the parish of *Over and Nether Dean*, in the county of *Bedford*.

24. An act for dividing, allotting, and inclosing, the open and common fields, common pastures, and common meadows, within such part of the parish of *Welford* as is within the county of *Gloucester*.

25. An act for dividing, allotting, and inclosing, a common called *Tanfield Moor*, in the parish of *Chester-le-Street*, in the county of *Durham*.

26. An act for dividing, allotting, and inclosing, the open and common fields, meadows, commonable lands, and waste grounds, in the parish of *Farndish*, in the counties of *Bedford* and *Northampton*, or one of them.

27. An act for dividing, allotting, and inclosing, the open and common fields, meadows, commonable lands, and waste grounds, within the parish of *Ryhall with Belmesborpe*, otherwise *Belmingshorpe*, in the county of *Rutland*.

28. An act for dividing, allotting, and inclosing, the whole year lands, open fields, commons, commonable wood grounds, and other commonable and waste lands, within the parish of *Ovington*, in the county of *Norfolk*.

29. An act for dividing, allotting, and inclosing, the open and common fields, meadows, commonable lands, and waste grounds, within the parish of *Barnack with Pilsgate*, in the county of *Northampton*.

30. An act for dividing, allotting, and inclosing, the open fields, ings, commons, and waste grounds, within the townships of *Tholthorpe* and *Flawith*, in the parish of *Alne*, in the north riding of the county of *York*.

31. An act to dissolve the marriage of *Edward Henry Columbine* esquire, with *Anna Maria Starr*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.

32. An act for dividing, allotting, and laying in severalty, the open and common lands and grounds, within the parish of *Shalbourne*, in the counties of *Wilts* and *Berks*.

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33. An act for dividing, allotting, and inclosing, the commons and waste grounds, in the parishes of *East Poringland, West Poringland, Framingham Earl, Framingham Pigot, Bixley, Armeringhall, Stoke Holy Cross, and Caister Saint Edmund*, in the county of *Norfolk*; and for making a compensation for the tythes arising in the said parishes of *East Poringland, Framingham Earl, and Bixley*.

34. An act for dividing, allotting, and inclosing, the open fields, meadows, pastures, moors, carrs, and other commonable lands and waste grounds, in the parish of *Wrawby-cum-Brigg*, in the county of *Lincoln*.

35. An act for dividing and inclosing the commons, fen grounds, and waste lands, within the parish of *Brooke*, in the county of *Norfolk*.

36. An act for dividing and inclosing the open and common fields, common meadows, commonable lands, and waste grounds, within the parish of *Newton Bromsbold*, in the county of *Northampton*, and also such of the open fields, and other commonable lands, within the parish of *Higham Ferrers*, in the said county of *Northampton*, as are called or known by the names of *The Buscotts and No Man's Leys*.

37. An act for dividing, allotting, and inclosing, the open and common fields, meadows, pastures, and waste grounds, in the lordship of *Barholm*, in the county of *Lincoln*.

38. An act for dividing, inclosing, and improving the several open arable fields, ings, pastures, commons, and waste grounds, within the township of *Womersley*, in the west riding of the county of *York*.

39. An act for dividing, allotting, and inclosing, certain open and common fields and waste lands, within the parish of *Saint John Hertford*, and the liberty of *Brickendon*, in the parish of *All Saints Hertford*, in the county of *Hertford*.

40. An act for vesting the manor of *Moretton*, and divers messuages, lands, and hereditaments in *Moretton* in the county of *Stafford*, devised by the will of sir *William Wolseley* baronet, deceased, in trustees, to be sold, and for the application of the money to arise from such sale, and for other purposes.

41. An act for vesting part of the settled estates of *Richard Wood* esquire, in trustees, to be sold, and for laying out the monies in the purchase of other estates, to be settled in lieu thereof, to the same uses, and for other purposes.

42. An act for dividing, allotting, and inclosing the commons and waste grounds within the parish of *Little Plumstead* in the county of *Norfolk*.

43. An act for dividing, allotting, and inclosing the open fields and waste ground within the township of *Holnorton*, in the parishes of *Holnorton and Hollym cum Withernsea*, in *Holderness*, in the east riding of the county of *York*.

44. An act for dividing and inclosing the open common fields, meadows, and waste lands in the parish of *Newark upon Trent*, in the county of *Nottingham*.

45. An

45. An act for dividing, allotting, and inclosing the several open fields, meadows, commons, and wastes, in the vills or hamlets of *High Egborough*, *Low Egborough*, *Sherwood*, *Hutgreen*, and *Tranmoor*, in the parish of *Kellington*, in the west riding of the county of *York*.

46. An act for dividing, allotting, and inclosing the open common fields, ings, marshes, common, commonable lands, and waste grounds, within the manor and township of *Carlton* in the parish of *Snaith*, and the manor and township of *Cambleforth*, in the parish of *Drax*, in the west riding of the county of *York*.

47. An act for dividing, allotting, and inclosing the commons and waste grounds within the parish of *Sproyston* in the county of *Norfolk*.

48. An act for dividing and inclosing *Noman's Moor*, otherwise *Norman's Moor*, within the north riding of the county of *York*.

49. An act for dividing, allotting, and inclosing the commons and waste grounds within the manor and township of *Thurstonland*, in the parish of *Kirkburton*, in the west riding of the county of *York*.

50. An act for dividing, allotting, and inclosing the open and common fields, common downs, commons, and waste lands in the parish of *Winterborne Stickland*, in the county of *Dorset*, and for extinguishing the tithes in the same parish.

51. An act for dividing, allotting, and inclosing, the open and common fields, meadows, and pastures, and other commonable lands and grounds, and also the waste lands and grounds, within the several parishes of *Hanworth*, *Feltham*, and *Sunbury*, in the county of *Middlesex*.

52. An act for dividing, allotting, inclosing, and improving, the open arable fields, stinted pastures, common pastures, commons, and waste grounds, within the township of *Kearby*, otherwise *Kirkby*, otherwise *Kirby-cum-Netherby*, in the parish of *Kirkby-Overblow*, in the west riding of the county of *York*.

53. An act for dividing, allotting, and inclosing the several commons and waste lands in the manors and townships of *Hale* and *Halewood*, in the parish of *Childwall*, in the county palatine of *Lancaster*.

54. An act for dividing, allotting, and inclosing the open fields, pastures, wastes, and other uninclosed lands and grounds, in the parish of *Braceborough*, in the county of *Lincoln*, and for making compensation for the tithes within the same parish.

55. An act for dividing, allotting, and inclosing the open common fields, lammis lands, commons, heaths, moors, and waste lands, within the parish of *Iver*, in the county of *Buckingham*.

56. An act to enable *Justinian Kerry* esquire, and his issue, to take the surname and arms of *Ekins* only, pursuant to the will of *Justinian Ekins* esquire, deceased.

57. An act to enable the trustees therein named, to repair the

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new bridge over the river *Avon*, from the city of *Bath*, to the manor of *Batbwick*, and to raise a sufficient sum for that purpose by a charge on the trust estates of the late general *Pulteney*, or to apply in that manner certain sums which may be payable to the said trust estates from the company of proprietors of the *Kennet* and *Avon* canal navigation.

58. An act for empowering the judges of the court of session in *Scotland* to sell such part or parts of the entailed estate of *Blairhall* and others, in the counties of *Fife* and *Perth*, belonging to mistress *Ann Ranaldson Dickson*, wife of *James Ranaldson Dickson*, of *Blairhall*, esquire, as shall be sufficient for payment of the debts and provisions to younger children affecting the same.

59. An act for dividing, allotting, and inclosing the open fields, and other commonable lands, in the parishes of *Exton* and *Cottessmore* with *Barrow*, in the county of *Rutland*, and for extinguishing the tithes in those parishes.

60. An act for dividing, allotting, and inclosing certain heath lands, and open and common fields, common pastures, and commonable lands, within the parish of *Cassington*, in the county of *Oxford*, and in the hamlet of *Worton*, otherwise *Workton*, within the said parish.

61. An act for dividing and inclosing the open meadows, commonable lands, and waste grounds, within the parish of *South Hykeham*, in the county of *Lincoln*, and for making compensation to the rector of *South Hykeham* aforesaid, in lieu of the tithes of all the titheable lands within the same parish.

62. An act for dividing, allotting, and inclosing, the open and common fields, meadows, pastures, wastes, and other commonable lands and grounds, within the parish of *Guillemorden*, in the county of *Cambridge*.

63. An act for dividing, allotting, and inclosing, the several open common fields, common meadows, common pastures, and other commonable lands, and a tract of heath land, within the parish of *Ensham*, in the county of *Oxford*.

64. An act for dividing and inclosing certain open and common fields, meadows, lands, commons, and commonable places, within the parish of *Holywell with Needingworth*, in the county of *Huntingdon*.

65. An act for dividing, allotting, and inclosing, the half year or shack lands, warrens, commons, heaths, commonable lands, and waste grounds, within the parishes of *Horsford*, *Horsbam Saint Faith's*, and hamlet of *Newton Saint Faith's*, in the county of *Norfolk*.

66. An act for dividing and inclosing certain open and common fields, meadows, lands, commons, and commonable places, within the parish of *Elsworth*, in the county of *Cambridge*.

67. An act for dividing, allotting, and inclosing, the commons, moors, and waste grounds, within the township of *Ingburchworth*, in the parish of *Penistone*, in the west riding of the county of *York*.

68. An

68. An act for confirming and establishing the division and inclosure of a certain common, or parcel of waste land, called *Seiston Forest*, otherwise *The Long Forest*, within the townships of *Seiston*, *Bache*, and *Norton*, in the parish of *Culmington*, in the county of *Salop*, and certain exchanges of lands and estates within the said parish.

69. An act for dividing, allotting, and inclosing, the open fields, meadows, pastures, commonable and waste lands, within the parish of *Wysall*, in the county of *Nottingham*.

70. An act for dividing, allotting, and inclosing, certain common fields and waste lands, within or adjoining the parish of *Saint Mary*, in *Stafford*, in the county of *Stafford*.

71. An act for dividing, allotting, and inclosing, the open fields, meadow, commons, and waste grounds, within the parish of *Ordsall*, in the county of *Nottingham*.

72. An act for naturalizing *Alexander John Gaspard Marcet*.

73. An act for the sale of the *George* inn, in the town of *Northampton*, vested in trustees for charitable purposes under the will of *John Driden* esquire, deceased, and for investing the money arising from the sale thereof in the purchase of three pounds per centum consolidated bank annuities, until a proper purchase can be found, and in the mean time for applying the dividends and annual produce thereof for the same charitable purposes.

74. An act to give to trustees powers of sale, exchange, and partition, over such of the shares of estates comprized in the marriage settlement of *William Barbor* esquire, as are situate in the county of *Somerset*, and to lay out the money arising by such sale in the purchase of estates, to be situate in the county of *Devon*, and to give a power of changing and appointing new trustees of the estates so to be sold.

75. An act for dividing, allotting, and inclosing, the commons and waste grounds, within the parish of *Rocaster*, and in the township of *Denston*, within the parishes of *Rocaster* aforesaid, and *Alveton*, in the county of *Stafford*.

76. An act for exchanging, allotting, improving, and inclosing, certain open and commonable arable lands, within the parish of *Huntspill*, in the county of *Somerset*, and for dividing, allotting, inclosing, and improving, a certain open and commonable pasture, called *Stert Common*, situate in the parish of *Huntspill* aforesaid, and in the parishes of *Cannington*, *Stockland Bristol*, and *Stogursey*, in the said county of *Somerset*.

77. An act for dividing, allotting, and inclosing, the open and common fields, common pastures, common meadows, and other commonable lands and waste grounds, within the parish of *Connington*, in the county of *Cambridge*.

78. An act for dividing, allotting, and inclosing, the open and common fields, common or commonable meadows, pasture, lands, and grounds, and waste lands, in the parish of *Whitchurch*, in the county of *Oxford*.

79. An act for dividing and inclosing the common, common fields, common marshes, and waste land, within the parish of

A TABLE of the STATUTES, &c.

Edmonton, in the county of *Middlesex*, and for other purposes therein mentioned.

80. An act for dividing, allotting, and inclosing, the open and common fields and downs, common meadows, common pastures, and commonable and waste lands, within the manor or tithing of *Chirton*, otherwise *Cherrington*, in the county of *Wilts*.

81. An act for dividing, allotting, and inclosing, the several open fields, meadows, pastures, commons, commonable lands, and waste grounds, within the several manors or townships of *Hunmanby* and *Fordon*, in the parish of *Hunmanby*, in the east riding of the county of *York*, and for making compensation in lieu of tithe arising in, over, or upon, the same, and in, over, and upon, certain ancient inclosed lands in the same townships.

82. An act for naturalizing *Frederick William Wisfenhausen*.

83. An act for naturalizing *Charles Gotthold Nicolay*.

84. An act for dividing, allotting, laying in severalty, and inclosing, the open and common arable lands, common meadow, common pasture, waste and down ground, within the parish or township of *Sparsholt*, in the county of *Berks*, and within the hamlet of *Westcote*, in the same parish and county.

85. An act for dividing, allotting, and inclosing, the heaths and commons, and for exonerating, from common right, the half year lands and lammas lands, within the manors of *Dedham Hall* and *Overhall* and *Netherball*, in the parish of *Dedham*, in the county of *Essex*.

86. An act for naturalizing *Francis Julius Micheli*.

87. An act for naturalizing *John Tulliken*.

88. An act for naturalizing *John Joachim Vital de Boubée de Brouquens*, an infant.

89. An act for naturalizing *Johan Gottlieb Lebrecht Sultzbergen*.

90. An act for naturalizing *Jean Elizabeth Grammont Vallette*, widow.

PUBLIC LOCAL AND PERSONAL ACTS,

Anno tricesimo nono GEORGIUM III. Regis.

* * It being thought unnecessary to print in this place the whole of the titles of the Public Local and Personal Acts, which are all inserted in the Table; the Editor has selected those Acts which he thought would be found of most general utility, either at length, or made copious abstracts of them.

Cap. 58.

An act for regulating the rates of portorage to be taken by innkeepers and other persons within the cities of London and Westminster, the borough of Southwark, and places adjacent.—[June 21, 1799.]

WHEREAS great exactions and abuses are daily practised in the portorage or delivery of boxes, baskets, packages, parcels, trusses, game, and other things, within the cities of London and Westminster, and the borough of Southwark, and the suburbs and liberties thereof respectively, and other parts contiguous thereto, brought by stage waggons, carts, public stage coaches or carriages: and whereas the laws now in being are insufficient for the prevention of such exactions and abuses: 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 July one thousand seven hundred and ninety nine, no innkeeper, warehousekeeper, or other person, to whom any box, basket, package, parcel, truss, game, or other thing whatsoever, not exceeding fifty-six pounds weight, is brought by any stage waggon or cart, or any public stage coach or carriage, or any porter or other person employed by such innkeeper, warehousekeeper, or other person in the portorage or delivery of any such box, basket, package, parcel, truss, game, or other things within the cities of London and Westminster, and the borough of Southwark, and the suburbs and liberties thereof respectively, and other parts contiguous thereto, not exceeding the distance of half a mile from the end of the carriage pavement in the several streets and places within the said cities, boroughs, and liberties, shall ask or demand, or receive or take, in respect of such portorage or delivery, any greater rate or price than the several rates or prices hereafter mentioned; (that is to say,)

For any distance not exceeding a quarter of a mile, the sum of three pence:

For any greater distance than a quarter of a mile, but not exceeding half a mile, the sum of four pence:

For any greater distance than half a mile, but not exceeding one mile, the sum of six pence:

For any greater distance than one mile, but not exceeding one mile and a half, the sum of eight pence:

For any greater distance than one mile and a half, but not exceeding two miles, the sum of ten pence; and so in like manner the additional sum of three pence for every further distance not exceeding half a mile.

II. And be it further enacted, That if any porter or other person employed in the portorage or delivery of such boxes, baskets, packages, parcels, trusses, game or other things as aforesaid, shall ask or demand, or receive or take, of and from any person or persons in respect of such

portorage or delivery, any greater sum or sums than the rates or prices hereinbefore fixed in that behalf, such porter or other persons shall for every such offence forfeit a sum not exceeding twenty shillings nor less than five shillings.

III. And be it further enacted, That before any such box, basket, packet, package, parcel, truss, game, or other thing whatsoever is sent from the inn, warehouse, or other place to which the same is brought or conveyed, there shall be made out and given to the porter or other person employed in the delivery thereof, a card or ticket, whereon shall be distinctly printed, written, or marked the name and description of the inn, warehouse, or other place from whence the same is sent, and the sum due for the carriage thereof, and also the sum due for the portorage or delivery thereof, according to the rates and prices aforesaid, and the christian name and surname of the porter or other person employed in such delivery, which card or ticket shall be delivered by the porter or other person employed as aforesaid, at the same time and together with such box, basket, packet, package, parcel, truss, game, or other thing; and if any such box, basket, or other article shall be sent from any inn, warehouse, or other place without such card or ticket as aforesaid, every such innkeeper, warehousekeeper, or other person shall for every such offence forfeit and pay any sum not exceeding forty shillings nor less than five shillings: and any porter or other person employed in the delivery of any such box, basket, or other article, who shall not at the time of such delivery leave therewith such card or ticket as aforesaid, or who shall wilfully alter, obliterate, or deface any thing written or expressed thereon, shall for every such offence forfeit and pay the sum of forty shillings; and if any such porter or other person shall, upon the delivery of such box, basket, or other article, ask or demand, or take or receive any larger sum for the carriage of such article than is written or expressed as aforesaid, every such porter or other person shall for every such offence forfeit and pay the sum of twenty shillings.

IV. And be it further enacted, That every box, basket, package, parcel, truss, game, or other thing brought to any inn, warehouse, or other place, by any public stage coach or carriage other than stage waggons, for the purpose of delivery within the limits aforesaid, (except where the same shall be directed to be left till called for), shall be delivered according to the direction thereof within six hours after the arrival of any such box, basket, or other article at such inn, warehouse, or other place, unless such arrival shall be between the hours of four in the evening and seven in the morning, and in that case every such delivery shall be made within six hours after such hour in the morning, and in default thereof every innkeeper, warehousekeeper, or other person, to whose inn, warehouse, or other place such box, basket, or other article shall be brought as aforesaid, shall forfeit and pay for every such offence any sum not exceeding twenty shillings nor less than ten shillings.

V. And be it further enacted, That every box, basket, package, parcel, truss, game, or other thing brought to any inn, warehouse, or other place, by any public stage waggon for the purpose of delivery within the limits aforesaid, (except where the same shall be directed to be left till called for), shall be delivered according to the direction thereof within twenty-four hours after the arrival of any such box, basket, or other article at such inn, warehouse, or other place, and in default thereof every innkeeper, warehousekeeper, or other person, to whose inn, warehouse, or other place such box, basket, or other article shall be brought as aforesaid, shall forfeit and pay for every such offence any sum not exceeding twenty shillings nor less than ten shillings.

VI. And be it enacted, That every such box, basket, package, parcel, truss, game, or other thing brought to such inn, warehouse, or other place as aforesaid, which shall be directed to be left till called for, shall, upon the demand of the person properly authorized to receive the same, be delivered to such person without any charge or demand whatsoever, other than what is justly due for the carriage thereof, and the additional sum of two pence for the warehouse-room thereof; and if the same

be

be not delivered to such person upon such demand, or any charge other than as aforesaid be made or received in respect thereof, every innkeeper, warehousekeeper, or other person, to whose inn, warehouse, or other place such box, basket, or other article shall be brought as aforesaid, shall forfeit and pay for every such offence or overcharge any sum not exceeding twenty shillings nor less than ten shillings.

VII. Provided nevertheless, That if such box, basket, or other article so directed to be left till called for be not sent for from such inn, warehouse, or other place before the end of one week after the same is brought to such inn, warehouse, or other place, it shall be lawful to and for such innkeeper, warehousekeeper, or other person to charge and receive the further sum of one penny for the warehouse-room thereof, and so in like manner if the same be not sent for before the end of the second or any subsequent week to charge the further sum of one penny weekly.

VIII. Provided also, That if any such box, basket, or other article brought to such inn, warehouse, or other place as aforesaid, which is not directed to be left till called for, shall, before the same is sent for delivery from such inn, warehouse, or other place, be demanded by any person properly authorised to receive the same, such box, basket, or other article shall be thereupon delivered to such person so demanding the same; and it shall in such case be lawful to and for such innkeeper, warehousekeeper, or other person to charge and take the sum justly due for the carriage thereof, and also the sum of two pence for the warehouse-room thereof; but if the same be not delivered to such person upon such demand, or any charge other than as aforesaid be made or received in respect thereof, every innkeeper, warehousekeeper, or other person, to whose inn, warehouse, or other place such box, basket, or other article shall be brought as aforesaid, shall forfeit and pay for every such offence any sum not exceeding twenty shillings nor less than ten shillings.

IX. And, for the preventing the misbehaviour of porters or other persons employed in the portage or delivery of such boxes, baskets, packages, parcels, trusses, game, or other things as aforesaid, be it further enacted, That upon complaint made of any non-delivery, neglect, misconduct, or misbehaviour in such employment to any justice of the peace within whose jurisdiction the offence has been committed, or the offender shall be or reside, it shall and may be lawful to and for such justice of the peace to grant a warrant to bring before him the person against whom such complaint shall be made, and upon proof, made upon oath, (which oath such justice is hereby empowered to administer), of any such non-delivery, neglect, misconduct, or misbehaviour of such porter or other person, to impose a fine or penalty upon such porter or other person not exceeding the sum of twenty shillings nor less than five shillings.

X. And be it further enacted, That if any person to whom any such box, basket, package, parcel, truss, game, or other article as aforesaid, shall be directed, shall, upon the delivery thereof, neglect or refuse to pay to the porter or other person employed to deliver the same the money justly due for the carriage thereof, and also due for the portage or delivery thereof, according to the rates aforesaid, or for the warehouse-room thereof, as the case may be, it shall and may be lawful to and for any justice of the peace within whose jurisdiction such neglect or refusal shall be made, or the person charged with such offence shall reside, upon complaint thereof made, to grant a warrant to bring before him the person against whom such complaint shall be made, and upon proof thereof, made upon oath, (which oath such justice is hereby empowered to administer), to award reasonable satisfaction to the party grieved, for his damage and costs, and for his loss of time in recovering the same, and on non-payment of the sum so awarded, by warrant under his hand and seal, to levy the same by distress and sale of the goods and chattels of the offender, rendering to such offender the overplus of such distress, if any there be, after deducting the charges of making the same.

XI. Provided always, and be it further enacted, That no person shall be prosecuted for any offence against this act, unless information of such offence

offence be given to a justice of the peace within fourteen days next after the commission of such offence.

XII. Provided also, That nothing in this act contained shall extend or be construed to extend to authorise the employment of any porter or other person in the portorage or delivery of parcels within the city of London contrary to the laws and usages of the said city.

XIII. And, for the speedy recovery of all and every the penalties and forfeitures which shall be incurred under this act, be it further enacted, That it shall and may be lawful for any one or more justice or justices of the peace within whose jurisdiction any offence or offences against this act shall be committed, or the person charged with such offence shall reside, upon complaint or information to him or them made, to summon the party or parties accused, and also the witnesses on either side, to appear before him or them at a certain time and place in such summons to be specified, and upon the appearance of the party or parties accused, or in default of his, her, or their appearance according to such summons, (due proof being made of the service of such summons), to proceed to hear and determine the matter in a summary way, and upon due proof made of the offence, either by the voluntary confession of the party or parties accused, or by the oath of one or more credible witness or witnesses, (which oath or oaths the said justice or justices is or are empowered to administer), to convict the party or parties, and to award and adjudge the penalties imposed by this act to be paid by such offender or offenders, together with reasonable costs and charges attending such conviction, and upon non-payment of the sum so awarded, either immediately or at such time as the said justice or justices shall appoint, not exceeding seven days, such justice or justices before whom such conviction shall be had is or are hereby empowered and authorized to issue his or their warrant for apprehending such offender; and in case such offender shall escape or go out of the jurisdiction of such justice or justices, it shall and may be lawful for any other justice of the peace of the county or place where such offender shall be found, by indorsement of such warrant, to authorize the execution thereof within the jurisdiction of such justice, and the justice or justices who granted such warrant may, upon the offender being brought before him or them, commit such offender to some public prison or house of correction of the city, county, or place in which such offence shall have been committed, or such offender shall have resided, there to remain without bail or mainprize for any term not exceeding one calendar month or less than fourteen days from the day of every such commitment, unless such offender shall sooner pay the sum to be mentioned in every such warrant of commitment.

XIV. And be it further enacted, That if any person or persons shall be summoned as a witness or witnesses to give evidence before any such justice or justices of the peace touching any matter contained in this act, and shall have had a reasonable sum of money paid or tendered to him for his loss of time and expences, and shall neglect or refuse to appear at the time and place for that purpose appointed, without a reasonable excuse for such his or their neglect or refusal, to be allowed of by such justice or justices, every such person shall forfeit or pay for every such offence any sum not exceeding forty shillings nor less than twenty shillings, to be levied and paid in such manner and by such means as herein-before directed with respect to other penalties; and if any person or persons summoned as a witness or witnesses to give evidence as aforesaid shall appear at the time and place for that purpose appointed, but shall refuse to answer any lawful questions such justice or justices may think proper to put to him, such justice or justices may commit every such person to some prison or house of correction of the city, county, or place within the jurisdiction of such justice or justices, for any time not exceeding fourteen days from the time of every such commitment.

XV. And be it further enacted, That the justice or justices of the peace before whom any offender shall be convicted as aforesaid shall cause the said conviction to be made out in the following form of words, or in any form of words to the same effect; (that is to say),

To

To wit. { **B**E it remembered, That on this day of
in the year of his Majesty King
A. B. is convicted before me (or us) one (or two) of his Majesty's
justices of the peace for the city of *London*, (or for the city and liberty of
Westminster, or for the county of *as the case may be,*) for that
the said *A. B.* on the day of now last past did,
contrary to the statute in that case made and provided [*here state the*
offence against the act]; and I (or we) do declare and adjudge, that the
said *A. B.* hath forfeited the sum of of lawful money of *Great*
Britain for the offence aforesaid. Given under my hand and seal, (or our
hands and seals), the day and year aforesaid.'

And the said justice or justices before whom such conviction shall be had shall certify the same to the next general or quarter sessions of the peace to be holden for the city, county, liberty, or place wherein such conviction was had, to be filed and kept amongst the records of the said general or quarter sessions, and such conviction 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.

XVI. Provided nevertheless, and be it further enacted, That all and every person and persons who shall think him, her, or themselves aggrieved by the judgement or determination of any such justice or justices as aforesaid, may appeal to the justices of the peace for the city, liberty, county, or place where such judgement shall be given, at their then next general or general quarter sessions of the peace, unless such next general or general quarter sessions of the peace shall happen to be holden within six days next after any such conviction, and in such case such person or persons may appeal to the second general or general quarter sessions of the peace which shall be holden for any such city, liberty, county, or place next after any such conviction, but no such appeal shall be received, heard, or determined unless the appellant or appellants shall first enter into a recognizance with two sufficient sureties, before such justice or justices so convicting as aforesaid, in the sum of ten pounds each, to appear and prosecute every such appeal with effect; and the justices of the peace at such general or general quarter sessions of the peace are hereby authorized and required on every such appeal being made, and on reasonable notice thereof given to the other party, finally to hear and determine the matter of every such appeal, and to make such order and to award such costs therein as they in their discretion shall see meet, and which said order and determination shall be final and conclusive to all parties, and no Certiorari shall be allowed to remove any such proceedings or determination.

XVII. And be it further enacted, That one moiety of the penalties by this act imposed shall, when recovered, go and be paid to the person or persons who shall prosecute to conviction any such offender or offenders, and the other moiety to the poor of the parish in which the offence shall be committed.

XVIII. And be it further enacted, That no person shall be sued or prosecuted for any thing done in pursuance and in execution of this act after the expiration of six months from the time when the offence was committed, and every such suit or prosecution shall be brought in the city, county, or place where such offence shall have been committed, and not elsewhere; and every person so sued shall and may plead the general issue (not guilty), and may give this act and the special matter in evidence at any trial to be had thereupon; and if a verdict shall be found for the defendant or defendants, or if the plaintiff shall become non-suited or discontinued his action after the defendant shall have appeared, or if judgement shall be given upon a demurrer against the plaintiff or plaintiffs, the defendant or defendants in every such action shall receive double costs, and have the like remedy for the same as defendants have in other cases for the recovery of their costs.

XIX. 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.

Cap. 69.

An act for rendering more commodious, and for better regulating, the port of London.—[July 12, 1799.]

Preamble.

WHEREAS considerable disadvantages to the trade of the port of London arise from the circuitous course of the river Thames round the tract of land, called The Isle of Dogs: and whereas, from the very great and progressive increase of the number and size of ships and other vessels trading to the port of London, the river Thames, in the said port, is, in general, so much crowded with shipping, lighters, and other craft, that the navigation of a considerable part of the said river is rendered tedious and dangerous; and there is much want of room in the said port, for the safe and convenient mooring of vessels and access to them: and whereas great inconveniences are also experienced in the said port, for want of regulations concerning the navigating and mooring of vessels in the same: and whereas want of accommodation for the landing and shipping of goods, wares, and merchandize, has for some years past been experienced, by reason of the confined and crowded state of the legal quays in or belonging to the said port: and whereas great delays, accidents, damages, losses, and extraordinary expences, are sustained from the aforesaid causes, to the hindrance of commerce, and the great injury of the publick revenue: and whereas the said evils might, in a considerable degree, be remedied, if a navigable canal for ships and other vessels, were made across the said Isle of Dogs, between Blackwall and Limehouse Hole, and if proper measures were adopted for the better navigating and mooring of ships and other vessels in the river Thames; and also if good and sufficient wet docks and basons were made in some part or parts of the said Isle of Dogs, with quays, wharfs, and warehouses attached thereto, for the reception, discharge, and loading of ships and vessels in the West India trade: but inasmuch as the same cannot be effected without the aid and authority of parliament, may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the mayor, aldermen, and commons of the city of London, in common council assembled, shall be, and they are hereby authorized and empowered, by themselves, their committees, agents, workmen, and servants, to design, lay out, make, maintain, and support, according to such plan or plans, and in such manner and form as they shall approve of, a navigable canal with proper and necessary cuts, flood gates, and other works adjoining or belonging thereto, to be situated in and pass through the said tract of land called *The Isle of Dogs*, in the hamlet of *Poplar* and *Blackwall*, and parish of *Stebonheath*, otherwise

Common council empowered to make a navigable canal across the Isle of Dogs.

otherwise *Stepney*, within the *Tower* division of the county of *Middlesex*, commonly called *The Tower Hamlets*, and to communicate with the river *Thames*, at or near *Blackwall* aforesaid, and also at or near a place called *Limehouse Hole*, so as to open, provide, and afford, a safe, ready, and convenient navigable course, and passage, for ships and other vessels, across the said *Isle of Dogs*.

II. And be it further enacted, That it shall be lawful for the said mayor, aldermen, and commons, in common council assembled, to build, repair, and maintain, two or more piers within the tide way of the river *Thames*, at or near *Blackwall* aforesaid, and two or more piers within the tide way of the said river, at or near *Limehouse Hole* aforesaid, to the intent that ships, and other vessels, may safely and conveniently enter into and go out of the said canal: provided nevertheless, That such piers shall not be built so as to injure the navigation of the said river.

Power to build piers at *Blackwall* and *Limehouse Hole*, to facilitate the entrances into the canal.

III. Line of canal docks, &c. to be according to the plan and book of reference, without deviation, unless with the consent of parties interested in the lands.

IV. Power to enter lands, and survey, design, and set out.

V. Powers to supply the canal with water from the *Thames*; and for that purpose to make foughs, aqueducts, &c. and to cleanse watercourses and raise the banks thereof; and to make watering places for cattle; and to dig, remove, and carry away earth, &c. and to build bridges, flood gates, toll houses, &c. and to divert and alter ways, bridges, &c. and to lay and work materials on the adjoining grounds; and to make bricks, and take sand from the river; and to make or alter fences, &c. and to make towing paths, &c. and to make and do all other things necessary, &c. doing as little damage as may be, and making satisfaction for damages.

VI. Power to arch over, fill up, or alter sewers and drains, and to build new ones under the direction of the commissioners of sewers for the *Tower Hamlets*. Such new sewers to be vested in and under the direction of the commissioners of sewers.

VII. Power to make and maintain draw and swivel bridges.

VIII. And be it further enacted, That it shall be lawful for the said mayor, aldermen, and commons, in common council assembled, to cause to be built upon, stopped up, or inclosed, any of the present streets, courts, alleys, ways, or passages, and void ground, adjoining, or which shall adjoin, to the said works, and now or heretofore used as ways or passages, or any part or parts thereof, which shall appear to the said mayor, aldermen, and commons, in common council assembled, proper to be built upon, stopped up, or inclosed, for any of the purposes of this act; and to sell and dispose of, or let the ground and soil thereof, to any person or persons, bodies politick, corporate, or collegiate, for such uses as they shall think proper, so as the money arising by such sale or sales, or letting, be applied to the purposes of this act.

Power to build on, stop up, or inclose, parts of streets, and also courts, alleys, &c. and to sell or let the ground.

IX. Power to repair works damaged by floods.

X. Power to scour the canal, &c. Remove wrecks of ships, &c.

XI. Power to cleanse adjoining watercourses, at the land owner's expence.

XII. The common council in making the said works are not to prejudice or obstruct the works of the *West India* dock company.

XIII. Houses, buildings, or mooring chains, are not to be taken, altered, &c. till paid for.

Common council empowered to purchase houses, lands, &c. within certain limits, on and near the Isle of Dogs.

XIV. And be it further enacted, That it shall be lawful for the said mayor, aldermen, and commons, in common council assembled, and they are hereby empowered for the purposes in this act mentioned, to treat and agree with the owners and occupiers thereof, and other persons interested therein, for the purchase of all such houses, buildings, lands, tenements, and hereditaments, of what nature or kind soever, in or near the hamlet of *Poplar* and *Blackwall*, and parish of *Stebonheath*, otherwise *Stepney* aforesaid, and in the parish of *Saint Ann, Limehouse*, in the said county of *Middlesex*, as they or the said *West India* dock company, shall judge necessary to be purchased, employed, taken down, removed, altered, or made use of in and about the works or concerns of the said canal, docks, basons, cuts, sluices, quays, or wharfs, warehouses, and other works, by this act authorized to be made, as herein is mentioned, or any of them, or enlarging or improving the same respectively, so as the houses, buildings, lands, tenements, and hereditaments so to be treated or agreed for, or purchased, shall be respectively situated, or shall arise or be within the boundary line or limits next herein-after described; (that is to say), Within a boundary line formed by and coinciding with the bank or shore of the river *Thames*, from the south west corner of the dock yard and premises at *Blackwall*, belonging to and in the occupation of *John Perry*, along the said river upwards, according to the circuitous course thereof, round and including the east, south, and west sides of the said *Isle of Dogs*, up to the north-west corner of a dock called *The Lime Kila Dock*, at or near *Limehouse Hole* aforesaid, and from thence extending eastward along the north-west side of and including the same lime kila dock, as far as the north-east corner thereof, and from thence extending eastward along the north brink or side of and including the common sewer there, as far as the north-east corner of a field belonging to and now in the occupation of *Thomas Drain*, and from thence turning southward along and including a drain at the east end of the said field, as far as the south-west extremity of the gardens or garden grounds lying on the east side of the same last-mentioned drain, and then turning eastward across a way or passage there, called *Dingle's Lane*, and along the north side of a field belonging to and in the occupation of *William Shelton*, up to a road called *Gut Lane*, and then returning southward along the east side of the said road, as far as the north-west corner of a field belonging to and in the occupation of *William Newby*; and from thence extending eastward along the north side of the same field, and along the backs or south boundaries of the gardens belonging to the houses there standing on the south side of the street called *Poplar Street*, as far as the north end of the rope manufactory, called *Perry's Rope Ground*, situated on the west side of the street called *Blackwall Causeway*, and continuing eastward along the north end of, and including the said rope grounds, to the north-east corner thereof, and continuing further eastward in the same line across a row of sheds, or other buildings there, into the said street, and from thence

thence returning southward along the west side of *Blackwall Causeway* aforesaid, as far as such place or spot on the said west side as is opposite to the north-west corner of a messuage and premises on the east side of the said street or causeway, in the occupation of *Edward Dounce*, and then crossing the said street or causeway at right angles, and going eastward along the north end or boundary of the last mentioned messuage and premises, to the north-east corner thereof, and then returning southward along the backs or east boundaries of and including the messuages and premises there, in the respective occupations of *Edward Dounce* and *Thomas Berry*, and then returning eastward along the north side, and up to the north-east corner of the messuage and premises in the occupation of *Richard Beesom*, and then turning and proceeding southward in a direct line to the south-east corner of the messuage and premises in the occupation of *Robert Jackson*, and from thence continuing southward in a direct line to the north-east corner of the warehouses belonging to and in the occupation of captain *Pelley*, and from thence continuing southward along the backs or east boundaries of the same warehouses and premises down to the adjoining wharf and premises, belonging to and in the occupation of *Thomas Newte*, and then turning eastward along the north end, and southward along the east side of the last mentioned premises, down to the river *Thames*, at the south-west corner of the aforesaid dock yard and premises belonging to and in the occupation of *John Perry*.

XV. No person compellable to sell part of his premises, if willing to sell the whole, unless in certain cases.

XVI. Power of purchasing limited to five years.

XVII. When parties refuse, or are unable to treat, &c. the court of mayor and aldermen to issue a precept for impanelling a jury; who are to be drawn as the act of 3 Geo. 2. directs. Jurymen may be challenged. Jury to assess the value on oath. Verdict of the jury, &c. to be final. Previous notice being given to parties interested.

XVIII. The justices at general or quarter sessions empowered to impose fines for non-attendance, &c.

XIX. Bodies politick, &c. trustees, and other persons, empowered to sell and convey lands, &c.

XX. Bargains and sales to have the force of fines and recoveries.

XXI. Upon payment of the value agreed for, or assessed, the premises to be conveyed to the corporation of London. When a good title cannot be made, or legal conveyances executed, or the parties are not to be found, &c. court to order the purchase money to be paid into the bank, &c. subject to the order of the court of chancery on motion or petition.

XXII. Mortgagees, on tender of principal and interest, to convey. On refusal interest to cease.

XXIII. Upon payment of mortgage money into the bank, premises to vest in the corporation.

XXIV. Verdicts and judgements, and receipts of cashiers of the bank, to be entered among the records. Immediately after verdicts, judgements, payments, &c. premises to vest in the city.

XXV. Purchase money of premises belonging to incapacitated persons, &c. to be invested in the purchase of other premises to be settled to the like uses; and in the mean time such money to be paid into the bank, and laid out in navy, victualling, or exchequer bills, in the name of the accountant general. But if such money be less than one hundred pounds, and not less than twenty pounds, the same to be paid to such persons as the parties entitled shall appoint, in trust, to be invested in the purchase

of other premises to be settled to the like uses; and in the mean time, such monies to be placed out on securities in the names of trustees, for the benefit of the parties entitled.

XXVI. Persons having any right, &c. to enter their claims within a limited time, or be barred;

XXVII. But may recover the purchase money, &c. from persons receiving the same.

XXVIII. Tenants at will, &c. to deliver possession on six months notice.

XXIX. Monies to be paid, or tendered, before any use made of the premises.

XXX. The messuages, lands, &c. to be purchased, and the canal, buildings, &c. to be made and built by the common council, are to be vested in the corporation. Corporation empowered to prosecute in case of damages done to the works.

Power to let, sell, &c. any buildings, lands, &c. not necessary for the purposes of this act;

XXXI. And be it further enacted, That it shall be lawful for the said mayor, aldermen, and commons, in common council assembled, to let, sell, or dispose of, or cause to be let, sold, or disposed of, all or any part or parts of such houses, buildings, lands, tenements, and hereditaments, so to be purchased as aforesaid, as may not be necessary to be retained for, and laid into, or made use of, in making, completing, supporting, maintaining, preserving, and managing the canal, docks, basons, cuts, sluices, quays, wharfs, warehouses, and other the said intended works hereby authorized to be made, together with all or any part or parts of the erections, buildings, and improvements, which shall be built and made in or upon the same respectively, to such person or persons as shall be willing to contract, agree for, rent, or purchase the same, in such manner, upon such terms, and for such considerations as the said mayor, aldermen, and commons, in common council assembled, shall from time to time judge proper and think most advantageous; any law, usage, or custom, to the contrary notwithstanding.

and to use or sell old materials;

XXXII. And be it further enacted, That the said mayor, aldermen, and commons, in common council assembled, shall and may use, or cause to be used, all or any part of the old materials of houses and other buildings, to be taken down, removed, or altered respectively, pursuant to this act, in or about the making and finishing of the aforesaid canal, cuts, new buildings, and other works, or any of them, hereby authorized to be made or done by the said mayor, aldermen, and commons; or the same materials, or any part thereof, shall and may sell, or cause to be sold, as they shall think fit.

and to grant licences for building on parts of the streets, &c.

XXXIII. *And whereas it may be proper to build houses, or parts of houses, on some parts of the present streets, ways, or passages, intended to be altered or stopped up by virtue of this act:* be it therefore further enacted, That it shall be lawful for the said mayor, aldermen, and commons, in common council assembled, for and in consideration of such sum or sums of money, or yearly rent or rents, as they shall think reasonable, to grant unto the owner or owners of the freehold and inheritance of the house or houses, buildings, lands, tenements, or hereditaments, next adjoining in front to the said ground to be purchased, licence or licences, under the common seal of the mayor and commonalty, and citizens,

of the said city of London, to build upon and inclose so much of the ground, and soil in the front of the said respective house or houses, buildings, lands, tenements, or hereditaments, as they the said mayor, aldermen, and commons, shall judge fit and proper to be built upon; and the ground and soil so built upon in pursuance of such licence or licences, shall for ever, or for or during the time or term to be expressed in such licence or licences, and subject to the conditions therein to be contained, be annexed to the adjoining freehold; any law, usage, or custom to the contrary notwithstanding.

XXXIV. Monies arising by leases, sales, or licences, to be appropriated to the purposes of this act.

XXXV. *And whereas the right honourable Peter lord Gwydir, by virtue of and under certain letters patent, granted to him by the King's most excellent majesty, is entitled to the several mooring chains in the river Thames, between London Bridge and Bugby's Hole, therein described or mentioned, for the term of years, and subject to the yearly rent therein expressed: and whereas it is expedient for the purposes of this act, that all the estates, terms, and interests, of the said Peter lord Gwydir, and his assigns, in the said mooring chains, should be assigned or surrendered to his Majesty: be it therefore further enacted,*

That the said Peter lord Gwydir and his assigns shall, and they are hereby required, within six months next after the passing of this act, and upon receiving such compensation or satisfaction as is herein-after directed to be made to him and them, legally and effectually to assign and surrender to the King's majesty, his heirs and successors, all such mooring chains, and rights and interests relating to or concerning mooring chains, as are comprised in and expressed or intended to be granted and demised by the said letters patent, and all the fees, dues, profits, and advantages thereof, and all the estates, terms, and interests, of the said Peter lord Gwydir, and his assigns, of and in the same respectively, to the intent that such estates, terms, and interests, may be thereby merged and extinguished; and in consideration thereof there shall be paid to the said Peter lord Gwydir, and his assigns, from and out of the fund called *The consolidated Fund*, such compensation or satisfaction in respect of the same mooring chains and premises as is herein-after mentioned in that behalf.

Lord Gwydir's lease in the mooring chains to be assigned and surrendered to his Majesty.

XXXVI. After the surrender of the mooring chains, all rents and dues in respect thereof to cease.

XXXVII. Common council empowered to remove and alter the present mooring chains, and place others, under the inspection and approbation of the Trinity House.

XXXVIII. *And whereas the ships in the West India trade frequently arrive at the port of London in large fleets, and occasion great crowding, confusion, and damage therein; and their cargoes being carried in lighters to the legal quays, cause upon the said quays, and in the passage thither, great obstructions, inconvenience, and delay, and are exposed to pilfering and fraud, whereby the owners sustain great loss, and the publick revenue is much injured: and whereas if good and sufficient wet docks were made in the said Isle of Dogs, with legal quays and wharfs, and also warehouses attached thereto, for the recep-*

Recitals, shewing the necessity of making wet docks, &c. in the Isle of Dogs, for the West India shipping.

tion and discharge of ships and other vessels in the West India trade, great additional room, and much accommodation would be thereby given to the rest of the shipping using the said port, and the West India produce might be effectually secured from loss by theft, or other causes, and the publick revenue greatly benefited; and it is therefore expedient that such docks, with legal quays and wharfs, and warehouses attached thereto, and other works and conveniences for the use of ships and vessels employed in the West India trade, should be forthwith made and established: and whereas the several persons next herein-after named have agreed to be original members of and to form a company for that purpose, jointly with such other persons as shall hereafter become original members thereof, and have entered into a subscription towards raising the sum of five hundred thousand pounds, as a capital, or joint stock or fund, for carrying into execution and completing the same works and improvements herein after more particularly mentioned.

Names of subscribers, who, with the persons hereafter to become subscribers, towards raising five hundred thousand pounds, are to be united into a company of proprietors of the intended docks and their appurtenances, to be styled, "The West India Dock Company."

XXXIX. Sum so subscribed to be considered as a capital or joint stock. Stock to be deemed personal estate, and transmissible as such.

XL. The proprietors empowered to sell and transfer their stock.

XLI. No persons answerable for more than their respective stock.

XLII. Company to pay five per cent. as interest or dividends on the monies subscribed, until the docks and the works which shall belong thereto, shall be completed, and afterwards interest or dividends not exceeding ten pounds per centum.

XLIII. The company may increase their stock to six hundred thousand pounds.

XLIV. The company's directors empowered to audit accounts of receivers; and to make calls on the proprietors, not exceeding ten per cent. oftener than two months. Persons neglecting to comply with such calls, to forfeit five per cent. and may be sued for their respective shares by the company; and if so neglecting for three calendar months, may either be so sued, or, at the option of the directors, to forfeit all their share and interest in the said undertaking, in favour of rest of the proprietors.

XLV. No advantage of any forfeiture to be taken until notice, nor unless the same be declared forfeited at a general meeting. Persons so forfeiting indemnified against actions subsequent thereto.

XLVI. Representatives of proprietors before call (no provision being made for the same) charged therewith as debtors; but on refusal or neglect to answer such call, company empowered to admit other persons as proprietors in their stead, on re-payment of all monies advanced by such deceased proprietor.

XLVII. First meeting of the company to be within thirty days after passing this act; publick notice thereof in the Gazette and other newspapers. Subsequent general meetings to be within the city of London. No meeting held at less than seven days notice, both days inclusive.

XLVIII. And be it further enacted, That within one calendar month next after the passing of this act the said company shall, at their first or some subsequent meeting, choose and appoint, by ballot, thirteen persons of the members of the said company, who shall be respectively possessed of at least two thousand pounds of the said capital stock, and also eight other persons, four of whom shall be aldermen of the city of London, and the remaining four

Appointment of the directors of the said company, and of the chairman and deputy chairman,

common

common councilmen of the said city; and that such twenty-one persons so to be nominated and appointed shall be, and be called the directors for conducting and managing the affairs and business of the said company; and they the said directors shall choose and elect from among themselves two persons, to be the chairman and deputy chairman of the meetings of the said directors, and of the general meetings of the said company, and shall and may meet at such places within the city of *London*, and at such time or times as the major part of such directors so assembled, the directors present not being less than five, shall deem convenient, for executing the powers given them by this act: and if it shall so happen, that at any meeting of the said directors, or at any general meeting of the said company, neither the chairman nor deputy chairman so to be chosen as aforesaid shall attend, it shall be lawful for the major part of the directors then present, to appoint a chairman for that occasion; and such directors so to be appointed as aforesaid, shall continue in office until others shall be chosen in their steads, as herein-after is mentioned, unless any such director or directors respectively shall die, or be removed, or any of the persons who shall have been so chosen directors from amongst the members of the said company, shall dispose of his or their respective share or shares or interest in the said stock, so as to reduce the same to less than the said sum of two thousand pounds, or any of the aldermen or common councilmen, who shall have been appointed as aforesaid, shall cease to be an alderman or common councilman; in any of which cases a new or other director in the room of every such director so dying, being so removed, or having disposed of his or their said stock, or ceasing to be an alderman or common councilman, shall be appointed by the said company, from time to time, as occasion may require, in such and the same manner, and according to or under such conditions and restrictions, as the director or directors so dead, removed, or disqualified, shall have been, or ought to have been, appointed; and such new director or directors so to be appointed as last-mentioned, shall continue in office for such time or respective times, and no longer, as the director or directors in whose stead he or they shall be so respectively appointed ought to have continued in office, if such death or deaths, removal, or disqualification, had not happened.

XLIX. Provided always, and be it further enacted, That five at least of the said twenty-one directors shall go out of office in rotation every year, and five others shall be appointed to succeed them in manner following, that is to say; Three of those who shall have been appointed of and out of the members of the said company, shall go out of office every year, and the said company shall appoint by ballot to succeed them, three other persons of the members of the said company, who shall be respectively possessed of at least two thousand pounds of the said capital stock; and one alderman and one common councilman, being two others of the said directors who shall have been so appointed as aforesaid, shall also go out of office every year, and the said company

who shall appoint places and times for their meetings,

and shall continue till others be chosen in their steads, unless they shall die, be removed, or disqualified.

A certain number of the directors to go out of office yearly, and others appointed to succeed them.

pany shall appoint by ballot another alderman and another common councilman to succeed them: provided also, That none of the said directors to be appointed under this act shall continue longer in the said office of director than four succeeding years, and therefore, and in order that the longer continuance of any of them in office, may be prevented, four at least of those directors, who shall have been appointed of and out of the members of the said company, shall go out of office in rotation every fourth year, and the said company shall appoint by ballot to succeed them four other persons, of the members of the said company, who shall be respectively possessed of at least two thousand pounds of the said capital stock; and in regard that the said rotations cannot take place during the first three years after the passing of this act, the directors, who are to go out of office as aforesaid, at the end of each of the same three years, shall be ascertained and known by drawing lots for that purpose, at any of the meetings of the said directors, in such fair and proper manner as the said directors shall, in their discretion, agree to and approve of: provided also, That the persons who shall have served the said office of director shall, if otherwise properly qualified, be eligible to be re-chosen, after having been out of the said office for one year.

Two general meetings to be held yearly.

L. And be it further enacted, That two general meetings of the said *West India* dock company, at least, shall be held yearly, whereof one shall be in the first week of the month of *January*, and the other in the first week of the month of *July*, in every year; and such notices thereof respectively shall be given and fixed up as aforesaid.

Qualification of voters at the general meetings.

LI. Any nine proprietors may request an extraordinary general meeting to be called, by notice to the clerk or treasurer.

Limitation to four votes.

LII. And be it further enacted, That every person, or body politick or corporate, his, her, or their successors, executors, administrators, or assigns, who shall be a proprietor or proprietors of five hundred pounds and upwards of the said stock, and less than two thousand pounds, shall have one vote at every general meeting of the said company; or proprietor or proprietors of two thousand pounds or upwards, and less than five thousand pounds of the said stock, two votes at every such meeting; or proprietor or proprietors of five thousand pounds of the said stock and upwards, and less than ten thousand pounds, three votes at every such meeting; or proprietor or proprietors of ten thousand pounds and upwards of the said stock, four votes, and no more, in every general meeting to be held by the said company by virtue of this act; which vote or votes may be given by any body or bodies politick or corporate, by their attorney or representative lawfully authorized for such purpose; but no person shall hold more than one power of attorney, or be the representative of more than one such body; nor shall any person or persons, body or bodies politick or corporate, not entitled respectively to five hundred pounds or upwards of the said stock, have any vote or votes at any such meeting; and every question, matter, or thing, which shall be proposed, discussed, or considered in any general meeting of the said

Questions decided by vote.

said company, to be held by virtue of this act, shall be finally determined by the majority of votes then present; and if such votes shall be equal, the chairman presiding at such meeting shall have the casting vote, although he shall have given his vote or votes as proprietor or stockholder; and every question, if required by any five or more persons having votes, shall be determined by ballot, to be entered upon and completed forthwith, in which case the chairman for the time being shall in like manner have a casting vote.

Chairman to have the casting vote,
or by ballot, if required, and chairman to have the casting vote.

LIII. If the corporation of London shall be proprietors of part of the said stock, the common council to appoint one person for every thousand pounds of such stock to be a representative for the purpose of voting for the corporation at the general meetings; and each such representative to have one vote only; and on the death, removal, &c. of any such representatives, the common council to appoint others instead; and if the corporation dispose of part of the stock, the number of such representatives is to be lessened in due proportion.

LIV. Qualification to vote by twelve months possession of stock.

LV. Five of the directors to be a quorum at their meetings. Questions to be decided by a majority.

LVI. And be it further enacted, That the said directors and their successors, so from time to time to be nominated and appointed as aforesaid, shall be, and they are hereby authorised and empowered by themselves, their agents, workmen, and servants, within the space of five years from and after the passing of this act, to design, lay out, make, and complete, according to such plan or plans, and in such manner and form as they shall approve of, one or more navigable dock or docks, basin or basins, and cut or cuts, with quays or wharfs, and warehouses adjoining, or attached to the same, or to any part or parts thereof, to be situated in such part of the said tract of land called *The Isle of Dogs*, as shall be to the northward of the said intended canal, and on part of the ground herein-before authorised and directed to be purchased for, and conveyed to, or vested in the said mayor and commonalty and citizens of *London*, and their successors, and to communicate with the river *Thames* at or near *Limehouse Hole* aforesaid, and also at or near *Blackwall* aforesaid.

Directors empowered to make wet docks, &c. on the Isle of Dogs.

LVII. And be it further enacted, That the said directors shall and may also build, or cause to be built, from time to time, such and so many quays, wharfs, and warehouses as they shall think necessary and proper, along the banks of, or adjoining or near the said several intended docks and basins respectively, last herein-before authorised to be made, or any of them, convenient and sufficient for the trade and business of the docks, and for the landing and discharging, lading and shipping of any goods, wares, or merchandise, that shall or may, at any time or times, be legally landed or shipped at the said quays or wharfs.

Directors also empowered to build quays and warehouses adjoining the docks and basins.

LVIII. And be it also enacted, That such of the said docks as shall be used for the unloading of ships, together with the quays, warehouses, and other buildings to be made and built upon or near the banks thereof, shall be surrounded and enclosed by a strong and durable brick or stone wall, not less than thirty feet high on all sides, leaving only proper spaces in such wall for the

A wall and ditch to be built and made round the dock for unloading ships, and so as also to in-

close the
quays and
warehouses;

cuts and other necessary entrances into such dock; and for the proper and necessary gateways through the said wall; and immediately without the said wall, and on every part of the outside thereof, except where it shall adjoin any dock or basin which may be made without the same, there shall be a ditch of twelve feet at least, which shall be always kept filled with water to the depth of not less than six feet; and which said wall and ditch the said directors are hereby authorized and required to build and make accordingly; and no house or other building shall on any account or pretence whatsoever, be hereafter erected on the outside of the said wall, and within the space of one hundred yards therefrom; and if any person or persons shall hereafter erect any house or other building whatsoever, on the outside of the said wall, and within the last-mentioned distance therefrom, he, she, or they so offending, shall, for such offence, forfeit and pay the sum of one hundred pounds, and also the further sum of fifty pounds for every month during which such offender or offenders shall permit such house, or other building, or any of the materials thereof, to stand or remain within that distance from the said wall.

and to build
piers at Black-
wall and Lime-
house Hole, to
facilitate the
entrances into
the docks, &c.

LIX. And be it further enacted, That it shall be lawful for the said directors to build, repair, and maintain two or more piers within the tide way of the river *Thames*, at or near *Blackwall* aforesaid, and two or more piers within the tide way of the said river, at or near *Limehouse Hole* aforesaid, to the intent that ships, barges, and other vessels, may safely and conveniently enter into and go out of the said intended docks, basins, and cuts, last hereby authorized to be made: provided nevertheless, That such piers shall not be built so as to injure the navigation of the said river.

LX. Power to make and repair cuts, sluices, bridges, roads, &c.

LXI. Drains to be made, to carry off water from private property.

LXII. The directors empowered to stop up, alter, and build sewers. Such new sewers, not being within the dock walls, to be vested in and under the direction of the commissioners of sewers for the Tower Hamlets.

LXIII. Power to the directors to make and maintain draw and swivel bridges.

LXIV. Power to alter and divert highways.

LXV. Power to get materials, and remove obstructions in adjoining lands; and to lay materials on the adjoining premises, satisfying the owners.

LXVI. Power to make bricks, and to take sand from the river.

LXVII. Persons not to take sand from the bed of the river without written authority.

LXVIII. Power to supply the docks, &c. with water from the river *Thames*, &c. and to make feeders, &c. for that purpose.

LXIX. Power to repair works damaged by floods.

LXX. Power to scour the docks, &c. and remove wrecks, &c.

LXXI. Power to cleanse adjoining water-courses, at the land owner's expence.

LXXII. No slips, &c. for building or repairing ships, to be made in or adjoining the docks; nor company concerned in building or repairing ships.

LXXIII. The making and using of the docks, &c. not to prejudice or obstruct the canal.

LXXIV. And, for more effectually enabling the said directors to lay

lay out, make and complete, and use and enjoy the said docks, basins, cuts, and other works last hereby authorised to be made, and for previously vesting the land or ground whereon the same are or shall be intended to be situated, and the fee simple and inheritance thereof, in trustees, for the benefit of the said company; be it further enacted,

That as soon as conveniently may be after the lands or grounds whereon the same last mentioned docks, basins, cuts, and other works, are or shall be intended to be situated, and the fee simple and inheritance thereof shall be vested in the mayor and commonalty and citizens of the city of London, and their successors, it shall be lawful for them, the said mayor and commonalty and citizens, and their successors, and they are hereby authorised and required, at the costs and charges of the said company, and by such good and sufficient deeds, conveyances, and assurances in the law, as the said directors, or any five or more of them, or their council in the law, shall advise and require, to grant, convey, and assure unto six persons to be chosen and appointed by the said directors, or any five or more of them, and approved of by the said company at a general meeting, and to the heirs and assigns of such six persons, so many, or all such parcel or parcels, of the houses, buildings, lands, tenements, and hereditaments, which shall lie or be to the northward of the said intended canal, and beyond the distance of one hundred feet therefrom, and which shall be part of the ground so as aforesaid authorised to be purchased in the said *Isle of Dogs*, as shall, in the judgement of the said directors for the time being, be proper, necessary, and sufficient for making the same docks, basins, cuts, and other works; and all the rights, members, and appurtenances belonging, or which shall then belong, to the same houses, buildings, lands, tenements, and hereditaments so to be conveyed; to hold the same unto and to the use of the said six persons, their heirs and assigns for ever, or for all such estates, terms, and interests, as the said mayor and commonalty and citizens, or their successors, shall have or be entitled to therein respectively; which said six persons, their heirs and assigns, shall thenceforth stand and be seised of and interested in the same, in trust for, and for the proper use and benefit of the said company of proprietors, and their successors, executors, administrators, and assigns, holding for the time being shares in the said stock: and for and in consideration of the houses, buildings, lands, tenements, and other hereditaments, so to be conveyed and assured as last-mentioned, the said company of proprietors shall at or before the executing of such conveyance, well and truly reimburse and pay to the said mayor and commonalty and citizens, or their successors, all such sum and sums of money as they shall have paid and disbursed, as and for the purchase money, and the other costs and charges attending the purchase, of the same.

For better enabling the directors to make the docks, &c. the corporation of London is to convey the ground, where the same are to be situated, to six trustees in fee, in trust for the company.

And in consideration thereof the company to reimburse what the corporation shall have paid for the same.

LXXV. Whensoever, by means of death or otherwise, the number of the last-mentioned trustees shall become less than four, the directors to elect so many others as may make up six, to be approved of at a general meeting,

meeting, and then the dock premises are to be vested in the continuing and new trustees jointly.

LXXVI. If the common council shall for three months refuse or neglect to purchase the premises which ought to be purchased and conveyed to trustees for the company as aforesaid, the directors are empowered to purchase the same instead of the common council; and the premises so to be purchased are to be conveyed to, and vested in, the company's trustees.

LXXVII. In case any of the premises purchased shall become vested in the corporation of London, who shall neglect to convey the same to the company's trustees, within two months thereafter, on tender of what the corporation shall have paid for the same, then the premises shall vest in the said trustees, in trust for the company, as if legally conveyed.

The lord mayor empowered to appoint harbour masters:

LXXVIII. And be it further enacted, That it shall be lawful for the lord mayor of the city of *London* for the time being, as conservator of the river *Thames*, and he is hereby required, from time to time, as occasion shall be, to nominate and appoint under the limitations and restrictions herein-after mentioned, a proper person or proper persons to be harbour master or harbour masters, of, in, and for the said port of *London*, and the said canal, and other works which shall be made in pursuance of this act, (except the said docks and their appurtenances, and except such parts of the river *Thames* at *Limehouse Hole* and *Blackwall* aforesaid, as shall be within the distance of two hundred yards from any entrance out of the said river there into the works of the said company), and to remove, suspend, or, upon sufficient cause, dismiss the same; which harbour master or harbour masters shall have full power and authority (but subject to the regulations and restrictions herein-after expressed) to direct the entering, mooring, unmooring, moving and removing of all ships and other vessels, lighters, and craft, except those of the said corporation of the *Trinity House*, coming into, lying or being in the said port, canal, and cuts, or any of them, except the said docks and their appurtenances, and such parts of the said river as are last herein-before excepted, as to the time or times and manner of their entrance into, lying in, or going out of the same, and their respective births, stations, positions, loading and discharging therein, and the time or times of opening or shutting the several gates of the said canal; and in case the owner, master, pilot, servant, or other person having the charge or command, of any ship or other vessel, except as last aforesaid, shall refuse or neglect to moor, unmoor, move, or remove the same, according to such direction, within twelve hours after notice to him or them given in writing, or left with some person or persons on board the said ship or vessel for that purpose, that then it shall be lawful for the said harbour master or harbour masters, and his or their assistants, and such proper persons as he or they may direct, and he and they is and are hereby required to moor, unmoor, move, or remove such ship or vessel; and the charges and expences thereof respectively shall be repaid, together with a sum not exceeding ten pounds, nor less than five pounds for each offence, by the master or owner or other person having the charge or command of such ship or vessel, and may be recovered by

their powers.

by the said mayor and commonalty and citizens, or their successors, of the owner of such ship or vessel, in case of non-payment thereof, on demand, by such ways and means as penalties and forfeitures are by this act to be recovered; which said penalty, when recovered, shall be paid over to the uses herein-after mentioned; and in case any master, commander, mate, pilot, or other person or persons taking the command of any ship or other vessel, or any other person or persons whatsoever, shall obstruct or hinder the mooring, unmooring, moving, or removing of any ship or other vessel in the said port, (except also as last aforesaid), or in the said canal, or any of the said cuts and other works, the said docks and their appurtenances excepted, such person or persons shall, for every such offence, forfeit a sum not exceeding ten pounds, nor less than five pounds, to be recovered and applied as herein-after is directed.

Penalty on masters, &c. of vessels causing obstructions.

LXXIX. Harbour masters to be approved of by the corporation of the Trinity House, who may procure them to be removed on sufficient cause.

LXXX. And be it further enacted, That it shall be lawful for the said directors, or any five or more of them, and they are hereby required, from time to time, as there shall be occasion, to nominate and appoint a proper person or proper persons to be dock master or dock masters, he or they first producing, after being duly examined before the said master, wardens, and assistants of the *Trinity House*, legally assembled, a certificate or certificates from them the said master, wardens, and assistants, of the proper qualifications of such person or persons to execute the office of dock master; and the said directors also shall or may from time to time, as they shall see cause, remove, suspend, or dismiss any such dock master or dock masters; which dock master or dock masters, so to be from time to time appointed, shall have full power and authority (but subject to the regulations and restrictions herein-after expressed) to direct the mooring, unmooring, moving, or removing of all ships and other vessels, lighters, and craft, coming into, lying, or being in the said docks, and the basons and cuts which shall belong thereto, or any of them, and coming into, lying, or being in such parts of the river *Tbames at Limehouse Hole and Blackwall* aforesaid, as shall be within the said distance of two hundred yards from any entrance out of the said river there into the works of the said company, as to the time or times and manner of their entrance into, lying in, or going out of or from the same docks, basons, and cuts, and parts of the said river, and their position, loading, and discharging therein respectively, and the time or times of opening or shutting the several gates of the said works; and in case the owner, master, pilot, servant, or other person having the charge or command of any ship or other vessel, shall refuse or neglect to moor, unmoor, move, or remove the same according to such direction, immediately after notice to him or them given in writing, or left with some person or persons on board the said ship or vessel for that purpose, that then it shall be lawful for the

Directors, or any five or more of them, to appoint a dock master, to be approved of by the corporation of the Trinity House.

His powers.

the said directors, or any five or more of them, and they are hereby required, from time to time, as there shall be occasion, to nominate and appoint a proper person or proper persons to be dock master or dock masters, he or they first producing, after being duly examined before the said master, wardens, and assistants of the *Trinity House*, legally assembled, a certificate or certificates from them the said master, wardens, and assistants, of the proper qualifications of such person or persons to execute the office of dock master; and the said directors also shall or may from time to time, as they shall see cause, remove, suspend, or dismiss any such dock master or dock masters; which dock master or dock masters, so to be from time to time appointed, shall have full power and authority (but subject to the regulations and restrictions herein-after expressed) to direct the mooring, unmooring, moving, or removing of all ships and other vessels, lighters, and craft, coming into, lying, or being in the said docks, and the basons and cuts which shall belong thereto, or any of them, and coming into, lying, or being in such parts of the river *Tbames at Limehouse Hole and Blackwall* aforesaid, as shall be within the said distance of two hundred yards from any entrance out of the said river there into the works of the said company, as to the time or times and manner of their entrance into, lying in, or going out of or from the same docks, basons, and cuts, and parts of the said river, and their position, loading, and discharging therein respectively, and the time or times of opening or shutting the several gates of the said works; and in case the owner, master, pilot, servant, or other person having the charge or command of any ship or other vessel, shall refuse or neglect to moor, unmoor, move, or remove the same according to such direction, immediately after notice to him or them given in writing, or left with some person or persons on board the said ship or vessel for that purpose, that then it shall be lawful for the

Penalty on
masters, &c.
of vessels
causing ob-
structions.

said dock master or dock masters, or his or their assistants, and he and they is and are hereby required to moor, unmoor, move, or remove such ship or vessel, and the charges and expences thereof respectively shall be repaid, together with a sum not exceeding ten pounds, nor less than five pounds for each offence, by the master or owner or other person having the charge or command of such ship or vessel, and may be recovered by the treasurer for the time being of the said company from the owner of such ship or vessel, in case of non-payment thereof on demand, by such ways and means as penalties and forfeitures are by this act to be recovered; which said penalty, when recovered, shall be paid over to the uses herein-after mentioned; and in case any master, commander, mate, pilot, or other person or persons taking the command, of any ship or other vessel, or the owner, agent, consignee, or any other person or persons whosoever, shall obstruct or hinder the mooring, unmooring, moving, or removing of any ship or other vessel in the said docks, or in the basons and cuts which shall belong thereto, or in any such parts of the river *Thames*, at *Limehouse Hole* and *Blackwall* aforesaid, as shall be within the distance of two hundred yards from any entrance out of the said river there into the works of the said company, such person or persons shall, for every such offence, forfeit a sum not exceeding five pounds, nor less than forty shillings, to be recovered and applied as herein-after is directed: provided always, That such dock master or dock masters shall not moor, or cause to be moored or stationed, any ship or vessel in such place or in such manner as shall obstruct or render inconvenient the entrances into or out of the canal hereby authorized to be made.

LXXXI. The directors may annul any orders of dock masters, and give others.

LXXXII. Orders given by the directors, harbour masters, or dock masters, shall not affect the responsibility of the person having the charge of any ship or vessel.

LXXXIII. The canal to be under the protection of the lord mayor, as conservator of the river *Thames*, as if actually part of the river.

LXXXIV. Canal, new docks, &c. to be parts of the port of *London*, and vessels, &c. resorting thereto, to be subject to the several present port regulations and duties.

LXXXV. Goods, &c. landed or shipped upon or from the intended quays or wharfs, in the new docks, subject to the same regulations, &c. as if landed or shipped upon or from the present legal quays.

LXXXVI. The quays in such of the docks as shall be walled round, are to be legal quays.

The West India ships are to land their cargoes within the docks, and the King's duties are to be ascertained no where else.

LXXXVII. And be it further enacted, That for and during the term of twenty-one years, commencing from and next ensuing the time when the said dock or docks, quays or wharfs, and warehouses, to be made and built by the said directors as aforesaid, shall be so far completed as to be fit and ready for the reception of ships and goods, all the ships and vessels which shall arrive or come from any part of the *West Indies* into the river *Thames*, with cargoes of *West India* produce, shall unload and land the whole of their respective cargoes within some or one of the said docks, or on the quays or wharfs which shall belong thereto;

thereto; and the duties which shall be payable to the King's Majesty, his heirs and successors, in respect of the same, shall thereupon, during the said term, be ascertained at such quays or wharfs, and not elsewhere; and the goods, wares, and merchandize, being *West India* produce, in respect whereof such duties shall be payable, shall or may afterwards be stored or deposited in the adjoining warehouses, or any such other warehouses as the owners or consignees thereof respectively shall think proper: and in case any such goods, wares, or merchandize, being *West India* produce, shall, at any time or times during the said term of twenty-one years, be landed from any ship or vessel in the *West India* trade, in any other place or places in or near the port of *London*, than the said quays or wharfs within the said dock or docks, then, and in every such case, the goods, wares, or merchandize, so to be landed, shall be forfeited to his Majesty, his heirs and successors, and shall or may be lawfully seized accordingly, by any of the officers of his Majesty's customs or excise, and disposed of according to law; and the owner or owners, or master of any such ship or vessel, shall for every such offence forfeit and pay the sum of one hundred pounds, to be recovered and applied as herein-after is mentioned.

Forfeitures and penalties to be incurred by landing such cargoes elsewhere.

LXXXVIII. Provided always nevertheless, That all such part or parts of the respective cargoes of the ships or other vessels arriving or coming, during the said term from the *West Indies* into the river *Thames*, as shall consist of tobacco, shall as soon after being unshipped in some or one of the said docks as conveniently may be, and without any previous ascertainment of the duties thereof, be transmitted or conveyed in carts or decked lighters to some or one of the King's tobacco warehouses for the time being, at the charges of the said *West India* dock company, who shall be entitled to, and receive from the respective owners or consignees thereof, or their respective factors or agents, and that before the said tobacco shall be taken out of the said dock premises, such recompence or satisfaction for so conveying the same, and after such rate, as shall not exceed what for the time being shall be the whole expence of conveying tobacco from the tobacco ships at their proper moorings in the said port, to the King's tobacco warehouses.

But so much of the cargoes of *West India* ships as shall consist of tobacco is, as soon as may be after being unshipped in the docks, to be conveyed to the King's tobacco warehouses, without previously ascertaining the King's duties.

LXXXIX. Provided also nevertheless, and it is hereby further enacted, That if at any time or times it should happen, that by reason of the said docks being filled with shipping, or of some accident, or other cause, any ship or ships, vessel or vessels, which shall have come from the *West Indies* into the river *Thames*, cannot be admitted into and unloaded in and at the said docks, quays, and works of the said company, pursuant to this act, then, and in every such case, it shall be lawful for any three or more of the commissioners of his Majesty's customs in *England*, for the time being, to permit the cargo of any such ship or vessel to be landed and discharged at such other legal quay or quays, or other place or places within the port of *London*, as they the said commissioners shall direct and appoint.

And if at any time *West India* ships cannot be admitted into the docks, the commissioners of customs may authorize the cargoes of those particular ships to be landed at other legal quays.

Ships arriving from other parts than the West Indies, with West India produce on board, to discharge such produce within one of the docks, if any three or more of the commissioners of customs shall so order and direct.

XC. Provided also, and it is hereby further enacted, That at any time or times after the said docks, quays, or wharfs, and warehouses, shall be ready for the reception of ships and goods, it shall be lawful for any three or more of the commissioners of his Majesty's customs in *England*, by writing under their hands, to order and direct that any ship or ships, vessel or vessels, which shall arrive or come into the river *Thames* from any other part or parts of the world than the *West Indies*, with goods, wares, or merchandize on board of the growth and produce of the *West Indies*, shall unload and land so much of her or their cargo, or respective cargoes, as shall consist of any such last-mentioned goods, wares, or merchandize, within some or one of the said docks, or on the quays or wharfs which shall belong thereto, and that the King's duties in respect of the same shall thereupon be ascertained at such quays or wharfs, and not elsewhere; and that every such order, after being delivered on board of any such ship or vessel, to or for the person having the charge or command thereof, shall be obeyed accordingly; and if any such goods, wares, or merchandize, being of the growth or produce of the *West Indies*, shall be afterwards landed from such ship or vessel, in any other place or places in or near the port of *London*, than the said quays or wharfs within the said dock or docks, then, and in every such case, the goods, wares, and merchandize so to be landed, shall be forfeited to his Majesty, his heirs and successors, and shall or may be lawfully seized accordingly by any of the officers of his Majesty's customs or excise, and disposed of according to law, and the owner or owners, or master of any such ship or vessel, shall, for every such offence, forfeit and pay the sum of one hundred pounds, to be recovered and applied as herein-after is mentioned; and after all the goods, wares, or merchandize, of the growth or produce of the *West Indies*, on board of such ships respectively arriving in any of the said docks from any other part or parts than the *West Indies*, shall be unshipped in any of the said docks as aforesaid, and the proportionate duty of six shillings and eight-pence per ton, herein-after made payable in respect thereof, shall be paid, such ships shall be forthwith permitted to go into the river *Thames*, to discharge the remainder of their respective cargoes.

Outward-bound West India ships to load in the docks or in the river below the entrance into the canal at Blackwall.

XCI. And be it further enacted, That, for and during the term of twenty-one years, commencing from and next ensuing the time when the said docks, quays, or wharfs, and warehouses, shall be ready for the reception of ships and goods, all such of the ships and vessels belonging to or frequenting the port of *London* as shall be used in the *West India* trade, shall, when and so often as the same shall be outward bound to the *West Indies*, ship or take in all their respective cargoes, and be loaded, either in some or one of the said docks, or in such part of the river *Thames* as shall be below the entrance into the said canal at *Blackwall* aforesaid; and if any such ship or vessel, being so outwardbound to the *West Indies*, shall ship or take in any part of her cargo in the said port or river elsewhere than in some or one

of the said docks, or than below the entrance into the said canal at *Blackwall*, then and in every such case the owner or owners, or master of such ship or vessel, shall, for every such offence, forfeit and pay the sum of one hundred pounds, to be recovered and applied as herein-after is mentioned: provided nevertheless, That every or any such ship or vessel, when engaged to take on board naval stores at the King's dock yard or victualling office at *Deptford* for his Majesty's service, shall be permitted so to do, on producing to the dock master, or his known assistant, a certificate of such ship or vessel being so engaged, under the hand or hands of any one or more of the commissioners of his Majesty's navy or victualling, who are hereby authorized and required to grant such certificates for that purpose.

XCII. And it is hereby further enacted and declared, That the said harbour masters and dock masters so to be appointed as aforesaid, shall, in executing the powers hereby given to them respectively, always observe, comply with, and use, their best endeavours to enforce the regulations and directions contained in the act of parliament of the nineteenth year of the reign of his present Majesty, chapter the fifty-eighth, for preventing vessels which shall have come from or shall be bound to any foreign parts, from being removed out of the stream in the said port with goods on board, except to the lawful quays; and also the regulations and directions contained in the act of parliament of the twenty-ninth year of the reign of his present Majesty, chapter the sixty-eighth, for mooring ships, and importing tobacco at such place in the said port as the commissioners of the customs shall appoint, so far as the same regulations and directions in the two last-mentioned acts of parliament respectively shall not obstruct, molest, or interfere with, the free use and enjoyment of the said docks and canal, and the basons, cuts, and other works which shall belong thereto respectively, according to the true intent and meaning of this act.

Harbour masters and dock masters to observe certain directions in two prior acts.

XCIII. Harbour and dock masters, lock keepers, &c. to give no preference.

XCIV. And be it further enacted, That, from and after the said canal, docks, basons, and cuts, or any of them, shall be so far completed as to admit ships, vessels, or craft to enter therein, no ship or other vessel shall lie at either of the mooring tiers in the river *Thames*, immediately above or below the entrance or respective entrances into the same canal, dock or docks, bason or basons, cut or cuts, but those only which are intended to go into, or within twelve hours last past shall have come out of the said canal, or any of such docks, basons, or cuts; and that every master and pilot, and all and every other persons and person having the charge or command of any ship or vessel lying at the said tiers, shall remove therefrom such ship or vessel under his or their command, whenever so required by the said harbour master or harbour masters, dock master or dock masters, his or their assistant or assistants, by an order, left with some person or persons on board the said ship or vessel, in writing for that purpose, within

For regulating the moorings of vessels near the entrances into the canal, docks, basons, and cuts.

twelve hours after each notice for removal, under the penalty of a sum not exceeding ten pounds, nor less than five pounds, for every twenty-four hours any such ship or vessel shall remain at either of the said tiers, after the time limited by such notice left in writing.

XCV. No vessel to enter into or navigate in the works under sail.

XCVI. Draw bridges and swivel bridges to be fastened, after vessels shall have passed.

XCVII. For preventing obstructions and nuisances in the port, canal, docks, &c. Penalties on persons obstructing the navigation, or wantonly, &c. opening lock gates, &c. and letting off water, or suffering vessels to strike upon bridges or locks.

XCVIII. Vessels not to land goods in the docks, &c. at other places than quays and landing places, on penalty of one hundred pounds.

XCIX. To prevent other nuisances in the port, canal, docks, &c.

C. Mills, &c. not to draw off water from the works without consent.

CI. Vessels to unload within the docks as soon as may be, and then to be removed. Power for dock master, or his assistant, to order out light vessels; and on every neglect to remove them, the parties so neglecting to forfeit ten pounds; and the dock master or his assistants may remove such vessels; and the charges thereof, on non-payment, to be levied by distress and sale.

Vessels to land gunpowder before entering the dock premises, and other combustible matter to be removed within twelve hours.

CII. And be it further enacted, That all such ships, lighters, barges, boats, and other vessels, as shall respectively have on board any gunpowder, exceeding the quantity of one pound, shall respectively, before they enter any of the said intended docks, or of the basons and cuts which shall belong thereto, land and discharge all their gunpowder, and unload and clear their guns; and that no tar, pitch, rosin, hemp, flax, faggots, furze, turpentine, oil, hay, straw, tallow, grease, shavings of wood, or combustible matter of any kind, shall be suffered to be or remain on the quays or wharfs intended to be built in or near the said docks as aforesaid; or any part thereof, or upon the deck of any ship or other vessel in the said docks, basons, and cuts, or any of them, above the space of twelve hours; and that in case the owner or owners of such goods, matters, or other things, or the commander, master, or mate of any such ship or other vessel, shall make default herein, every such person so offending shall forfeit and pay, for every such offence, a sum not exceeding ten pounds, nor less than five pounds:

Fire, candles, or lamps, not to be lighted in the docks, &c.

CIII. And, for more effectually preventing accidents by fire in the said docks and dock premises, be it further enacted, That no person whatsoever shall have or keep, or cause to be had or kept, any fire, candle, or lamp, lighted within any of the said docks, or of the basons, cuts, quays, wharfs, warehouses, and other works which shall belong thereto, at any time or times whatsoever, (except only necessary lamps by the sides of ways without the dock walls, and such fires or lighted candles or lamps as shall be necessary to be used in the making, building, finishing, repairing, altering, or improving of the same docks, basons, cuts, quays, wharfs, warehouses, and other works, or any of them), upon pain of forfeiting for every such offence a sum not exceeding ten pounds nor less than five pounds.

CIV. Persons setting fire to the works or vessels in the docks, &c. guilty of felony without benefit of clergy; and persons otherwise wilfully da-

maging

managing the works of vessels, made liable to fine and imprisonment, or transportation.

CV. Penalty against destroying ropes of ships.

CVI. Penalty on breaking or extinguishing lamps.

CVII. Masters and owners answerable for damages done by their officers and servants.

CVIII. And be it further enacted, That it shall be lawful for the said mayor, aldermen, and commons, in common council assembled, from time to time, to make, ordain, and establish such bye laws, rules, orders, and regulations, for the good government of the said harbour masters, and of all clerks, treasurers, collectors, engineers, surveyors, workmen, watchmen, lightermen, labourers, and others, to be appointed and employed by them the said mayor, aldermen, and commons, in common council assembled, under or by virtue of this act, and for the better regulating, governing, and managing of the several works, matters, accounts, and things by this act authorised and directed to be made, done, and performed by them, as well whilst the same are doing as after they shall be finished and completed, and for the more safe and convenient navigating, placing, mooring, unmooring, and removing of ships and other vessels on the river *Thames*, in and near the said port, and in the said canal, and the basons which may belong thereto, (excepting the docks, basons, cuts, and other works which shall belong to the said *West India* dock company, and such parts of the river *Thames*, at *Limehouse Hole* and *Blackwall* aforesaid, as shall be within the distance of two hundred yards from any entrance, out of the said river there, into the same works), and for the better governing and regulating of all masters of vessels, pilots, lightermen, and others, within the said port, and the said canal and its appurtenances, (except as before excepted), and for preventing damage being done to shipping, lighters, and craft, or to any goods, wares, or merchandize, by the issuing of water from houses or buildings, and such other lawful and reasonable bye laws, rules, orders, and regulations, as they shall deem necessary and expedient for the due execution of this act, so as the same respectively be not contrary to nor inconsistent with this act, or any of the regulations enacted hereby, or by any other act or acts of parliament in force at or immediately before the passing of this act, and not hereby repealed or altered; and also from time to time, as they shall see occasion, to repeal, annul, add to, amend, and alter such bye laws, rules, orders, and regulations, or any of them, in such manner as to them the said mayor, aldermen, and commons, in common council assembled, shall seem meet or requisite; and to fix and appoint reasonable pecuniary penalties, not exceeding forty shillings, for the non-observance, non-performance, or other breach of such bye laws, rules, orders, and regulations, or any of them; and the said mayor, aldermen, and commons, in common council assembled, shall cause such of the said bye laws, rules, orders, and regulations as they shall think fit, to be printed and distributed in the port of *London*, and affixed upon or near some publick and conspicuous parts of the quays or wharfs in the

Power to the common council to make bye laws, rules, orders, and regulations, for the port and canal, excepting the docks and their appurtenances;

and to repeal, amend, and alter the same;

and to fix penalties for non-observance, not exceeding forty shillings.

Bye laws to be printed and distributed.

How such penalties are to be levied.

said port, and upon some other publick and conspicuous places adjacent; and all such penalties shall be 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 county, city, or place, wherein the offence shall be committed, or the offender or offenders found, rendering the overplus (if any), on demand to the person or persons whose goods or chattels shall be so distrained; which penalties shall be applied as herein-after is directed; and if no sufficient distress can be found, it shall be lawful for any such justice or justices of the peace to commit such offender or offenders to any prison within the jurisdiction of such justice or justices, upon due proof being made before him or them, on the oath or oaths of one or more person or persons, of such offence being committed, there to be kept to hard labour, for any time not exceeding twenty days, or until such penalty or penalties shall be sooner paid.

Directors empowered to make bye laws, rules, orders, and regulations for the docks and their appurtenances,

CIX. And be it further enacted, That it shall be lawful for the said directors, or any five or more of them, from time to time, to make, ordain, and establish such bye laws, rules, orders, and regulations for the observance and good government of the said directors, and of all dock masters, clerks, treasurers, collectors, engineers, surveyors, workmen, watchmen, lightermen, labourers, and others appointed and employed on behalf of the said company, under or by virtue of this act, and for the better regulating, governing, and managing the several works, matters, accounts, and things by this act authorised and directed to be made, done, and performed by the said directors, 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 merchandize upon, to, and from the quays or wharfs and warehouses, which are to be in or belonging to the said docks, and for the employing, better governing, and regulating porters, carters, and carmen, and others carrying goods, or using or driving horses, trucks, carts, sledges, or other carriages for conveying goods, wares, or merchandize to and from the same quays, wharfs, and warehouses, and of all masters of vessels, pilots, lightermen, and others, within the said dock premises, and such other lawful and reasonable bye laws, orders, rules, and regulations, as they shall deem necessary and expedient for the due execution of the powers and authorities hereby given to them, so as the same respectively be not contrary to nor inconsistent with this act, or any of the regulations enacted hereby, or by any other act or acts of parliament in force at or immediately before the passing of this act, and not hereby repealed or altered; and also from time to time, as they shall see occasion, to repeal, annul, add to, amend, or alter such bye laws, rules, orders, and regulations, as to them the said directors, or any five or more of them, shall seem meet or requisite; and affix and appoint reasonable pecuniary penalties,

and may repeal, amend, and alter the same; and may fix penalties for

not

not exceeding forty shillings for any one offence, for the non-observance, non-performance, or other breach of all or any such bye laws, rules, orders, and regulations, or any part of them; and the said directors, or any three or more of them, shall cause such of the same bye laws, rules, orders, and regulations, as they shall think fit, to be printed and distributed in the port of London, and affixed upon or near some publick and conspicuous parts of the quays or wharfs in or belonging to the said port and docks, and upon some other publick and conspicuous places adjacent; and all such penalties shall be 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 county of *Middlesex*, and applied to the use of the said company as herein-after is directed, rendering the overplus (if any) to the person or persons whose goods or chattels shall be so distrained; and in case no sufficient distress can be found, it shall be lawful for any such justice or justices of the peace to commit such offender or offenders to any prison within the jurisdiction of such justice or justices, upon due proof being made before him or them, on the oath or oaths of one or more person or persons, of such offence being committed, there to be kept to hard labour for any time not exceeding twenty days, or until such penalty or penalties shall be sooner paid.

non-observance, not exceeding forty shillings.

Bye laws to be printed and distributed.

Penalties how to be levied.

CX. Such last-mentioned bye laws, rules, orders, and regulations, to be subject to the controul of the company. Company may inspect bye laws, and alter or annul any of them.

CXI. Proviso that the bye laws, rules, orders, and regulations, shall be made, altered, or repealed, with the approbation of the lord chancellor, the chief justices of King's bench or common pleas, or chief baron of the exchequer, and not otherwise.

CXII. Copies of bye laws, and of alteration of bye laws, are to be sent to the Trinity House before the same be allowed by the judges.

CXIII. Compensation to be made for the tithes of the lands and other premises to be taken.

CXIV. The average price of wheat may be re-ascertained at the end of every fourteen years, for the purpose of making such compensations.

CXV. Remedy for recovering compensation for tithes.

CXVI. Compensation to be made by the corporation of London for deficiencies of assessments for land tax, and paying, cleansing, lighting, and poors' rates.

CXVII. Compensation to be made by the West India dock company for deficiencies of assessments for land tax, and paving, cleansing, lighting, and poors' rates.

CXVIII. Compensation to be made for deficiencies of sewer rates. Remedy for recovering the same.

CXIX. Compensation to be made to lord Gwydir and his assigns, in respect to their interest in the mooring chains.

CXX. Compensation to be made to his Majesty for relinquishment of rents and profits of mooring chains.

CXXI. Compensation to be made to the owners, &c. of, and persons employed on, any quays or wharfs, or other tenements, which may be rendered less valuable, by reason of the intended works, and to the governors of Christ's Hospital, (if necessary) on account of car-room.

CXXII. When parties refuse or are unable to agree for compensation, juries for ascertaining the same may be empanelled, and how. Jurymen may be challenged. Jury to award the amounts of compensations on oath. Verdict of the jury, &c. to be final. Previous notice being given to parties interested,

CXXIII. The commissioners empowered to impose fines for non-attendance, &c.

CXXIV. Bodies politick, &c. trustees and other persons empowered to agree for compensation.

CXXV. When a good title to compensation money cannot be shewn, or parties entitled thereto cannot be found, &c. such money to be paid into the bank, subject to the order of the court of chancery on motion or petition.

CXXVI. Purchase monies how to be invested. But if such money be less than 100*l.* and not less than 20*l.* the same to be paid to such persons as the parties entitled shall appoint, in trust, to be invested in the purchase of other premises, to be settled to the like uses; and in the mean time such monies to be placed out in securities, in the names of trustees for the benefit of the parties entitled.

CXXVII. Verdicts, judgements, &c. concerning compensations, and receipts of cashiers of the bank for compensation monies, to be entered among the records of the lord mayor's court, or general or quarter sessions.

CXXVIII. No claims to be made for such last mentioned compensations till three years after notice of the docks, &c. being ready for use; and all such claims are to be made and entered in a book, within one year after the expiration of the said term of three years, or otherwise to be barred.

CXXIX. Claimants may recover compensation money from persons who shall have wrongfully received the same.

CXXX. Appointment of the commissioners of compensations.

CXXXI. For the appointment of commissioners of compensation in the room of those who shall die, or decline, or become incapable to act.

CXXXII. Oath for commissioners of compensation.

CXXXIII. Commissioners empowered to administer oaths.

CXXXIV. And be it further enacted, That in consideration of the great accommodation and advantage which the several works and regulations hereby authorised to be made will afford to the shipping and trade of the said port, and in consideration of the great charges and expences which will be occasioned by the making, building, erecting, and providing of the said canals, cuts, sluices, bridges, roads, and other works, herein-before authorised to be made by the said mayor, aldermen, and commons, in common council assembled, there shall be payable and paid to the King's majesty, his heirs and successors, or to his or their collectors, receivers, or agents, from and after the first day of *August* next after the passing of this act, for and during the term of fourteen years from thence next ensuing, for every ship or other vessel trading to, frequenting, or using, the said port of *London*, of which the said intended canal, docks, and other works are to be parts as aforesaid, by the master or other person having the charge or command, or the owner or owners, of such ship or other vessel, according to the tonnage burden thereof respectively, the several rates or duties of tonnage next herein-after particularly rated and described; (that is to say),

Rates appointed to be paid to his Majesty for vessels using the port of *London*.

List of rates.

First class—For every ship or other vessel, trading coastwise, between the port of *London* and any port or place in *Great Britain*, the *Orkneys*, *Shetland*, or the western islands of *Scotland*, there shall be paid for every voyage both in and out of the said port, inclusive, one penny per ton.

Second class—For every ship or other vessel entering inwards,

or

or arriving in the said port from *Denmark, Norway, or Lapland*, (on this side of the *North Cape*), or from *Holstein, Hamburg, Bremen*, or any other part of *Germany* bordering on or near the *Germanic Ocean*, or from *Holland*, or any other of the *United Provinces*, or from *Brabant, Antwerp, Flanders*, or any other part of the *Netherlands*, or from *France*, (within *Ushant*), *Guernsey, Jersey, Alderney, Sark, Ireland*, or the *Ile of Man*, one penny farthing per ton.

And for every ship or other vessel clearing outwards in, or departing from the said port to any of the countries, parts, or places last herein-before mentioned, one penny farthing per ton.

Third class—For every ship or other vessel entering inwards, or arriving in the said port from *Lapland*, (beyond the *North Cape*), *Finland, Russia*, (without or within the *Baltic Sea*), *Livonia, Courland, Poland, Prussia, Sweden*, or any other country or place within the *Baltic Sea*, two-pence per ton.

And for every other vessel clearing outwards in, or departing from the said port to any of the countries, parts, or places last herein-before mentioned, two-pence per ton.

Fourth class—For every ship or other vessel entering inwards, or arriving in the said port from *France*, (between *Ushant* and *Spain*), *Portugal, Spain*, (without the *Mediterranean*), or any of the *Azores, Madeira, or Canary Islands*, or any of the united states of *America*, or of the *British colonies or provinces in North America*, or from *Florida*, two-pence halfpenny per ton.

And for every ship or other vessel clearing outwards in, or departing from the said port to any of the countries, parts, or places last herein-before mentioned, two-pence halfpenny per ton.

Fifth class—For every ship or other vessel entering inwards, or arriving in the said port from *Greenland, Gibraltar, France, or Spain*, (within the *Mediterranean*), or any country, island, part, or place within or bordering on or near the *Mediterranean, or Adriatic Sea*, or from the *West Indies, Louisiana, Mexico, South America, Africa, East India, China*, or any other country, island, part, or place, within or bordering on or near the *Pacific Ocean*, or from any other country, island, part, or place whatsoever to the southward of twenty-five degrees of north latitude, three-pence halfpenny per ton.

And for every ship or other vessel clearing outwards in, or departing from the said port to any of the countries, islands, parts, or places last herein-before mentioned, three-pence halfpenny per ton.

Which rates or duties shall be, and are hereby vested in his Majesty, his heirs and successors, as his own proper monies, but for the purposes of this act, and shall be paid at the respective times of such ships' or other vessels' entry inwards, or clearance outwards, at the custom house in the port of *London*, to the officer or person appointed to collect and receive the same, under such rules, regulations, and restrictions, as are by this act directed and required with respect to ships or vessels entering inwards

inwards and clearing outwards in the said port; or for want of such entrance or clearance, then the same shall be paid before such ships or other vessels respectively shall depart from the said port; and the said rates or duties shall be paid over, as soon as conveniently may be, by the collectors thereof, or other proper officers, into the receipt of his Majesty's exchequer.

Exemptions.

CXXXV. Provided always, and be it further enacted, That this act shall not extend to charge with any of the said rates or duties herein-before granted; any of his Majesty's ships of war, or any ship or vessel whatsoever being the property of his Majesty, his heirs or successors, or of any of the royal family, nor to charge therewith any ship or vessel coming to or going coastwise from the port of *London* or to any part of *Great Britain*, unless such ship or vessel shall exceed forty-five tons, register tonnage, nor any vessel bringing corn coastwise, the principal part of whose cargo shall consist of corn, nor any fishing smacks, lobster and oyster boats, or vessels for passengers, nor any vessel or vessels, or craft navigating the river *Thames* above and below *London Bridge*, as far as *Gravesend* only.

Transit rates for passing through the canal.

CXXXVI. And be it further enacted, That in consideration of the security, accommodation, and dispatch, which will be produced by means of the said intended canal, as a shorter, safer, and more expeditious passage for ships and vessels to and from the said port, than the present circuitous and dangerous course round the said *Isle of Dogs*; and in consideration of the great charges and expences which will be occasioned by maintaining, repairing, improving, and managing the said canal, and such cuts and other works, as may render such passage commodious and eligible, and by providing and keeping a sufficient number of lock keepers and other officers and servants, and of draught horses, for the assistance and proper accommodation of vessels in such passage, it shall be lawful for the said mayor and commonalty and citizens of the city of *London*, and their successors, from time to time, and at all times, from and after the expiration of the term of three years next ensuing the time when the said canal shall be first ready for use, and notice shall have been given of the same in the *London Gazette*, and two or more publick morning newspapers usually circulated in *London*, to ask, demand, take, and receive, for the purposes of this act, over and above the rates and duties herein-before made payable of and from all ships, vessels, and craft, which shall enter and make use of the said intended canal, any rate or rates not exceeding the following rates; (that is to say),

For every ship or vessel, lighter, barge, or other craft, laden or unloaden, entering the said canal, if of two hundred tons or upwards, (register measurement), two-pence *per ton* :

If of one hundred tons, and under two hundred tons, (register measurement), one penny halfpenny *per ton* :

If of fifty tons, and under one hundred tons, (register measurement), the sum of ten shillings :

All

All vessels carrying sail, if of twenty tons, and under fifty tons, the sum of five shillings:

And every lighter, barge, boat, or craft, which shall be rowed through the said canal by any of the persons using the same, the sum of one shilling:

Which said rates or duties shall be, and are hereby vested in the said mayor and commonalty and citizens, and their successors, as their own proper monies, but for the purposes of this act, and shall be paid upon such ships or other vessels entering within any lock or flood gate of the said canal, or at such other time or times as the said mayor, aldermen, and commons, in common council assembled, shall appoint for such payment, and shall be payable and paid once only for each and every such transit or passage as aforesaid, across the said *Isle of Dogs*, whether upwards or downwards; and such rates or duties, so last hereby granted, shall be paid over, as soon as conveniently may be, by the collectors thereof, or other proper officers, into the receipt of the chamber of the said city of *London*.

CXXXVII. *And in consideration of the great charges and expences which the making, building, erecting, and providing of such docks, basons, cuts, quays or wharfs, warehouses, sluices, bridges, roads, and other works, authorized and intended to be made by the said directors as aforesaid, and the supporting, maintaining, and keeping of the same in repair for the future, will amount unto:* be it further enacted, That, from and after notice of the completion of the same last mentioned docks, and other works, shall have been given by publick advertisement in the *London Gazette*, and two or more publick morning newspapers usually circulated in *London*, as before directed, there shall be payable and paid to the said *West India* dock company, or to their collectors, receivers, or agents, for their use, for every ship or vessel entering into, and using, any of the said intended docks, or any of the basons or cuts which shall belong thereto, by the master or other person having the charge or command of such ship or vessel, or by the owner or owners thereof, (over and above the rates and duties hereinbefore granted to his Majesty, his heirs and successors, and to the said mayor and commonalty and citizens), the rate or duty of six shillings and eight-pence for every ton of the burden of such ship or vessel, except in such cases as are hereafter excepted or otherwise provided for; which rate or duty shall be levied and collected as herein-after is directed, and shall be accepted and taken for and in satisfaction of the use and conveniency of the said docks, and all charges and expences of the navigating, mooring, unmooring, removing, and management of such ship or vessel, from her arrival at the entrance into the docks, at *Blackwall*, until such ship or vessel shall be unloaded and moored in the dock for light ships or vessels, and also of the unloading or unshipping of her cargo within the said docks, and the landing waiter's fees on account thereof, and the cooperage and hoops and nails which such cargo may require in the course of such unloading

Rate of 6s. 8d. per ton, appointed to be paid to the company by ships using the docks.

unloading thereof, together with the use of the light dock for any space of time not exceeding six months from the time of unloading such ship or vessel: and that, from and after such notice being given as last aforesaid, there shall also be payable and paid to the said *West India* dock company, or to their collectors, receivers, or agents, for their use, for all goods, wares, and merchandize, imported from the *West Indies*, which shall be landed, unshipped, or discharged from on board of any ship or vessel entering into and using any of the said intended docks, or any of the basons or cuts which shall belong thereto, by the owner or owners, consignee or consignees of such goods, wares, and merchandizes respectively, (over and above the rates and duties herein-before granted), the several rates or duties herein-after particularly rated and described; (that is to say),

Rates appointed to be paid to the company for goods imported from the *West Indies*, and landed or discharged within the docks.

List of rates.		s.	d.	
For Aloes	-	4	8	} per hundred weight.
Balsam, natural	-	4	8	
Cassia	-	4	8	
Cortex Winteranus	-	4	8	
Cocoa	-	1	6	
Coffee	-	1	6	
Cotton Wool	-	2	6	
Dyers Woods	-	0	6	} per dozen.
Ginger	-	3	3	
Gum Guaiacum	-	4	8	} per hundred weight.
Hides	-	0	6	
Indigo	-	2	6	} per jar.
Marmalade	-	2	6	
Oil, Castor	-	2	6	} per hundred weight.
Pimento	-	3	2	
Rum	-	0	1	} per gallon.
Sarsaparilla	-	6	0	
Sugar	-	0	8	} per hundred weight.
Succads (in boxes)	-	5	0	
Tamarinds, or Succads (in jars)	-	2	6	} per jar.
Tortoise Shell	-	5	0	
Turmeric	-	4	8	} per hundred weight.
and for Wine, including Madeira	0	1		

For every cask, case, bundle, bale, or other package, containing any article of merchandize not otherwise specified or described in this table, being of the weight of two hundred, or upwards, five shillings:

For every such cask, case, bundle, bale, or other package, being under the weight of two hundred, two shillings and sixpence:

For any article of merchandize brought loose, (except wood), not otherwise specified or described in this table, and subject to any duty of customs chargeable according to the weight, for every hundred, one shilling:

For any article of merchandize brought loose, not herein-before

before specified or described, whether subject to any duty of customs or not, and which shall be landed within the dock premises, there shall be collected and paid a rate or duty not exceeding the rate or charge heretofore usually paid in the port of *London*, for lighterage, landing, loading, and housing of any such article.

Which rates or duties shall be levied and collected as herein-after is expressed, and shall be accepted and taken for and in respect of the use and conveniency of the said docks, and the quays, wharfs, and cranes, and other machines which shall belong thereto, and the land waiter's fees on account of such goods after being unshipped, and all charges and expences of wharfage, landing, housing, and weighing such goods, and of such coeprage as the same may respectively want after being unshipped, and all rent for warehouse room for such goods, for the space of twelve weeks in the said company's warehouses, and all charges of delivering the same from the said warehouses; and which said rate or duty of six shillings and eight-pence *per ton*, and the said several other rates or duties last herein-before granted, shall be and are hereby vested in the said *West India* dock company, and their successors, executors, administrators, and assigns, (holding for the time being shares of the aforesaid capital stock), as their own proper monies, but for the purposes herein-after mentioned; and the said rate or duty of six shillings and eight-pence *per ton* shall be paid at the time of each ship's or other vessel's entry inwards or clearance outwards, at the custom house in the port of *London*, to the officer or person appointed to collect and receive the same, under such rules, regulations, and restrictions as are by this act directed and required with regard to the entering inwards and clearing outwards of ships or other vessels, on which other rates and duties are by this act imposed; or for want of such entry, then at any time before such ships or vessels respectively shall sail or proceed from the said docks or basons, so as no ship or other vessel shall be subject or liable to the payment of the said rate or duty of six shillings and eight-pence *per ton* more than once for every voyage, both out and home inclusive; and the rates or duties hereby granted in respect of such of the said goods, wares, and merchandize to be imported from the *West Indies*, as shall be subject to the payment of any duty to the King's majesty, his heirs or successors, shall be payable and paid, when the post entry of such goods, wares, or merchandize shall be made, at the said custom house, to the officer or person appointed to collect and receive the same; and the rates or duties hereby granted in respect of such of the said goods, wares, and merchandize as shall not be subject to the payment of any duty to the King's majesty, his heirs or successors, shall be payable and paid before such goods, wares, or merchandize respectively shall be taken from the said dock premises: provided always, That when and so often as any ship or other vessel arriving in the said docks shall not be fully laden, the said rate of six shillings and eight-pence *per ton* shall only be collected and paid for and in proportion to the

How and where to be paid.

actual tonnage of the cargo imported in such vessel, and not upon the register tonnage thereof; and that with respect to such ships or vessels as shall arrive in any of the said docks, from any other part or parts of the world than the *West Indies*, with goods, wares, or merchandize on board, of the growth or produce of the *West Indies*, the said rate or duty of six shillings and eight-pence per ton shall be payable only for and in proportion to the quantity of goods, wares, or merchandize of the growth or produce of the *West Indies*, on board of the same ships respectively; that is to say, Six shillings and eight-pence for every ton of the same goods, wares, or merchandize, and not otherwise.

Exemptions.

CXXXVIII. Provided always, and be it enacted, That this act shall not extend to charge with the said rate or duty of six shillings and eight-pence per ton herein-before granted, any lighters or craft entering into the said docks, or basons, or cuts, to convey, deliver, discharge, or receive ballast or goods to, or from on board of, any ship or ships, vessel or vessels.

CXXXIX. Manner of recovering rates.

CXL. Persons eluding the payment, to continue chargeable.

CXLI. To ascertain the tonnage or admeasurement of ships according to the certified tonnage in the ship's register.

CXLII. Collectors, &c. to have access to registers of ships at the custom house.

CXLIII. Power to measure, &c. ships and vessels. Penalty on any person obstructing such measuring, &c.

CXLIV. Custom house officers not to discharge any vessel before duties paid. Masters of vessels to produce certificates or certain other written evidence of such payment, which the receivers of the duties must give. Penalty on refusal, twenty pounds.

CXLV. Common council empowered to lower and again raise the transit rate granted to the corporation, so as in case of raising they shall not be higher than as expressed in the table.

CXLVI. Directors may vary the rates, so as every alteration be approved of by the company.

CXLVII. Roads which shall belong to the works, may be used by the publick, and the navigation of the canal to be free, subject to regulations.

CXLVIII. In case the capital of 500,000l. shall not be raised, or be found insufficient for making the docks, &c. the company may borrow 500,000l. more; and assign the dock rates as a security. Form of the assignment. Persons taking such assignments to be entitled to their respective proportions of the dock rates.

CXLIX. Proper entries of such assignments to be made by the company's clerk; and such assignments to be transferrable by indorsement. Form of indorsement. Indorsement to be notified and entered within fourteen days, by the clerk.

CL. Interest on monies borrowed to be paid half-yearly in preference to the dividends.

CLI. *And, for more readily and effectually accomplishing the purposes of this act*, be it further enacted, That there shall be advanced and paid from and out of all or any of the duties, revenues, and incomes, composing the fund called *The Consolidated Fund*, upon the credit of, and to be replaced to the said fund by, the rates and duties hereby granted, or made payable to his Majesty, his heirs and successors, any such sum or sums of money, not exceeding in the whole the sum of seventy-two thousand pounds of lawful money of *Great Britain*, as shall be necessary and sufficient for the purposes next herein-after mentioned; the same to be

For providing money to be applied by the common council in purchasing land, and in making, maintaining, and managing, the

be paid by the lord high treasurer, or the commissioners of the treasury for the time being, into the chamber of the city of *London*, from time to time, as and when wanted, and to be applied and disposed of by the said mayor, aldermen, and commons of the city of *London*, in common council assembled, as follows; that is to say, In the first place, in paying one equal half part of the charges and expences incident to and incurred in obtaining and passing this act, and afterwards in purchasing and paying for the houses, buildings, lands, tenements, and hereditaments, which shall be so purchased by the said mayor and commonalty and citizens, and their successors as aforesaid, and in defraying the other costs and charges incident to such purchases, and in paying and discharging the necessary charges and expences of designing, laying out, making, and completing the said canal, cuts, and other works, which are to be made and done by the said mayor, aldermen, and commons, in common council assembled, in pursuance of this act; and afterwards in paying, satisfying, and discharging, all the necessary charges and expences of attending, managing, regulating, maintaining, repairing, and preserving the same canal, cuts, and other works, for the term of three years next ensuing the time when such publick notice as aforesaid shall be given of the said canal being ready for use, and until the said transit rates shall become payable to the said mayor and commonalty and citizens as aforesaid; and also in paying for and during the same term of three years such yearly or other sums of money as are herein-before directed to be paid by the said mayor and commonalty and citizens, and their successors, as and for compensations for losses, and deficiencies of tithes, taxes, sewer rates, and other rates and assessments.

CLII. *And, in order that the commissioners herein before appointed, and which shall hereafter be appointed as aforesaid, may be enabled to make the compensations by this act entrusted to the care and management of such commissioners, be it further enacted, That there shall also* For providing money for general compensations, including those of the crown and lord Gwydir, in respect of mooring chains.

be advanced and paid, from and out of all or any of the duties, revenues, and incomes, composing the fund called *The Consolidated Fund*, upon the credit of, and to be replaced to the said fund by, the rates and duties hereby granted or made payable to his Majesty, his heirs and successors, such sum and sums of money as shall be necessary and sufficient for making, paying, and satisfying all such last mentioned compensations respectively, including those herein-before directed to be made to the King's majesty, his heirs and successors, and the said *Peter lord Gwydir*, and his assigns, in respect of mooring chains, and for defraying the necessary costs of managing, ascertaining, paying, and making the same respectively; and which sum and sums of money shall be from time to time issued, paid, applied, and disposed of by the lord high treasurer, or the commissioners of the treasury for the time being, as the said commissioners, or any five or more of them, shall direct, in and about the paying and making of such last mentioned compensations, according to the directions and

true meaning of this act, until all the same compensations shall have been paid and satisfied.

CLIII. Commissioners clerk to keep accounts of compensation monies.

The general tonnage duties to be applied in maintaining the mooring chains, and paying the salaries of harbour masters, and in replacing the monies which are to be advanced out of the consolidated fund in pursuance of this act, and then in making a fund for maintaining the mooring chains, and paying the salaries of harbour masters.

CLIV. And be it further enacted, That the monies which shall from time to time be received and produced from and by the rates and duties granted or made payable to his Majesty, his heirs and successors, by this act, shall be applied and disposed of in the manner following; that is to say, In the first place so much thereof shall be paid into the chamber of the city of *London* as shall be sufficient, from time to time, not only for defraying all the necessary costs and charges of maintaining, repairing, altering, and renewing the mooring chains now lying, and which shall hereafter lie, or be in the river *Thames*, and of laying down, from time to time, new or other mooring chains therein as and when necessary for the use of the shipping in the said river, but also for paying the salaries and wages of the said harbour masters, and their assistants, pursuant to this act; and the monies so to be paid into the said chamber, shall be paid and applied by the mayor and commonalty and citizens of the city of *London*, and their successors, in defraying the same costs and charges, and paying the same salaries and wages accordingly; and subject thereto, the residue or overplus of such monies so to be received and produced, shall be applied from time to time, in repaying and replacing to the said consolidated fund all such sums of money as shall be advanced and paid thereout in pursuance of this act, with interest for the same respectively in the mean time, at the rate of five pounds *per centum per annum*: and when all the monies which shall be so as aforesaid advanced and paid out of the said consolidated fund shall, by the means last mentioned, or otherwise, be fully repaid, with interest as aforesaid, then and from thenceforth such residue or overplus of the said monies to be received and produced from and by the said rates and duties by this act granted or made payable to his Majesty, his heirs and successors, shall, from time to time, as and when received, be laid out or invested in the purchase of stock in some of the publick stocks or funds, or upon government or real securities, at interest, in the names of the chamberlain, town clerk, and comptroller of the chamber of the city of *London*, for the time being, who shall, from time to time, lay out or invest the yearly dividends or interest of the stocks, funds, and securities so purchased, in their names, in like manner, for the purpose of accumulation, until the yearly dividends and interest of all the stocks, funds, and securities so purchased, shall be sufficient for the payment of the said costs and charges of maintaining, repairing, altering, and renewing, the said mooring chains, and laying down others as aforesaid, and the payment of the salaries and wages of the said harbour masters and their assistants; and when and so soon as the same yearly dividends and interest shall be fully sufficient for the purposes last mentioned, then and from thenceforth the several rates and duties by this act granted or made payable to his Majesty, his heirs and successors, shall cease,

and

and be no longer paid or payable; any thing herein contained to the contrary in anywise notwithstanding.

CLV. And be it further enacted, That the monies which shall from time to time be received by the said mayor and commonalty and citizens, and their successors, from and by the said transit rates hereby granted or made payable to them, and such other monies as shall be received by them by virtue of this act, and not be otherwise applied or applicable in pursuance thereof, shall, from time to time, after payment of the charges of collecting and receiving the same, be applied, in the first place, in paying such yearly or other sums of money as are herein-before directed to be paid by the said mayor and commonalty and citizens, and their successors, as and for compensation for losses and deficiencies of tithes, taxes, sewer rates, and other rates and assessments, and afterwards in paying, satisfying, and discharging, the necessary charges and expences of attending, managing, and regulating, (after being finished), and maintaining, repairing, preserving, and improving, the said canal, cuts, mooring chains, and other works and improvements, which are to be made, done, and managed, by the said mayor, aldermen, and commons, in pursuance of this act, including all charges of towing ships, and opening and shutting flood gates on the said canal; and that all the residue or surplus of such monies shall from time to time be applied in or towards executing such of the other purposes of this act, as are to be executed by the said mayor, aldermen, and commons, in common council assembled, or by or at the charges of the mayor and commonalty and citizens of the city of *London*: and in case and when the monies so to be received by the said mayor and commonalty and citizens, and their successors, shall be more than sufficient for the several purposes last-mentioned, then and in such case the overplus of such monies shall from time to time be laid out in the purchase of stock, in some of the publick stocks or funds, or upon government or real securities, at interest, in the names of the chamberlain, town clerk, and comptroller of the chamber of the city of *London*, for the time being; and the yearly dividends and interest of the stocks, funds, and securities, so to be purchased, shall be applied and disposed of in such and the same manner, in all respects, as the monies to be received by the said mayor, and commonalty and citizens, from and by the said transit rates, are herein-before directed to be applied and disposed of; and in case and when such yearly dividends and interest, together with the yearly income arising from the said transit rates, shall be found to be more than sufficient for the several purposes for and towards which the said monies arising from the said transit rates are hereby made payable and applicable, the said transit rates by this act made payable to the said mayor and commonalty and citizens, and their successors, shall be lowered in the manner herein-before directed, so far as the same can, under the then existing circumstances, be done with prudence and safety: provided always, That whensoever after any such stocks, funds, or securities, shall be so pur-

Application
of the transit
rates.

chased, the yearly dividends and interest thereof, together with the yearly income arising from the said transit rates, shall be found insufficient for the purposes last-mentioned, it shall be lawful for the said mayor and commonalty and citizens, and their successors, to cause the said stocks, funds, and securities, or a sufficient part thereof, to be sold out, to make good the deficiency, and to apply the money arising by such sale in the same manner as the monies arising from the said transit rates are hereby made applicable.

CLVI. The corporation of London answerable in case of misapplication of monies to be received by them.

CLVII. Chamberlain to keep accounts of receipts and disbursements.

CLVIII. A statement of the canal and works to be laid before parliament and the treasury yearly.

CLIX. Chamberlain to lay an account before parliament yearly.

Application of the monies to be received by the West India dock company under this act.

CLX. And be it further enacted, That the aforesaid sum of five hundred thousand pounds, subscribed or intended to be subscribed or contributed by the said *West India* dock company, for their capital or joint stock, and all other monies which shall be hereafter subscribed by them, for increasing their capital as aforesaid, together with the several sums of money to be produced and received by and from, and raised and borrowed upon the credit of, the rates and duties granted or made payable to the said company by this act, shall form and become one aggregate consolidated fund; and all the monies which shall be subscribed, collected, received, levied, raised, and borrowed by the said company, or by the said directors, by virtue or in pursuance of this act, shall be applied and disposed of in the first place in paying the remaining equal half part or share of the charges and expences incident to and incurred in obtaining and passing this act; and afterwards in paying and discharging the consideration or purchase money, and the other costs and charges incident to the purchasing and obtaining conveyances of the messuages, lands, tenements, and hereditaments, which, by virtue or in pursuance of this act, shall be purchased for the use of, and conveyed or vested in trust for, the said *West India* dock company as aforesaid; and in the next place, in paying the interest of the monies which shall be borrowed by the said company upon the credit of the last-mentioned rates and duties, if any shall be so borrowed, and the interest or dividends upon the principal monies, which, for the time being, shall be so subscribed by the members of the said company, and actually paid as aforesaid, or upon their capital or joint stock, and in paying such yearly or other sums of money as are herein-before directed to be paid by the said *West India* dock company as and for compensations for losses and deficiencies of tithes, taxes, sewer rates, and other rates and assessments; and subject thereto, then in defraying the necessary charges and expences of making, completing, maintaining, and supporting, and attending, managing, and regulating, the said docks, basons, cuts, quays, wharfs, warehouses, and other works, which are to be made and done by the said directors in pursuance of this act, and of any such extensions, and improvements

provements of the same respectively, as the said directors may, from time to time, think necessary; and that the residue or surplus of such monies shall, from time to time, be applied in or towards the re-payment of the principal monies, which shall be borrowed by the said company, upon the credit of the rates and duties hereby granted to them, until all the same principal monies shall be repaid, and in or towards executing such of the other purposes of this act as are to be executed by the said directors, or by and at the charges of the *West India* dock company: and when by the means last-mentioned, or otherwise, the principal monies so to be borrowed by the said company, shall be all repaid as aforesaid, then and in such case the rates and duties by this act granted to the said company, shall be lowered in the manner herein-before directed, as far as the same can, under the then existing circumstances, be done with prudence and safety.

CLXI. Clerk of the company to keep accounts of receipts and disbursements.

CLXII. The dock company's works to be executed as soon as possible, and a statement of the progress thereof to be laid before parliament yearly.

CLXIII. Directors to lay an account before parliament yearly.

CLXIV. Common council empowered to appoint committees.

CLXV. Persons interested in contracts, not eligible on such committees.

CLXVI. Committees may employ and contract with any fit persons whether freemen of London or not.

CLXVII. Directions for giving notice of contracts.

CLXVIII. Power to the common council to appoint clerks, collectors, treasurers, and other officers, taking security; and to allow them salaries.

CLXIX. The directors empowered to appoint clerks, treasurers, and other officers for the company, taking security, and to allow them salaries.

CLXX. Commissioners of compensations to appoint clerks, &c. taking security, and to allow them salaries.

CLXXI. Penalty on officers misapplying monies.

CLXXII. For the recovery of balances due from harbour masters, &c. dying or becoming bankrupts.

CLXXIII. Nothing in this act contained is to prejudice any remedy against the sureties of officers.

CLXXIV. For saving the rights of the Trinity House.

CLXXV. Rights of the corporation of London not to be prejudiced. Lord mayor empowered as conservator of the river Thames, to punish offences against this act, &c.

CLXXVI. This act not to extend to prevent the admiralty from laying down mooring chains below Greenland dock for the use of the King's ships.

CLXXVII. Power to mitigate penalties or forfeitures.

CLXXVIII. Parties aggrieved may appeal to the quarter sessions.

CLXXIX. Penalties and forfeitures how to be recovered.

CLXXX. Distress not to be deemed unlawful for want of form.

CLXXXI. Proceedings not to be qualified for want of form.

CLXXXII. Application of penalties and forfeitures.

CLXXXIII. Punishment for giving false evidence, or swearing falsely.

CLXXXIV. The treasurer of the company may be made the nominal plaintiff or defendant in actions, and suits to be brought by or against the company.

CLXXXV. Act of 24 Geo. 2. for rendering justices of the peace more safe in the execution of their office, extended to this act; and as to actions brought for any thing done in pursuance of this act. General issue may be pleaded. Treble costs.

CLXXXVI. Publick act.

Cap. 73.

An act for making and maintaining a tunnel or road under the river Thames, from or near to the town of Gravesend, in the county of Kent, to or near to Tilbury Fort in the county of Essex.—[July 12, 1799.]

WHEREAS the making and maintaining of a tunnel or road, of a convenient breadth for the passage of cattle and carriages, under the river Thames, from or near to Gravesend, in the county of Kent, to or near to Tilbury Fort, in the county of Essex, in such manner that an uninterrupted land communication might be opened between the opposite shores of the counties of Kent and Essex, would be attended not only with great advantage to those particular counties, but would also be of great national advantage as a military road or pass. Certain persons incorporated by the name of, The Company of Proprietors of the Tunnel under the River Thames. Proprietors to raise thirty thousand pounds for making the tunnel, to be divided into shares of one hundred pounds each. Shares to be personal estate. Subscribers to have a vote for every share. Form of appointment of proxies. Proprietors may raise twenty thousand pounds, by additional proprietors or mortgage. Interest of money borrowed to be paid in preference to dividends. Six months notice to be given of paying off money. Assignees not to vote on account of having lent money. Proprietors shall assemble on Wednesday fortnight after passing this act, at the London Tavern, and the first Wednesday in May in every year afterwards. Chairman to be appointed. A committee to be appointed. Proprietors may make bye laws. General assemblies for choosing committees to consist of one hundred shares. Assembly of proprietors may be specially convened. General assembly to elect and appoint officers, and take security from them. Officers, &c. to account. Powers of the committees. Committees to make calls. Shares may be forfeited, but no advantage to be taken of forfeiture, without personal notice. On the death of subscribers before share completed, executors may do it. Shares may be sold. Form of conveyance of shares. After a call no share to be sold until such call shall be paid. Regulations as to the acquisition of shares by marriage, by will, or in course of administration. Names of proprietors to be entered, and certificates of their shares delivered to them. Power to make and maintain a tunnel or road under the river Thames, from any point between one hundred yards west of a messuage in the occupation of Jeremiah Howard, in the parish of Northfleet, and one quarter of a mile eastward of the new Tavern Bridge, in the parish of Milton, next Gravesend, in the county of Kent, and between the opposite points on the shore, of the county of Essex. Contracts to be advertised. The company not to take, use, injure, or damage, for the purposes of the tunnel, any house or other building built on or before June 24, 1799, or any land used for a garden, orchard, yard, park, &c. without the consent of the owners, and occupiers thereof. The company are not to enter the lands and grounds of John Calcraft or George Errington, esqrs. Bodies politic empowered to sell and convey lands. Contracts and sales to be made at the expence of the company. Form of conveyance to the company. Satisfaction to be made. Yearly rents charged on the rates. If parties are dissatisfied, value to be ascertained by a jury. Fine upon sheriffs, &c. making default. Expences of witnesses and jury, by whom to be paid. Persons requesting juries to enter into bonds to prosecute. Notice of injury to be given to proprietors. Satisfaction to be made for tythes. Verdict to value lands, and damages to be ascertained separately. Verdicts to be recorded. Power to enter and take possession of lands, &c. on payment or tender of purchase money. Purchase money belonging to corporations, &c. to be laid out to the same uses. For re-investing purchase monies. Damages not provided for to be settled. Tolls for passing through the tunnel. For every wheel on every coach, chariot, chaise, &c. two shillings and sixpence. For every wheel on every waggon

waggon or cart one shilling. For every horse one shilling. For every ass three pence. For every drove of cows, oxen or neat cattle fifteen shillings a score. For every drove of calves, swine, sheep or lambs, three shillings and four-pence a score. For geese or turkeys two pence half-penny a score. For every foot passenger two pence. Tolls not to be taken at both gates. To enforce payment of tolls. And whereas the conveyance of his Majesty's troops and military stores, by boats, barges, and other vessels, from the opposite shores of the counties of Kent and Essex, across the river Thames, is attended with a great expence: and whereas it has appeared to the lords commissioners of his Majesty's treasury, that the making of the said tunnel would be attended with a great national advantage, for the purpose of conveying troops and military stores through the same, by which the expence of providing boats, barges, and other vessels, will be avoided, and the troops and stores be more expeditiously conveyed; be it therefore enacted, That no toll shall be demanded or taken for or in respect of any officer or soldier upon march or upon duty, or for or in respect of any horse, cattle, or carriage employed in carrying or conveying the arms or baggage of any such officer or soldier, or in carrying or conveying any sick, wounded, or disabled officer or soldier, or in carrying or conveying any cannon, ordnance or military stores, or for or in respect of any horse, mare, or gelding, furnished by or for any persons, in any corps or troop of volunteer cavalry, and rode by them, in going to or returning from the place appointed, for and on the days of exercise, provided that such persons be dressed in the uniform of their respective corps or troops, or for or in respect of any such volunteer, or for or in respect of any person or persons, or carriage or carriages, of what description soever, or horse or horses, employed in conveying the mail or packet, which shall be made up under the authority or direction of his Majesty's postmaster general or his deputy or deputies, in consideration of which said several exemptions the lords commissioners of his Majesty's treasury shall pay or cause to be paid, to the said company of proprietors, in each and every year, the clear sum of one thousand pounds, the same to be paid by four equal quarterly payments, the first of such quarterly payments to be computed from the day on which the said tunnel shall be rendered passable for horses, cattle and carriages; and if any person shall claim and take the benefit of any of the exemptions from toll aforesaid, not being entitled to the same, every such person shall, for every such offence, forfeit and pay any sum not exceeding forty shillings. If the one thousand pounds is not paid to the proprietors they may take tolls. Proprietors to furnish boats for government, whilst the tunnel is repairing. Tolls may be altered. Lamps to be affixed against walls, &c. Penalty on wilfully damaging lamps, &c. On nonpayment offender to be committed. Persons accidentally damaging lamps, &c. to make satisfaction. And be it further enacted, That all persons whosoever shall have free liberty to pass through the said tunnel, and to lead or drive through the same, any horse, cattle or other beasts, and carriage, geese, and turkeys, upon payment of such tolls as shall be demanded by the said company of proprietors, not exceeding the respective sums herein mentioned, and subject to the rules and regulations which shall be from time to time made by the said company of proprietors, by virtue of the powers herein granted; provided that no person or persons shall, with or without any horse, cattle, or other beast or carriage, geese or turkeys, without the consent of the said company of proprietors or their committee, pass through the said tunnel at any other times, than between the hours of seven in the morning, and five in the evening, during the months of November, December, January, and February, between the hours of five in the morning, and eight in the evening, during the months of March, April, September and October, and between the hours of four in the morning and nine in the evening, during the months of May, June, July and August, in every year; and the said company of proprietors shall, and they are hereby required to keep the said tunnel well and sufficiently lighted up for and during the hours required in the said months as aforesaid, (save and except for and

during such time or times as the said tunnel or any part thereof or any of the works thereunto belonging shall be repairing, or the passage through the same shall be by any accident impeded or prevented) and in default thereof the said company of proprietors shall forfeit and pay for every offence the sum of twenty pounds, to any person or persons, who shall sue for the same, to be recovered, with full costs of suit, by action of debt, or on the case, bill, plaint or information, wherein no escoin, protection, wager of law, or any more than one imparlance shall be allowed. Eighty pounds a year to be paid to his Majesty as a satisfaction for his ferry over the river Thames. Thirty pounds a year to be paid to the corporation of Gravesend for their ferry over the river Thames. Ferries vested in the company. Company to use the ferries when the tunnel is repairing. Penalty on damaging the works. And be it further enacted, That all acts and offences done or committed within the said tunnel, or within any part or parts thereof, situate, lying and being under the said river Thames, shall be deemed to have been done and committed within either of the said counties of Kent or Essex, and shall be enquired of, examined into, and cognizable by the several justices of the said counties respectively; and all actions, bills, suits, informations and indictments may be brought, laid, tried and prosecuted, in either of the said counties of Kent or Essex. How the tunnel shall be rated. Tunnel not to be under the commissioners of sewers. Rights of the city of London saved. Subscribers compelled to pay their subscriptions: Fines and forfeitures. Persons aggrieved by irregularity in distress to recover only the special damages. Form of conviction. Persons aggrieved may appeal to the quarter sessions. Proceedings not to be quashed for want of form nor removed by certiorari. Limitation of actions. Treble costs. Publick act.

Cap. 83.

An act for enabling his Majesty to incorporate by charter a company to be called The Globe Insurance Company, for insurance on lives, and against loss or damage by fire, and for other purposes therein mentioned.—[July 12, 1799.]

WHEREAS it hath been considered, that it would in many respects be greatly advantageous to the publick, if a corporation were established for making or effecting insurances on lives, and insurances against loss or damage by fire, and for granting, purchasing, or selling annuities for lives, or on survivorship, and for granting sums of money payable at future periods, within the kingdom of Great Britain or Ireland, and any other parts abroad; and for receiving deposits of the funds belonging to, and acting as treasurers thereof for benefit of friendly societies, and other charitable and benevolent institutions; and also for making provisions for the widows and children of the clergy, and for clergymen, and for the receiving deposits from or on account of the members of the industrious classes of society, and others, upon such terms, and in such manner, as should be agreed upon between the said corporation, and the persons or societies treating with the same corporation for the purposes aforesaid; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for his Majesty, by charter or indenture under the great seal of Great Britain, to declare and grant, that such and so many persons as shall be named therein, and all and every such other persons and person, as from time to time shall be duly admitted members into their corporation, shall be one distinct and separate body politick and corporate, by the name of The Globe Insurance company.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, in and by the said charter or indenture, to declare that the said corporation, so to be created and established,

established, shall and may make or effect insurances on the life or lives of any person or persons whomsoever, or on houses, warehouses, chambers, or other edifices or buildings, goods, wares, or merchandizes, ships, vessels, barges, and other craft, with their cargoes, in port or used on navigable canals, farming stock, and all other property, against loss or damage by fire, in all parts and places whatsoever, either within the kingdoms of Great Britain and Ireland, or elsewhere abroad, whether within his Majesty's dominions or not; and also shall and may grant, purchase, and sell annuities for lives, or on survivorship, and grant sums of money payable at future periods within the kingdom of Great Britain or Ireland, and any other parts abroad, whether within his Majesty's dominions or not; and shall and may receive deposits of funds of tontine societies, and other institutions, established for granting future advantages, and deposits of funds belonging to, and act as treasurer thereof for, benefit or friendly societies, and other charitable and benevolent institutions; and make provision for the widows and children of the clergy, and for clergymen, and receive deposits from or on account of members of the industrious classes of society, and others; and to make provision for members of the industrious classes of society, and others, by allowing interest on such deposits made, or otherwise, upon such terms and conditions, and in such manner as shall or may be agreed upon between the said corporation so to be created and established, and the persons and societies treating with the said corporation, for the purposes herein-before mentioned.

III. Provided always, and be it further enacted, That all such deposits made by individuals, shall not be payable by the said corporation at a less period than six calendar months from the time such deposits shall have been made.

IV. And be it further enacted, That it shall and may be lawful to and for his said Majesty, in and by the said charter or indenture, to declare that the said corporation, by the said name of The Globe Insurance Company, shall have perpetual succession, and shall have full power and authority to act in the premises, and by the name aforesaid to do, perform, and execute, or cause to be done, performed, and executed, all or any lawful acts, matters, and things whatsoever, in such manner, in all respects, as shall be necessary, proper, or expedient for giving effect thereto; and to declare that the said corporation shall have power from time to time to choose its own directors, and other officers and servants, for the management of the affairs of the said corporation, in such manner, and under such qualifications, as shall be prescribed in and by the said charter or indenture to be granted or made in that behalf; nevertheless the first directors of the said corporation shall or may be appointed by his Majesty, in and by the said charter or indenture; and also in the said charter or indenture to declare that the said first directors, and all subsequent directors, shall continue in their respective offices for such number of years, and in case of death or removal, be supplied in such manner, as in such charter or indenture shall be prescribed; and also in the said charter or indenture to declare that the said corporation shall and may have and use a common seal only for the business of the said corporation, and such seal shall and may, from time to time, break, change, make new, or alter, as shall be found most expedient; and also in the said charter or indenture to declare that the said corporation shall be able and capable in law to purchase, take, hold, and enjoy messuages, lands, tenements, or hereditaments, not exceeding in the whole the annual value of two thousand pounds, over and besides such messuages, lands, tenements, or hereditaments, as may be charged with or made a security for the annuities to be purchased by the said corporation: provided nevertheless, That the annual value of the messuages, lands, tenements, and hereditaments, to be comprized in each purchase, be taken to be of that annual value which they were of at the time of the purchase thereof; and also in and by the said charter or indenture to declare that any person or persons, bodies politic or corporate, may give, grant, bargain, sell, or convey to the said corporation any lands, tenements, or hereditaments, for the use and

benefit of the said corporation, notwithstanding the statute of mortmain; and also to declare that the said corporation shall have full power and ability at law, to sell, grant, alien, demise, or dispose of the lands, tenements, and hereditaments, of or to which they shall so become seized or entitled as aforesaid, or any part thereof, at their free will and pleasure; and be able and capable in law or equity to sue and implede, and be sued and impleaded, and answer and be answered, defend or be defended, in any courts of law or equity, or elsewhere, in all actions, suits, and causes whatsoever, relating to the insurances, annuities, deposits, contracts, engagements, or their capital joint stock, or any of their estates or effects, or for or upon account of any other matter or thing whatsoever concerning the said corporation.

V. And be it further enacted, That in the said charter or indenture it shall be provided, that the said corporation, so to be created and established as aforesaid, shall be obliged from time to time during its continuance to cause such a stock of ready money, or such share or shares of the parliamentary stocks or publick funds of Great Britain, to be provided and reserved, and to be immediately subject to the disposition of the said corporation, as shall be sufficient to answer all the just demands upon them on account of the said policies of assurance, and any deeds, contracts or engagements, to be made or executed, or entered into by the said corporation; and that the said corporation shall satisfy, pay, and discharge the same demands from time to time according to the tenor of the said policies of assurance, deeds, contracts, and engagements, and the true meaning of this act, and the charter so to be granted as aforesaid; and in case of refusal or neglect to answer the said demand, the person or persons, society or societies, whose claim, or demand shall be so neglected or refused, his, her, or their executors, administrators, or assigns, may, during the existence of such claims or demands, respectively bring his, her, or their action of debt, or on the case, by bill, suit, or information, for the money demanded, against the said corporation refusing or neglecting to pay as aforesaid, in any of his Majesty's courts of record at Westminster or elsewhere, wherein no essoin, protection, wager of law, or more than one imparlance shall be granted or allowed; and that in such action, bill, suit, or information, the plaintiff or plaintiffs may declare that the same corporation is indebted to him, her, or them, in the money so demanded, and have not paid the same, and thereupon the plaintiff or plaintiffs shall recover against the said corporation single damages and full costs of suit, and the stock and effects of the said corporation shall be also subject and liable thereto.

VI. And be it further enacted, That the said societies respectively may commence or bring such action, bills, information or informations, against the said corporation, in the name or names of the president or presidents, trustee or trustees of, or other person or persons presiding over, representing or acting for such society or societies, and that the actions, bills, suits or informations so brought, shall, to all intents and purposes, be as good and effectual as if the same were commenced or brought in the names of all the persons composing such society or societies, and no advantage shall be taken thereof, or objection made thereto; any law, practice, usage, or custom to the contrary thereof notwithstanding.

VII. Provided always, and be it further enacted by the authority aforesaid, That the corporation so to be created as aforesaid, which shall have or receive any part of the monies, effects, or funds of such society or societies, or shall in any manner be intrusted with the disposition, management, or custody thereof, or of any securities relating to the same, shall, upon demand made in pursuance of any order by such society or committee appointed in such manner as is directed by an act passed in the thirty-third year of his present Majesty, intituled, 'An act for the encouragement and relief of friendly societies,' give in the account or accounts of the said corporation with such society or societies, at a general meeting of any such society, or to such committee thereof as aforesaid, to be examined and allowed or disallowed; and the said corporation shall on such demand so to be made in manner aforesaid, pay
over

over all the monies then remaining and being in the hands or custody of the said corporation, and assign and transfer or deliver all securities, effects, or funds, taken, or standing in the name, or remaining in the hands or custody of the said corporation, to the treasurer or treasurers, or trustee or trustees for the time being, or to such person or persons as such society shall appoint; and in case of any neglect or refusal to deliver such account, or to pay over such monies, or to assign, transfer, or deliver such securities or funds, in manner aforesaid, it shall and may be lawful to and for every such society, in the name of the treasurer or treasurers, trustee or trustees, (as the case may be), or such person or persons as such society or societies shall appoint, to exhibit a petition against the said corporation so to be created as aforesaid, in the high court of chancery, or the court of exchequer in England, or the court of session in Scotland, or the courts of great sessions in Wales respectively, who shall and may proceed thereupon in a summary way, and make such order therein, upon hearing all parties concerned, as to such court in their discretion shall seem just; and all assignments and transfers made in pursuance of such order shall be good and effectual in law to all intents and purposes whatsoever.

VIII. And be it further enacted by the authority aforesaid, That no fee, reward, emolument, or gratuity whatsoever, shall be demanded, taken, or received by any officer or minister of such court, for any matter or thing done in such court, in pursuance of this act, by any such society as aforesaid; and that upon the presenting of any such petition it shall be lawful for the lord high chancellor, the master of the rolls, and the barons of the exchequer respectively in England, or the lords of session in Scotland, or the judges of any of the courts of great sessions in Wales, to assign counsel learned in the law, and to appoint a clerk of such court to advise and carry on such petition on the behalf of such society, who are hereby respectively required to do their duties therein without fee or reward; and that no such proceedings in such court in pursuance of this act shall be chargeable with any stamp duty.

IX. And be it also further enacted, That in the charter or indenture for establishing the said corporation, it shall be provided, that in all actions to be sued or commenced against the said corporation, upon any policy of assurance, deed, contract, or engagement, under the common seal of the said corporation, it shall and may be lawful for the said corporation in such action or suit to plead generally, that they owe nothing to the plaintiff or plaintiffs in such action or suit; and that in all actions of covenant which shall be sued or commenced against the said corporation, upon any such policy of assurance under the common seal of the said corporation, it shall and may be lawful for the said corporation in such action or suit to plead generally, that they have not broken the covenants in such policy, deed, contract, or engagement contained, or any of them; and if thereupon issue shall be joined, it shall and may be lawful for the jury if they see cause, upon the trial of such issue, to find a verdict for the plaintiff or plaintiffs in such suit or action, and to give so much or such part only of the sum demanded, if it be an action of debt, or so much in damage, if it be an action of covenant, as it shall appear to them upon the evidence given upon such trial, such plaintiff or plaintiffs ought in justice to have or is or are entitled to; any law or custom to the contrary notwithstanding.

X. And to the intent that sufficient provision of money may be made for answering and paying just demands upon the said corporation, and to furnish the said corporation with money for its necessary and lawful occasions; it is hereby further enacted by the authority aforesaid, That the said corporation shall be obliged, by force and virtue of the said charter or indenture so to be granted or made as aforesaid, to raise a sum of money, not less than five hundred thousand pounds, and not exceeding one million, within such time or times, not exceeding a period of two years and an half, to be computed from the time the said charter of incorporation shall be granted, and by such proportions, and

in such manner, as in and by the said charter or indenture shall be appointed, and the money so to be raised shall be and be called The Extraordinary Capital Stock belonging to the said Corporation; and that in the said charter or indenture, to be granted or made as aforesaid, a provision shall be inserted, that the said corporation, intended to be created and established, is to be created and established upon this condition, that the said corporation do and shall lay out and invest the sum of three hundred thousand pounds, (part of the said sum of five hundred thousand pounds extraordinary or capital stock), within three calendar months next after the same shall be raised in manner aforesaid, in the purchase of land tax upon houses, under an act passed in the last session of parliament, intitled, 'An act for making perpetual, subject to redemption and purchase in the manner therein stated, the several sums of money now charged in Great Britain as a land tax for one year from the twenty-fifth day of March one thousand seven hundred and ninety-eight;' and also do and shall, with one moiety or half part of the net profits which shall arise to the said corporation from the said establishment, which shall remain after payment of five pounds per centum per annum to the proprietors on the capital stock, and all salaries and other expences attending the institution, lay out such moieties as they shall arise, after making such deductions as aforesaid, in the purchase of the said land tax upon houses, from time to time, until the sum of seven hundred thousand pounds shall have been so laid out as aforesaid, unless the whole of the said land tax upon houses shall previously thereto have been redeemed or sold; and that the said corporation shall be allowed to purchase the said land tax upon the same terms and conditions, as the owners of lands now are or hereafter may be entitled to redeem or purchase by the same or any future act; but the interest or produce arising from the said sum of three hundred thousand pounds, and such moieties of the said profits as shall be laid out in the purchase of land tax as aforesaid, shall not be considered or taken as part of the profits out of which the said sum of seven hundred thousand pounds, or any part thereof, is to proceed; and also that the sum of five pounds per centum per annum, upon all the said money to be raised as aforesaid, (excepting the said sum of three hundred thousand pounds so to be laid out as aforesaid), shall be deducted out of the said moiety or half part of the said net profits, before the same shall be applied in the purchase of the said land tax, in manner herein-before mentioned.

XI. Provided nevertheless, and it is hereby further enacted, That a provision shall be inserted in the said charter, that the said corporation shall, within three calendar months after the date of the said charter, enter into a sufficient contract or contracts, according to the provisions of the several acts passed in the last and present sessions of parliament for the redemption of the land tax, that the said corporation shall and will lay out and invest the sum of three hundred thousand pounds, part of the said five hundred thousand pounds extraordinary or capital stock, in the purchase of the land tax on houses, or land tax, as provided by this act, and that the said corporation shall in such contract or contracts undertake that they shall and will lay out and invest one hundred thousand pounds, part of the said three hundred thousand pounds, in the purchase of the land tax on houses, or land tax, as aforesaid, within one year after the date of the said charter; and that they shall and will lay out one hundred thousand pounds, other part of the said three hundred thousand pounds, in such purchase as aforesaid, within two years after the date of the said charter; and that they shall and will lay out one hundred thousand pounds, residue of the said three hundred thousand pounds, within three calendar months next after the extraordinary or capital stock shall be raised as aforesaid, in the further purchase of the land tax on houses, or land tax, as aforesaid.

XII. And be it further enacted, That the directors of the said corporation shall yearly lay, or cause to be laid, before each house of parliament a true account of the receipt and application of all monies which shall be received by the said corporation by virtue of this act.

XIII. And

XIII. And be it further enacted, That in the charter or indenture so to be executed or made as aforesaid, it shall be declared, that all and every persons or person by or for whom any subscription shall be made or accepted, or any payment made pursuant to the orders of any general court or courts, authorized by the said charter or indenture to be held by the said corporation for that purpose, for or towards the raising of the said capital joint stock as aforesaid, his, her, and their executors, administrators, and assigns respectively, shall have and be entitled to a share of and in the said capital joint stock of the said corporation, in proportion to the monies to which he, she, or they shall have so contributed towards making up the same, and to a proportional share of the profits and advantages attending the capital stock of the said corporation, and shall be admitted to be a member or members of the same.

XIV. Provided always, and it is hereby enacted, That no person or persons shall be entitled to any greater share in the capital or joint stock of the said corporation, than the money which he, she, or they shall have paid towards the same; and that the several members of the said corporation do and shall respectively stand responsible and answerable for all just debts and demands of the creditors of the said corporation, to the full amount of their several and respective shares in the capital of the said joint stock, but shall not be any further or otherwise liable, either personally, or in their several and respective lands, tenements, hereditaments, goods, chattels, or effects, for any undertakings, engagements, contracts, or agreements entered into by the said corporation, or be subject or liable, by reason of his or their being members of the said corporation, or of any of the acts of the said corporation, to the statutes respecting bankrupts, or any of them.

XV. And be it further enacted by the authority aforesaid, That the said corporation shall not borrow or take up by way of loan, any sum or sums of money whatsoever, other than by a subscription for shares, in manner herein-before mentioned.

XVI. And be it further enacted, That in the charter or indenture to be made and executed as aforesaid, it shall be declared, that the said corporation to be thereby erected and established, for better enabling the same to answer all just demands upon the policies of assurance for losses, deeds, contracts, or engagements, or otherwise as aforesaid, at any time or times during the continuance of the said corporation, according to the true intent and meaning of this act, shall have power in the general court of the said corporation, from time to time as the said corporation shall see cause, to call in or direct to be paid from and by the respective members thereof for the time being, according to their respective shares in the capital stock which shall belong to the said corporation, any sum or sums of money subscribed by them to the said undertaking, and such further sum or sums of money, as by any general court shall from time to time be judged necessary, or be ordered to be called in or raised; and that all executors, administrators, guardians, trustees, or mortgagees, shall be indemnified in paying, and are hereby empowered to pay in their respective proportions of the money so called for; and in case any member or members, who shall be required to pay in money upon any call or calls to be made pursuant to this act, shall refuse or neglect to pay his, her, or their share of the money so called for, at the time or times appointed for that purpose by notice inserted in the London Gazette, and upon the royal exchange in London, it shall and may be lawful to and for the said corporation, and their successors, to stop the share, profits, or dividends, which shall from time to time become payable from the said corporation, to such member or members so neglecting and refusing, and to apply the same from time to time for or towards payment of the share of money so called for, and which ought to have been paid by such member or members so neglecting or refusing, until the same shall be satisfied, and also to stop the transfers and assignments of the share and shares of every such defaulter and defaulters, and to charge such defaulter or defaulters with interest, after the

the rate of five pounds per centum per annum, for the money so by him, her, or them omitted to be paid, from the time the same was appointed to be paid, until the payment thereof, and that the share and stock, and shares and stocks, of such defaulter and defaulters, shall be liable to make good and answer the said monies so appointed to be paid, and the interest thereof as aforesaid; and in case the same principal and interest shall be unpaid by the space of three calendar months, then the said corporation, or the court of directors for the time being, shall have power to authorise such person or persons as they shall respectively think fit, to sell, assign, and transfer so much of the said stock or stocks of such defaulter or defaulters as will satisfy and pay the same, rendering the overplus (if any) to the proprietors; and the money so called for and paid in shall be deemed capital stock, and shall be written in the books of the said corporation, and the respective members paying the same shall have credit in the said books for their respective proportions or shares thereof; nevertheless the said corporation, and their successors, in a general court, from time to time, when they judge their affairs will admit thereof, shall or may cause any sum or sums of money which shall be so called in, or any part thereof, to be divided and distributed amongst the then members of the said corporation, according to and in proportion to their respective share or shares which they shall then have of or in the capital stock of the same.

XVII. And be it further enacted, That the particular share and shares of the respective members, of or in the capital or joint stock of the said corporation, from time to time shall be transferrable, assignable, and devisable, and their bills, bonds, and obligations, shall be assignable and recoverable in such manner and form as his Majesty, by the said charter or indenture, shall prescribe and appoint, as well in relation to such share and shares of stock, as in reference to such bills, bonds, or obligations respectively; and that the capital stock of the said corporation, intended to be created and established in pursuance of this act, and the share and interest of each and every particular member thereof and therein, shall be deemed and judged in all courts of law and equity, and elsewhere, to be a personal and not a real estate, and shall go to the executors or administrators of the person or persons dying possessed thereof or entitled thereunto, and not to the heir of such person or persons; any law, statute, usage, or custom, to the contrary notwithstanding.

XVIII. And be it further enacted, That the capital stock of the said corporation, to be established pursuant to this act, shall, during the continuance thereof, be exempted, and it is hereby exempted, from any taxes, rates, assessments, or impositions whatsoever, by act of parliament or otherwise, save and except the taxes, rates, assessments, impositions, and duties, imposed by an act, passed in the present session of parliament, for repealing the duties imposed by an act made in the last session of parliament, for granting an aid and contribution for the prosecution of the war, and for granting certain duties upon income, in lieu of the said duties; and that no person who shall be director, or other officer of the said corporation, to be created as aforesaid, shall for that cause only be disabled from being a member of parliament, nor shall, in respect of such share or shares, be or be adjudged liable to be a bankrupt, within the intent and meaning of all or any of the statutes made of or concerning bankrupts; and that no stock in the said corporation shall be subject or liable to any foreign attachment, by the custom of London or otherwise; any law or statute to the contrary notwithstanding.

XIX. And be it further enacted, That it shall and may be lawful for his Majesty, in and by the said charter or indenture, to grant to the said corporation, thereby to be created or constituted, power to make bye laws and ordinances, and such further powers, authorities, privileges, and advantages, relating to the objects of the said corporation, and for the management or regulation of the concerns thereof, as to his Majesty shall seem most expedient, and as in the same charter or indenture shall

shall be expressed; and that the clause, and provisions to be mentioned in the said charter or indenture shall to all intents, effects, constructions, and purposes whatsoever, have the same force and effect as if the same had been contained in this act.

XX. And whereas it may be difficult hereafter for the said corporation to find sufficient land tax on houses, to purchase in manner directed by this act, unless they purchase land tax on houses in distant and remote parts of the kingdom, and may not be able to purchase land tax on houses without manifest loss and inconvenience; be it enacted, That if at any time it shall seem proper to the lords of the treasury, on representation made to them by the said corporation, to empower the said corporation to purchase land tax instead of land tax on houses, land tax so purchased shall be considered as an equivalent for the land tax on houses directed to be purchased by this act.

XXI. And be it further enacted, That the act made and passed in the seventeenth year of his present Majesty, intituled, 'An act for registering the grants of life annuities, and for the better protection of infants against such grants,' or any clause or provision therein contained, shall not extend to or in anywise affect any annuities to be granted by the said corporation.

XXII. And be it further enacted, That if any person or persons shall forge or counterfeit the common seal of the said corporation, to be created and established pursuant to this act, or shall forge, counterfeit, or alter any policy, deed, bill, bond or obligation, under the common seal of the said corporation, or shall offer to, dispose of, or pay away any such forged, counterfeited, or altered policy, deed, bill, bond, or obligation, knowing the same to be such, or shall demand the money therein contained, or pretended to be due thereon, or any part thereof, of or from the said corporation, or any of the officers of the said corporation, knowing such policy, deed, bill, bond, or obligation, to be forged, counterfeited, or altered, with intent to defraud the said corporation, or any person or persons whomsoever, every such person or persons so offending, and being convicted thereof in due form of law, shall be guilty of felony, and suffer as in cases of felony without benefit of clergy.

XXIII. And be it further enacted, That this act shall be deemed, judged, and taken to be a publick act, and shall be judicially taken notice of as such, by all judges and other persons, without specially pleading the same.



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THE
STATUTES at Large, &c.

Anno regni GEORGII III. Regis, Magnæ
Britanniæ, Franciæ, et Hiberniæ, tri-
cesimo nono.

AT the parliament begun and holden at West-
minster, the twelfth day of July, Anno
Domini 1796, in the thirty-sixth 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 and by pro-
clamation, to the twenty-fourth day of September
1799; being the fourth session of the eighteenth par-
liament of Great Britain.

C A P. I.

*An act for enabling his Majesty to accept the services of an additional
number of volunteers from the militia, under certain restrictions.—*
[October 8, 1799.]

WHEREAS the great increase of the regular army, by the Preamble.
volunteers from the militia of this kingdom, under an act
passed in the last session of parliament, has enabled his Majesty to
employ a very considerable force with a view to the re-establishment of
the independence and lawful government of the United Provinces:
and whereas the success which has already attended his Majesty's
arms, in the employment of such force, has greatly contributed to
increase the security of his Majesty's dominions; and it is thereby
become expedient to disembody, dismiss, or reduce a certain proportion
of the militia forces existing in this kingdom, and to enable his Ma-
jesty to accept the services of such of them as may voluntarily offer to
engage in his Majesty's regular forces, under certain provisions and
restrictions, for the vigorous prosecution of the war: may it there-
fore

So much of
39 Geo. 3.
c. 106. as
limits the
number of
men to be dis-
charged from
the militia,
repealed.

Militia men
may enlist in
certain regi-
ments.

Such men to
be enlisted on
certain con-
ditions, and to
take the fol-
lowing

fore 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 act, passed in the last session of parliament, intituled, *An act for the reduction of the militia forces, at the time and in the manner therein limited, for enabling his Majesty more effectually to increase his regular forces for the vigorous prosecution of the war, and for amending the laws relating to the militia*, as limits the number of private militia men to be discharged or disembodied from the militia of the several counties, ridings, and places, in that act mentioned, to one fourth of the number of men required by the said act to be raised in the said several counties, ridings, and places, shall, from and after the passing this act, be and the same is hereby repealed.

II. And be it further enacted, That it shall be lawful for his Majesty, by any order signified by his Majesty's secretary of state, to direct any such or so many of the regiments named and appointed under the said act of the last session of parliament, or any such other regiments of the line as his Majesty shall name and appoint, to receive volunteers from the militia, as his Majesty shall see fit, or any regiment of his Majesty's foot guards, or the royal corps of artillery, to receive volunteers from the militia under this act out of any regiment, battalion, or corps of militia named in any such order; and it shall be lawful for any private militia man to enlist under this act, in the manner, and subject to the regulations herein-after mentioned, into any such regiment of the line of his Majesty's regular forces, or into any such regiment of foot guards or royal corps of artillery, as his Majesty shall hereafter, by any such order as aforesaid, from time to time name and appoint to receive volunteers from the regiment, battalion, or corps of militia to which any such private man shall at the time of such enlisting under this act belong.

III. And be it further enacted, That every person who shall be enlisted under this act to serve in any regiment or corps of the line of his Majesty's regular forces, so named and appointed as aforesaid, shall be enlisted to serve for five years, or during the continuance of the present war, and for six months after the expiration thereof, and no longer; and shall not be liable to be sent or to serve out of *Europe*; and every such person shall, in addition to the usual and accustomed oath to be taken by every person enlisting as a soldier in his Majesty's forces, take the following oath; (that is to say),

oath.

' **I** *A. B.* do sincerely promise and swear, That I will be faithful and bear true allegiance to his majesty King *George*; and I do swear, that I will faithfully serve in the regiment of _____ within any part of *Europe*, during the term of five years, or for the continuance of the war, and for six months after the expiration thereof, unless I shall be sooner discharged.'

IV. And

IV. And, be it further enacted, That every person who shall be enlisted to serve in any regiment or corps of his Majesty's regular forces, so named and appointed as aforesaid, shall serve in the regiment or corps in which he shall originally have enlisted to serve, and in no other regiment or corps whatever; and no person enlisting in any such regiment or corps shall, on any account or pretence whatsoever, be drafted into or serve in any other regiment or corps, whether such person shall consent to his being so drafted or not, unless in every such case the person so consenting to serve in any other regiment or corps, other than the one for which he shall have so enlisted as aforesaid, shall have been first wholly and absolutely discharged from all service whatever in his Majesty's forces, and shall thereafter have voluntarily entered into such other regiment or corps.

No person so enlisting shall be drafted into any other corps, unless first discharged, and thereafter voluntarily entering.

V. And be it further enacted, That every person enlisted to serve in his Majesty's regular forces under this act, shall be entitled to the sum of ten guineas as a bounty, to be paid in manner herein-after directed; and it shall be lawful for the justice of the peace or magistrate before whom any such person so enlisted as aforesaid shall be attested, to direct any sum, not exceeding one third part of the said bounty of ten guineas to be paid to him forthwith, or to be advanced to such person, or to such of his family, and in such proportions as he shall request at the time of his being so attested; and also to direct any further sum, not exceeding the sum of one guinea, to be paid thereout to the officer producing such person to be attested, to be laid out in providing immediate necessaries for such person so attested; and the justice of the peace or magistrate directing the payment of any such money, shall grant a certificate thereof to the officer producing such person to be attested as aforesaid; and the remainder of such bounty shall be paid to such person as soon as he shall arrive at the head quarters of the regiment or corps into which he shall have enlisted as aforesaid, if such regiment or corps shall then be in *England*, or at the head quarters of any recruiting company or companies of any such regiment or corps if then serving abroad, or at *Chatham* barracks, as the case may be.

Every militia man enlisted into the regular forces to be entitled to ten guineas bounty, which may be disposed of as herein specified.

VI. And be it further enacted, That every commanding officer of any regiment, battalion, or corps of militia, of any county, riding, or place aforesaid, shall, upon receiving directions from his Majesty for that purpose, explain to the private men of the regiment, battalion, or corps of militia, of which he shall for the time being have the command, in such manner, and at all such times within one month from the time of his first receiving such directions, as his Majesty shall direct, the terms upon which any private man, serving in the militia, may enlist into the regular forces, under this act; and if upon the terms of such enlisting being explained or made known to them as aforesaid, any private militia man shall voluntarily declare an intention to be enlisted into his Majesty's regular forces, it shall be lawful for such colonel or commanding officer of militia as aforesaid, and every such colonel or commanding officer is hereby

Commanding officers of militia to explain to the men the terms upon which they may enlist into the regular forces, and if any declare such an intention they may be discharged and attested for the regiment in which they intend to enlist.

required to discharge such person from the militia, whether such person shall enlist singly or with any other men as a company, in manner herein-after mentioned; and every such private militia man, so discharged as aforesaid, shall immediately thereupon belong, as a private man, to the regiment or corps into which he shall declare his intention to enlist, and shall be immediately enlisted and attested for such regiment or corps in due course of law, and shall (as soon as conveniently may be) be transferred to some officer of such regiment or corps, or such officer as his Majesty may have appointed to receive men enlisted under this act; and shall have and be entitled to the allowance of the bounty of ten guineas, in the manner herein-mentioned, together with subsistence, pay, and cloathing, to be paid and furnished in like manner in every respect, and subject to and under the like laws, rules, and regulations, as are provided and used for the regiment or corps of his Majesty's regular forces, into which he shall have enlisted, except as such laws, rules, and regulations are with respect to such men altered by this act; any law or statute to the contrary thereof notwithstanding.

Militia men may enlist together as a company of not less than eighty, and his Majesty may appoint officers from the militia, and make battalions of such companies, &c.

VII. And be it further enacted, That where any number of private militia men shall be desirous of enlisting into any regiment of the line, so named as aforesaid, of his Majesty's regular forces, as a company or companies, of not less than eighty men to each company, and his Majesty shall have signified his intention of granting commissions in his Majesty's regular forces to any officer or officers actually serving in the regiment, battalion, or corps of militia from which any or each of such companies of men shall volunteer to serve as aforesaid in his Majesty's regular forces, as captain, lieutenant, and ensign of such company or companies respectively, that then and in every such case it shall be lawful for such men to enlist as such company or companies as aforesaid; and then and in every such case it shall be lawful for any number of non-commissioned officers, corporals, and drummers of such regiment, battalion, or corps of militia, not exceeding three serjeants, four corporals, and one drummer, to every eighty men, to enlist with such company or companies of men as aforesaid; and every colonel and commanding officer of such regiment is hereby required to discharge such non-commissioned officers, corporals, and drummers, as shall be desirous of enlisting as aforesaid, not exceeding such number as aforesaid; and it shall be lawful for his Majesty to attach such company or companies of men to any regiment of the line of his Majesty's regular forces, so named and appointed as aforesaid, into which the private militia men of such company or companies shall have declared their intention to enlist as aforesaid, or to join together any number of such companies, and form the same into an additional battalion or any additional battalions of any such regiment as aforesaid, and in such case to appoint such and such number of field and staff officers to any such battalion or battalions as his Majesty shall think necessary; and every such battalion shall thereupon be subject to such and the like regulations, with respect to service, as any regiment of
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the line named and appointed to receive volunteers from the militia under the said recited act and this act; and every private militia man of every such company shall be entitled to such and the like bounty, to be paid in such and the like manner, and shall serve on such and the like conditions, in every respect, as are herein-mentioned with respect to any militia man enlisting into any regiment of the line of his Majesty's regular forces, under the said act of the last session of parliament, or this act.

VIII. Provided always, and be it further enacted, That every officer so volunteering to serve in his Majesty's regular forces, with any such company of men as aforesaid, shall be entitled to and have temporary rank in his Majesty's regular forces equal to the rank he shall have held as such militia officer at the time of such volunteering as aforesaid, and thereafter such permanent rank as his Majesty shall think fit to grant; and every such officer so serving in his Majesty's regular forces as aforesaid, with temporary rank only therein, shall, upon his reduction as such officer, be entitled to and receive the half pay of the rank in which he shall have been serving at the time of his reduction, as if such rank had been permanent.

Militia officers volunteering to serve in the regular forces, to have temporary rank therein, and half pay.

IX. Provided also, and be it further enacted, That no non-commissioned officer, corporal, drummer, or private militia man, shall be entitled to enlist under this act who shall be in confinement under any sentence of any court-martial, or who shall be under confinement with a view to being tried by any court-martial, until he shall have suffered the sentence of such court-martial; and that no non-commissioned officer, corporal, drummer, or private militia man, shall be entitled to his discharge, or to enlist under this act, who shall have been in confinement, or who shall have been sentenced to any punishment by any court-martial for any offence committed between the twenty-fourth day of *September* one thousand seven hundred and ninety-nine, and the time of his so offering to enlist, unless he shall obtain the consent of the colonel or commanding officer of the regiment, battalion, or corps of militia in which he shall be serving at the time of his being desirous of enlisting as aforesaid.

Persons confined under sentence of courts-martial, &c. not entitled to enlist, but provisionally.

X. Provided also, and be it further enacted, That no person serving in the militia who shall be usually employed as a musician in the band of the regiment, battalion, or corps of militia, to which he shall belong, or shall be usually employed as an armourer in any such regiment, battalion, or corps, shall be entitled to his discharge, or to enlist into his Majesty's regular forces under this act, unless he shall obtain the consent for that purpose of the colonel or commanding officer of the regiment, battalion, or corps of militia, in which he shall be then serving.

Musicians or armourers not entitled to enlist, without consent of the commanding officer.

XI. Provided also, and be it further enacted, That it shall be lawful for the colonel or commanding officer of any regiment, battalion, or corps of militia, to refuse to discharge any non-commissioned officer, corporal, drummer, or private militia man, who shall desire his discharge for the purpose of being enlisted, under this act, into his Majesty's regular forces, upon assigning, in writing, to the general officer commanding in the

Commanding officers of militia may refuse to discharge persons desirous of enlisting into the regular forces, upon assigning a sufficient cause.

district within which such regiment, battalion, or corps of militia shall be quartered, or to the adjutant general of his Majesty's forces where there shall not be any such general officer as aforesaid, such cause for his refusal as shall be deemed sufficient by such general officer, or adjutant general, as the case may be.

Persons discharged for the purpose of being so enlisted, and refusing so to do, to belong to the regiment from which discharged.

Non-commissioned officers, corporals, or drummers, enlisted into the regulars, may be reduced to privates.

XII. Provided also, and be it further enacted, That if any person, discharged from the militia for the purpose of being enlisted into his Majesty's regular forces under this act, shall notwithstanding refuse to enlist, pursuant to any declaration of being desirous to enlist so made by him as aforesaid, that then and in every such case such person shall continue to belong to the regiment, battalion, or corps of militia, from which he shall have been so discharged for the purpose of enlisting as aforesaid, notwithstanding any such discharge.

XIII. Provided also, and be it further enacted, That it shall be lawful for the commanding officer for the time being of any regiment of the line into which any such non-commissioned officer, corporal, or drummer, shall have enlisted under this act, or for the commanding officer of any battalion of any such regiment in which such non-commissioned officer, corporal, or drummer shall serve, to reduce, at his discretion, any such non-commissioned officer, corporal, or drummer, to the rank of a private soldier in the regiment, battalion, or corps of his Majesty's forces in which he shall serve as such non-commissioned officer, corporal, or drummer as aforesaid, in case of any misconduct, or for any such sufficient cause as would, according to the usage and practice that obtain in his Majesty's regular forces, occasion the reduction of any non-commissioned officer, corporal, or drummer to the rank of a private soldier.

Commanding officers not to discharge above a certain number of men,

XIV. Provided also, and be it further enacted, That nothing in this act contained, shall authorise any colonel or commanding officer as aforesaid to discharge, or cause to be discharged, under any of the provisions of this act, any greater number of such men of the militia of any county, riding, or place, as shall be desirous of enlisting, and shall be enlisted under this act, than will, together with the number of men discharged for the purpose of being enlisted into the regular forces under the said recited act, amount in the whole to three fifths of the number of men required as the quota of such county, riding, or place, by the said act of the last session of parliament.

County lieutenants to transmit to the privy council an account of the number of men discharged, which when necessary, shall be transmitted to them by the commanding officer of the militia,

XV. And be it further enacted, That the lieutenant, or in the absence of the lieutenant, any three deputy lieutenants, authorised by his Majesty to act as lieutenant, of every county, riding, and place aforesaid, shall, within ten days after the receiving of any order for that purpose from his Majesty, signified by his Majesty's secretary of state, transmit to his Majesty's privy council an accurate account, in writing, of the number of persons that shall have been discharged from the militia of their respective counties, ridings, and places, and enlisted in the regular forces under this act; which accounts shall, in all cases where the same may be necessary, be transmitted, by the commanding

manding officers of such militia to such lieutenants or deputy lieutenants as aforesaid, for that purpose.

XVI. And be it further enacted, That after the passing of this act, it shall be lawful for his Majesty, by any warrant under his sign manual, directed to the lieutenant or deputy lieutenants as aforesaid, from time to time, when and as often as he shall think fit, to disembody any number of militia men, without regard to whether such men were raised under an act passed in the twenty-sixth year of the reign of his present Majesty, or under two several acts passed in the thirty-seventh year of the reign of his present Majesty, or raised after the passing of this act; and, for that purpose, to authorise and direct any colonel or commanding officer of any militia to disembody and dismiss, to their respective places of abode, any such number of militia men aforesaid, as his Majesty shall think fit; and every such colonel or commanding officer shall, within fourteen days after the issuing of any warrant as aforesaid, proceed, according to the directions of such warrant, to disembody and dismiss such militia men aforesaid to their respective places of abode, in manner and at the times in such warrant mentioned.

XVII. Provided always, and be it further enacted, That nothing in this act contained shall authorise his Majesty to disembody and dismiss any greater number of militia men than will, together with the number of men discharged under the said recited act and this act, for the purpose of being enlisted into his Majesty's regular forces, amount in the whole to three fifths of the number of men required as the quota of such county, riding, or place, by the said act of the last session of parliament.

XVIII. Provided also, and be it further enacted, That all persons so disembodied and dismissed as aforesaid, or selected or fixed upon for the purpose of being so disembodied or dismissed as aforesaid, from any regiment, battalion, or corps of militia, may, during the time of their remaining so disembodied as aforesaid, or at any time after they shall have left the regiment, battalion, or corps of militia, under any order of the colonel or commanding officer thereof, for the purpose of being so disembodied or dismissed as aforesaid, enlist in his Majesty's regular forces; and that all persons so disembodied and dismissed as aforesaid, who shall not, during such time as aforesaid, enlist in any of his Majesty's regular forces, shall remain liable to serve in the same militia, (unless any such person shall be entitled to his discharge under the provisions of any act or acts now in force), and shall and they are hereby required to join any regiment, battalion, and corps of militia, serving for the county, riding, or place, from the militia of which they shall have been respectively dismissed, whenever called upon so to do, either for the purpose of supplying the vacancies which may arise in the said militia, or whenever they shall be again embodied under any warrant under his Majesty's sign manual, which warrant, as aforesaid, his Majesty is hereby empowered to issue whenever he shall think fit, and shall be and remain

His Majesty may direct any number of militia men to be dismissed to their respective abodes.

Not more in the whole to be dismissed than three fifths of the quota required by the act of the last session.

Persons so dismissed, or selected so to be, may enlist in the regular forces, and such as do not shall remain liable to serve in the militia, and shall join when required.

subject to all such and the like rules and orders, and to all and the like pains and penalties, as any other persons enrolled to serve in the militia are subject and liable to by any act or acts now in force, at such times as the said militia shall not be embodied under the said acts, or as such persons are subject and liable to at the time of the embodying of any militia.

His Majesty may retain officers, &c. notwithstanding the reduction of the numbers of militia men.

XIX. And be it further enacted, That it shall be lawful for his Majesty, by any order signified by his Majesty's secretary of state, to direct any number of officers, non-commissioned officers, corporals, or drummers, actually serving in any regiment, battalion, or corps of militia at the time of any reduction of the number of the private men of such regiment, battalion, or corps, by the discharge of men for the purpose of enlisting into the regular forces under this act, to be retained during the continuance of the present war, or for so long time during the continuance thereof as his Majesty shall think fit, as officers, non-commissioned officers, corporals, and drummers respectively, of such regiment, battalion, or corps, although by reason thereof the number of officers, non-commissioned officers, corporals, and drummers respectively, of any such regiment, battalion, or corps, shall, after such reduction of the number of private men therein as aforesaid, exceed the proportion of officers, non-commissioned officers, corporals, and drummers respectively, prescribed for any regiment, battalion, corps, or company of militia, by any act or acts now in force; and all such officers, non-commissioned officers, corporals, and drummers, so retained as aforesaid, shall be entitled to such pay, emoluments, and advantages, as other officers, non-commissioned officers, corporals, and drummers respectively, are by law entitled unto; any thing in any law or act to the contrary thereof notwithstanding.

His Majesty may make a new arrangement of the establishment of the militia.

XX. And be it further enacted, That it shall be lawful for his Majesty, whenever he shall think proper after the passing of this act, to cause the militia of any county, riding, or place, to be formed into such and such number of regiments, battalions, or companies, as his Majesty shall deem expedient, regard being had to the reduction that shall have taken place in the militia of such county, riding, or place, by the enlistment of men into the regular forces under the said act of the last session of parliament, or this act, or by the disembodiment of any militia men by his Majesty under this act; and conforming in every such case, as near as the proportions of men left after such reduction as aforesaid will admit, to the original establishment of the militia of such county, riding, or place, with respect to the regiments, battalions, or companies of which the same was composed under the said act of the twenty-sixth year of the reign of his present Majesty.

His Majesty may issue orders through the secretary of state to

XXI. And be it further enacted, That it shall be lawful for his Majesty, by any order signified by his Majesty's secretary of state, at any time, from time to time during the execution of this act, or any part thereof, to give such orders and directions

to the lieutenants, or in the vacancy of the office or absence of any lord lieutenant, to the deputy lieutenants authorized to act as lieutenant, or to the respective colonels and commanding officers of any regiments, battalions, or corps of militia, of every county, riding, and place aforesaid, as his Majesty shall from time to time think expedient and necessary for the execution of this act; and the several lieutenants and deputy lieutenants, and colonels and commanding officers aforesaid, shall proceed forthwith, in pursuance of his Majesty's orders, to do all such acts as shall be necessary for the purpose of carrying such order into execution, and for the due execution of the provisions of this act.

lords lieutenant and colonels.

XXII. And be it further enacted, That every colonel or commanding officer of any regiment, battalion, or corps of militia, shall, within twenty days, or as soon as conveniently may be, after the issuing of any warrant under this act for the disembodied and dismissing any militia men belonging to such regiment, battalion, or corps, transmit, or cause to be transmitted, to the clerk of the general meeting of lieutenantancy of the county, riding, or place, to which such militia shall belong, a list of all such militia men as shall have been disembodied and dismissed in pursuance of any such warrant as aforesaid; and every such list shall be made in the following form :

Commanding officers of militia to transmit to the clerk of the general meeting, within a certain period, a list of men disembodied.

Dated the				day of	Form of list.
Name of the county, &c.	Names of the men disembodied and dismissed.	If substitutes, for whom they serve.	Of the parish of	In the hundred of	
	A. B.	—	P.	H.	
	E. F.	C. D.	M.	N.	

And the lieutenant or deputy lieutenants acting for such county, riding, or place, shall cause the men necessary for supplying any vacancies that may hereafter arise in the militia of such county, riding, or place, to be ballotted for out of the persons returned in any such list as aforesaid, until fit persons shall be found to supply such vacancies, and so from time to time as occasion shall require, so long as any of the persons returned in any such list can be found fit to supply such vacancies as aforesaid; and every person so ballotted to supply any such vacancy, who shall not be deemed by such lieutenant or deputy lieutenants unfit by reason of sickness or bodily inability, shall serve in the militia of such county, riding, or place, upon the conditions, and for the remainder of the time, for which such person shall

Lieutenants to supply vacancies out of such lists, and the persons ballotted to serve the remainder of the time for which fore dismissed.

have been engaged to serve in such militia before he was disembodied and dismissed as aforesaid; and whenever and as soon as all the persons returned in any such list or lists that can be found to supply such vacancies as aforesaid, shall by ballot have supplied such vacancies as aforesaid, then and in every such case the men necessary for supplying such future vacancies as may arise in such militia, shall be raised, chosen, and balloted for, in manner directed by the said act of the twenty-sixth year of the reign of his present Majesty.

Every officer appointed by his Majesty, or any person authorized by the commander in chief, may enlist militia men disembodied and willing to serve in the regular forces.

XXIII. And be it further enacted, That it shall be lawful for any officer appointed by his Majesty under this act, or any serjeant or other person duly authorized by the commander in chief of his Majesty's forces for that purpose, to enlist into any regiment, battalion, or corps of his Majesty's regular forces, any militia man so disembodied under and by virtue of this act, and who is willing to be so enlisted, and shall appear fit for service; and every such officer, serjeant, or other person as aforesaid, enlisting such person as aforesaid, and every such person so enlisting to serve in his Majesty's regular forces as aforesaid, shall be freed and discharged from all pains, penalties, or forfeitures whatsoever, incurred by reason of such enlisting, entering, or offering to serve as aforesaid; any statute to the contrary notwithstanding.

Act not to authorise enlisting any militia men unless discharged, or to be disembodied, as before-mentioned.

XXIV. Provided always, and be it further enacted, That nothing in this act contained shall authorise any officers appointed by his Majesty to enlist and receive militia men under this act, or any commanding officer, or other officer, or non-commissioned officer, of any regiment, battalion, or corps in his Majesty's regular forces, or other person, to enlist, or persuade to enlist, or receive, any militia men other than such as shall have been duly discharged by the colonel or commanding officer of the militia, to which the person desirous of enlisting shall belong, in case such man shall be actually serving in the militia, or other than such as shall have left any regiment, battalion, or corps of militia, for the purpose of being disembodied in manner herein-before mentioned.

On production of certificate to the lieutenant, of any militia man's having enlisted into the regular forces, he shall cause his name to be discharged from the list of men serving for the county, which shall not be obliged to ballot for another man.

XXV. And be it further enacted, That upon the production to the lieutenant or three deputy lieutenants of the county, riding, or place, from the militia of which any person or persons discharged or disembodied under this act was or were enlisted, of a certificate or certificates, under the hand of any justice or justices of the peace of any county, riding, or place in Great Britain, or of any magistrate of any borough, town, or place therein, of any such private man belonging to the militia having voluntarily enlisted and entered himself as aforesaid, and of a like certificate or certificates, under the hands of any officer or officers appointed by his Majesty to receive such men, or duly authorized to enlist any man or men into his Majesty's regular forces, of such man or men having entered into his Majesty's regular forces, (which certificates every such justice or magistrate and officer respectively is hereby required to give

give gratis), every such lieutenant or deputy lieutenants is and are hereby required to cause the person named in such certificate to be discharged from the list of militia men serving for such county, riding, or place; and the certificate of the number of men to be raised for the militia of such county, riding, or place, to be amended by striking out such number of men as shall be enlisted in his Majesty's regular forces from the militia of such county, riding, or place, by virtue of this act; and the county, riding, or place, for which any private militia man so enlisted was raised, shall not be obliged to ballot for any other in the room of the militia man so enlisted, but shall be discharged from raising any men to supply any vacancy occasioned by any enlisting under or in pursuance of this act.

XXVI. And be it further enacted, That this act may be altered, varied, or repealed, by any act or acts to be passed in this session of parliament. Act may be altered or repealed this session.

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 eight hundred.—[October 12, 1799.]

C A P. III.

An act for continuing and granting to his Majesty a duty on pensions, offices, and personal estates in England, Wales, and the town of Berwick upon Tweed; and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred.—[October 12, 1799.]

C A P. IV.

An act for raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand eight hundred; and for permitting exchequer bills, issued under an act of the last session of parliament, for granting to his Majesty a certain sum of money out of the consolidated fund, and for other purposes, if not paid by a certain day, to be received in payment of any of the branches of the publick revenue.—[October 12, 1799.]

The treasury may before April 5, 1800, take loans or issue exchequer bills, not exceeding 2,500,000*l.* agreeably to the directions of the malt act of this session. The clauses, &c. in the malt act extended to this act. Exchequer bills so issued not to be received in payment of the revenue, or at the exchequer till October 10, 1800. Exchequer bills to be repaid out of the first five instalments of any loan granted in this session, and in default of payment therefrom before Oct. 10, 1800, the same shall become chargeable on the consolidated fund after Jan. 5, 1800. Money issued out of the consolidated fund, to be replaced out of the next supplies. Bank of England may lend 2,500,000*l.* on the credit of this act, notwithstanding 5 and 6 Gul. et Mar. c. 20. or 38 Geo. 3. c. 1. Exchequer bills issued in pursuance of 39 Geo. 3. c. 114. if not discharged before April 5, 1800, to be received in payment of any revenue, &c.

C A P. V.

An act for enabling his Majesty to direct the issue of exchequer bills to a limited amount, and in the manner therein mentioned, for the relief of the merchants of Liverpool and Lancaster.—[October 12, 1799.]

C A P. VI.

An act to enable the lords commissioners of his Majesty's treasury to issue exchequer bills to a limited amount, on the credit of such monies as may arise by virtue of an act of the thirty-eighth year of his present Majesty's reign, for granting certain additional duties of customs on goods exported and imported; and on tonnage of ships entering outwards or inwards to or from foreign parts, until the signing the preliminary articles of peace; and upon an act of last session of parliament for granting certain duties upon income.—[October 12, 1799.]

The treasury may, after Oct. 20, 1799, issue exchequer bills to the amount of 3,000,000*l.* viz. 1,500,000*l.* on the credit of 38 Geo. 3. c. 76. and 1,500,000*l.* on the credit of 39 Geo. 3. c. 13. payable in three months, to be prepared in manner directed by 39 Geo. 3. c. 2. Exchequer bills so issued not to be received in payment of the revenue or at the exchequer until the same become payable. The clauses, &c. in 39 Geo. 3. c. 2. extended to this act. Exchequer bills to bear an interest not exceeding 3*1*-2*d.* per cent. per diem. Bank of England authorized to advance 3,000,000*l.* on the credit of this act, notwithstanding 5 and 6 Gul. et Mariae, c. 20. or 38 Geo. 3. c. 1.

C A P. VII.

An act to prohibit, until the first day of March one thousand eight hundred, the making of low wines or spirits from wheat, barley, malt, or other sort of grain, or from any meal, flour, or any bran, in that part of Great Britain called Scotland.—[October 12, 1799.]

Preamble.

No spirits to be distilled from corn or grain, &c. in Scotland for a certain period.

Penalty of 500*l.* with the corn, &c. for so distilling or attempting so to do.

WHEREAS it is expedient that the distillation of low wines or spirits, and the making or preparing of wort from wheat, barley, malt, and all other sorts of grain, and from meal, flour, or bran, should be prohibited in that part of Great Britain called Scotland, for a limited time: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the twentieth day of *October* one thousand seven hundred and ninety-nine, until and upon the first day of *March* one thousand eight hundred, in that part of *Great Britain* called *Scotland*, no low wines or spirits shall be brewed, made, prepared, extracted, or distilled, from any wheat, barley, malt, or tilts, or any other sort of corn or grain, or from any meal, flour, or bran, or any mixture with the same.

II. And be it further enacted, That if, during the time before limited, any distiller or distillers, maker or makers, of low wines or spirits, or any other person or persons whatsoever, shall brew, make, prepare, extract, or distil, or cause or procure to be brewed, made, prepared, extracted, or distilled, any low wines or spirits, from any wheat, barley, malt, or other corn or grain, or from any meal, flour, or bran, or any mixture with the same, or shall use or mix, or cause or procure to be used or mixed, any wheat, barley, malt, or other corn or grain,

or any meal, flour, or bran, or any wort or wash, in order for the brewing, making, preparing, extracting, or distilling any low wines or spirits, or shall put or lay, or cause or procure to be put or laid, in any tun, wash batch, cask, copper, still, or other vessel or utensil, any wheat, barley, malt, or other corn or grain, or any meal, flour, or bran, or any mixture with the same, for the purpose of preparing any wort or wash, or for brewing, making, preparing, extracting, or distilling, any low wines or spirits, whether such tun, wash batch, cask, copper, still, or other vessel or utensil, shall or shall not have been or be duly entered at the excise office, that then and in each and every of the said cases such distiller or distillers, maker or makers, of low wines or spirits, or other person or persons, acting contrary to the directions of this act, and the person or persons in whose custody or possession any such tun, wash batch, cask, copper, still, or other vessel or utensil, which shall be made use of contrary to the intention of this act, shall be found, shall severally and respectively, for every such offence, forfeit and pay the sum of five hundred pounds; and all such wheat, barley, malt, and other corn or grain, and such meal, flour, and bran, or other mixture with the same, and such wort and wash, low wines and spirits, shall be forfeited, and shall and may be seized by any officer or officers of excise.

III. Provided always nevertheless, and be it further enacted, That nothing in this act contained shall extend, or be deemed or construed to extend, to subject any entered distiller to the said penalty of five hundred pounds, for or by reason of his extracting or distilling any low wines or spirits from any wash, openly brewed in his entered distillery, on or before the fifteenth day of *October* one thousand seven hundred and ninety-nine, in that part of *Great Britain* called *Scotland*; any thing in this act contained to the contrary in anywise notwithstanding.

Penalty not to extend to distilling from wash openly brewed on or before Oct. 15, 1799.

IV. And be it further enacted, That if any wheat, wheat meal, or wheat flour, shall, within the time herein-before limited, be found in any workhouse, stillhouse, storehouse, warehouse, or any other place, wherein low wines or spirits, or wort or wash, shall be preparing, or shall be brewed, made, extracted, distilled, or prepared, or where any low wines or spirits, or wort or wash, shall have been brewed, made, extracted, distilled, or prepared, after the twentieth day of *October* one thousand seven hundred and ninety-nine, in that part of *Great Britain* called *Scotland*, all such wheat, wheat meal, and flour, shall be forfeited, and shall and may be seized by any officer or officers of excise; and the person or persons, in whose possession such workhouse, stillhouse, storehouse, warehouse, or place, shall be, shall for every such offence respectively also forfeit and pay the sum of two hundred pounds.

Wheat, &c. found in any stillhouse, &c. after Oct. 20, 1799, forfeited, and also 200l.

V. And be it further enacted, That during the time herein-before limited, it shall be lawful for any person or persons, who shall be authorized for that purpose by one or more justices of the peace, at any time or times with any officer of

Persons authorized by a justice may, with an officer of excise, enter stillhouses,

&c. to inspect materials and utensils, and if the officer suspect corn, &c. to be mixed in wort, he may take a sample.

excise, to enter into any workhouse, stillhouse, storehouse, warehouse, or any other place whatsoever, wherein any low wines or spirits, or wort or wash shall be, or are suspected to be preparing, or to be brewed, made, or extracted, distilled or prepared, or wherein low wines or wort or wash shall have been made, brewed, extracted, distilled, or prepared, after the said twentieth day of *October* one thousand seven hundred and ninety-nine, and shall have free admittance into the same, and may inspect all the materials, vessels, and utensils therein contained, (giving thereby as little interruption as may be to the business which shall be carrying on); and in case any such officer of excise shall have reason to suspect that any wheat, barley, malt, or other corn or grain, or any meal, flour, or bran, is mixed in any wort or wash, or in any other material or preparation for brewing, making, extracting, or distilling low wines or spirits, it shall be lawful for such officer, at any time or times during the said term, upon payment of two shillings and sixpence, to take a sample not exceeding two quarts of such wort or wash, material or preparation, which shall be found in any such house or other place aforesaid; and in case any distiller or distillers, maker or makers of low wines or spirits, or the owner or occupier of any such house or place, or any workman or servant to any such distiller or distillers, maker or makers, or owner or occupier belonging, shall refuse to admit such person or persons as shall be so authorised, or any officer or officers of excise, into any such house or place, or shall obstruct or hinder any such officer or person or persons in making such inspection as aforesaid, or shall not allow any such officer to take such sample after the said sum of two shillings and sixpence shall be paid or tendered for the same, every such distiller or maker, owner or occupier, shall, for every such offence respectively, forfeit and pay the sum of two hundred pounds; and it shall be lawful for any such officer of excise, or other person or persons authorised as aforesaid, having a warrant for that purpose from any such justice or justices as aforesaid, to seize, take, and carry away all such wheat, barley, malt, or other corn or grain, and all such meal, flour, and bran, as shall be found in any such house or other place, together with all the vessels, sacks, bags, and other things, in which the said commodities shall be contained.

Penalty of 200l. for obstructing inspection, or not allowing a sample to be taken.

Corn, &c. found may be seized with the vessels.

After Oct. 20, 1799, distillers having more than five quarters of wheat, &c. (except in stillhouses) to forfeit the same, and 10l. per quarter.

VI. And be it further enacted, That if any distiller or maker of low wines or spirits for sale or exportation shall, after the twentieth day of *October* one thousand seven hundred and ninety-nine, in that part of *Great Britain* called *Scotland*, be possessed of, or have in his, her, or their custody or possession, or in the custody or possession of any person or persons in trust or for the use or benefit of such distiller or maker of low wines or spirits, more than five quarters of wheat, wheat meal, or wheat flour, at any one time in any one or more place or places, (not being a place or places for preparing, brewing, making, extracting, distilling, or keeping wort or wash, low wines or spirits),

(spirits), every such distiller or distillers, maker or makers of low wines and spirits, shall for every such offence respectively, forfeit all such wheat, wheat meal, and flour, exceeding the said quantity of five quarters, and also the sum of ten pounds for every quarter so forfeited.

VII. Provided always, That this act shall not extend to ^{Penalty not to} inflict the said last mentioned penalty and forfeiture upon any ^{extend to dis-} distiller or maker of low wines or spirits, who shall be the ^{tillers being} actual grower of wheat, and shall be possessed of any quantity ^{growers of} of such wheat grown by him or her, in the straw, or after the same is threshed out or separated from the straw; provided that such wheat shall not be kept in his or her possession, or in the possession of any other person or persons in trust for him or her, for a greater space of time than twenty days after the same shall be threshed or separated from the straw, and so as such wheat be not kept in any place used for brewing, making, extracting, or distilling low wines or spirits, or for preparing or keeping wort or wash.

VIII. Provided also, That this act shall not extend to ^{nor to millers,} inflict the said last-mentioned penalty and forfeiture upon any distiller ^{in certain} or maker of low wines or spirits who practises the trade of a ^{cases.} miller, and who was possessed of and worked any mill or mills for the grinding of wheat on or before the twentieth day of *October* one thousand seven hundred and ninety-nine, for and upon account of any quantity of wheat which shall during the time herein-before limited be found not wetted or steeped in any such mill or mills; any thing herein contained to the contrary notwithstanding.

IX. And be it further enacted, That in case any officer or ^{On oath of} officers of the excise, or any other person or persons, shall at ^{ground of} any time or times have cause to suspect that any wheat, wheat ^{suspicion that} meal, or wheat flour, exceeding the quantity of five quarters, ^{more than} shall be laid or kept in any such storehouse, warehouse, granary, ^{five quarters} or other place or places as aforesaid, belonging to any distiller ^{are kept in any} or maker of low wines or spirits, contrary to the true intent ^{storehouses,} and meaning of this act, then and in every such case, upon oath ^{&c. officers} made by such officer or officers, or other person or persons, ^{and other} before one or more justice or justices of the peace residing near ^{persons may} the place where such officer or officers, or other person or persons, ^{be authorized} shall suspect the same to be laid and kept, setting forth the ^{to search for,} ground of his or their suspicion, it shall and may be lawful to ^{and may seize} and for the justice or justices of the peace before whom such ^{the surplus;} officer or officers, or other person or persons shall make oath as ^{and the pro-} aforesaid, (if he or they shall judge it reasonable), by special ^{sons in whose} warrant under his or their respective hands and seals, to autho- ^{custody} rise and empower such officer or officers, or other person or ^{found to for-} persons authorized as aforesaid, by day or by night, (but if in ^{felt rol.} the night, then in the presence of a constable or other lawful ^{per quarter.} officer of the peace), to enter into all and every storehouse, warehouse, granary, or other place or places, where he or they shall so suspect that any wheat, wheat meal, or wheat flour, exceeding

ceeding the quantity of five quarters as aforesaid, shall be laid or kept, belonging to any such distiller or distillers, maker or makers, of low wines or spirits, and to seize, take, and carry away, all such wheat, wheat meal, and flour, as he or they shall so find, (over and above the said quantity of five quarters), together with all the vessels, sacks, bags, or other things wherein the same shall be contained; and such distiller or distillers, maker or makers, of low wines or spirits, or the person or persons in whose custody or possession such wheat, wheat meal, or flour, belonging to such distiller or distillers, maker or makers, shall be found, shall for every such offence respectively forfeit and pay the said penalty of ten pounds for every quarter exceeding the said quantity of five quarters; and the said officer or officers, and other person or persons, is or are hereby empowered by such warrant, together with such other person or persons as he or they shall take to his or their assistance, to enter such storehouses, warehouses, granaries, and other place or places, and break open the doors thereof in case they be not forthwith opened on demand.

Doors may be broken open.

Recovery and application of penalties.

X. And be it further enacted, That all fines, penalties, and forfeitures, imposed by this act, shall be sued for, recovered, levied, or mitigated, by such ways, means, or methods, as any fine, penalty, or forfeiture, may be sued for, recovered, levied, or mitigated, by any law or laws of excise, or by action of debt, bill, plaint, or information, in 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 inform, discover, or sue for the same.

Contracts for delivery of spirits. &c. after Oct. 20, 1799, void.

XI. *And whereas there may have been contracts made by distillers, with several persons, for spirits, grains, or yeast, to be delivered and received at future times after the twentieth day of October one thousand seven hundred and ninety-nine; be it therefore enacted,* That all contracts or bargains made by any distiller or distillers, with any person or persons whatsoever, for any spirits, grains, or yeast, to be delivered at any time during the continuance of this act, shall be and are hereby declared to be null and void, to all intents and purposes whatsoever.

Limitation of actions.

XII. And be it further enacted, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, such action or suit shall be commenced within the space of one calendar month next after the offence shall be committed, and the court before whom such action or suit shall be brought, shall allow the defender to plead this act on his defence, and if the pursuer shall not insist on his action, or if judgement shall be given against such pursuer, the defender shall and may recover the full and real expences he may have been put to by any such action or suit.

Act may be pleaded, and defender may recover expences.

XIII. *And whereas by divers laws now in force, certain annual duties are imposed upon stills used for distilling spirits from corn or grain, in proportion to the contents of such stills: and whereas it is*
reasonable

reasonable that an allowance should be made for such part of the usual season for distilling during which they may be prevented from working in consequence of this act; be it enacted, That it shall and may be lawful for the commissioners of excise in Scotland, or any four of them, to make such allowances to the persons taking out such licences respectively, as shall appear to the said commissioners, with the approbation of the lords commissioners of his Majesty's treasury, or any three of them, to be reasonable.

Commissioners of excise to make an allowance of the duties on stills, for the time they are forbid to work.

XIV. Provided always, and be it enacted, That in case his Majesty, at any time or times after the said twentieth day of October one thousand seven hundred and ninety-nine, shall in his royal discretion judge it to be most for the benefit and advantage of this kingdom to permit the making of low wines and spirits from wheat, barley, malt, or any other sort of grain, or from any meal, flour, or bran, that then it shall and may be lawful to and for his Majesty, by his royal proclamation or proclamations, to be issued by and with the advice of his privy council, or by his Majesty's order in council, to be published in the *London Gazette*, from time to time, to permit and suffer all and every person and persons, natives and foreigners, (but not any particular person or persons), at any time or times after the said twentieth day of October one thousand seven hundred and ninety-nine, to make low wines and spirits from wheat, barley, malt, or any other sort of grain, or from any meal, flour, or bran; any thing herein contained to the contrary notwithstanding.

His Majesty may authorise the making of spirits from grain, &c. at any time after Oct. 20, 1799.

C A P. VIII.

An act for reducing, until the first day of June one thousand eight hundred, the duties upon spirits distilled from melasses or sugar, or any mixture therewith; for prohibiting the distillation of spirits from wheat or wheat flour; and for reducing, until the twentieth day of September one thousand eight hundred, and better collecting the duties payable on the importation of starch.—[October 12, 1799.]

WHEREAS it is expedient that a certain proportion of the Preamble. duties of excise now payable upon wort or wash brewed or made in that part of Great Britain called England, from melasses or sugar, or any mixture therewith, for extracting spirits for home consumption, should be reduced 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 Certain proportions of the duties upon spirits distilled from melasses or sugar in England, discontinued until June 1, 1800.

That the several and respective proportions following of the several duties of excise herein-after mentioned, granted and imposed by the several and respective acts herein-after mentioned, upon any wort or wash brewed or made in that part of Great Britain called England, from melasses or sugar, or any mixture therewith; that is to say, Two-pence three farthings

of the duty of eight-pence three farthings, granted by an act passed in the twenty-seventh year of his present Majesty's reign; one halfpenny of the duty of one penny halfpenny, granted by an act passed in the thirty-first year of the reign of his present Majesty, made perpetual by an act passed in the thirty-third year of the reign of his present Majesty; one halfpenny of the duty of one penny halfpenny, granted by an act passed in the thirty-fourth year of the reign of his present Majesty; one halfpenny of the duty of one penny halfpenny, granted by an act passed in the thirty-fifth year of the reign of his present Majesty; and one halfpenny of the duty of one penny halfpenny, granted by an act passed in the thirty-seventh year of the reign of his present Majesty, amounting in the whole to the sum of four-pence three farthings, out of the whole amount of the said duties of one shilling and two-pence three farthings, by the said several acts granted, shall, from and after the passing of this act, be discontinued until and upon the first day of *June* one thousand eight hundred.

Distillers for home consumption from mixtures of melasses or sugar with corn or grain, to have a credit of 20 gallons of spirits for every 100 of wash, and shall forfeit 5s. per gallon for the surplus.

II. Provided always, and be it further enacted, That during the continuance of this act, every distiller of spirits for home consumption in that part of *Great Britain* called *England*, from any mixture of melasses or sugar with corn or grain, shall, in the books or accounts of the officers of excise, be entitled to a credit of twenty gallons of spirits and no more, at the strength of one to ten over hydrometer proof, for every one hundred gallons of wort or wash, made or brewed by such distillers from any such mixture; provided, that if such distiller shall extract more than twenty gallons of spirits, at the strength aforesaid, for every one hundred gallons of wort or wash, found in his, her, or their custody or possession, he or they shall forfeit and pay the sum of five shillings for every gallon of spirits so extracted above the proportion aforesaid.

III. *And whereas by the laws now in force, distillers or makers of spirits from corn or grain are prohibited from making use of any melasses, coarse sugar, or any composition or extract of sugar, in the brewing, making, or preparing wash for distillation, or in making or extracting spirits, and from receiving or taking into his custody or possession any such melasses, coarse sugar, or composition or extract as aforesaid, exceeding ten pounds weight: and whereas it is expedient to suspend the said prohibitions; be it therefore enacted, That the said prohibitions shall be, and the same are hereby suspended until the first day of June one thousand eight hundred; any act or acts of parliament to the contrary in anywise notwithstanding.*

Certain prohibitions suspended till June 1, 1800. Distillers using wheat in making wort, to forfeit 500l. and persons assisting therein to forfeit 20l. or be committed to house of correction for three months.

IV. Provided always, and be it further enacted, That, from and after the passing of this act, no distiller or distillers, or maker or makers of spirits, shall apply, spend, consume, or make use of, or cause, procure, permit, or suffer to be applied, spent, consumed, or made use of, any wheat or wheat flour in the brewing, making, or preparing any wort or wash, for making or extracting spirits; and if any distiller or distillers, or maker or makers of low wines or spirits, shall apply, spend, consume,

or make use of, or cause, procure, permit, or suffer to be applied, spent, consumed, or made use of, any wheat or wheat flour, in the brewing, making, or preparing any wort or wash, for making or extracting spirits, contrary to the true intent and meaning of this act; the person or persons so offending shall, for each and every such offence, forfeit and lose the sum of five hundred pounds; and every servant of such distiller or distillers, maker or makers of spirits, and every other person who shall be aiding and assisting in the applying, spending, consuming, or making use of any wheat or wheat flour, in the brewing, making, or preparing any wort or wash for making or extracting spirits, or in carrying or conveying the same into the house, still house, or other place used by such distiller or distillers, maker or makers, of low wines or spirits, in the brewing, making, or preparing such wort or wash, shall also forfeit and lose, for every such offence, the sum of twenty pounds, and in default of payment thereof, immediately upon conviction, shall be liable to suffer three months imprisonment in the house of correction, and to be kept to hard labour during such imprisonment.

V. Provided also, and be it further enacted, That nothing in this act contained shall extend, or be deemed or construed to extend, to the manufacture of spirits called *Maidstone Geneva*, carried on at *Maidstone*, in the county of *Kent*, by *sir William Bishop*, *George Bishop*, and *Argles Bishop*, or any or either of them, save and except so far as this act prohibits any distiller or distillers from spending, consuming, or making use of any wheat or wheat flour in the brewing, making, or preparing any wort or wash for making or extracting of spirits.

VI. And whereas by an act, made in the twenty-seventh year of the reign of his present Majesty, for repealing the several duties of customs and excise, and granting other duties in lieu thereof, and for other purposes a certain duty of customs of five pounds five shillings and eight-pence is imposed for every hundred weight of starch imported into Great Britain: and whereas it is expedient that for a limited time the duties on starch imported should be lowered; be it therefore enacted, That, from and after the twentieth day of December one thousand seven hundred and ninety-nine, and until and upon the twentieth day of September one thousand eight hundred, three pounds nineteen shillings and four-pence per hundred weight of starch, part of the said duty of customs imposed upon starch imported into Great Britain, shall be and the same is hereby discontinued for and in respect of all such starch as shall be imported into Great Britain after the said twentieth day of December one thousand seven hundred and ninety-nine, and before the said twentieth day of September one thousand eight hundred.

VII. And be it further enacted, That in every entry or re- port of any starch imported or brought into this kingdom to be made by the master or purser of any ship or vessel, in pursuance of an act, made in the thirteenth and fourteenth years of the

Act not to extend to the Maidston: geneva manufactory, except as to the prohibition of the use of wheat or wheat flour.

A proportion of the duty of customs to be discontinued on starch imported into Great Britain after Dec. 20, 1799, and before Sept. 20, 1800.

In the entry of starch imported, the number of packages, and the numbers

and marks on each, to be inserted on pain of forfeiture with the packages.

reign of King *Charles the Second*, intituled, *An act for preventing frauds and regulating abuses in his Majesty's customs*, the number of casks, chests, cases, bags, or other packages, with the particular numbers and marks of each of them, on board of each respective ship or vessel, shall be inserted, on pain, for every neglect or refusal thereof, to forfeit such starch, with the cask, chest, case, bag, or other package, wherein the same shall be contained, which shall and may be seized by any officer or officers of the customs or excise; any law, custom, or usage, to the contrary thereof in anywise notwithstanding.

Starch imported, to be weighed by the officers of the customs, shall be secured by them until delivered to the officers of excise, and thereupon the importer shall deposit it where directed, and when required wrap it up in papers, label it so as to prevent the opening of the paper without tearing the label, &c. on penalty of 100l.

VIII. And be it further enacted, That whenever any starch imported or brought into this kingdom shall, in order to ascertain the duties payable thereon, have been weighed by the proper officer or officers of the customs, the proper officer or officers of the customs shall secure the same until the delivery thereof into the charge and custody of the proper officer or officers of excise, and upon the delivery thereof into the custody of the proper officer or officers of excise, the importer or importers, proprietor or proprietors, or consignee or consignees thereof, shall, at his, her, or their own proper costs and charges, remove all such starch to and deposit the same in such convenient house, warehouse, or place, as the proper officer or officers of excise shall direct; and thereupon such importer or importers, proprietor or proprietors, or consignee or consignees, shall, on being required by the proper officer or officers of excise so to do, immediately wrap all such starch in papers of the colours, or one of them, herein-after mentioned, and no other, each such paper containing not less than four pounds weight, nor more than seven pounds weight of starch; and also tie up every such wrapper where the ends of the paper containing such starch shall be folded, and also strongly affix or paste, with warm paste made from glue, on the outside of every such wrapper, after the same shall be so tied, a label of very thin paper, three inches long and three inches broad at the least, and of a different colour from the paper in which the starch shall be wrapped, that is to say, If such starch shall be wrapped in blue or brown paper, the said label shall be with white, and if such starch shall be wrapped in white paper, such label shall be blue; and shall also affix and paste every such label on the foldings of both ends of the paper enclosing such a quantity of starch, and in such a manner as to prevent the opening of the said paper containing such starch without tearing such label; and the proper officer or officers of excise shall attend to see such starch papered and tied in manner aforesaid, and such label affixed and pasted on every such paper containing such starch; and such officer or officers shall cause every such label affixed and pasted on every such paper containing starch to be stamped or sealed, with such stamp or seal as shall be provided by the commissioners of excise in *England* and *Scotland* respectively for that purpose; and if any such importer or importers, proprietor or proprietors, or consignee or consignees of starch, imported or brought into this

this kingdom, shall neglect or refuse so to remove any such starch, or to deposit the same as aforesaid, or to wrap any such starch in paper as aforesaid, or to tie up any such paper as aforesaid, or to affix or paste any such label as aforesaid, all and every such importer or importers, proprietor or proprietors, or consignee or consignees, so offending shall, for every such offence, forfeit the sum of one hundred pounds.

IX. And be it further enacted, That the commissioners of excise, or the major part of them, in *England* and *Scotland* respectively, shall provide proper stamps or seals for the stamping or sealing the labels affixed or pasted on paper containing all starch which shall be imported or brought into this kingdom, and prepared in pursuance of this act, and shall cause such stamps or seals to be distributed to the proper officers of excise for the purpose before-mentioned; which officers are hereby enjoined and required, in using the same, to do no hurt or damage, or the least hurt or damage that may be to the starch, or to the paper wherein the same shall be so wrapped; which stamps or seals shall and may be varied, altered, or renewed, from time to time, as the said commissioners of excise respectively, or the major part of them respectively, shall think fit.

Commissioners of excise to provide and distribute stamps for labels.

Officers to do as little hurt as may be in using them.

X. And be it further enacted, That if any person or persons shall at any time forge or counterfeit any stamp or seal, to resemble any stamp or seal which shall be provided in pursuance of this act, for stamping or sealing starch imported, or shall counterfeit or resemble the impression of the same upon any paper containing any starch, thereby to defraud his Majesty, his heirs or successors, of any of the duties upon starch, then every person so offending, being thereof convicted in due form of law, shall be adjudged a felon, and shall suffer death, as in cases of felony, without benefit of clergy; and if any person or persons shall at any time sell any starch, with any such forged or counterfeited stamp, seal, or impression thereon, knowing the same to be forged and counterfeited, and with an intent to defraud his Majesty, his heirs or successors, of any of the duties upon starch, or shall knowingly, with intent to defraud his Majesty, his heirs or successors, of any of the duties upon starch, fix, or cause to be fixed, the label of any paper stamped or sealed according to the directions of this act, to any starch other than that which was inclosed in such paper, at the time when the label thereof was stamped or sealed by the proper officer or officers of excise, according to the directions of this act, every person so offending shall, for every such offence, forfeit the sum of two hundred pounds.

Persons counterfeiting stamps shall suffer death; and persons selling starch with them, or fixing labels to any starch other than that stamped by the officer, to forfeit 200l.

XI. And be it further enacted, That if any starch imported or brought into this kingdom shall be found in any place belonging to any starch maker, or dealer in starch, or in the custody or possession of any person or persons to or for the use or benefit of any such maker or makers, or dealer or dealers in such starch, not being wrapped in paper as aforesaid, or wrapped in paper which shall be found not stamped or labelled as aforesaid, and starch found not legally wrapped, to be forfeited, with the persons in whose custody found, to forfeit 200l.

said, all such starch shall be forfeited, together with all and singular the casks, chests, cases, bags, or other packages, containing the same; and such starch, casks, chests, cases, bags, and other packages respectively, shall and may be seized by any officer or officers of the customs or excise; and the starch maker, or dealer in starch, to whom such place shall belong, and also such other person or persons as aforesaid, in whose possession such starch shall be found, shall forfeit the sum of two hundred pounds.

Act not to extend to starch made into hair powder, or manufacturing into hair powder, or blue, or starch, not exceeding 28lb. taken out for current sale.

XII. Provided always nevertheless, That nothing in this act contained shall extend, or be deemed or construed to extend, to forfeit any such starch which shall have been imported into this kingdom, nor any such cask, chest, case, bag, or other package containing the same, for or by reason of such starch being found not wrapped in paper stamped or labelled as last aforesaid, such starch being made into hair powder, or being taken out of the papers in the possession of any hair powder maker, or blue maker, for the purpose of immediately manufacturing the same into hair powder, or into blue, or any quantity of starch, not exceeding twenty-eight pounds weight, in the possession of any dealer in, or seller of, starch, and taken out of the papers for immediate or current sale; any thing herein-before contained to the contrary in anywise notwithstanding.

Starch legally stamped may be re-papered and re-stamped when papers are accidentally damaged.

XIII. And whereas it may happen, that the paper wherein any starch imported shall be contained after the same has been stamped as aforesaid may by accident be broken or damaged, be it therefore enacted, That when the paper wherein any such starch shall be contained shall by any accident be broken or damaged, and the starch maker or dealer in starch, to whom the same belongs, shall be desirous of having the same re-papered and re-stamped, such maker or dealer shall give to the proper officer or officers of excise, within whose survey he or she shall be, twenty-four hours notice, in writing, that such maker or dealer desires to have such starch re-papered and re-stamped, that thereupon, and upon the production of such broken paper, with the label, and stamp or seal thereof, to such officer or officers, and leaving the same with him or them, it shall be lawful for such officer or officers, being satisfied that such starch had before been duly stamped or sealed as aforesaid, and that the paper or papers containing the same had been broken or damaged by accident, as soon as is convenient after the expiration of such twenty-four hours, to re-stamp or re-seal such starch, the same being re-papered and tied, and such label as aforesaid being affixed thereon in manner herein-before directed.

Persons obstructing officers to forfeit 200l.

XIV. And be it further enacted, That if any person or persons shall obstruct or hinder any officer or officers of the customs or excise in the execution of any of the powers and authorities to him or them given by this act, the person or persons offending therein shall, for every such offence, (for which no other penalty is by this act imposed), forfeit and lose the sum of two hundred pounds.

XV. And

XV. And be it further enacted, That all fines, penalties, and forfeitures created or imposed by this act, and which shall be sued for or prosecuted under or by virtue of the order or permission of the commissioners of the customs in *England* and *Scotland* respectively, or by any officer or officers of the customs, shall and may be sued for, prosecuted, recovered, and disposed of, in such manner, and by such ways and means and methods, as any fines or penalties incurred, or any goods forfeited for any offence against the laws of customs, may now legally be sued for, prosecuted, recovered, and disposed of; and the officer or officers of the customs concerned in any such seizure or prosecution shall be entitled to and receive such share of the produce arising from the seizures, as they are now by law entitled to upon prosecutions of seizures for unlawful importations, and to such share of the produce arising from any pecuniary penalty or composition paid for any offence against this act, as they are now by any law or regulation entitled to, upon prosecutions for pecuniary penalties.

Recovery and application of fines sued for by the customs.

XVI. And be it further enacted, That all fines, penalties, and forfeitures imposed by this act, and which shall be sued for by order of the commissioners of excise in *England* or *Scotland* respectively, or by any officer or officers of excise, shall be sued for, recovered, levied, or mitigated by such ways, means, or methods, as any fine, penalty, or forfeiture may be sued for, recovered, levied, or mitigated by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland* respectively; and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them who will inform, discover, or sue for the same.

Recovery and application of fines sued for by the excise.

XVII. And be it further enacted, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, such action or suit shall be commenced within the space of one calendar month next after the offence shall be committed; and if such action or suit shall be commenced or prosecuted in that part of *Great Britain* called *England*, the defendant or defendants, in any such action or suit, may plead the general issue, and give this act and the special matter, in evidence, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases by law; and if such action or suit be commenced or prosecuted in that part of *Great Britain* called *Scotland*, the court before whom such action or suit shall be brought, shall allow the defender to plead this act in his defence,

Limitation of actions.

General issue may be pleaded in England.

Treble costs.

An act may be pleaded in Scotland, and

Appropriation
of monies
arising under
recited acts.

Sequence of the loan of eight millions, in the said first recited act mentioned, or for or in consequence of the loan of eleven millions, part of a certain loan of fifteen millions five hundred thousand pounds, raised by an act of the last session of parliament; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all the monies arising from the said rates and assessments, or from payments at the bank of England, in pursuance of or under any of the said recited acts, that have been or shall be paid into the receipt of the exchequer, which shall remain after the issuing or reserving at the receipt of exchequer such sums as shall be sufficient for the several purposes mentioned in the said recited act passed in the last session of parliament, for explaining and amending the said act of the last session of parliament, for granting certain duties on income, according to the provisions of the said two last-mentioned acts, as far as the said provisions relate to the services voted by the commons for the service of the year one thousand seven hundred and ninety-eight, and to the payment and discharge of all annuities, interest, and dividends, payable in consequence of the said loan of eight millions therein mentioned, shall, from and after the passing of this act, from time to time as the same shall arise and be paid into the receipt of exchequer, be issued and applied either to the services voted by the commons of Great Britain, for the service of the year one thousand seven hundred and ninety-nine, or shall be voted by the said commons for the service of any subsequent year, not exceeding ten millions in any one year; or for the purpose of carrying to the account of, or to replace to the consolidated fund all such monies as shall have been, or shall hereafter be, issued out of the said consolidated fund, or which shall at any time hereafter be issuable out of the consolidated fund, for the payment and discharge of all annuities, interest, and dividends, which shall have, or shall become payable in consequence of the said loan of eight millions, and of the said loan of eleven millions, herein-before-mentioned; or of any other loan or loans which shall hereafter be charged on the said rates and duties by any act or acts, or for the purchase of publick annuities, to the amount of the publick annuities created on the said two several loans of eight millions and eleven millions respectively, or which may hereafter be created on any other loan or loans as aforesaid; 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 required to issue and apply the same, either for the services of each year successively to the amount yearly as aforesaid, or to the carrying to the account of, or to the replacing to the consolidated fund, all such monies as aforesaid, as they or he shall think most expedient and advisable; and after applying such part of the said monies as shall be sufficient for the purposes aforesaid, or reserving the same at the

receipt

receipt of exchequer, to apply the surplus of the said monies arising from the said rates, assessments, and duties, in manner directed by the said first recited act of the last session of parliament.

C A P XII.

An act to enable the commissioners of the customs to allow, until the first day of April one thousand eight hundred, British plantation sugars to be warehoused; to revive so much of an act, made in the thirty-second year of the reign of his present Majesty, as relates to the ascertaining the average price of sugar, and regulating the allowance of drawback on the exportation thereof; and for allowing, until the fifth day of May one thousand eight hundred, certain drawbacks on sugar exported.—[October 12, 1799.]

WHEREAS from the increased importation of sugar into this Preamble.
kingdom in the present year, and from other circumstances which have recently occurred, the owners and consignees thereof are utterly unable to find an immediate market for large quantities now on hand, and a further importation to a considerable extent is expected; and it is therefore expedient that further time should be given for the payment of duties on such sugar imported, or to be imported into Great Britain after the passing of this act, for which the duties have not already been paid: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the passing of this act, and until the first day of April one thousand eight hundred, it shall be lawful for the commissioners of the customs for the time being, in England and Scotland respectively, to take bond to his Majesty from the importer or importers, proprietor or proprietors, consignee or consignees, of any British plantation sugar, for the payment of the duties chargeable upon any such sugar imported into any port in Great Britain at any time after the passing of this act, or upon any such sugar in respect whereof such duties shall not have been paid before the passing of this act; and all sugars so bonded as aforesaid shall be lodged and secured at the sole expence of the importer or importers, proprietor or proprietors, consignee or consignees thereof, under the joint locks of his Majesty and such importer or importers, proprietor or proprietors, consignee or consignees thereof, in such warehouse or warehouses as shall be fit for that purpose, and shall be approved of by the said commissioners of the customs in England or Scotland, as the case may be; and such sugar shall not be delivered, cleared, or taken from any such warehouse, unless or until the full duties due and payable thereon shall be first paid to the proper officer of the customs; and if the importer or importers, proprietor or proprietors, consignee or consignees of such sugar shall omit, neglect, or refuse to pay and satisfy all the duties due and payable in respect of such

Until April 1, 1800, the commissioners of customs may take bond for the duties on British plantation sugar imported into Great Britain; which sugars shall be warehoused, and if the duties are not paid within six months, it may be sold.

such sugar within six months from the date of any bond given under this act for the payment of the duties upon such sugar as aforesaid, it shall be lawful for the commissioners of the customs in *England* and *Scotland* respectively, at the expiration of such period as aforesaid, to cause such sugar to be publickly sold to the best bidder, at such places as the said commissioners of the customs in *England* and *Scotland* respectively shall think proper, and out of the proceeds of such sale to satisfy such duties, together with all such expences as shall have arisen relating to any such sugar; and the overplus (if any be) shall be paid to the importer or importers, proprietor or proprietors, consignee or consignees of such sugar, or such other person or persons as shall be authorised to receive the same.

39 Geo. 3.
c. 63.

32 Geo. 3.
c. 43.

36 Geo. 3.
c. 18.

32 Geo. 3.
c. 43. as far
as relates to
ascertaining
the average
price of sugar,
or regulating
the drawback
and bounty on
exportation of
sugar, revived.

II. And whereas by an act passed in the last session of parliament for granting to his Majesty certain additional duties on sugar imported and exported, and on coffee exported, and for reducing the drawbacks allowed on the exportation of sugar, certain provisions of an act passed in the thirty-second year of the reign of his present Majesty for regulating the allowance of the drawback and payment of the bounty on the exportation of sugar, and for other purposes, as far as the same related to the ascertaining the average price of sugar in manner in the said act mentioned, or of regulating the allowance of drawback, or the payment of the bounty on the exportation of sugar, was repealed: and whereas it is expedient that the full drawback and bounty directed to be withheld by an act of the thirty-sixth year of the reign of his present Majesty, and by an act of the last session of parliament, should be allowed in certain cases: and whereas it thereby becomes necessary that the several provisions of the said act of the thirty-second year of the reign of his present Majesty, as far as the same relate to the ascertaining the average price of sugar, and regulating the allowance of drawback, or the payment of bounty on the exportation of sugar, should be revived; be it therefore enacted, That, from and after the passing of this act, the said act passed in the thirty-second year of the reign of his present Majesty, and all the clauses, provisions, powers, authorities, directions, and regulations therein contained, as far as the same relate to ascertaining the average price of sugar in the manner therein mentioned, or of regulating the allowance of drawback, or the payment of the bounty on the exportation of sugar, shall be, and the same are hereby revived, and shall be and remain in full force during the continuance of this act, except as any such provisions, directions, or regulations are herein altered, in as full and ample a manner, to all intents and purposes whatsoever, as if all the said clauses, provisions, powers, authorities, and directions, were repeated and re-enacted in the body of this present act; any thing in the said act of the last session of parliament to the contrary thereof in anywise notwithstanding.

Until Jan. 5,
1800, the
drawbacks
and bounty on

III. And be it further enacted, That, from and after the passing of this act, and until the fifth day of *January* one thousand eight hundred, the whole of the drawbacks and bounty paid

or

or payable on the exportation of sugar, directed to be withheld by the said acts of the thirty-sixth and thirty-ninth years of his present Majesty's reign, shall be paid and allowed in like manner, in every respect, and subject to and under and according to the like rules and regulations, as any drawbacks or bounties were paid or allowed before the passing of the act of the last session of parliament; and during all such time as aforesaid, the whole of the duty imposed by an act of the last session of parliament upon sugar imported into *Great Britain* by the united company of merchants of *England* trading to the *East Indies*, and warehoused according to law, and sold at the sales of the said company, shall, as to all such sugar as shall be exported during the time last aforesaid, be, and the same is hereby wholly discontinued; any thing contained in the said act of the last session of parliament to the contrary notwithstanding.

sugar directed to be withheld by the recited acts of 36 and 39 Geo. 3. to be allowed; and the duty imposed by the said act of 39 Geo. 3. on sugar imported by the East India company and warehoused, to be discontinued.

IV. And be it further enacted, That if, on the fifth day of *January* and the fifth day of *April* one thousand eight hundred, it shall appear by notice in *The London Gazette*, in manner directed in the said act of the thirty-second year of the reign of his present Majesty, that the average prices of brown or *Muscovado* sugar, taken in the manner directed by the said act made in the thirty-second year of the reign of his present Majesty for the six weeks preceding, shall not have exceeded seventy shillings for an hundred weight, inclusive of the duties of customs paid or payable thereon on the importation into *Great Britain*, then and in every such case the whole of the drawbacks and bounty paid or payable on the exportation of sugar, directed to be withheld by the said act of the thirty-sixth year of his present Majesty's reign, and by the said act of the last session of parliament, shall be paid and allowed in like manner, in every respect, and subject to and under and according to the like rules and regulations, as any drawbacks and bounties were paid and allowed before the passing of the said act of the last session of parliament, by any act or acts of parliament, except as any such rules or regulations are altered by this act; and the whole of the duty imposed by an act of the last session of parliament, upon sugar imported into *Great Britain* by the united company of merchants of *England* trading to the *East Indies*, and warehoused according to law, and sold at the sales of the said company, shall, upon the delivery thereof out of the warehouses for exportation during the time of any drawbacks or bounties being paid or allowed under this act, be and the same are hereby wholly discontinued; any thing in the said act of the last session of parliament contained to the contrary thereof notwithstanding.

If on Jan. 5, and April 5, 1800, the average price of *Muscovado* sugar, taken as directed by 32 Geo. 3. c. 43. shall not have exceeded 70s. per cwt. the drawbacks and bounty withheld by 36 Geo. 3. and 39 Geo. 3. to be paid, and the said duties on sugar imported by the East India company and warehoused, to be discontinued on delivery of the sugar for exportation.

V. And be it further enacted, That this act shall, as to all the matters and things herein contained relating to the paying and allowing any drawback or bounty, or discontinuing any duty under this act, have continuance until the fifth day of *May* one thousand eight hundred.

Continuance of act, as to drawback or bounty, or discontinuing duty.

C A P. XIII.

An act for allowing further time for the payment of instalments on certain sums of money, advanced by way of loan, to several persons connected with and trading to the islands of Grenada and St. Vincent.— [October 12, 1799.]

C A P. XIV.

An act for empowering his Majesty to shorten the time for the meeting of parliament in cases of adjournment.— [October 12, 1799.]

Preamble.
37 Geo. 3.
c. 127.

WHEREAS by an act passed in the thirty-seventh year of the reign of his present Majesty, provision is made for empowering his Majesty, his heirs and successors, to shorten the time required for giving notice of the meeting of parliament for the dispatch of business, in the case of a prorogation of parliament: and whereas it is expedient that a like power should be given to his Majesty, his heirs and successors, in cases of the adjournment 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, in all cases where both houses of parliament shall stand adjourned for more than fourteen days from the day of the date of the proclamation hereinafter mentioned, it shall and may be lawful for his Majesty, his heirs and successors, to issue his and their royal proclamation, by and with the advice of his and their privy council, thereby declaring that the said parliament shall meet on a day, being not less than fourteen days from the day of the date of such proclamation, and the houses of parliament shall thereupon stand adjourned to the day and place declared in such proclamation, notwithstanding any previous adjournment of the houses of parliament to any longer day, and notwithstanding any former law, usage, or custom, to the contrary.

His Majesty may issue his royal proclamation for the meeting of parliament in not less than 14 days from the date, notwithstanding any previous adjournment to a longer day.

How orders made by parliament shall be deemed to have been appointed.

II. And be it further enacted, That all and singular the order or orders which shall have been made by either house of parliament, and appointed for the day to which such house of parliament shall have been adjourned, or to any day or days subsequent thereto, other than and except any order or orders that shall have been specially appointed for particular days by either house of parliament, and declared to be so fixed, notwithstanding any meeting of parliament under this act, and also except any order or orders made under the provisions of any act of parliament, shall be deemed and taken to have been appointed for the day on which the parliament shall meet in pursuance of such proclamation.

C A P. XV.

An act for continuing, until the expiration of six weeks after the commencement of the next session of parliament, an act, made in the thirty-eighth year of the reign of his present Majesty, intituled, An act for empowering his Majesty for a time and to an extent to be limited, to accept the services of such parts of his militia forces in this kingdom, as may voluntarily offer themselves to be employed in Ireland.— [February 19, 1800.]

C A P.

C A P. XVI.

An act for continuing, until the expiration of six weeks after the commencement of the next session of parliament, an act, made in the thirty-seventh year of the reign of his present Majesty, intituled, An act for the better prevention and punishment of attempts to seduce persons serving in his Majesty's forces, by sea or land, from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience.—[February 19, 1800.]

C A P. XVII.

An act to continue, until the first day of March, one thousand eight hundred and three, an act, made in the thirty-third year of the reign of his present Majesty, for establishing courts of judicature in the island of Newfoundland; and to continue, until the expiration of forty days after the commencement of the next session of parliament, several laws relating to the admission of certain articles of merchandize in neutral ships, and the issuing of orders in council for that purpose; to the authorising his Majesty to make regulations respecting the trade to the Cape of Good Hope; and to the enabling his Majesty to permit goods to be imported into this kingdom in neutral ships.—[February 19, 1800.]

C A P. XVIII.

An act to prohibit, until the expiration of six weeks after the commencement of the next session of parliament, any person or persons from selling any bread which shall not have been baked a certain time.—[February 20, 1800.]

WHEREAS it is expedient to reduce as much as possible at the Preamble.

present moment the consumption of wheat flour: and whereas it appears that a considerable saving would arise, if bread was prohibited from being sold until it had been baked a certain time: 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 not be lawful for any baker or other person or persons, residing within the cities of London and Westminster, and the bills of mortality, &c. after Feb. 26, or residing elsewhere, after March 4, not to sell, or expose to sale, any bread, till 24 hours after baked, on penalty of 5l. for each loaf. Penalty to be recovered before a justice, and divided

or persons residing in any other part of Great Britain, after the fourth day of March one thousand eight hundred, to sell, or offer or expose to sale, any bread, until the same shall have been baked twenty-four hours at the least; and every baker or other person or persons who shall act contrary hereto, or offend herein, shall for every offence forfeit and pay the sum of five pounds for every loaf of bread so sold, offered, or exposed to sale; which penalty shall and may be recovered before any one or more of his Majesty's justices of the peace for the county, city, or place where the offence shall be committed, upon the oath of one or more credible witness or witnesses (which oath such justice or justices is and are hereby empowered to administer),

Persons residing in London and Westminster, and the bills of mortality, &c. after Feb. 26, or residing elsewhere, after March 4, not to sell, or expose to sale, any bread, till 24 hours after baked, on penalty of 5l. for each loaf. Penalty to be recovered before a justice, and divided

between the informer and the poor of the parish.

ter), one moiety whereof shall be paid to the informer or informers, and the other moiety to the poor of the parish or place where the offence shall be committed; and if the said penalty shall not be forthwith paid, it shall and may be lawful for such justice or justices, by warrant under his hand and seal, to cause the said penalty to be levied by distress and sale of the goods and chattels of the party offending, rendering the overplus (if any) to the owner or owners of such goods and chattels, after deducting the said penalty, and the costs and charges of taking and making such distress and sale.

No person, where any assize shall have been duly put in execution, to be liable to any penalty for selling bread under the weight prescribed by law; provided the deficiency be not more than in the proportion of six ounces in the peck loaf.

II. Provided always, and be it enacted, That in every place or places where any assize of bread shall have been ordered by the chief magistrates or justices of the peace of such place or places, and shall have been duly put in execution, no baker, or other person or persons, shall be subject or liable to any penalty or forfeiture for selling any bread under the weights prescribed by law: provided also, That nothing herein contained shall extend, or be construed to extend, to exempt any such baker or other person or persons from any such penalty or forfeiture, where the weight of the peck loaf shall be deficient more than six ounces, and so in proportion for any other loaf of bread; any thing in any former act contained to the contrary notwithstanding.

Act may be altered this session.

III. And be it further enacted, That this act may be altered, varied, or repealed, by any act to be passed in this session of parliament.

Continuance of act.

IV. And be it further enacted, That this act shall continue in force until the expiration of six weeks after the commencement of the next session of parliament.

C A P. XIX.

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 directed by law, and for extending the time limited for those purposes, until the twenty-fifth day of December one thousand eight hundred; 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, until the twenty-fifth day of December one thousand eight hundred, to provide admissions duly stamped; to permit such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attorneys and solicitors, to make and file the same on or before the first day of Michaelmas term one thousand eight hundred; and for indemnifying deputy lieutenants and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time directed by law, and for extending the time limited for that purpose, until the first day of September one thousand eight hundred.—[February 20, 1800.]

C A P.

C A P. XX.

An act for further continuing until the first day of February one thousand eight hundred and one, an act, made in the last session of parliament, intituled, An act for further continuing, until the first day of March one thousand eight hundred, an act, made in the last session of parliament, intituled, 'An act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.'—[February 28, 1800.]

WHEREAS an act was passed on the twentieth day of May Preamble.
one thousand seven hundred and ninety-nine, intituled, An act for further continuing until the first day of March one thousand eight hundred, an act, made in the last session of parliament, intituled, 'An act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government;' which act was to continue in force until the first day of March one thousand eight hundred, and no longer: and whereas it is necessary for the publick safety that the provisions of the said act passed on the twentieth day of May one thousand seven hundred and ninety-nine, should be continued: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every person who shall be in prison within the kingdom of Great Britain at or upon the day on which this act shall receive his Majesty's royal assent, or at any time after that day, by warrant of his said Majesty's most honourable privy council, signed by six of the said privy council, or by warrant signed by any of his Majesty's principal secretaries of state, for high treason, suspicion of treason, or treasonable practices, may be detained in safe custody, without bail or mainprize, until the first day of February one thousand eight hundred and one; and that no judge or justice of the peace shall bail or try any such person so committed, without order from his said Majesty's privy council, signed by six of the said privy council, until the said first day of February one thousand eight hundred and one; any law or statute to the contrary notwithstanding.

Persons imprisoned for high treason, &c. may be detained till Feb. 1, 1801, &c.

II. And be it further enacted, That the act made in Scotland in the year of our Lord one thousand seven hundred and one, intituled, *An act for preventing wrongous imprisonment, and against undue delays in trials*, in so far as the same may be construed to relate to cases of treason and suspicion of treason, be suspended until the said first day of February one thousand eight hundred and one; and that until the said day no judge, justice of the peace, or other officer of the law in Scotland, shall liberate, try, or admit to bail, any person or persons that is, are, or shall be, in prison within Scotland, for such causes as aforesaid without order

Act in Scotland of 1701, for preventing wrongous imprisonment, so far as may relate to treason, &c. suspended till Feb. 1, 1801, &c.

from his said Majesty's privy council, signed by six of the said privy council.

From Feb. 1, 1801, persons committed to have the benefit of all laws providing for the liberty of the subject, &c.

Privileges of parliament, not invalidated by this act.

Persons against whom indictments for high treason are already found, to be tried thereon.

The secretary of state may order persons committed for high treason, &c. to be removed to any other gaol.

Persons so removed not to be deprived of right to be tried or discharged.

III. Provided always, That, from and after the said first day of *February* one thousand eight hundred and one, the said persons so committed shall have the benefit and advantage of all laws and statutes any way relating to or providing for the liberty of the subjects of this realm.

IV. Provided always, and be it enacted, That nothing in this act shall be construed to extend to invalidate the ancient rights and privileges in parliament, or to the imprisonment or detaining of any member of either house of parliament, during the sitting of such parliament, until the matter of which he stands suspected be first communicated to the house of which he is a member, and the consent of the said house obtained for his commitment or detainer.

V. Provided nevertheless, That any person or persons in prison at the time of passing this act, against whom any bill or bills of indictment for high treason have been already found, shall and may be tried on such indictment, as if this act had never passed.

VI. *And whereas divers persons are now in custody on charges of high treason, suspicion of high treason, and treasonable practices, under warrants from one of his Majesty's principal secretaries of state, and who have been secured and detained in custody under the authority of the said recited acts; and it may be highly important that such persons as have been or shall be secured and detained on such charges, under the authority of the said recited acts or of this act, should be kept wholly separate and apart from each other, so as to prevent all communication between them and with other persons, except such communication as his Majesty may think fit to permit, and under such restrictions as may be adviseable; and it has been found by experience to be very difficult to keep such persons separate as aforesaid, and to prevent such communication as aforesaid, without sending such persons to different places of confinement; and doubts may arise how far the powers of his Majesty's principal secretaries of state, to change the places of confinement of persons so committed extends, and it is expedient to provide that the same shall not be so exercised as to deprive the persons so committed of any right to be tried or discharged, which they might respectively have had if their respective places of confinement had not been changed: now to obviate all doubts and difficulty in respect thereof, be it further enacted and declared, That it shall be lawful for one of his Majesty's principal secretaries of state, as he shall see occasion, to order any person committed to any gaol, or other prison, on any charge of high treason, suspicion of high treason, or treasonable practices, either before or after indictment found, to be conveyed to and detained in any other gaol or other prison, until discharged by due course of law, and to issue all warrants necessary for such purposes: provided always nevertheless, That no person who shall be removed by any such warrant as aforesaid, shall be, by means of such removal, deprived of such right to*

be tried or discharged, as such person would by law have been entitled to if not so removed; and in every case in which any such person would have been entitled to have been tried or discharged if such person had continued in the gaol or prison to which such person was before committed, it shall be lawful for such person to apply to be bailed or discharged, in the same manner as such person might have done if such person had remained in the gaol or prison to which such person was before committed as aforesaid.

VII. *And whereas in the disturbed state of the kingdom of Ireland, it has been found necessary to send divers persons who had been committed to prison in Ireland on charges of high treason, suspicion of high treason, or treasonable practices; to Great Britain for safe custody, and for the purpose of preventing improper intercourse between such persons and other persons engaged, or suspected of being engaged, in the like treasons or treasonable practices; and it may be found expedient to send other persons to Great Britain under like circumstances; be it enacted, That every person who hath been sent to Great Britain as aforesaid, before the passing of this act, and every person who, after the passing of this act, shall be sent to Great Britain for safe custody, by order of the lord lieutenant or governor general, or other chief governor or chief governors of Ireland, and of six or more of his Majesty's privy council of the said kingdom, shall and may be detained in custody in this kingdom, in such place of safe custody, as to his Majesty shall seem fit; provided such person shall be charged with high treason, suspicion of high treason, or treasonable practices, by warrant under the hand and seal of one of his Majesty's principal secretaries of state.*

Persons sent from Ireland to Great Britain for safe custody, may be detained in such place as his Majesty shall think fit, provided they are charged with high treason, &c. by warrant of a secretary of state.

VIII. *Provided always nevertheless, That no person shall be detained as aforesaid, so as to prevent the trial or discharge of such person in due course of law, whenever such person shall, by the law of Ireland, be entitled to such trial or discharge; but in all cases in which any person so detained would by the law of Ireland, if in custody in that kingdom, be entitled to be tried or discharged, it shall be lawful for such person to apply to the court of king's bench in England, or to any judge of that court, or to the court of judicary in Scotland, or to any judge of that court to be discharged; and if it shall appear to such court, or to such judge, that such person, if in custody in Ireland, would be entitled to be tried or discharged, it shall be lawful for such court or such judge to order such person to be discharged, or to be sent to Ireland to be dealt with according to law.*

But no person shall be detained so as to prevent his trial or discharge when entitled thereto by the law of Ireland.

IX. *And whereas many persons engaged in the late rebellion in Ireland, and in other treasonable practices there, have fled from Ireland, and are now in Great Britain; and other persons may come from Ireland to Great Britain under the like circumstances; and it may be expedient not only to arrest such persons for the purpose of sending them to Ireland to be tried for such offences, but also to secure and detain such persons in Great Britain until they can be*

The secretary of state may order persons in custody for high treason, &c. committed in Ireland, to be detained in Great Britain. *properly sent to Ireland to be tried or discharged in due course of law: be it further enacted, That it shall be lawful for one of his Majesty's principal secretaries of state, by warrant under his hand and seal, to order any person who shall be in custody upon any charge of high treason, suspicion of high treason, or treasonable practices, done or committed in Ireland, to be secured or detained in Great Britain until such person can be properly sent to Ireland, to be tried or discharged in due course of law.*

But no person shall be detained so as to prevent his trial or discharge when entitled thereto by the law of Ireland. **X.** Provided always nevertheless, That no person shall be detained as aforesaid so as to prevent the trial or discharge of such person in due course of law, whenever such person shall by the law of Ireland be entitled to such trial or discharge; but in all cases in which any person so detained would by the law of Ireland, if in custody in that kingdom, be entitled to be tried or discharged, it shall be lawful for such person to apply to the court of king's bench in England, or to any judge of that court, or to the court of justiciary in Scotland, or to any judge of that court, to be discharged; and if it shall appear to such court or to such judge that such person, if in custody in Ireland, would be entitled to be tried or discharged, it shall be lawful for such court or such judge to order such person to be discharged, or to be sent to Ireland to be dealt with according to law.

Act may be altered or repealed this session.

Continuance of act.

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

XII. And be it further enacted, That this act shall continue in force until the said first day of February one thousand eight hundred and one, and no longer.

C A P. XXI.

An act to continue, until the first day of February one thousand eight hundred and one, an act, made in this present session of parliament, to prohibit the making of low wines or spirits from wheat, or other sort of grain, or from meal, flour, or bran, in that part of Great Britain called Scotland.—[February 28, 1800.]

C A P. XXII.

An act for raising the sum of twenty millions five hundred thousand pounds by way of annuities.—[March 10, 1800].

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in this session of parliament, have resolved that the sum of twenty millions five hundred thousand pounds be raised by annuities, in manner herein-after mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords

lords (spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every contributor towards raising the said sum of twenty millions five hundred thousand pounds, shall, for every one hundred pounds contributed and paid, be entitled to the principal sum of one hundred pounds, in consolidated annuities, after the rate of three pounds *per centum per annum*, and to an additional principal sum of ten pounds in like annuities; and also to a further principal sum of forty-seven pounds in reduced annuities, after the rate of three pounds *per centum per annum*, redeemable by parliament; the said several consolidated annuities, after the rate of three pounds *per centum per annum*, to commence from the fifth day of *January* one thousand eight hundred; and the said reduced annuity, after the rate of three pounds *per centum per annum*, to commence from the tenth day of *October* one thousand seven hundred and ninety-nine; and that the said consolidated annuities after the rate of three pounds *per centum*, and the said reduced annuity after the rate of three pounds *per centum* respectively, in respect of each one hundred pounds so to be contributed as aforesaid, shall be payable and transferrable at the bank of *England*; and the said consolidated annuities, after the rate of three pounds *per centum*, shall be paid half-yearly, on the fifth day of *July* and the fifth day of *January* in every year; and the said reduced annuity, after the rate of three pounds *per centum*, shall be paid half-yearly, on the fifth day of *April* and the tenth day of *October* in every year.

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

Every contributor of 100l. to be entitled to a principal of 100l. and 3 per cent. consols. and a principal of 47l. in the 3 per cent. reduced.

Contributors who have made deposits to pay the remainder of subscriptions by instalments.

on or before the twentieth day of *June* then next following; the further sum of ten pounds *per centum*, on or before the eighteenth day of *July* then next following; the further sum of ten pounds *per centum*, on or before the twenty-second day of *August* then next following; the further sum of ten pounds *per centum*, on or before the nineteenth day of *September* then next following; the further sum of ten pounds *per centum*, on or before the seventeenth day of *October* then next following; the further sum of ten pounds *per centum*, on or before the twenty-first day of *November* then next following; and the remaining sum of ten pounds *per centum*, on or before the twelfth day of *December* then next following.

III. *And whereas for the convenience of his Majesty's service, a sum in promissory notes of the governor and company of the bank of Ireland, payable to bearer on demand, and in bank post bills of the said governor and company of the bank of Ireland, which, at the rate of exchange of one hundred and nine pounds and ten shillings per centum is equal to two hundred thousand pounds sterling, has been paid to and deposited with the cashiers of the governor and company of the bank of England, on account of the said deposit of ten pounds per centum upon the said loan of twenty millions five hundred thousand pounds, be it enacted, That the said promissory notes and bank post bills of the said governor and company of the bank of Ireland of the value of two hundred thousand pounds sterling, at the said rate of exchange, so received by the cashiers of the bank of England in part of the said deposit as aforesaid, shall be received at the receipt of his Majesty's exchequer, from the said cashiers, at the said rate of exchange, in part of payment of the sums received by them on account of the said deposit.*

Promissory notes and post bills of the bank of Ireland, deposited with the bank of England, to be received at the exchequer.

The treasury may authorize the bank to receive such promissory notes and post bills in payment of future instalments, which shall be received at the exchequer.

IV. *And be it further enacted, That it shall and may be lawful for the commissioners of his Majesty's treasury for the time being, or any three or more of them, or the lord high treasurer for the time being, if they or he shall think fit, to authorize and empower the cashier or cashiers of the governor and company of the bank of England, upon the receipt of any subsequent payment or instalment of the said loan of twenty millions five hundred thousand pounds, to receive in part of payment thereof in notes of the governor and company of the bank of Ireland, payable to bearer on demand, and in the bank post bills of the said governor and company of the bank of Ireland, any sum or sums not exceeding in value, at such rate of exchange as the lords commissioners of his Majesty's treasury shall fix, the sum of two hundred thousand pounds sterling, upon or in part of any one payment or instalment; and which said promissory notes and bank post bills of the said governor and company of the bank of Ireland, received under such authority, and not exceeding the amount herein-before mentioned, shall be received at the receipt of his Majesty's exchequer from the cashiers of the bank of England (at the same rate of exchange at which they shall be received by such cashiers), in part of payment of the sums which shall be received*

by

by them for the future or subsequent payments or instalments upon the said loan.

V. And be it further enacted, That such notes shall be deemed sufficient payments on account of any warrant, order, or draught for the purpose of remitting to *Ireland* any part of any monies which have been granted to his Majesty in this session of parliament for his Majesty's service in *Ireland*.

Such notes shall be deemed sufficient payment on account of any warrant for remitting to *Ireland* monies granted for his Majesty's service there.

VI. And be it further enacted, That the said governor and company of the bank of *England*, or their cashiers, shall not, in any manner, be answerable or responsible for the payment of the said promissory notes and bank post bills that have been, or shall be received by them as the promissory notes and bank post bills of the governor and company of the bank of *Ireland*, nor for any loss that shall or may be sustained in consequence of any such promissory notes or bank post bills being forged or counterfeited, unless the cashier or cashiers receiving the same, at the time of such receipt thereof, knew the same to be forged and counterfeited.

Bank not answerable for the payment of such notes and post bills, &c.

VII. And whereas the governor and company of the bank of *England* are possessed of certain exchequer bills, made out by virtue of an act, passed in the last session of parliament, intituled, An act for enabling his Majesty to raise the sum of three millions, for the uses and purposes therein mentioned, amounting in the whole to the sum of one million five hundred and fifty-five thousand pounds; be it therefore further enacted, That it shall be lawful for the said governor and company of the bank of *England* to pay in the whole of the said exchequer bills towards the said loan, at the several times, and in the proportions following; (that is to say), Any of the said exchequer bills to the amount of five hundred eighteen thousand three hundred and thirty-three pounds on the second instalment of the said loan, payable on the eighteenth day of *April* one thousand eight hundred; any of the said exchequer bills to the amount of five hundred eighteen thousand three hundred and thirty-three pounds on the third instalment of the said loan, payable on the sixteenth day of *May* one thousand eight hundred; and the sum of five hundred eighteen thousand three hundred and thirty-four pounds, being the remainder of the said sum of one million five hundred and fifty-five thousand pounds, on the fourth instalment of the said loan, payable on the twentieth day of *June* one thousand eight hundred; and all such exchequer bills shall be received in discharge of such parts of the said loan as aforesaid.

Bank may pay exchequer bills in their possession made out under 39 Geo. 3. c. 68. for instalments of the loan.

VIII. And be it further enacted, That it shall and may be lawful for any guardian or trustee, having the disposition of the money of any infant, to contribute and pay for or towards advancing the said sum of twenty millions five hundred thousand pounds, to be raised by annuities in manner aforesaid; and such infant, upon the payment of such sum or sums subscribed by such guardian or trustee, shall become a contributor within the meaning of this act, and be entitled to have and receive the annuities, advantages, and payments, in respect thereof, in such

Guardians may subscribe for infants.

and the like manner as any other contributor; and the said guardian and trustee, as to the said sum or sums so advanced, is hereby discharged, so as the name of such infant be expressed in the receipt or receipts for such money.

Discount to be allowed on payment of the whole of the subscriptions in advance.

IX. And be it further enacted, That every contributor paying in the whole of the sums by them respectively subscribed in respect of the said sum of twenty millions five hundred thousand pounds, to be contributed as aforesaid, at any time on or before the twentieth day of *November* one thousand eight hundred, shall be entitled to an allowance of so much money as the interest of each sum so paid in advance for completing his, her, or their contribution respectively shall amount unto, after the rate of four pounds *per centum per annum* from the day of completing the same, to the twelfth day of *December* one thousand eight hundred; which allowance is to be paid by the said cashier or cashiers out of the money to be contributed in pursuance of this act, as soon as such respective contributors, their executors, administrators, successors, and assigns, shall have completed such payment.

Contributors entitled to certain annuities, which shall be paid half-yearly, but not till subscriptions are completed.

X. And be it further enacted, That the several subscribers or contributors, their executors, administrators, successors, and assigns, in respect of the said sum of twenty millions five hundred thousand pounds, shall be entitled to an annuity, after the rate of three pounds *per centum*, for every one hundred pounds by him, her, or them respectively advanced and paid; and also to an annuity, after the like rate of three pounds *per centum*, in respect of the said additional principal sum of ten pounds, to commence from the fifth day of *January* one thousand eight hundred, until redemption by parliament in manner herein-after mentioned; and shall also be entitled in respect of every such one hundred pounds so advanced and paid to a further annuity, after the rate of three pounds *per centum*, in respect of the additional principal sum of forty-seven pounds, from the tenth day of *October* one thousand seven hundred and ninety-nine, until redemption by parliament in manner herein-after mentioned; which said respective annuities, after the rate of three pounds *per centum*, and of three pounds *per centum* respectively, shall be payable and paid, half-yearly, by even and equal portions; (that is to say), The said consolidated annuities, after the rate of three pounds *per centum*, on the fifth day of *July* and the fifth day of *January* in every year; and the said reduced annuities, after the rate of three pounds *per centum*, on the fifth day of *April* and the tenth day of *October* in every year; the first payment upon the said consolidated annuities, after the rate of three pounds *per centum*, to be due on the fifth day of *July* one thousand eight hundred, and on the said reduced annuity, after the rate of three pounds *per centum*, on the fifth day of *April* one thousand eight hundred; but shall not be payable until the respective subscribers or contributors, their executors, administrators, successors, or assigns, shall have completed the whole of the

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the sums by them subscribed for the purchase of the said annuities.

XI. And be it further enacted, That as soon as any contributors, their executors, administrators, successors, or assigns, shall have completed their payments of such part of the whole sum payable by them respectively towards the said sum of twenty millions five hundred thousand pounds, as shall be payable in respect of the several consolidated annuities, after the rate of three pounds *per centum*, to which they respectively shall become entitled, in respect of such subscriptions, the principal sum or sums in the said consolidated annuities 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 as soon as such contributors, their executors, administrators, successors, or assigns, shall have completed the payments of such part of the whole sum payable by them respectively towards the said sum of twenty millions five hundred thousand pounds, as shall be payable in respect of the said reduced annuities, after the rate of three pounds *per centum*, or any part thereof, the principal sum or sums in the said reduced annuities 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; and the persons to whose credit such principal sums shall be so placed, their respective executors, administrators, successors, and assigns, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, body or bodies politick or corporate whatsoever, in the books of the bank of *England*; and the said governor and company of the bank of *England* are hereby required, as soon as conveniently may be after the passing of this act, to prepare proper books for the purpose of entering the names of all such contributors, and of placing to their credit the principal sums so paid by them respectively; and that such of the said contributors, their executors, administrators, successors, or assigns, who shall complete the payments of such parts of the whole sum payable by them respectively, towards the said sum of twenty millions five hundred thousand pounds, as shall be payable in respect of any or either of the said respective annuities, at any time before the governor and company of the bank of *England* shall have prepared their receipts according to the directions of this act, shall be entitled to have the sums so paid forthwith placed to their credit in the books of the bank of *England*; and the said governor and company are hereby required to cause such sums to be forthwith placed to the credit of the persons entitled to the annuities in respect thereof, in the books of the said bank of *England*; and such entries in the said books shall be in lieu of the receipts hereby directed to be given for all sums paid in manner aforesaid; and such sums shall carry the consolidated annuities after the rate of three pounds *per centum per annum*, and the said

As soon as subscriptions are completed, they may be transferred.

reduced annuities after the rate of three pounds *per centum per annum*, respectively, redeemable by parliament; and shall respectively, be taken and deemed to be stock transferrable according to the true intent and meaning of this act, until redemption thereof, in such manner as is herein-after mentioned.

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

XII. Provided always, and be it further enacted, That all and every such contributor or contributors, his, her, or their executors, administrators, successors, and assigns, who shall have paid into the hands of the said cashier or cashiers the whole of his, her, or their contribution money, in respect to the said reduced annuities after the rate of three pounds *per centum per annum*, on or before the second day of *April* one thousand eight hundred, shall be entitled to have and receive on the fifth day of *April* one thousand eight hundred, at the bank of *England*, the half year's annuity after the rate of three pounds *per centum*, that shall become due on the said fifth day of *April* one thousand eight hundred, and that all and every such contributor or contributors, his, her, or their executors, administrators, successors, and assigns, who shall have paid into the hands of the said cashier or cashiers, the whole of his, her, or their contribution money in respect to the said consolidated annuities, after the rate of three pounds *per centum per annum*, on or before the second day of *July* one thousand eight hundred, shall be entitled to have and receive, on the fifth day of *July* one thousand eight hundred, at the bank of *England*, the half year's annuity, after the rate of three pounds *per centum per annum*, that shall become due on the said fifth day of *July* one thousand eight hundred; and that all and every such contributor or contributors, his, her, or their executors, administrators, successors, and assigns, who shall have paid into the hands of the said cashier or cashiers, the whole of his, her, or their contribution money in respect of the said reduced annuities, after the rate of three pounds *per centum per annum*, on or before the seventh day of *October* one thousand eight hundred, shall be entitled to have and receive, on the tenth day of *October* one thousand eight hundred, at the bank of *England*, the year's annuity after the rate of three pounds *per centum per annum*, that shall become due on the said tenth day of *October* one thousand eight hundred; and that all and every person or persons who shall not have completed the whole of their said payments, on or before the said second day of *April* one thousand eight hundred, or the said second day of *July* one thousand eight hundred, or the said seventh day of *October* one thousand eight hundred; shall, on completing the same within the time in this act prescribed, be entitled to receive the year's annuity, on each of the said several annuities by this act granted, or to be granted, from the tenth day of *October* one thousand seven hundred and ninety-nine, and the fifth day of *January* one thousand eight hundred, respectively as the same shall become due, according to the true intent and meaning of this act.

Annuities payable and transferrable at the bank.

XIII. And be it further enacted, That all the annuities aforesaid shall be payable and paid, and be transferrable, at the bank

bank of *England*; and shall be subject to such redemption as is herein-after mentioned.

XIV. And be it further enacted, That of the said loan of twenty millions five hundred thousand pounds, all annuities, interest, and dividends which shall or may become payable in respect of the sum of seven millions, part of the said loan of twenty millions five hundred thousand pounds, shall be charged and chargeable upon, and are hereby charged upon and made payable out of the consolidated fund; and that the annuities created on the sum of thirteen millions five hundred thousand pounds, the remaining part of the said loan of twenty millions five hundred thousand pounds, and all the annuities, interest, and dividends which shall or may become payable in respect of the said sum of thirteen millions five hundred thousand pounds shall be charged and chargeable upon, and are hereby charged upon, and made payable out of the monies arising from the rates, duties, and assessments granted by or from payments at the bank of *England*, in pursuance of or under an act passed in the thirty-eighth year of his present Majesty, for granting an aid and contribution for the prosecution of the war, together with the duties granted by another act of the same session, for granting new and additional duties on goods imported and exported, and for other purposes; and also together with the duties granted by another act passed in the last session of parliament, for granting certain duties upon income: provided always, That in case the monies arising out of the said rates, duties, assessments, and payments, which shall be from time to time paid into the receipt of the exchequer, shall not be sufficient for the payment and discharge of the annuities, interest, and dividends which shall and may become payable in respect of the said sum of thirteen millions five hundred thousand pounds, in manner and at the times in this act mentioned for the payment of the annuities, interest, and dividends on the said loan, or in case the said rates, duties, and assessments should at any time hereafter cease and determine, then and in every such case, the said annuities, interest, and dividends, or such part thereof as shall not be paid and satisfied out of the monies arising from the said rates, duties, and assessments, shall be charged and chargeable upon, and are hereby charged upon, and made payable out of the consolidated fund.

XV. And, for the more easy and sure payment of all the several annuities established by this act, be it further enacted, That the said governor and company of the bank of *England*, and their successors, shall, from time to time, until all the said annuities shall be redeemed, appoint and employ one or more sufficient person or persons, within their office in the city of *London*, to be their chief or first cashier or cashiers, and one other sufficient person, within the same office, to be their accountant general; and that so much of the monies by this act appropriated for the purpose, as shall be sufficient from time to time to answer the said several and respective annuities, and other payments, herein

Upon what funds the loan and interest are to be chargeable.

Bank to appoint a cashier and accountant general, and the treasury to order money to be issued to the cashier for payment of the annuities.

directed to be made out of the said monies, shall, by order of the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, without any further warrant to be sued for, had, or obtained in that behalf, from time to time, at the respective days of payment in this act appointed for payment thereof, be issued and paid at the receipt of the exchequer to the said first or chief cashier or cashiers of the said governor and company of the bank of *England*, and their successors, for the time being, by way of imprest and upon account, for the payment of the said several and respective annuities payable by virtue of this act; and that such cashier or cashiers, to whom the said money shall from time to time be issued, shall from time to time without delay, pay the same accordingly, and render his or their accounts thereof, according to the due course of the exchequer; and that the said accountant general for the time being shall from time to time inspect and examine all receipts and payments of the said cashier or cashiers, and the vouchers relating thereto, in order to prevent any fraud, negligence, or delay.

Cashier to give receipts for subscriptions, which may be assigned before
Nov. 20, 1800.

XVI. And be it further enacted, That the cashier or cashiers of the governor and company of the bank of *England*, who shall have received, or shall receive, any part of the said contributions towards the said sum of twenty millions five hundred thousand pounds, shall give a receipt or receipts in writing to every such contributor for all such sums; and that the receipts to be given shall be assignable by indorsement thereupon made, at any time before the twentieth day of *November* one thousand eight hundred, and no longer: provided always, That such cashier or cashiers shall give security to the good liking of any three or more of the commissioners of the treasury, or the high treasurer for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick use, all the monies which they have already received, and shall hereafter receive, from time to time, of and for the said sum of twenty millions five hundred thousand pounds, and for accounting duly for the same, and for performance of the trust hereby in them reposed, and shall from time to time pay all such monies as soon as he or they shall receive the same, or any part thereof, or within five days afterwards at the farthest, into and shall account for the same in the exchequer, according to the due course thereof, deducting thereout such sums as shall have been paid by him or them in pursuance of this act, for which sums so paid allowance shall be made in his or their accounts.

Cashier to give security for paying the money he receives into the exchequer.

A book to be kept in the accountant general's office, for entering contributors names, a duplicate whereof to be transmitted to

XVII. And be it enacted, That in the office of the accountant general of the governor and company of the bank of *England* for the time being, a book or books shall be provided and kept, in which the names of the contributors shall be fairly entered; which book or books the said respective contributors, their respective executors, administrators, successors, and assigns, shall and may from time to time, and at all seasonable times, resort to and inspect without any fee or charge; and that the said accountant

countant general shall, on or before the fifth day of July one thousand eight hundred and one, 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.

the auditor of the exchequer.

XVIII. And be it further enacted, That such contributors, duly paying the whole sum so subscribed at or before the respective times in this act limited in that behalf, and their respective executors, administrators, successors, and assigns shall have, receive, and enjoy, and be entitled by virtue of this act to have, receive, and enjoy, the said several annuities, by this act granted in respect of the sum so subscribed, out of the monies granted and appropriated in this session of parliament for payment thereof, and shall have good and sure interests and estates therein, according to the several provisions in this act contained, and that the said several annuities shall be free from all taxes, charges, and impositions whatsoever.

Contributors duly paying their subscriptions entitled to annuities tax free.

XIX. Provided always, That in case any such contributors who have already deposited with, or shall hereafter pay to the said cashier or cashiers any sum or sums of money at the time and in the manner herein-before mentioned, in part of the sum or sums so by them respectively subscribed, or their respective executors, administrators, successors, or assigns, shall not advance and pay to the said cashier or cashiers, the residue of the sum or sums so subscribed, at the times and in the manner before mentioned, then and in every such case so much of the respective sum or sums so subscribed, as shall have been actually paid in part thereof to the said cashier or cashiers, shall be forfeited for the benefit of the publick, and all right and title to the said annuities after the rate of three pounds *per centum per annum*, and of three pounds *per centum per annum* respectively, in respect thereof, shall be extinguished; any thing in this act contained to the contrary thereof in anywise notwithstanding.

Subscriptions paid in part and not completed, to be forfeited.

XX. And be it further enacted, That all persons who shall be entitled to any of the annuities hereby granted in respect of the said sum of twenty millions five hundred thousand pounds, and all persons lawfully claiming under them, shall be possessed thereof as of a personal estate, which shall not be descendible to heirs, nor liable to any foreign attachment by the custom of London, or otherwise; any law, statute, or custom, to the contrary notwithstanding.

Annuities to be deemed personal estate.

XXI. And be it further enacted, That it shall and may be lawful for three or more of the commissioners of the treasury, or the high treasurer for the time being, to issue and apply from time to time all such sums of money as shall be so paid into the receipt of his Majesty's exchequer by the said cashier or cashiers, to such services as shall then have been voted by the commons of Great Britain in this present session of parliament.

Treasury may apply the money paid into the exchequer.

XXII. And be it further enacted, 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

Accountant general to keep books for entering transf.

towards

towards the said sum of twenty millions five hundred thousand pounds, shall be entered and registered; which entry shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or if such parties be absent, by their respective attorney or attorneys thereunto lawfully authorised, in writing under his or their hand and seal or hands and seals, to be attested by two or more credible witnesses: and that the several persons to whom such transfers shall be made, shall respectively underwrite their acceptance thereof, and that no other method of assigning and transferring the said annuities, or any part thereof, or any interest therein, shall be good or available in law: provided always, That all persons possessed of any share or interest in either of the said stocks of annuities, or any estate or interest therein, may devise the same by will, in writing, attested by two or more credible witnesses; but that no payment shall be made upon any such devise, until so much of the said will as relates to such share, estate, or interest, in the said stocks of annuities be entered in the said office; and that in default of such transfer or devise, such share, estate, or interest, in the said stocks of annuities, shall go to the executors, administrators, successors, and assigns; and that no stamp duties whatsoever shall be charged on any of the said transfers; any law or statute to the contrary notwithstanding.

Stock may be devised.

Transfers not liable to stamp duties.

Treasury may defray incidental expenses out of contributions, and allow salaries to the cashier and accountant general.

XXIII. Provided always, and be it further enacted, That out of the monies arising from the contributions towards raising the said sum of twenty millions five hundred thousand pounds by annuities, any three or more of the commissioners of the treasury, or the high treasurer for the time being, shall have power to discharge all such incident charges as shall necessarily attend the execution of this act, in such manner as to them shall seem just and reasonable; and also to settle and appoint such allowances as shall be thought proper for the service, pains, and labour, of the said cashier or cashiers, for receiving, paying, and accounting for the said contributions; and also shall have power to make, out of the consolidated fund, such further allowances as shall be judged reasonable for the service, pains, and labour of the said cashier or cashiers for receiving, paying, and accounting for the said annuities payable by virtue of this act; and also for the service, pains and labour of the said accountant general, for performing the trust reposed in him by this act; all which allowances to be made as aforesaid, in respect of the service, pains, and labour, of any officer or officers of the said governor and company, shall be for the use and benefit of the said governor and company, and at their disposal only.

The 3l. per cent. consols. under this act to be added to the joint stock of 3l. per cent. consols.

XXIV. And be it further enacted, That all the monies to which any person or persons shall become entitled by virtue of this act, in respect of any sum advanced or contributed towards the said sum of twenty millions five hundred thousand pounds, on which the said annuities first mentioned, after the rate of three pounds *per centum per annum*, shall be attending, shall be added to the joint stock of annuities transferrable at the bank of *England*,
into

into which the several sums carrying an interest after the rate of three pounds *per centum per annum*, were, by several acts made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-second, and thirty-third years of the reign of his late majesty King George the Second, and by several subsequent acts, consolidated, and shall be deemed part of the said joint stock of annuities, subject nevertheless to redemption by parliament, in such manner, and upon such notice as in the said act made in the twenty-fifth year of his said late Majesty's reign, is directed in respect of the several and respective annuities redeemable by virtue of the said act; and that all and every person and persons and corporations whatsoever, in proportion to the money to which he, she, or they shall become entitled as aforesaid by virtue of this act, shall have and be deemed to have a proportional interest and share in the said joint stock of annuities at the rates aforesaid.

XXV. And be it further enacted, That all the monies to which any person or persons shall become entitled by virtue of this act, in respect of any sum advanced or contributed towards the said sum of twenty millions five hundred thousand pounds, on which the said annuity last mentioned, after the rate of three pounds *per centum per annum*, shall be attending, shall be added to the joint stock of annuities transferrable at the bank of *England*, which by an act made in the twenty-third year of the reign of his late Majesty, were reduced from four pounds *per centum per annum*, to three pounds *per centum per annum*, and shall be deemed part of the said joint stock of annuities, subject nevertheless to redemption by parliament, in such manner and upon such notice as in the several acts by which the said annuities after the rate of four pounds *per centum per annum* were respectively granted, are directed in respect of the annuities redeemable by virtue thereof, and that all and every person and persons, and corporations whatsoever, in proportion to the money to which he, she, or they shall become entitled as aforesaid by virtue of this act, shall have and be deemed to have a proportional interest and share in the said joint stock of annuities at the rate aforesaid.

The 3l. per cent. reduced to be added to the joint stock of 3l. percent. reduced.

XXVI. And be it further enacted, That if any person or persons shall forge or counterfeit, or cause or procure to be forged or counterfeited, or shall willingly act or assist in the forging or counterfeiting any receipt or receipts, for the whole of, or any part or parts of, the said contributions towards the said sum of twenty millions five hundred thousand pounds, either with or without the name or names of any person or persons being inserted therein, as the contributor or contributors thereto, or payer or payers thereof, or of any part or parts thereof, or shall alter any number, figure, or word therein, or utter or publish, as true, any such false, forged, counterfeited, or altered receipt or receipts, with intent to defraud the governor and company of the bank of *England*, or any body politick or corporate, or any person or persons whatsoever, every such person or persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering, or publishing as aforesaid,

Persons counterfeiting receipts for contributions, &c. guilty of felony.

being

being thereof convicted in due form of law, shall be adjudged guilty of felony, and shall suffer death as a felon, without benefit of clergy.

Bank to continue a corporation till the annuities hereby granted cease.

XXVII. Provided always, and be it further enacted, That the said governor and company of the bank of *England*, and their successors, notwithstanding the redemption of all or any of their own funds, in pursuance of the acts for establishing the same, or any of them, shall continue a corporation for the purposes of this act, until all the annuities 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.

No fee to be taken for receiving contributions, or paying or transferring annuities, on penalty of 20*l*.

XXVIII. And be it further enacted, That no fee, reward, or gratuity whatsoever, shall be demanded or taken of any of his Majesty's subjects, for receiving or paying the said subscription or contribution monies, or any of them, or for any receipt concerning the same, or for paying the said annuities, or any of them, or for any transfer of any sum, great or small, to be made in pursuance of this act, upon pain that any officer or person offending, by taking or demanding any such fee, reward, or gratuity, shall, for every such offence, forfeit the sum of twenty pounds to the party aggrieved, with full costs of suit, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, wherein no *essoïn*, protection, privilege, or wager of law, injunction or order of restraint, or any more than one imparlance shall be granted or allowed.

Persons sued may plead the general issue.

XXIX. And be it further enacted, That if any person or persons shall be sued, molested, or prosecuted, for any thing done by virtue or in pursuance of this act, such person or persons shall and may plead the general issue, and give this act and the special matter in evidence, in his, her, or their defence or defences; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall discontinue his, her, or their action or prosecution, or be nonsuited, or judgement 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. XXIII.

An act for granting to his Majesty additional duties of excise on British and foreign spirits, and tea.—[March 10, 1800.]

Most gracious Sovereign,

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies to defray your Majesty's publick expences, and making a permanent addition to the publick revenue, have freely and voluntarily resolved to give and grant unto

unto your Majesty, the several additional rates and duties of excise herein respectively mentioned; and do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that there shall be raised, levied, collected, and paid, to and for the use of his Majesty, his heirs and successors, upon the several goods, wares, merchandize, and commodities, mentioned and described in the schedule marked (A.) hereunto annexed, the several sums of money and duties of excise, as they are respectively inserted, described, and set forth, in the said schedule; and that there shall be made, allowed, and paid, for or in respect of goods, wares, merchandize, and commodities, for or in respect whereof any duty of excise is by this act imposed, to the several persons entitled to the same, the drawbacks of excise, as the same are also inserted, described, and set forth, in the schedule marked (B.) hereunto annexed; and also all such special allowances as are particularly directed by any act or acts of parliament in force on and immediately before the passing of this act; and the same respectively shall commence and take effect from the respective days mentioned in the said schedules, in cases where special dates are inserted therein, and in cases where no such date is inserted, from the day on which this act shall receive the royal assent.

Duties in schedule (A.) to be levied, and drawbacks in schedule (B.) allowed.

Commencement of duties.

II. And be it further enacted, That such of the duties of excise by this act imposed, as shall arise in that part of *Great Britain* called *England*, shall be under the management of the commissioners of excise in *England* for the time being; and such thereof as shall arise in that part of *Great Britain* called *Scotland* shall be under the management of the commissioners of excise in *Scotland* for the time being; and shall be accounted for, cleared off, paid, satisfied, and discharged, by the person and persons liable to the accounting for, clearing off, payment, satisfaction, or discharge thereof, at such time and times, and in such manner, as the duties of excise, chargeable upon the like goods, wares, merchandize, and commodities respectively, or upon any person or persons for or in respect thereof, were, by any act or acts of parliament in force immediately before the passing of this act, to be accounted for, cleared off, paid, satisfied, or discharged.

Duties to be under the management of the commissioners of excise in *England* and *Scotland* respectively.

III. And whereas contracts or agreements may have been made before the twenty sixth day of February one thousand eight hundred, by importers or dealers in foreign spirits, and by distillers and makers of spirits, for such spirits respectively, to be delivered after the said twenty-sixth day of February one thousand eight hundred; be it therefore enacted, That such importers or dealers, and such distillers and makers respectively, delivering such spirits after the said twenty-sixth day of February one thousand eight hundred, in pursuance of such contracts, shall be allowed to add so much money as will be equivalent to the duties by this act imposed, for or in respect of such spirits respectively to the price thereof, and shall

Where contracts have been made before February 26, 1800, for delivery of spirits after that day, the duty may be added to the price.

be entitled by virtue of this act to be paid for the same accordingly.

Duties and drawbacks to be levied and allowed according to, and the goods, &c. to be subject to, the laws of excise.

IV. And be it further enacted, That the said several sums of money respectively inserted, described, and set forth in the said schedule hereunto annexed, marked (A.) as the duties of excise, and the drawbacks of the duties of excise, set forth in the said schedule marked (B.), upon the several goods, wares, merchandize, or commodities inserted therein, shall and may be respectively raised, levied, collected, answered, paid, recovered, adjudged, mitigated, and allowed in such and the like manner, and in or by any or either of the general means, ways, or methods, by which the former duties of excise respectively, and drawbacks of duties of excise respectively, or by any or either of the special means, ways, or methods respectively, by which the former duties of excise respectively, and drawbacks of duties of excise respectively, upon goods, wares, merchandize, or commodities of the same sorts or kinds respectively, were or might be raised, levied, collected, answered, paid, recovered, adjudged, mitigated, and allowed; and the goods, wares, merchandize, or commodities, so by this act respectively made liable to the payment of, or chargeable with the duties of excise, or so entitled to drawbacks of duties of excise, as respectively inserted, described, and set forth in the said schedules hereunto annexed, shall be, and the same are hereby made subject to all and every the conditions, regulations, rules, restrictions, and forfeitures, to which goods, wares, merchandize, or commodities in general, and also all and every the special conditions, rules, regulations, restrictions, and forfeitures respectively, to which the like goods, wares, and merchandize respectively, were subject and liable by any act or acts of parliament in force immediately before the passing of this act, respecting the duties of excise; and all and every pain, penalty, fine, or forfeiture, of any nature or kind whatever, as well pains of death as others, for any offence whatever committed against or in breach of any act or acts of parliament in force immediately before the passing of this act, made for securing the revenue of excise, or for the regulation or improvement thereof; and the several clauses, powers, and directions therein contained shall and are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in execution, for and in respect of the several duties of excise, and drawbacks of duties of excise, hereby charged and allowed, in as full and ample manner, to all intents and purposes whatever, as if all and every the said acts, clauses, provisions, powers, directions, fines, pains, penalties, or forfeitures, were particularly repeated and re-enacted in the body of this act.

Duties and drawbacks on specifick quantities, to apply proportionally to greater or less quantities.

V. And be it further enacted, That in all cases where duties are imposed, or drawbacks allowed by this act on any specifick quantity of goods, wares, or merchandize, the same shall in every case be understood, and deemed and taken to apply in the same proportion and after the same rate to any greater or less quantity than such specifick quantity.

VI. And

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

Duties to be paid into the exchequer, and carried to consolidated fund,

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

and deemed an addition to the revenue for defraying the increased charge occasioned by any loan of this session.

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

Act may be altered this session.

SCHEDULES to which this act refers.

(A.)

SPIRITS.

FOR every gallon of fermented wort or wash, which shall be brewed or made in that part of *Great Britain* called *England*, for extracting spirits for home consumption from any malt, corn, grain, or tilts, or any mixture with the same, or which shall have been so brewed or made, and which shall not have been actually distilled into spirits on or before the twenty-sixth day of *February* one thousand eight hundred

£. s. d.

For every gallon of cyder or perry, or any other wash or liquor, which shall be brewed or made in that part of *Great Britain* called *England*, from any sort or kind of *British* materials, (except such as are before-mentioned), or from any mixture therewith, for extracting spirits for home consumption, or which

shall have been so brewed or made, and which shall not have been actually distilled into spirits on or before the said twenty-sixth day of *February* one thousand eight hundred - - - - - £. s. d.
0 0 1

For every gallon of fermented wort or wash, which shall be brewed or made in that part of *Great Britain* called *England*, from melasses or sugar, or any mixture therewith, for extracting spirits for home consumption, which shall be actually distilled into spirits on or before the first day of *June* one thousand eight hundred, or which shall have been brewed or made, and which shall not have been actually distilled into spirits on or before the twenty-sixth day of *February* one thousand eight hundred - - - - - 0 0 1

For every gallon of fermented wort or wash, which shall be brewed or made in that part of *Great Britain* called *England*, from melasses or sugar, or any mixture therewith, for extracting spirits for home consumption, after the first day of *June* one thousand eight hundred, or which shall be brewed or made, and which shall not be, or shall not have been actually distilled into spirits on or before the said first day of *June* one thousand eight hundred - - - - - 0 0 1½

For every gallon of wash, which shall be brewed or made in that part of *Great Britain* called *England*, from foreign refused wine, or foreign cyder, or wash prepared from foreign materials, (except melasses and sugar), or any mixture therewith, for extracting spirits for home consumption, or which shall have been so brewed or made, and which shall not have been actually distilled into spirits on or before the said twenty-sixth day of *February* one thousand eight hundred - - - - - 0 0 2

For every one hundred and twenty gallons of wash, which sir *William Bishop*, *Argles Bishop*, and *George Bishop*, or the survivors or survivor of them, shall produce from a weight of malt or other corn, including the bran thereof, and not exceeding one hundred and twelve pounds; or which by them, or the survivors or survivor of them, shall have been so produced, and which shall not have been actually distilled into spirits on or before the said twenty-sixth day of *February* one thousand eight hundred - - - - - 0 2 8½

For every gallon, *English* wine measure, of spirits of a strength not exceeding that of one to ten over hydrometer proof, which shall be made or manufactured in that part of *Great Britain* called *Scotland*, and imported or brought from thence into that part of *Great Britain* called *England*, or which shall have been so made or manufactured, and which shall have been so imported or brought, after the twenty-sixth day

day of *February* one thousand eight hundred, or which shall be so imported or brought

£.	s.	d.
0	0	5½

For every gallon, *English* wine measure, of such spirits which shall have been imported or brought from that part of *Great Britain* called *Scotland*, into that part of *Great Britain* called *England*, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or which shall be found in any ship or vessel in which the same shall have been so imported or brought, or in any lighter, boat, or other vessel after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand, an excise duty of

0	0	5½
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For every gallon, *English* wine measure, of such spirits of a greater strength than that of one to ten over hydrometer proof, and not exceeding three *per centum* over and above one to ten over hydrometer proof, which shall be made or manufactured in that part of *Great Britain* called *Scotland*, and imported or brought from thence into that part of *Great Britain* called *England*, or which shall have been so made or manufactured, and which shall have been so imported or brought after the said twenty-sixth day of *February* one thousand eight hundred, or which shall be imported or brought, an additional duty in proportion to the surplus strength.

For every gallon, *English* wine measure, of such spirits of a greater strength than that of one to ten over hydrometer proof, and not exceeding three *per centum* over and above one to ten over hydrometer proof, which shall have been imported or brought from that part of *Great Britain* called *Scotland*, to that part of *Great Britain* called *England*, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or which shall be found in any ship or vessel in which the same shall have been so imported or brought, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, an additional duty in proportion to the surplus strength, to be paid by the importer or proprietor, as the case may require, upon demand.

For every gallon of single brandy, which shall be imported into *Great Britain*, or which shall have

been so imported, after the said twenty-sixth day of *February* one thousand eight hundred, to be paid by the importer thereof, before the landing thereof -

£. s. d.
0 0 10

For every gallon of single brandy, which shall have been imported into *Great Britain*, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or which shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand

0 0 10

For every gallon of brandy, above proof, which shall be imported into *Great Britain*, or which shall have been so imported after the said twenty-sixth day of *February* one thousand eight hundred, to be paid by the importer before the landing thereof -

0 1 8

For every gallon of brandy above proof, which shall have been imported into *Great Britain*, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or which shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand

0 1 8

For every gallon of rum, spirits, or *aqua vita*, of the produce of the *British* colonies or plantations, which shall be imported into *Great Britain*, or which shall have been so imported after the said twenty-sixth day of *February* one thousand eight hundred, to be paid by the importer thereof before the landing thereof

0 0 8

For every gallon of rum, spirits, or *aqua vita*, of the produce of the *British* colonies or plantations, which shall have been imported into *Great Britain*, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or which shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping, and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof,

thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand - - - £. s. d.
 o o 8

For every gallon of rum, spirits, or *aqua vitæ*, above proof, of the produce of the *British* colonies or plantations, which shall be imported into *Great Britain*, or which shall have been so imported after the said twenty-sixth day of *February* one thousand eight hundred, to be paid by the importer thereof before the landing thereof - - - o I 4

For every gallon of rum, spirits, or *aqua vitæ*, above proof, of the produce of the *British* colonies or plantations, which shall have been imported into *Great Britain*, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or which shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand - - - o I 4

For every gallon of rum or spirits of the produce of the *British* plantations, which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or which shall be in any warehouse in which the same shall have been put, subject and according to the rules, regulations, restrictions, and provisions, contained and provided in an act, made in the fifteenth year of the reign of his late majesty King *George* the Second, concerning the landing of rum or spirits of the *British* sugar plantations before payment of the duties of excise, and lodging the same in warehouses, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or shall be delivered out of any such warehouse or warehouses respectively, for home consumption, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor, as the case may require, upon demand - - - o o 8

For every gallon of rum or spirits, above proof, of the produce of the *British* plantations, which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or shall be in any such warehouse, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or shall be delivered out of any such warehouse - - - L L 4

house for home consumption, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand, a duty of

£. s. d.

0 1 4

For every gallon of single spirits or *aqua vitæ* (other than such brandy, rum, or spirits as aforesaid), which shall be imported into *Great Britain*, or which shall have been imported after the said twenty-sixth day of *February* one thousand eight hundred, to be paid by the importer thereof, before the landing thereof

0 0 10

For every gallon of single spirits or *aqua vitæ* (other than such brandy, rum, or spirits as aforesaid), which shall have been imported into *Great Britain*, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand

0 0 10

For every gallon of spirits or *aqua vitæ* (other than such brandy, rum, or spirits as aforesaid), above proof, which shall be imported into *Great Britain*, or which shall have been so imported after the said twenty-sixth day of *February* one thousand eight hundred, to be paid by the importer thereof, before the landing thereof

0 1 8

For every gallon of spirits or *aqua vitæ* (other than such brandy, rum, or spirits as aforesaid), above proof, which shall have been imported into *Great Britain*, and which shall have been, after the said twenty-sixth day of *February* one thousand eight hundred, or shall be found in any ship or vessel in which the same shall have been imported, or in any lighter, boat, or other vessel, after the unshipping and before the landing thereof, or upon any pier, quay, wharf, or other place, upon the first landing thereof, and which shall not actually have been charged with any duty by this act imposed, to be paid by the importer or proprietor thereof, as the case may require, upon demand

0 1 8

T E A.

For and upon all tea which shall be sold at the sales of the united company of merchants of *England* trading to the *East Indies*,

Indies, for two shillings and sixpence *per pound* weight or upwards, after the twenty-sixth day of *February* one thousand eight hundred, five pounds *per centum*, to be computed upon the gross prices at which such tea shall be sold; to be paid by the purchasers of such tea to the said united company, and to be paid by the said united company to the commissioners of excise for the time being.

(B.)

DRAWBACKS.

T E A.

For all tea (for which the duty hereby imposed in respect thereof shall have been paid) which shall be exported to *Ireland*, or his Majesty's plantations in *America*, the whole of the duty of excise by this act imposed in respect thereof.

C A P. XXIV.

An act for the regulation of his Majesty's marine forces while on shore.—
[March 10, 1800.]

C A P. XXV.

An act to prohibit, until the first day of October one thousand eight hundred, the use of wheat in making starch.—[March 25, 1800.]

WHEREAS it is expedient that the making of starch, from *wheat*, should be prohibited 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, during the continuance of this act, no starch shall be made or prepared from any wheat, wheat flour, or wheat meal, or any mixture with wheat, wheat flour, or wheat meal.

No starch to be made from wheat or flour, or any mixture therewith.

II. And be it further enacted, That if, during the continuance of this act, any maker or makers of starch, or other person or persons whatever, shall make, or begin to make starch from any wheat, wheat flour, or wheat meal, or any mixture with wheat, wheat flour, or wheat meal, or shall put or lay, or cause or procure to be put or laid, in any vat, trough, or other utensil or vessel, any wheat, wheat flour, or wheat meal, or any mixture with wheat, wheat flour, or wheat meal, for the purpose of making starch, then, and in each and every such case, such maker or makers of starch, or other person or persons so offending; and the person or persons in whose custody or possession any vat, trough, or other utensil, or vessel, which shall be made use of contrary to the intention of this act, shall be found, shall, severally and respectively

Penalty for making starch from wheat, &c.

(over and above all other penalties imposed by any act or acts of parliament already in force), forfeit and pay the sum of two hundred pounds; and all such wheat, wheat flour, or wheat meal; together with every such fat, trough, or other utensil or vessel, shall be forfeited, and the same respectively shall and may be seized by any officer or officers of excise: provided always nevertheless, That nothing in this act contained shall extend, or be deemed or construed to extend, to subject any starch maker to the said penalty of two hundred pounds, for or by reason of his completing or finishing any operation of starch-making, from any wheat, wheat flour, or wheat meal, openly put in fermentation in his entered starch house, on or before the twentieth day of *March* one thousand eight hundred, so that such operation shall be continued without wilful delay; any thing in this act contained to the contrary in anywise notwithstanding.

but not to extend to completing wheat, &c. put in fermentation on or before March 20, 1800.

Wheat, &c. found in starch houses forfeited, and the persons in whose possession found to forfeit 200l.

III. And be it further enacted, That if any wheat, wheat flour, or wheat meal, shall, during the continuance of this act, be found in any starch house, or in any place wherein starch shall be preparing or making, or wherein any starch shall have been prepared or made, or which shall have been, or shall be, entered for making or preparing of starch, all such wheat, wheat flour, or wheat meal, shall be forfeited, together with the vessels, sacks, bags, and other things containing the same, and the same shall and may be seized by any officer or officers of excise; and the person or persons in whose possession such starch house or place shall be, shall for every such offence forfeit the sum of two hundred pounds.

Persons authorized, and officers of excise, may enter starch houses, and inspect materials;

IV. And be it further enacted, That, during the continuance of this act, it shall and may be lawful to and for any person or persons who shall be authorized for that purpose by the commissioners of excise for the time being, or any two or more of them, within the limits of the chief office of excise, in *London*, or by one or more justice or justices of the peace, in any other part of *Great Britain*, at any time or times, with any officer or officers of excise, or for any officer or officers of excise, to enter into any starch house, or any other place whatever, wherein any starch shall be, or shall be suspected to be, preparing or making, or prepared or made, and every such officer of excise, and person so authorized as aforesaid, shall have free admittance into, and may inspect all the materials, vessels, and utensils, contained in any such starch house or other place (giving thereby as little interruption as may be to the lawful business which shall be there carrying on); and in case any such officer of excise shall have reason to suspect that any wheat, wheat flour, or wheat meal, is mixed in any waters or liquids, or with any other materials or preparations whatsoever, or is otherwise in operation for preparing or making starch, it shall be lawful for such officer, at any time or times during the continuance of this act, upon payment of three-pence per pound weight, (if demanded), to take a sample, not exceeding fifty pounds weight, of any such mixtures in waters or liquids, or other materials or preparations, which shall be found in any such starch

and officers may take samples of mixtures, paying for the same, if they suspect wheat, &c. to be mixed therein.

starch house or other place aforesaid; and in case any maker of starch, or the owner or occupier of any such starch house or place, or any workman or servant belonging to any such maker or makers, or owner or occupier, shall refuse to admit such person or persons as shall be so authorized, or any officer or officers of excise, into any such starch house or place, or shall obstruct or hinder any such officer, or person or persons, in making such inspection as aforesaid, or shall not allow any such officer to take such sample, after the said sum of three-pence *per* pound weight shall be paid or tendered for the same, every such maker, owner, or occupier shall for every such offence respectively forfeit the sum of two hundred pounds; and it shall be lawful for any such officer of excise, or other person or persons authorized as aforesaid, having a warrant for that purpose from any two or more of the commissioners of excise, or any justice or justices respectively, as aforesaid, to seize, take, and carry away, all such wheat, wheat flour, or wheat meal, and also all such mixtures, or waters, or liquids, or other materials or preparations, as shall be found in any such starch house, or other place, together with all the vessels, sacks, bags, and other things in which the said commodities, or any of them, shall be contained.

V. Provided always, and be it further enacted, That it shall and may be lawful for any maker or makers of starch, to have or keep, for his, her, or their necessary use in any dwelling house, room, or place, (not being an entered house, room, or place, for making or preparing of starch), any quantity of wheat, wheat flour, or wheat meal, not exceeding at any one time the quantity of eight bushels; and that if any such maker or makers shall, during the continuance of this act, be possessed of, or have in his, her, or their custody or possession, or in the custody or possession of any person or persons in trust or for the use or benefit of such maker, more than eight bushels of wheat, wheat flour, or wheat meal, at any one time, in any one or more place or places, every such maker or makers shall for every such offence respectively forfeit all such wheat, wheat flour, or wheat meal, exceeding the said quantity of eight bushels, and also the sum of five pounds for every bushel so forfeited: provided always nevertheless, That this act shall not extend to inflict the said last-mentioned forfeiture or penalty, or either of them, upon any maker of starch who shall be the actual grower of wheat, and shall be possessed of any quantity of such wheat, in the straw, grown by him, or after such wheat is threshed out or separated from the straw; provided that such wheat shall not be kept in his possession, or in the possession of any other person or persons in trust for him, for a greater space of time than twenty days after the same shall be threshed or separated from the straw, and so as such wheat be not kept in any place used for making, preparing, or keeping starch: provided also, That this act shall not extend to inflict the said last-mentioned forfeiture and penalty, or either of them, upon any maker of starch who practises the trade of a miller, and who was possessed of, and as a miller worked, any mill or mills for

Penalty of 200l for refusing admision, or preventing the inspection of materials, &c.

Wheat, &c. so found may be seized.

Makers of starch may keep in their houses wheat or flour not exceeding eight bushels.

Penalty for having more than the quantity;

but not to extend to starch makers being growers of wheat, or millers, in certain cases.

grinding of wheat, barley, or other grain, on or before the passing of this act, for or upon account of any quantity of wheat, wheat flour, or wheat meal, which shall, during the time herein-before limited, be found not wetted or steeped in any such mill or mills; any thing herein contained to the contrary notwithstanding.

On oath of ground of suspicion that more than eight bushels of wheat or flour is kept in any storehouse, &c. officers of excise and other persons may be authorized to search, and may seize the surplus, and the persons in whose custody found, to forfeit 5l. per bushel.

VI. And be it further enacted, That in case any officer or officers of excise, or any other person or persons, shall at any time or times have cause to suspect that any wheat, wheat flour, or wheat meal, exceeding the quantity of eight bushels, belonging to any maker or makers of starch, shall be laid or kept in any storehouse, warehouse, granary, or other place or places, contrary to the true intent and meaning of this act, then, and in every such case, upon oath made by such officer or officers, or other person or persons, before the commissioners of excise, or any two or more of them, in *England*, for the time being, or before one or more justice or justices of the peace residing near the place where such officer or officers, or other person or persons, shall suspect the same to be laid or kept, setting forth the ground of his or their suspicion, it shall and may be lawful to or for the said commissioners, or justice or justices of the peace respectively, before whom such officer or officers, or other person or persons, shall make oath as aforesaid, (if he or they shall judge it reasonable), by special warrant under his or their respective hands and seals, to authorize and empower such officer or officers, or other person or persons authorized as aforesaid, by day or by night, (but if in the night, then in the presence of a constable or other lawful officer of the peace), to enter into all and every storehouse, warehouse, granary, or other place or places, where he or they shall so suspect that any wheat, wheat flour, or wheat meal, exceeding the quantity of eight bushels, belonging to any such maker or makers, shall be laid or kept, and to seize, take, and carry away, all such wheat, wheat flour, or wheat meal, as he or they shall so find, (over and above the said quantity of eight bushels), together with all the vessels, sacks, bags, or other things, wherein the same shall be contained; and such maker or makers, or the person or persons in whose custody or possession such wheat, wheat flour, or wheat meal, belonging to such maker or makers as aforesaid, shall be found, shall for every such offence respectively forfeit and pay the said penalty of five pounds for every bushel exceeding the said quantity of eight bushels; and the said officer or officers, and other person or persons, is or are hereby empowered by such warrant, together with such other person or persons as he or they shall take to his or their assistance, to enter such storehouses, warehouses, granaries, or other place or places, and break open the doors thereof, in case they be not forthwith opened on demand.

Doors may be broke open.

VII. *And whereas there may have been contracts made by makers of starch with several persons for starch or hair powder to be delivered and received at future times after the passing of this act*; be it therefore further enacted, That all contracts or bargains made by any maker or makers of starch, with any person or persons

Contracts for delivery of starch or hair powder

what-

whatever, for any starch or hair powder to be delivered at any time during the continuance of this act, shall be, and are hereby declared to be null and void.

VIII. And be it further enacted, That if any person or persons shall obstruct or hinder any officer or officers of excise in the execution of any of the powers and authorities to him or them given by this act, the person or persons offending therein, shall, for every such offence, forfeit and lose the sum of two hundred pounds.

IX. And be it further enacted, That all fines, penalties, and forfeitures, imposed by this act, and which shall be prosecuted or sued for by an order of the commissioners of excise in *England* or *Scotland* respectively, or by any officer or officers of excise, shall be sued for, recovered, levied, or mitigated, by such ways, means, or methods, as any fine, penalty or forfeiture may be sued for, recovered, levied, or mitigated, by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland*, respectively; and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him, her, or them; who shall inform, discover, or sue for the same.

X. And be it further enacted, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, such action or suit shall be commenced within the space of one calendar month next after the offence shall be committed; and if such action or suit shall be commenced or prosecuted in that part of *Great Britain* called *England*, the defendant or defendants in any such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases by law; and if such action or suit be commenced or prosecuted in that part of *Great Britain* called *Scotland*, the court before whom such action or suit shall be brought shall allow the defender to plead this act in his defence, and the pursuer shall not insist on his action; or if judgement shall be given against such pursuer, the defender shall and may recover the full and real expences he may have been put to by any such action or suit.

XI. Provided always, and be it enacted, That in case his Majesty, at any time or times after the passing of this act, shall, in his royal discretion, judge it to be most for the benefit and advantage of this kingdom to permit the making of starch from wheat, wheat flour, or wheat meal, that then it shall and may be

lawful

lawful to and for his Majesty, by his royal proclamation or proclamations, to be issued by and, with the advice of his privy council, or by his Majesty's order in council, to be published in the *London Gazette*, from time to time to permit and suffer all and every person and persons, natives and foreigners, (but not any particular person or persons), at any time or times after the passing of this act, to make starch from wheat, wheat flour, or wheat meal, any thing herein contained to the contrary notwithstanding.

Commence-
ment and
continuance
of act.

XII. And be it further enacted, That this act shall commence and take effect as to all such matters and things therein contained, in respect whereof no special commencement is hereby directed or provided, from and immediately after the passing of this act, and shall be and remain in force until and upon the first day of *October* one thousand eight hundred.

C A P. XXVI.

An act for granting to his Majesty the sum of two hundred thousand pounds, to be issued and paid to the governor and company of the bank of England, to be by them placed to the account of the commissioners for the reduction of the national debt.—[March 25, 1800.]

C A P. XXVII.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.—[March 25, 1800.]

Number of forces 80,275, including 5,792 invalids.

C A P. XXVIII.

An act for establishing an agreement with the governor and company of the bank of England, for advancing the sum of three millions, towards the supply for the service of the year one thousand eight hundred.—[March 28, 1800.]

Most gracious Sovereign,

Preamble.

Recital of
7 Annæ, c. 7.

WHEREAS by an act of parliament, made in the seventh year of the reign of her late majesty Queen Anne, intituled, An act for enlarging the capital stock of the bank of England; and for raising a further supply to her Majesty, for the service of the year one thousand seven hundred and nine; it was declared and enacted, That the governor and company of the bank of England, and their successors for ever, should continue and be one body corporate and politick, and should for ever have, receive, and enjoy, the entire yearly fund of one hundred thousand pounds therein-mentioned, out of certain rates and duties of excise therein described, and such abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits, and advantages, as are therein expressed; subject nevertheless to a power and condition of redemption, in that act contained in that behalf: and it was thereby provided and enacted, That at any time, upon twelve months notice, after the first day of August which should be in the year of our Lord one thousand seven hundred

hundred and thirty-two, and not before; and upon repayment by parliament, to the said governor and company of the bank of England, or their successors, of the several sums, amounting to one million six hundred thousand pounds therein-mentioned, without any deduction, discount, or abatement whatsoever to be made out of the said sum of one million six hundred thousand pounds, or any part thereof; and upon payment to the said governor and company, and their successors, of all arrears of the said one hundred thousand pounds per annum, and all the principal and interest money which should be owing unto them upon all such tallies, exchequer orders, or parliamentary funds, which the said governor and company, or their successors, should have remaining in their hands, or be entitled to, at the time of such notice to be given as aforesaid, (such funds for redemption whereof other provision was made in the same act only excepted); then, and in such case, and not till then, the said yearly fund of one hundred thousand pounds should cease and determine, as by the said act (relation being thereunto had) may more plainly appear: and whereas, by an act of parliament, made in the twelfth year of her said late Majesty's reign, intituled, An act to raise twelve hundred thousand pounds for publick uses, by circulating a further sum in exchequer bills; and for enabling her Majesty to raise five hundred thousand pounds on the revenues appointed for uses of her civil government, to be applied for or towards payment of such debts and arrears owing to her servants, tradesmen, and others, as are therein mentioned; the before recited proviso or condition for determining the said yearly fund of one hundred thousand pounds, upon twelve months notice after the said first day of August one thousand seven hundred and thirty-two, upon such payments as aforesaid, was thereby repealed and made void: and it was thereby provided and enacted, That at any time, upon twelve months notice after the first day of August which should be in the year of our Lord one thousand seven hundred and forty-two, and not before; and upon repayment by parliament, to the said governor and company of the bank of England, or their successors, of the said sum of sixteen hundred thousand pounds, without any deduction, discount, or abatement whatsoever, and upon payment to the said governor and company, and their successors, of all arrears of the said one hundred thousand pounds per annum, and all the principal and interest money which should be owing to them upon all such tallies, exchequer orders, or parliamentary funds, which the said governor and company, or their successors, should have remaining in their hands, or be entitled to at the time of such notice to be given as aforesaid, (such funds for redemption whereof other provision is made in the said former acts, or any of them, or in the said recited act, always excepted); then, and in such case, and not till then, the said yearly fund of one hundred thousand pounds should cease and determine: and it is also further provided and enacted, That from and after such redemption of the said one hundred thousand pounds per annum, and from and after redemption should be made by parliament of the annuity of one hundred and six thousand five hundred and one pounds, thirteen shillings, and five-pence, by the said recited act of

Recital of an
act 12 Annæ.

the

Recital of 15
Geo. 2. c. 13.

the seventh year of her said late Majesty's reign, settled and payable to the said governor and company, in the manner therein-mentioned; and from and after redemption should likewise be made of the fund established by the said recited act, in relation to the exchequer bills therein-mentioned; then, and not till then, the said corporation of the governor and company of the bank of England should cease and determine; but, till then, the said governor and company should continue a corporation, and should have and enjoy all the powers and privileges they were entitled to, as by the same act (relation being thereunto had), may more fully appear: and whereas by an act of parliament, made in the fifteenth year of the reign of his late majesty King George the Second, intituled, An act for establishing an agreement with the governor and company of the bank of England, for advancing the sum of one million six hundred thousand pounds, towards the supply for the service of the year one thousand seven hundred and forty-two; the said governor and company, and their successors, were directed to advance and pay into the receipt of his Majesty's exchequer for his Majesty's use, the full sum of one million six hundred thousand pounds, on or before such time, and in such manner, and under such conditions, as in the said act are mentioned: and it was thereby declared and enacted, That the several and respective provisos contained in the said acts of the seventh and twelfth years of the reign of her late majesty Queen Anne, and each of them, and all other provisos contained in any other act or acts of parliament for determining the said fund of one hundred thousand pounds per annum, and the said corporation of the governor and company of the bank of England, upon the respective notices and payments in the same respective acts mentioned, should be, and were thereby repealed and made void; and that the said governor and company of the bank of England, so enlarged as aforesaid, and their successors for ever, should remain, continue, and be one body corporate and politick, by the name aforesaid, and should for ever have, receive, and enjoy, the said entire yearly fund of one hundred thousand pounds; out of the said rates and duties of excise, together with a perpetual succession and privilege of exclusive banking as therein-after was mentioned, and all other abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits, and advantages whatsoever, whereunto the governor and company of the bank of England, before the making of the said act, were entitled, by the said acts of the seventh and twelfth years of the reign of her said late majesty Queen Anne, or either of them, or by any other act or acts of parliament, grants, or charters whatsoever, then in force; all which were, by the said act, ratified and confirmed to the said governor and company, and their successors, freed and discharged of and from the said provisos and conditions of redemption thereby repealed, or intended to be repealed, as aforesaid, and all other provisos, powers, acts, matters, and things whatsoever, theretofore had, made, done, or committed, for redeeming, determining, or making void, the said corporation, or yearly fund of one hundred thousand pounds, and the said privilege of exclusive banking, and all other their abilities, capacities, powers, authorities, franchises, exemptions, privileges,

privileges, profits, and advantages, or any of them; subject nevertheless to such restrictions, rules, and directions; and also to such other agreements, matters, and things, as in the said acts and charters, or any of them then in force, were contained or prescribed, and also subject to the power and condition of redemption thereafter in the said act contained in that behalf: and it was thereby also provided and enacted, That at any time, upon twelve months notice, after the first day of August which should be in the year of our Lord one thousand seven hundred and sixty-four, and, not before, and upon the repayment by parliament, to the said governor and company of the bank of England, or their successors, as well of the said sum of one million six hundred thousand pounds formerly advanced, as of the sum of one million six hundred thousand pounds before-mentioned then to be advanced, amounting, in the whole, to the sum of three millions two hundred thousand pounds, without any deduction, discount, or abatement whatsoever, to be made out of the said sum of three millions two hundred thousand pounds; or any part thereof; and upon payment to the said governor and company, and their successors, of all the arrears of the said one hundred thousand pounds per annum, and all the principal and interest money which should be owing unto them upon all such tallies, exchequer orders, exchequer bills, or parliamentary funds, which the said governor and company, or their successors, should have remaining in their hands, or be entitled to, at the time of such notice to be given as aforesaid, (such funds for redemption whereof other provision was made in and by the acts of parliament therein mentioned, always and only excepted); then, and in such case, and not till then, the said yearly fund of one hundred thousand pounds should cease and determine: and whereas by an act of parliament, made in the fourth year of the reign of his present Majesty, intituled, An act for establishing an agreement with the governor and company of the bank of England, for raising certain sums of money towards the supply for the service of the year one thousand seven hundred and sixty-four; and for more effectually preventing the forging powers to transfer such stock, or receive such dividends or annuities as are therein mentioned, and the fraudulent personating the owners thereof; it is recited, That the governor and company of the bank of England were willing and contented to advance, towards the supply granted to his Majesty for the service of the year one thousand seven hundred and sixty-four, the sum of one million, on exchequer bills bearing interest, to be paid quarterly; and the said exchequer bills to be charged upon, and repaid out of, the first aids or supplies which should be granted by parliament for the service of the year one thousand seven hundred and sixty-six; and in case sufficient aids or supplies should not be granted for that purpose before the fifth day of April one thousand seven hundred and sixty-six, the same to be charged upon, and repaid out of, the sinking fund; and also to pay into his Majesty's exchequer, towards the said supply, the sum of one hundred and ten thousand pounds, without any repayment of the principal, or allowance of interest for the same; provided that the privilege of exclusive banking, and all other abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits, and advantages,

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4 Geo. 3. c. 25.

advantages, in the said recited or any former act contained, should be granted and confirmed to the said governor and company, in such manner as in the said recited act is mentioned: and it was by the said last recited act (amongst other things) declared and enacted, That such part of the said recited provision, contained in the said act made in the fifteenth year of the reign of his late majesty King George the Second, as relates to the determining the said fund of one hundred thousand pounds per annum, and the said corporation of the governor and company of the bank of England, upon the notice and payments therein mentioned, should be, and were thereby repealed and made void; and that the said governor and company of the bank of England, and their successors for ever, should remain, continue, and be one body corporate and politick, by the name aforesaid, and should for ever have, receive, and enjoy, the said-entire yearly fund of one hundred thousand pounds, out of the said rates and duties of excise; together with a perpetual succession and privilege of exclusive banking, as therein-after was mentioned, and all other abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits, and advantages whatsoever, whereunto the governor and company of the bank of England, before the making of the said act, were entitled by the said acts of the seventh and twelfth years of the reign of her said late majesty Queen Anne, and the said act of the fifteenth year of the reign of his late majesty King George the Second, or any of them, or by any other act or acts of parliament, grants, or charters whatsoever, then in force; all which were by the said act ratified and confirmed to the said governor and company, and their successors, freed and discharged of and from the said proviso and conditions of redemption thereby repealed, or intended to be repealed, as aforesaid, and all other provisos, powers, acts, matters, and things whatsoever, theretofore had, made, done, or committed, for redeeming, determining, or making void the said corporation, or yearly fund of one hundred thousand pounds, and the said privilege of exclusive banking, and all other their abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits, and advantages, or any of them; subject nevertheless to such restrictions, rules, and directions, and also to such other agreements, matters, and things, as, in the said acts and charters, or any of them then in force, were contained or prescribed, and also subject to the power and condition thereafter in the said act contained in that behalf: and it was thereby also provided and enacted, That, at any time, upon twelve months notice, after the first day of August which should be in the year of our Lord one thousand seven hundred and eighty-six, and not before, and upon repayment by parliament, to the said governor and company of the bank of England, or their successors, of the said sum of three millions two hundred thousand pounds advanced by virtue of the said in part recited acts, without any deduction, discount, or abatement whatsoever, to be made out of the said sum of three millions two hundred thousand pounds, or any part thereof; and upon payment to the said governor and company, and their successors, of all the arrears of the said one hundred thousand pounds per annum, and all the principal and interest money which should be owing unto them, upon all such tallies, exchequer orders, exchequer bills, or parliamentary funds, which the said

governor

governor and company, or their successors, shall have remaining in their hands, or be entitled to at the time of such notice to be given as aforesaid (such funds for redemption whereof other provision was made in and by the acts of parliament therein-mentioned, always and only excepted); then, and in such case, and not till then, the said yearly fund of one hundred thousand pounds should cease and determine: and whereas, by an act of parliament made, in the twenty-first year of the reign of his present Majesty, intituled, An act for establishing an agreement with the governor and company of the bank of England, for advancing the sum of two millions towards the supply for the service of the year one thousand seven hundred and eighty-one; it is recited that the said governor and company of the bank of England were willing and contented to advance towards the supply granted to his Majesty for the service of the year one thousand seven hundred and eighty-one the sum of two millions, at the periods therein-mentioned, on exchequer bills, bearing interest at the rate of three pounds per centum per annum; and the said exchequer bills to be charged upon and repaid out of any of the aids or supplies which should be granted by parliament for the service of the year one thousand seven hundred and eighty-four; and in case sufficient aids or supplies should not be granted for that purpose before the fifth day of April one thousand seven hundred and eighty-four, the same to be charged upon and repaid out of the sinking fund; provided that the privilege of exclusive banking, and all other the abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits, and advantages, in any former act contained, should be granted and confirmed to the said governor and company, in such manner as therein after-mentioned: and it was by the said recited act, amongst other things, declared and enacted, That such part of the said recited provision, contained in the said act made in the fourth year of the reign of his present Majesty, as relates to the determining the said fund of one hundred thousand pounds per annum, and the said corporation of the governor and company of the bank of England, upon the notice and payments therein mentioned, should be and were thereby repealed and made void; and that the said governor and company of the bank of England, and their successors for ever, should remain, continue, and be one body corporate and politick, by the name aforesaid, and should for ever have, receive, and enjoy the said entire yearly fund of one hundred thousand pounds, out of the said rates and duties of excise, together with a perpetual succession and privilege of exclusive banking, as therein-after is mentioned, and all other abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits, and advantages, whatsoever, whereunto the governor and company of the bank of England were or before the making of the said recited act were entitled by the said acts of the seventh and twelfth years of the reign of her said late majesty Queen Anne, and the said acts of the fifteenth year of the reign of his late majesty King George the Second, and of the fourth year of the reign of his present Majesty, or any of them, or by any other act or acts of parliament, grants, or charters, whatsoever, then in force, or which were by the said act ratified and confirmed to the said governor and company,

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21 Geo. 3.
c. 60.

and their successors, freed and discharged of and from the said proviso and conditions of redemption, thereby repealed, or intended to be repealed, as aforesaid, and all other provisos, powers, acts, matters, and things, whatsoever, theretofore had, made, done, or committed, for redeeming, determining, or making void, the said corporation or yearly fund of one hundred thousand pounds, and the said privilege of exclusive banking, and all other their abilities, capacities, powers, authorities, franchises, exemptions, privileges, profits, and advantages, or any of them; subject nevertheless to such restrictions, rules, and directions, and also to such other agreements, matters, and things, as in the said acts and charters, or any of them in force, were contained or prescribed, and also subject to the power and condition of redemption therein after contained in that behalf: and it was thereby provided and enacted, That at any time, upon twelve months notice, after the first day of August which should be in the year of our Lord one thousand eight hundred and twelve, and not before, and upon repayment by parliament, to the said governor and company of the bank of England, or their successors, of the said sum of three millions two hundred thousand pounds, advanced by virtue of the said in part recited acts, without any deduction, discount, or abatement whatsoever, to be made out of the said sum of three millions two hundred thousand pounds, or any part thereof; and upon payment to the said governor and company, and their successors, of all the arrears of the said one hundred thousand pounds per annum, and all the principal and interest money which should be owing unto them upon all such tallies, exchequer orders, exchequer bills, or parliamentary funds, which the said governor and company, or their successors, should have remaining in their hands, or be entitled to at the time of such notice to be given as aforesaid, such funds for redemption whereof other provision is made in and by the acts of parliament therein-mentioned, always and only excepted; then and in such case, and not till then, the said yearly fund of one hundred thousand pounds shall cease and determine; and to prevent any doubts that might arise concerning the privilege or power given, by former acts of parliament, to the said governor and company, of exclusive banking, and also in regard to the erecting any other bank or banks by parliament, or restraining other persons from banking during the continuance of the said privilege, granted to the governor and company of the bank of England, as therein before recited; it was by the said recited act further enacted and declared, That it was the true intent and meaning of the same act, that no other bank should be erected, established, or allowed by parliament; and that it should not be lawful for any body politick or corporate whatsoever, erected or to be erected, or for any other persons, united or to be united in coventants or partnership, exceeding the number of six persons, in that part of Great Britain called England, to borrow, owe, or take up, any sum or sums of money on their bills or notes, payable at demand, or at any less time than six months from the borrowing thereof, during the continuance of such said privilege, to the said governor and company, who were thereby declared to be and remain a corporation, with the privilege of exclusive banking, as before recited, subject to redemption on the terms and conditions before-mentioned; (that is to say),

say), On one year's notice, after the first day of August one thousand eight hundred and twelve, and repayment of the three millions two hundred thousand pounds, and all arrears of the one hundred thousand pounds per annum, and all the principal and interest money that should be owing them on all such tallies, exchequer orders, exchequer bills, or parliamentary funds, (such funds as were before-mentioned only and always excepted), which the said governor and company, or their successors, should have remaining in their hands, or be entitled to, at the time of such notice to be given as aforesaid, and not otherwise; any thing in the said recited act, or any former act or acts of parliament, to the contrary in anywise notwithstanding: and whereas the said governor and company of the bank of England are willing and contented to advance, towards the supply granted to your Majesty for the service of the year one thousand eight hundred, the sum of three millions, on or before the fifth day of April one thousand eight hundred, on the security of exchequer bills, to bear date the said fifth day of April one thousand eight hundred, and to be made payable without interest, and to be charged and chargeable upon and repaid out of the first aids or supplies which shall be granted by parliament for the service of the year one thousand eight hundred and six; and in case sufficient aids or supplies shall not be granted by parliament for that purpose before the fifth day of April one thousand eight hundred and six, the same to be charged and chargeable upon and repaid out of the consolidated fund; provided that the said governor and company shall have the option of being repaid the said sum of three millions, at any time before the expiration of the term of six years, to be computed from the said fifth day of April one thousand eight hundred, in case the price of the three per centum consolidated annuities shall be eighty pounds per centum, or more, upon giving six month's notice for that purpose to the lord high treasurer, or to the lords commissioners for executing the office of lord high treasurer of Great Britain for the time being, and upon such repayment the said governor and company shall deduct or allow a discount to the publick at and after the rate of five pounds per centum per annum on the sum repaid for such part of the said term of six years as shall then remain unexpired, and that in consideration of the said advance of three millions in the manner, for the period, and upon the terms above-mentioned, the said governor and company be continued a corporation with the sole power and privilege of exclusive banking, and all other the abilities, capacities, powers, authorities, franchises, immunities, exemptions, privileges, profits, emoluments, benefits, and advantages, which they now have, possess, or enjoy, by virtue or in pursuance of their charter, or of any former act or acts of parliament, or of any employment by or on behalf of the publick, be granted and confirmed to the said governor and company, in such manner as is herein-after mentioned: now, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, being desirous to raise, with as much ease and advantage as possible to your subjects, the necessary supplies, and to encourage the said governor and company to advance the said sum of three millions, do most humbly beseech your Majesty that it may be enacted; and be it

The bank are willing to advance three millions for the service of the present year;

provided their exclusive privilege of banking, &c. be confirmed.

Commissioners of the treasury empowered to make out exchequer bills for three millions, before April 5, 1800.

All the provisions, penalties, &c. contained in the malt act of this session relating to exchequer bills, (except, &c.)

shall be applied to the exchequer bills to be made in pursuance of this act.

No interest payable on exchequer bills.

Bills issued at the exchequer not to be current to any collector of the customs, &c. for six years.

enacted by the King's most excellent majesty, by and with the 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 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, at any time or times before the fifth day of *April* one thousand eight hundred, to cause or direct any number of exchequer bills to be made out for any sum or sums of money, not exceeding in the whole the sum of three millions, in the same or like manner, form, and order, and according to the same or like rules and directions, as 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 eight hundred*, are enacted and prescribed concerning the exchequer bills to be made in pursuance of the said act.

II. And be it further enacted, That all and every the clauses, provisions, powers privileges, advantages, penalties, forfeitures, and disabilities, contained in the said last-mentioned act, relating to the 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 such clauses as limit or relate to the ascertaining the rate of interest to be paid for the forbearance of money lent on the credit of the said act, and also except as herein-after mentioned), shall be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually, to all intents and purposes, as if the same had been originally authorized by the said last mentioned act, or as if the said several clauses or provisions had been particularly repeated and re-enacted in the body of this act.

III. And be it further enacted, That no interest whatsoever shall be payable upon or by virtue of the exchequer bills to be made out in pursuance of this act; and that the whole thereof shall bear date the fifth day of *April* one thousand eight hundred, and be made payable on the fifth day of *April* one thousand eight hundred and six.

IV. Provided always, and be it further enacted, That no exchequer bill or bills to be made out by virtue of this act, shall, after the same hath or have been issued at the exchequer, be afterwards, at any time before the expiration of six years from the day of the date of such exchequer bill, received or taken, or paid or be current to any receiver or collector, in *Great Britain*, of the customs, excise, or any revenue, supply, aid, or tax whatsoever, due or payable to his Majesty, his heirs or successors, or at the receipt of the exchequer, from any such receiver or collector, or from any other person or persons, bodies politick or corporate; nor shall any such receiver or collector exchange, at any time before the expiration of six years from the day of the date of such exchequer bills, for any money of such revenues, aids, taxes, or supplies, in his hands, any exchequer bill or bills which shall have

been

been issued as aforesaid by virtue of this act; nor shall any action be maintained against any such receiver or collector for neglecting or refusing to exchange any such bill or bills for ready money, before the same shall have been issued six years from the receipt of the exchequer, according to the date thereof; any thing in the said act made in 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 eight hundred,* or this act contained to the contrary notwithstanding.

V. And be it further enacted, That all such exchequer bills, and all 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 any of the aids or supplies which shall be granted by parliament for the service of the year one thousand eight hundred and six; and in case sufficient aids or supplies for that purpose shall not be granted before the fifth day of *April* one thousand eight hundred and six, then all the said exchequer bills, with the 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 *April* one thousand eight hundred and six, shall be or remain in the receipt of the exchequer of the consolidated fund, (except such monies of the said consolidated fund as shall then be appropriated to any particular use or uses by any act or acts of parliament in that behalf); and such monies of the said consolidated fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling, and discharging such exchequer bills, 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.

VI. Provided always, and be it further enacted, That whatever monies shall be so issued out of the said consolidated fund, shall, from time to time, be replaced by and out of the first supplies to be then after granted by parliament; any thing herein contained to the contrary notwithstanding.

VII. Provided also, and be it further enacted, That in case provision shall not be made by parliament for payment of exchequer bills, to be issued in pursuance of this act, so that the same shall be fully paid and discharged on or before the fifth day of *April* one thousand eight hundred and six, then, and in that case, the said exchequer bills, or such part thereof as shall then remain unpaid, shall, from and after the said fifth day of *April* one thousand eight hundred and six, bear an interest of five pounds *per centum per annum*; and such interest shall be, and the same is hereby charged and chargeable upon, and shall be borne and paid by or out of the said fund as the principal money payable by the said exchequer bills is by this act charged and chargeable upon; any thing herein contained to the contrary thereof in anywise notwithstanding.

Exchequer bills to be repaid out of any supplies to be granted for the year 1806.

If sufficient supplies are not granted before *April*, 1806, the said bills shall be charged on the consolidated fund.

Monies so issued out of the consolidated fund to be replaced out of the first supplies.

Exchequer bills to bear interest, if not paid on or before *April* 5, 1806.

The bank to exchange for their promissory notes all such bills as shall, within six years, be tendered to them:

VIII. And it is further enacted, That the said governor and company of the bank of *England*, and their successors, shall, and are hereby required to exchange for the promissory notes of the said governor and company, payable to bearer on demand, from time to time, all such of the said exchequer bills, as shall, within the space of six years from the date thereof, be tendered or produced to them, or their cashier or cashiers, for that purpose, by any person or persons; and shall pay, or cause to be paid, to such person or persons, in such notes as aforesaid, the sum for which every such bill, so tendered or produced, was issued, and shall exchange in manner aforesaid such of the said bills as shall have been, from time to time, paid away or circulated by or on the behalf of the said governor and company or their successors, and shall, before the said fifth day of *April* one thousand eight hundred and six, be tendered or produced as aforesaid, as often as such case shall happen: and the said governor and company, or their successors, or their agents or servants, shall not be entitled to or receive any premium, rate, or allowance whatsoever, for or in respect of the exchanging or circulating the said exchequer bills; any thing herein, or in any other act of parliament, to the contrary notwithstanding.

but shall not be entitled to any premium for the same.

In case the bank refuse payment, how such notes may be recovered.

IX. And be it further enacted, That in case the said governor and company of the bank of *England*, or their successors, or their cashier or cashiers, shall neglect or refuse to exchange any such exchequer bill or bills for such notes as aforesaid, contrary to the true intent and meaning of this act, upon demand thereof made at their chief office within the city of *London*, for the space of twenty-four hours, then the person or persons demanding the same, or the person or persons for and on whose behalf such demand shall be made, shall and may recover the amount of such exchequer bill or bills, to his, her, or their own use, by action of debt, or upon the case, bill, suit, or information, in any of his Majesty's courts of record at *Westminster*, wherein no esoin, protection, privilege, or wager of law, shall be allowed, or any more than one imparlance; in which action, bill, suit, or information, it shall be lawful to declare that the said governor and company, or their successors, are indebted to the plaintiff or plaintiffs the money demanded upon the said bill or bills, according to the form of the statute, and have not paid the same, which shall be sufficient; and the plaintiff or plaintiffs, in such action, bill, suit, or information, shall recover against the said governor and company, and their successors, not only the money so neglected or refused to be paid, but also damages, after the rate of fifteen pounds *per centum per annum*, on such money, together with full costs of suit; and the said governor and company, and their successors, and their said stock and funds, shall be, and are hereby made subject and liable thereunto.

Plaintiff entitled to damages and costs.

The provisions in the malt act of this session

X. And be it further enacted, That the clauses, powers, and provisions in the said act, made in this present session of parliament, intituled, *An act for continuing and granting to his Majesty*
certain

certain duties upon malt, mum, cyder, and perry, for the service of relating to persons contracting to circulate, &c. exchequer bills, (except, &c.) shall extend to the bank in relation to the bills made by virtue of this act.

the year one thousand eight hundred, relating to such person or persons, body or bodies politick or corporate, as should contract, by virtue of that act, with the high treasurer, or any three or more of the commissioners of the treasury for the time being, for the circulating and exchanging for ready money the exchequer bills by the said act authorized to be issued, (except the clause for altering the rate of interest, and such other parts as are varied by this act), shall extend to and operate, with respect to the said governor and company of the bank of *England*, and their successors, in relation to the exchequer bills to be made out, exchanged, and circulated, by virtue of this act, in as full and ample manner, to all intents and purposes, as if a contract in writing had been made for that purpose in the manner prescribed by the said act, and as if the said clauses, powers, and provisions, were herein specially re-enacted and applied for the purposes of this act.

XI. Provided always, and be it further enacted, That in case at any time previous to the expiration of the said term of six years, to be computed from the said fifth day of *April* one thousand eight hundred, the price of the three pounds *per centum* consolidated bank annuities shall be eighty pounds *per centum* or more, and the said governor and company of the bank of *England* shall then, or at any time afterwards previous to the expiration of the said term of six years, be minded and desirous to be repaid the said sum of three millions, and of such their mind and intention shall give notice to the lord high treasurer, or to the lords commissioners for executing the office of lord high treasurer of *Great Britain* for the time being, that then and in that case, from and after the expiration of such notice, the whole of the exchequer bills to be granted in pursuance of this act shall become due and payable, in like manner as if the said term of six years had expired; and in case payment thereof shall not be provided for by parliament, previous to the expiration of such notice, the said exchequer bills, together with all 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 any of the aids or supplies which shall be granted by parliament for the service of the year in which such notice as aforesaid shall expire; and in case sufficient aids or supplies for that purpose shall not be granted by parliament previous to the expiration of such notice as aforesaid, then all the said exchequer bills, with the 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 expiration of the said notice, shall be or remain in the receipt of the exchequer arising from the consolidated fund, (except such monies of the said consolidated fund as shall be appropriated to any particular use or uses, by any act or acts of parliament in that behalf); and such monies of the said consolidated fund shall and may be issued and applied as soon as the same can be regularly stated and ascertained for and towards paying

paying off, cancelling, and discharging such exchequer bills 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 holders or proprietors thereof.

If exchequer bills become payable pursuant to such notice, discount to be allowed, &c. for the unexpired term.

XII. Provided also, and be it further enacted, That in case the exchequer bills, to be issued in pursuance of this act, shall become payable at any time previous to the expiration of the said term of six years, in pursuance of such notice as aforesaid, then and in that case the said governor and company of the bank of *England* shall deduct and allow out of the whole or such part of the said exchequer bills as they shall hold or retain in their hands or possession, a discount, at and after the rate of five pounds *per centum per annum*, for such part of the said term of six years, as shall remain unexpired at the expiration of such notice as aforesaid; and in case the whole of the said exchequer bills shall not, at the expiration of such notice, be remaining in the hands or possession of the said governor and company, then and in that case they shall and will, on or previous to the expiration of such notice, pay into the receipt of his Majesty's exchequer a discount upon the whole or such part of the said exchequer bills as shall not remain in their hands or possession, at and after the rate of five pounds *per centum per annum*, for such part of the said term of six years as shall then remain unexpired; and in default thereof, the provision herein-before made for payment of the said exchequer bills, upon the expiration of such notice as aforesaid, shall cease, determine, and be absolutely void, any thing herein-before contained to the contrary in anywise notwithstanding.

XIII. *And, for the encouragement of the said governor and company of the bank of England, and their successors, to exchange and circulate the said exchequer bills, in the manner and during the time herein-before mentioned; and to the end that the said governor and company, and their successors, may have a competent recompence and consideration for so doing; it is hereby declared and enacted, That* such part of the said recited provision contained in the said act, made in the twenty-first year of the reign of his present Majesty, as relates to the determining the said fund of one hundred thousand pounds *per annum*, and the said corporation of the governor and company of the bank of *England*, upon the notice and payments therein mentioned, shall be, and is hereby repealed and made void; and that the said governor and company of the bank of *England*, and their successors, for ever, shall remain, continue, and be one body corporate and politic, by the name aforesaid, and shall for ever have, receive, and enjoy, the said entire yearly fund of one hundred thousand pounds out of the said rates and duties of excise, together with a perpetual succession and privilege of exclusive banking, as herein-after is mentioned, and all other abilities, capacities, powers, authorities, franchises, immunities, exemptions, privileges, profits, emoluments, benefits, and advantages whatsoever, which the governor and company of the bank of *England* now have, possess, or enjoy, or whereunto they

Such part of the recited act 21 Geo. 3. as relates to the determining the corporation of the bank, &c. repealed; and the bank to remain a body corporate, &c. and to enjoy an exclusive privilege of banking, &c.

they are, or, before the making of this act, were entitled, by the said acts of the seventh and twelfth years of the reign of her late majesty Queen Anne, and the said acts of the fifteenth year of the reign of his late majesty King George the Second, and of the fourth and twenty-first years of the reign of his present Majesty, or any of them, or by any other act or acts of parliament, grants, or charters whatsoever, now in force; or, by virtue of any employment by or on behalf of the publick, all which are by this act ratified and confirmed to the said governor and company, and their successors, freed and discharged of and from the said proviso and conditions of redemption hereby repealed, or intended to be repealed, as aforesaid; and all other provisos, powers, acts, matters, and things whatsoever, heretofore had, made, done, or committed, for redeeming, determining, or making void the said corporation, or the said yearly fund of one hundred thousand pounds, and the said privilege of exclusive banking, and all other their abilities, capacities, powers, authorities, franchises, immunities, exemptions, privileges, profits, emoluments, benefits, and advantages, or any of them; subject nevertheless to such restrictions, rules, and directions, and also to such other agreements, matters, and things, as in the said acts and charters, or any of them now in force, are contained or prescribed; and also subject to the power and condition of redemption herein-after in this act contained in this behalf.

XIV. *And whereas there is due from the publick to the said governor and company of the bank of England, not only the said sum of three millions two hundred thousand pounds, advanced by virtue of the said in part recited acts, but also the further sum of eight millions four hundred and eighty-six thousand and eight hundred pounds, which, together with the interest or annuities payable thereon or in respect thereof, are secured to the said governor and company, and their successors, in manner following, (that is to say), The sum of five hundred thousand pounds, (part of two millions secured and remaining due to the said governor and company, under and by virtue of an act of parliament, made in the third year of the reign of his majesty King George the First, intituled, An act for redeeming several funds of* 3 Geo. I. c. 8. *the governor and company of the bank of England, pursuant to former provisos of redemption, and for securing to them several new funds and allowances redeemable by parliament; and for obliging them to advance further sums, not exceeding two millions five hundred thousand pounds, at five pounds per centum, as shall be found necessary, to be employed in lessening the national debts and incumbrances; and for continuing certain provisions formerly made for the expences of his Majesty's civil government, and for payment of annuities formerly purchased at the rate of five pounds per centum, and for other purposes in this act mentioned; the further sum of four millions, secured to the said governor and company under and by virtue of another act of parliament, made in the eighth year of the reign of his said majesty King George the First, intituled, An act to enable the South Sea com-* 8 Geo. I. c. 13. *pany to dispose of the effects in their hands by way of lottery or*

1 Geo. 2. c. 8.

subscription, or to sell part of their fund or annuity, payable at the exchequer, in order to pay the debts of the said company; and for relief of such who are intended to have the benefit of a late act, touching payment of ten *per centum*, therein mentioned; *the further sum of one million seven hundred and fifty thousand pounds, secured to the said governor and company under and by virtue of another act of parliament, made in the first year of the reign of his late*

2 Geo. 2. c. 3.

year of the reign of his said late Majesty, intituled, An act for granting an aid to his Majesty by sale of annuities to the bank of England at four pounds per centum, redeemable by parliament, and charged upon the duties on coals and culm; and for further applying the produce of the sinking fund; and for enlarging the time for exchanging Nevis and Saint Christopher's debentures for annuities at three per centum, and for applying the arrears of his late Majesty's civil list revenues; the further sum of one million two hundred and fifty thousand pounds, secured to the said governor and company under and by virtue of another act of parliament, made in the second

19 Geo. 2. c. 6.

Majesty, intituled, An act for establishing an agreement with the governor and company of the bank of England, for cancelling certain exchequer bills upon the terms therein mentioned; and for obliging them to advance the sum of one million upon the credit of the land tax and malt duties, granted to his Majesty for the service of the year one thousand seven hundred and forty-six: be it enacted, That at any time, upon twelve months notice, to be given after the first day of August which shall be in the year of our Lord one thousand eight hundred and thirty-three, and not before, and upon repayment by parliament, to the said governor and company, or their successors, of the said sum of three millions two hundred thousand pounds, without any deduction, discount, or abatement whatsoever; and upon payment to the said governor and company, and their successors, of all arrears of the said one hundred thousand pounds per annum; and also upon repayment by parliament, to the said governor and company, or their successors, of the said further sum of eight millions four hundred and eighty-six thousand and eight hundred pounds, together with the interest or annuities payable thereon, or in respect thereof; and also upon repayment of all the principal money and interest which shall be owing unto the said governor and company, and their successors, upon all such tallies, exchequer orders, exchequer bills, or parliamentary funds, which the said governor and company, or their successors, shall have remaining in their hands, or be entitled to at the time of such notice to be given as aforesaid; then and in such case, and not till

At any time after Aug. 1, 1833, upon 12 months notice, and repayment of the said 3,200,000l. and all arrears of the said 100,000l. per annum; also the sum of 8,486,800l. &c.

the said yearly fund of 100,000l. shall cease.

till then, the said yearly fund of one hundred thousand pounds shall cease and determine.

XV. And to prevent any doubts that may arise concerning the privilege or power given, by former acts of parliament, to the said governor and company, of exclusive banking, and also in regard to the erecting any other bank or banks by parliament, or restraining other persons from banking during the continuance of the said privilege, granted to the governor and company of the bank of England, as before recited; it is hereby further enacted, and declared, That it

No other bank shall be erected by parliament during the continuance of the said privilege; nor shall any number of bankers in partnership exceeding six be allowed.

is the true intent and meaning of this act, that no other bank shall be erected, established, or allowed by parliament; and that it shall not be lawful for any body politick or corporate whatsoever, erected or to be erected, or for any other persons, united or to be united in covenants or partnership, exceeding the number of six persons, in that part of Great Britain called England, to borrow, owe, or take up, any sum or sums of money on their bills or notes, payable on demand, or at any less time than six months from the borrowing thereof, during the continuance of the said privilege to the said governor and company, who are hereby declared to be and remain a corporation, with the privilege of exclusive banking, as before recited, subject to redemption on the terms and conditions before-mentioned; (that is to say), On one year's notice to be given after the first day of August one thousand eight hundred and thirty-three, and repayment of the said sum of three millions two hundred thousand pounds, and all arrears of the said one hundred thousand pounds per annum; and also upon repayment of the said sum of eight millions four hundred and eighty-six thousand and eight hundred pounds, and the interest or annuities payable thereon or in respect thereof, and all the principal and interest money that shall be owing on all such tallies, exchequer orders, exchequer bills, parliamentary funds, or other government securities, which the said governor and company, or their successors, shall have remaining in their hands, or be entitled to, at the time of such notice to be given as aforesaid, and not otherwise; any thing in this act, or any former act or acts of parliament, to the contrary in anywise notwithstanding.

Conditions of redemption.

XVI. And it is hereby further enacted and declared, That any vote or resolution of the house of commons, signified by the speaker of the said house in writing, and delivered at the publick office of the said governor and company, or their successors, shall be deemed and adjudged to be a sufficient notice, within the words or meaning of this act; any thing herein contained to the contrary notwithstanding.

What shall be deemed a sufficient notice.

XVII. And be it further enacted, That this act shall be deemed, adjudged, and taken to be a publick act; and judicially taken notice of by all judges, justices, or other persons whatsoever, without specially pleading the same.

Publick act.

C A P. XXIX.

An act for granting bounties on the importation of wheat, wheaten flour, and rice, until the first day of October one thousand eight hundred.—[April 4, 1800.]

Preamble.

Certain bounties granted on wheat, wheaten flour, and rice, imported before Oct. 1, 1800.

WHEREAS it is expedient that encouragement should be given, for a limited time, to the importation into this kingdom of wheat and wheaten flour, from the countries in the Mediterranean and America; and of wheat from any of the ports of the Baltic, and from any of the ports of Germany, and any ports north of the Texel, and from the port of Archangel; and also for the importation into this kingdom of rice: 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 articles herein-after mentioned, imported or brought into this kingdom in *British* ships or vessels, or in ships or vessels belonging to persons of any kingdom or state in amity with his Majesty, however the same may be navigated, there shall be paid and allowed the following bounties; (that is to say), If the average price of wheat in all England, ascertained and published in the *London* gazette under the authority of any act or acts of parliament, shall be less than ninety shillings per quarter, a bounty equal to the difference of such average price, and such rate of ninety shillings shall be paid on every quarter of wheat which shall be imported or brought into *Great Britain* before the first day of *October* one thousand eight hundred, from any port of *Europe* south of *Cape Finisterre*, or from any port in the *Mediterranean*, or in *Africa*, or from any of his Majesty's colonies in *America*, or the *United States*; and that whenever the average price of wheat, ascertained and published as aforesaid, shall be less than eighty-five shillings per quarter, there shall be given on every quarter of wheat which shall be imported into *Great Britain* from any of the ports of the *Baltic*, or from any of the ports of *Germany*, or any ports north of the *Texel*, before the first day of *October* one thousand eight hundred, a bounty equal to the difference between such average price in the *London* gazette and such rate of eighty-five shillings; and that whenever the average price of wheat ascertained and published as aforesaid, shall be less than ninety shillings per quarter, there shall be given, on every quarter of wheat which shall be imported into *Great Britain* from the port of *Archangel* before the first day of *October* one thousand eight hundred, a bounty equal to the difference between such average price in the *London* gazette and such rate of ninety shillings; and that whenever the average price of wheat, ascertained and published as aforesaid, shall be less than one hundred shillings per quarter, a bounty equal to the difference between such average price and such rate of one hundred shillings, shall be paid on every sack of fine

fine wheaten flour of the weight of two hundred and eighty pounds avoirdupois, and so in proportion for any greater or less quantity, according to the weight thereof, which shall be imported or brought into *Great Britain* before the said first day of *October* from any of his Majesty's colonies in *America*, or from the *United States*; and for every such sack of fine wheaten flour which shall be imported or brought into *Great Britain* from any other country than his Majesty's said colonies and the said *United States*, there shall be paid a bounty equal to four-fifths of the bounty which would have been payable by this act on a quarter of wheat, imported at such time, from every such country respectively, and so in proportion for any greater or less quantity, according to the weight thereof; and whenever the current price of rice imported into this kingdom, to be ascertained by the prices in the *London* market, shall be less than one pound fifteen shillings per hundred weight, a bounty equal to the difference between such current price and of one pound fifteen shillings per hundred weight, on every one hundred weight of rice which shall be imported or brought into *Great Britain* before the first day of *October* one thousand eight hundred.

II. And, in order that the bounty shall be governed as near as may be by the average price of wheat at the time of importation, be enacted, That such bounty shall be paid upon such wheat and flour respectively, according to the average price of wheat in *England* and *Wales*, so ascertained and published in the *London* gazette in the second week after such wheat and flour shall have been imported.

III. And, in order that the average prices of rice in the *London* market may be ascertained for the purposes of this act, be it further enacted, That, from and after the passing of this act, every importer of rice within the city of *London* or the bills of mortality, who shall, from and after the passing of this act, by himself or sworn broker, or any other agent, buy or sell any rice, shall return or cause to be returned to the clerk to the grocers company, such and the like account in every respect as is required to be returned with respect to sugar, by an act passed in the thirty-second year of the reign of his present Majesty, intituled, *An act for regulating the allowance of the drawback and payment of the bounty on the exportation of sugar, and for permitting the importation of sugar and coffee into the Bahama and Bermuda islands in foreign ships*; and the clerk to the grocers company shall ascertain the average price in the *London* market, of all the rice so bought and sold as aforesaid during the continuance of this act; and shall cause the same to be published in the *London* gazette in like manner in every respect as is directed by and according to such and the like regulations as are contained in the said recited act; and all the clauses, provisions, powers, penalties, forfeitures, matters, and things whatsoever in the said recited act contained, relating to the delivering in such account as is in the said recited act mentioned, and to the ascertaining and publishing the average prices of sugar, and all things relating thereto, shall be and are hereby

Bounty on wheat and flour, to be paid according to the average price of wheat, published in the gazette the second week after its importation. Importers of rice within certain limits, buying or selling any, shall return to the clerk to the grocers company, a like account as is required with respect to sugar, by 32 Geo 3. c. 43: who shall cause the average price to be published in the gazette.

hereby declared to be in full force during the continuance of this act, with regard to rice, in as full and ample a manner as if the same were severally and respectively re-enacted and repeated in this act.

Bounties to be under the management of the commissioners of customs.

Entry to be made at the port of importation, and proof given that the articles are free from mixture.

No bounties to be allowed unless the articles are imported at certain places.

Articles imported, to be inspected by the officers of the customs and two skillful persons, who are to certify whether they are fit for making bread.

IV. And be it further enacted, That the said bounties shall be under the management of the commissioners of his Majesty's customs in *England* and *Scotland* respectively, and shall be paid out of any monies in their hands arising by any of the duties or revenues under their management respectively, to the respective importers or consignees of such wheat, wheaten flour, and rice respectively: provided always, That a due entry shall be made with the proper officers of the customs, at the port into which such articles shall be imported: provided also, That the collector or other proper officer of the customs of the port where such wheat or wheaten flour shall be imported, do receive full and satisfactory proof, that the said wheat and wheaten flour, for which the bounty herein allowed is claimed, is wholly and entirely without mixture of any other corn or grain, and that in default thereof, the said bounties shall not nor shall any of them be allowed or paid.

V. Provided always, and be it enacted, That none of the bounties granted by this act shall be paid, allowed, or received, unless the several articles in this act enumerated and described shall be imported or brought respectively into some one or other of his Majesty's ports, (that is to say), The ports of *London*, *Aberystwyth*, *Barnstaple*, *Beaumaris*, *Berwick*, *Biddesford*, *Boston*, *Bridgewater*, *Bridport*, *Bristol*, *Cardiff*, *Cardigan*, *Carlisle*, *Carnarvon*, *Chester*, *Chichester*, *Colchester*, *Cowes*, *Dartmouth*, *Dover*, *Exeter*, *Falmouth*, *Fowey*, *Harwich*, *Hull*, *Ipswich*, *Lancaster*, *Liverpool*, *Lyme*, *Lynn*, *Malden*, *Milford*, *Newcastle*, *Newhaven*, *Penzance*, *Plymouth*, *Poole*, *Portsmouth*, *Preston*, *Rochester*, *Sandwich*, *Scarborough*, *Shoreham*, *Southampton*, *Stockton*, *Sunderland*, *Swansea*, *Wells*, *Weymouth*, *Whitehaven*, *Whitby*, *Wisbeach*, *Yarmouth*; *Aberdeen*, *Ayr*, *Alloa*, *Borrowstonefs*, *Campbeltoun*, *Dumfrius*, *Dunbar*, *Port Dundas*, *Dundee*, *Grangemouth*, *Glasgow*, including *Port Glasgow*, *Greenock*, including *Kirkcaldy*, *Kirkcudbright*, *Leith*, *Lerwick*, *Montrose*, *Perth*, and *Wigton*.

VI. And be it further enacted, That before any of the said articles imported or brought into this kingdom for bounty under the regulations of this act, shall be delivered out of the charge of the proper officer or officers of the customs of the port where the same shall be respectively so imported or brought, such articles respectively shall be carefully and attentively inspected and examined by such officer or officers of the customs as the commissioners of the customs in *England* and *Scotland* respectively shall think fit to direct for that duty, and two indifferent and disinterested persons experienced in the nature of the article to be so inspected and examined; which two indifferent and disinterested persons shall be chosen by the principal officers of the customs at such port, or any two of them, whereof the collector for the time being shall be one; which said officer or officers of the

the customs so directed by the said commissioners of the customs respectively, and the said two indifferent and disinterested persons, so chosen as aforesaid to inspect and examine the said articles respectively, shall, upon having viewed the same, certify and declare upon their corporal oaths, first administered by the said principal officers, or any two of them, whereof the collector shall be one (who are hereby authorized and required to administer the same) whether the said articles respectively are or are not merchantable and fit for making bread; and if the same shall appear by such certificate to be merchantable and fit for making bread, the bounties respectively granted by this act shall be paid and allowed thereon; but if the same shall appear by such certificate not to be merchantable or fit for making bread, no bounty granted by this act shall be paid or allowed thereon.

VII. And be it further enacted, That the said indifferent and disinterested persons so chosen by the said principal officers to inspect and examine the said goods, shall from time to time be paid by an order of the commissioners of his Majesty's customs, or any four or more of them, in *England*, or the commissioners of his Majesty's customs in *Scotland*, or any three or more of them, out of any monies in their hands, arising by any of the duties or revenues under their management respectively, the following sums, by way of recompence or reward for their trouble in so inspecting, examining, and certifying, (that is to say), The sum of one penny per quarter for all wheat, or two hundred and eighty pounds weight avoirdupois of rice, inspected and examined and certified by them as aforesaid, and so in proportion for any greater or less quantity; and the sum of one penny per barrel, of all wheaten flour, inspected and examined and certified by them as aforesaid, and so in proportion for any greater or less quantity.

Recompence
to be made
the inspectors.

VIII. Provided always, and be it further enacted, That in case any of the said articles herein enumerated and described shall be so imported or brought from any of the ports or places herein-mentioned into any of the respective ports herein also enumerated, subsequent to the time limited by this act, but before the fifteenth day of *October* one thousand eight hundred, it shall and may be lawful for the commissioners of his Majesty's customs in *England* and *Scotland* respectively, to order the bounty or bounties respectively to be paid thereon in like manner as if the said articles had been imported within the time limited by this act; provided proof shall be made, to the satisfaction of the said commissioners respectively, that the ships or vessels on board of which respectively such articles shall be so imported or brought, actually and *bona fide* set sail from such respective ports or places, for *Great Britain*, in such time as they might in the ordinary course of their voyage have arrived in *Great Britain* before the said first day of *October* one thousand eight hundred; and proof shall also be given, and entry shall be made, and the goods inspected and examined and certified in like manner

Commissioners of customs may pay bounties on articles imported before Oct. 15, 1800, on proof of the vessels having sailed at such times, that they might in the ordinary course of their voyage have arrived before October 1.

ner as is required by this act, to authorise the payment of bounty on the said articles imported within the time limited by this act.

Vessels arriving at a port where the bounty is not allowed, may fail to one where it is.

IX. And be it further enacted, That if any ship or vessel has arrived or shall arrive at any port in *Great Britain*, where, according to the regulation of this act, the bounty is not allowed, the said ship or vessel shall and may lawfully depart from such port, without molestation or hindrance, with the several articles on board, and may carry the same to any other port of *Great Britain* at which the same may be entered for the bounty, and there enter, land, and deliver the same, subject nevertheless to each and every the rules, regulations, conditions, and restrictions of this act.

Continuance of act;

X. And be it further enacted, That this act shall continue in force until the fifteenth day of *October* one thousand eight hundred.

which may be altered or repealed this session.

XI. Provided always, That any part of this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

C A P. XXX.

An act for extending, from the twenty-fifth day of March one thousand eight hundred, until the twenty-fifth day of March one thousand eight hundred and one, the period of preference, granted and continued by several acts to bodies corporate and persons for the redemption of land tax; and for enlarging several of the powers contained in the said acts.—[April 4, 1800.]

Preamble.

WHEREAS it is expedient that the period within which all bodies corporate and politick, companies and persons mentioned in several acts passed in the thirty-eighth and thirty-ninth years of his present Majesty's reign, were allowed the benefit of preference in contracting for the redemption of any land tax therein mentioned; and which was, by an act of the present session of parliament, extended until the twenty-fifth day of March one thousand eight hundred, should be revived, continued, and further extended; and that further provision should be made for facilitating the redemption of the land tax, by archbishops, bishops, and other ecclesiastical persons, and by all corporations: 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 bodies corporate and politick, companies and persons in the said acts mentioned, who, by the same acts, or any of them, were empowered to contract for the redemption of the land tax charged on any manors, messuages, lands, tenements, or hereditaments, of which they were or should be in possession, or to the rents and profits whereof they were or should be beneficially entitled, or in which they should have any estate or interest in remainder, reversion, or expectancy, or, being substitute heirs of entail, should be entitled in their order to succeed to, in preference to any other bodies, corporations,

Corporations and persons entitled to redeem land tax till March 25, 1801, instead of March 25, 1800.

rations, companies, or other persons whatsoever, not having an estate or interest therein, and the respective committees, curators, tutors, guardians, or trustees of such persons on their behalf respectively, are hereby declared to have, and shall continue to have, and be entitled to such and the like preference in the redemption of such land tax over such other bodies, corporations, companies, or persons, from and after the twenty-fifth day of *March* one thousand eight hundred, until and upon the twenty-fifth day of *March* one thousand eight hundred and one.

II. And be it further enacted, That so much, and such of the provisions of an act, passed in the thirty-eighth year of the reign of his present Majesty, intituled, *An act for making perpetual, subject to redemption and purchase in the manner therein stated, the several sums of money now charged in Great Britain as a land tax for one year, from the twenty-fifth day of March one thousand seven hundred and ninety-eight*, as require that the commissioners appointed, or to be appointed, for carrying that act into execution, shall consent to and approve of the grant of any mortgage or any rent charge thereby authorised to be made or granted by any bodies corporate or politick, or companies, and also such provisions as require that a schedule should be produced, and one month's notice in writing given to the said commissioners previously to any such mortgage or grant, and all such other provisions as require the sanction, direction, authority, or concurrence of the said commissioners to or in any such mortgage or grant, shall, from and immediately after the passing of this act, be, and the same are hereby repealed.

So much of 38 Geo. 3. c. 60. as requires the consent of commissioners to the grant of any mortgage, &c. repealed.

III. And be it further enacted, That every mortgage or rent charge which shall be made or granted from and after the passing of this act, by any such bodies politick or corporate, or companies as aforesaid, for the purpose of redeeming all or any part of the land tax charged upon any manors, messuages, lands, tenements, or hereditaments belonging to them, whether the same shall be in their own possession, or let to tenants at will, or from year to year, or for any term of years absolute or determinable on a life or lives, for which a fine or premium was or shall be paid, or for lives, where a rent was or shall be reserved or a fine or premium paid, shall be made under the direction and authority of the commissioners appointed by his Majesty by letters patent under the great seal of *Great Britain*, under the authority of an act, passed in the thirty-ninth year of his present Majesty's reign, intituled, *An act to amend and render more effectual two acts, passed in the thirty-eighth year of his present Majesty's reign and the present session of parliament, for the redemption and purchase of the land tax*; and every such mortgage or rent charge, when approved of and confirmed by the said last-mentioned commissioners, or any two or more of them, certified by their signing and sealing the deed or deeds creating the same, shall be valid and effectual.

Mortgages to be made under authority of the commissioners appointed by letters patent under 29 Geo. 3. c. 21.

IV. And be it further enacted, That the commissioners last herein-before mentioned, shall and may have and exercise, and are hereby invested with all and singular the same powers and authorities

Commissioners to have the same powers touching such grants

as they have concerning sales of manors, &c.

authorities of controul, discretion, consent, approbation, and confirmation, and of requiring information, and of receiving affidavits and depositions to be taken by and before the same persons, and all other powers and authorities touching and concerning any such mortgage or rent charge as last herein-before-mentioned, as they are invested with by the act last herein-before referred to, touching and concerning the sales of manors, messuages, lands, tenements, or hereditaments thereby made subject to their controul, direction, and confirmation.

Governors of Queen Anne's bounty may purchase rent charges granted by rectors, &c. of livings augmented by the bounty, that they may be extinguish- ed.

V. And be it further enacted, That it shall be lawful for the governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy, who are authorized by the afore-mentioned acts, or any of them, to lay out monies applicable towards the augmentation of livings. in and for the redemption of land tax, from time to time to lay out any such sum or sums as now is or are or shall be hereafter applicable for that purpose, by virtue of the same acts, or any of them, in, for, or towards the purchasing any rent charge or rent charges which shall have been or shall be granted under the authority of any of the said acts, or of this act, by any rector, vicar, or curate, of any living or livings which the said governors have already agreed or shall hereafter agree to augment; and such rent charge or rent charges, when so purchased, shall be surrendered to such rector, vicar, or curate, as the case may be, or his successors, to the intent that the same may sink and be extinguished for the benefit of such living or livings.

Trustees for the poor clergy, under any wills, may execute the powers given them for the redemption of land tax contracted for by incumbents, until March 25, 1801.

VI. And be it further enacted, That it shall be lawful for the trustees for the time being of any trust property heretofore given by any will for the purpose of being laid out in the purchase of lands or impropriate tithes for the benefit of the poor clergy of England, and who were empowered by an act, passed in the thirty-ninth year of the reign of his present Majesty, intituled, *An act to enlarge the time limited for the redemption of the land tax, and to explain and amend an act, made in the last session of parliament, intituled, 'An act for making perpetual, subject to redemption and purchase in the manner therein stated, the several sums of money now charged in Great Britain as a land tax for one year, from the twenty-fifth day of March one thousand seven hundred and ninety-eight;* and by another act, passed in the same session of parliament, intituled, *An act for enlarging the time limited by certain acts passed, for the redemption of the land tax, and for explaining and amending the same;* to apply their funds therein-mentioned for the redemption or purchase of land tax charged upon the lands, tithes, or other profits, arising from any living or livings belonging to the church of England, which should have been contracted for on or before the twenty-fifth day of March one thousand eight hundred, to carry into execution all and every the said powers for the redemption or purchase of such land tax, which shall have been or shall be contracted for by the incumbent or incumbents of any living or livings, in the manner directed by the said first-mentioned act, at any time before the twenty-

twenty-fifth day of *March* one thousand eight hundred and one; and the transfer of stock or payment of money for such redemption shall have effect from the quarter day preceding such transfer or payment; and all other acts, matters, and things, which the said trustees might fully have done under and by virtue of the said acts, or either of them, shall be as valid and effectual to exonerate and discharge the lands, tithes, and other profits of such living or livings from the payment of the land tax redeemed, as if such land tax had been contracted for on or before the twenty-fifth day of *March* one thousand eight hundred; and all contracts made before the passing of this act shall be valid and effectual, for the purposes in the said acts mentioned, notwithstanding any limitations of time therein contained.

VII. And be it further enacted, That it shall be lawful for the governors of the charity for the relief of the poor widows and children of clergymen, under the direction and authority of any two or more of the commissioners appointed by the said act passed in the thirty-ninth year of his present Majesty's reign, intituled, *An act to amend and render more effectual two acts passed in the thirty-eighth year of his present Majesty's reign and the present session of parliament, for the redemption and purchase of the land tax*, to sell and dispose of any manors, messuages, lands, tenements, and hereditaments, given to them by any will, either generally in trust for the relief of such poor widows or children as aforesaid, or subject to any qualifications or restrictions as to the mode of applying such relief, in the extent of the allowance to be made to individuals, and to apply the money arising by such sale or sales for the purpose of purchasing or redeeming land tax charged on any manors, messuages, lands, tenements, or hereditaments, vested in such governors, for the purposes of their charity.

Governors of the charity for the relief of the widows and children of clergymen, may, under the authority of two commissioners appointed by 39 Geo. 3. c. 21. sell lands given by will, and purchase the land tax on any lands vested in them.

VIII. And be it further enacted, That where the land tax charged upon the glebe lands, tithes, or other profits of any living or livings in the patronage of any college, cathedral church, hall, or house of learning in either of the universities of *Oxford* and *Cambridge*, or in the patronage of either of the colleges of *Eaton* or *Winchester*, or of any trustee or trustees for any such college, cathedral church, hall, or house of learning as aforesaid, shall not have been redeemed or purchased by the incumbent of such living or livings, it shall be lawful for the corporations of such colleges, cathedral churches, halls, or houses of learning respectively, to purchase or redeem the same on the same terms as persons entitled in remainder to such glebe lands, tithes, or other profits would be capable of so doing, and to provide for such purchase or redemption by a sale of any lands or tenements belonging to such corporations respectively, or by the grant of any rent charge, which they could or might lawfully make for the redemption or purchase of any land tax charged on their own lands, and the land tax so redeemed shall be forthwith extinguished; but such college, cathedral church, hall, or house of learning respectively shall nevertheless be entitled to an

Where the land tax on the glebe, &c. of any living in the patronage of *Oxford* or *Cambridge*, or *Eaton* or *Winchester*, shall not have been purchased by the incumbent, the corporations may purchase it as persons entitled in remainder, and may sell lands for that purpose; but the college, &c. shall be entitled to a rent charge equivalent

lent to the amount, unless it shall be declared in writing, that the rent charge shall be suspended.

annual rent charge issuing out of such living, equivalent to the amount of such land tax, which shall be recoverable by action, suit, distress, or any other means, by which rents reserved by leases are recoverable at law, unless it shall be declared in writing, under the common seal of the body or bodies having such right of patronage or nomination, at the time of presenting or nominating any clerk or clerks to such living or livings, that such rent charge shall be suspended during his or their incumbency or respective incumbencies; which declaration the body or bodies entitled to nominate to such living or livings shall from time to time be competent to make; and such suspension shall be without prejudice to the right of the said body or bodies to recover the same after the next or any future avoidance: provided always, That any declaration made by such last-mentioned bodies, or any of them, at the time of redeeming the said land tax, shall be as available during the incumbency of the then rector, vicar, or curate, as if it had been made at the time of his being preferred to such living.

Patrons redeeming land tax shall have the like remedies for recovery of the amount as landlords have for rent.

IX. And be it further enacted, That where any land tax, charged upon any rectory, vicarage, or other living, shall have been or shall hereafter be redeemed by the patron or patrons thereof, and such rectory, vicarage, or other living, shall thereby have been or shall be exonerated from such land tax, then and in every such case it shall be lawful for such patron or patrons, his, her, or their heirs, executors, administrators, or assigns, from time to time to use the same powers and remedies for the recovery of the amount of such land tax as landlords can or may use for the recovery of rents in arrear.

X. And whereas by the said act, passed in the thirty-ninth year of his Majesty's reign, it is enacted, That upon the purchase as therein-mentioned, of the reversion of any manors, messuages, lands, tenements, or hereditaments, holden by any lease as therein-mentioned by or with the proper monies of the person or persons for the time being beneficially entitled to the rents and profits thereof, such reversion shall be settled under the direction of the said commissioners, so as and in such manner as that the amount of the money paid for the purchase thereof, with lawful interest, may be a charge on such reversion for the benefit of the person or persons advancing the same, his, her, or their executors, administrators, and assigns, and that subject thereto the fee-simple of such manors, messuages, lands, tenements, and hereditaments, shall be settled for the benefit of the person or persons so purchasing the same, and of such other person or persons as would have been entitled to the benefit of any renewed lease, as in the said act mentioned: and whereas no power is thereby given to charge the subsisting estates in such manors, lands, tenements, and hereditaments, with the money to be advanced for such purchase, or to make any such charge, except where the monies advanced are the proper monies of the person or persons beneficially entitled to the rents and profits thereof: be it enacted, That when any such purchase of any such reversion shall be made by or on the behalf of the persons entitled to the benefit of any subsisting lease or leases, the immediate

estates

When the purchase of any reversion of land holden by lease shall be made

estates and interests, as well as the reversion expectant thereon, shall be charged with and made subject to the re-payment of the principal money to be advanced for the purchase of such reversion, with interest for the same, as the said commissioners shall direct: provided always, That the persons entitled successively to the rents and profits of such manors, lands, tenements, and hereditaments respectively, shall be made chargeable with the interest accrued during his or her estate therein, and that no greater arrear than for one year shall be recoverable against any person who shall become entitled in remainder for interest accrued during the estate or term of any person or persons entitled to any preceding estate or interest in the premises.

XI. And be it further enacted, That it shall be lawful for all and every person or persons, who is or are or shall, for the time being, be entitled to the immediate reversion or remainder to any manors, messuages, lands, tenements, or hereditaments, which shall have been granted by any former owner or owners for any beneficial lease or leases, or by any copy or copies of court roll, or by any other grant, according to the custom of any manor, for life or lives, or years absolute, or years determinable upon any life or lives, to sell and dispose of the fee-simple and inheritance of any such manors, messuages, lands, tenements, or hereditaments, subject to the subsisting interests of such respective lessees, copyholders, or other customary tenants, for the purpose of raising money for the redemption of the land tax charged thereon, and also on any other manors, messuages, lands, tenements, or hereditaments, and whether in the same or different counties, the reversion, fee-simple, and inheritance whereof shall be settled and limited to the same uses, and in the same order and course of limitation, in like manner, and under the like restrictions, as he, she, or they could or might have done in case such subsisting leasehold and copyhold estates and interest, had been granted by him, her, or them.

XII. And be it further enacted, That in all cases where, in any contract for the redemption of any land tax, an option shall have been declared to consider the person or persons, bodies, corporations, or companies contracting for such land tax, on the same footing as a person not interested in the manors, messuages, lands, tenements, or hereditaments comprized in such contract, by reason whereof the said manors, messuages, lands, tenements, or hereditaments remain chargeable to land tax, and the person or persons, bodies, corporations, or companies, who shall have entered into such contract, his, her, or their heirs, executors, administrators, assigns, or successors, shall be desirous of exonerating the manors, messuages, lands, tenements, or hereditaments comprized in such contract from land tax, it shall be lawful for him, her, or them, at any time within the space of three calendar months after the twenty-fifth day of *March* one thousand eight hundred, to make application for that purpose to the commissioners specially appointed for the purposes of the said acts, for the county, riding, shire, stewardry, city, town, or place, where such manors, messuages, lands,

by persons entitled to the benefit of any subsisting lease, the immediate interests, as well as the reversion shall be chargeable with the money advanced, and interest, &c.

Reversioners may sell the fee-simple of lands, subject to the subsisting interests, to raise money for the redemption of the land tax thereon, and on any other lands limited to the same uses.

Where an option shall have been declared to consider the contractor for the land tax on the same footing as a person not interested in the lands, he may within three months after *March 25, 1800*, apply to the commissioners, who may contract with him for exonerating the land from the tax, and may amend contracts, or enter into new ones.

tenements, or hereditaments, shall be situate; and on every such application, and on the production of a certificate of the amount of land tax then charged on such manors, messuages, lands, tenements, and hereditaments, and of the contract for the redemption of such land tax, to the said commissioners, it shall be lawful for them, or any two or more of them, to contract with such person or persons, bodies, corporations, and companies, his, her, or their heirs, executors, administrators, assigns, or successors, for exonerating their said manors, messuages, lands, tenements, or hereditaments from land tax; and in every such case where it shall appear by such certificate and contract, that no variation has taken place in the mean time in the amount of such land tax, to amend, or cause to be amended, any such contract, by striking out all such parts thereof as relate to the declaration of such option therein, and to certify their having so done, under their respective hands and seals, on the back of such contract; which contract, with such indorsement, being afterwards registered in the manner and within the time directed by the said acts, in cases of entering into contracts, the manors, messuages, lands, tenements, and hereditaments comprized therein, shall be wholly exonerated from land tax from the said twenty-fifth day of *March* one thousand eight hundred; and in every such case where it shall appear by such certificate of the amount of land tax, and contract for redemption thereof respectively, that the amount of land tax then charged upon the manors, messuages, lands, tenements, and hereditaments comprized therein, is either more or less than the amount of land tax redeemed in such contract, it shall be lawful for such commissioners, or any two of them, to rescind such contract, and to enter into a new contract for the redemption of the land tax which shall be then charged upon the said manors, messuages, lands, tenements, and hereditaments, to take place from the twenty-fifth day of *March* one thousand eight hundred, without any declaration of an option being inserted therein; and on the back of such new contract to insert a true copy of any receipt or receipts indorsed on the original contract, purporting to be given by any cashier or cashiers of the bank of *England*, or by any receiver or receivers general of land tax, for the consideration, or any part thereof, to be paid or transferred, and actually paid and transferred on such original contract; provided that no such manors, messuages, lands, tenements, or hereditaments shall be exonerated in any case where any such land tax shall have been encreased, unless the person or persons, bodies, corporations, or companies, so applying as aforesaid, shall contract to transfer, and shall, at the time to be mentioned in such contract, accordingly transfer, at the bank of *England*, so much three pounds *per centum* consolidated bank annuities, or pay to the receiver general of the county, riding, shire, stewartry, city, borough, town, or place, where the same shall be situate, so much money as the case may require, in addition to the amount of money that shall have been already paid, or of stock already transferred

No such lands to be exonerated where the land tax has been encreased, unless the party shall contract to transfer so much additional three per cents. or pay to the receiver general of the place such ad-

transferred in respect of such land tax, as shall be necessary to redeem the whole of the land tax contracted for in and by such new contract: provided also, That in every such case where the land tax contracted for as aforesaid shall have been in the mean time decreased, and a new contract, shall be entered into for the redemption of the land tax then charged as aforesaid, in pursuance of this act, the commissioners who shall enter into such last mentioned contract shall certify, in writing, signed by two or more of them to the commissioners for the affairs of taxes, the several amounts of the stock, or money contracted, to be transferred or paid by, and actually transferred or paid in pursuance of the original and new contracts respectively, and it shall thereupon be lawful for the said commissioners for the affairs of taxes to order and direct the governor and company of the bank of *England*, or any receiver or receivers general of land tax of the county, riding, shire, stewardry, city, or place, where such manors, messuages, lands, tenements, and hereditaments shall be situate respectively, in cases where more or a greater consideration has been transferred or paid on the original contract than the consideration inserted in the new contract, to repay all such monies, to the person or persons, bodies, corporations, or companies, who shall appear to be entitled unto the same, as shall be due and payable in respect of such difference in the considerations of land tax, if such monies shall not have been vested in stock, and in cases where such stock hath been purchased and placed in the name of the commissioners for the reduction of the national debt, then upon a certificate, signed by any three or more of the said commissioners for the affairs of taxes, of the amount of stock transferred upon the original contract, and the amount required to be transferred upon the new contract, it shall be lawful for the said commissioners for the reduction of the national debt, or any one or more of them, and he and they is and are hereby required to transfer the difference between such amounts of stock so certified to the person or persons, bodies corporate or companies, entitled unto the same; which new contracts being registered in the manner and within the time directed by the said acts, the manors, messuages, lands, tenements, and hereditaments comprized therein, shall be wholly exonerated from land tax from the said twenty-fifth day of *March* one thousand eight hundred.

XIII. And be it further enacted, That any deed or deeds required by the said acts, or any of them, shall be valid and effectual, although the same shall not have been inrolled or registered within six calendar months from the time of the execution thereof, provided the same shall be inrolled or registered within six months after the passing of this act.

XIV. And be it further enacted, That all and singular the provisions in this act shall, in the execution of the above-mentioned acts, be used, applied, and continued, as if the same provisions were specifically enacted in the said acts; and all and every the provisions of the said acts in the execution of this act

ditional sums as shall be necessary; and where the land tax has been decreased, and a new contract shall be entered into, the commissioners shall certify the amount of the stock transferred, or money paid, to the commissioners for the affairs of taxes, who shall order the difference to be settled.

Deeds shall be valid if enrolled within six months after passing this act.

This act, and recited acts, to be construed together as one act.

(except where the same are hereby expressly varied) shall be used, extended, and construed, in like manner as if the same provisions (except as aforesaid) were specially enacted in this act.

C A P. XXXI.

An act for appointing commissioners to put in execution an act of this session of parliament, intituled, An act for continuing and granting to his Majesty a duty on pensions, offices, and personal estates, in England, Wales, and the town of Berwick upon Tweed, and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred, together with those named in two former acts for appointing commissioners of the land tax.—[April 24, 1800.]

C A P. XXXII.

An act for indemnifying persons serving in volunteer corps, who have omitted to take out certificates for wearing hair powder; and to amend so much of an act made in the thirty-fifth year of the reign of his present Majesty, intituled, An act for granting to his Majesty a duty on certificates issued for using hair powder, as relates to the exempting persons serving in volunteer corps, and certain officers in his Majesty's navy serving on the establishment of the royal hospital at Greenwich, from the said duty; and for obliging persons claiming to be exempt from the duties on horses provided and furnished for volunteer corps to deliver certificates thereof to the proper officers.—[April 24, 1800.]

Preamble.

35 Geo. 3.
c. 49.

34 Geo. 3.
c. 31.

WHEREAS by an act passed in the thirty-fifth year of the reign of his present Majesty, intituled, An act for granting to his Majesty a duty on certificates issued for using hair powder; it was amongst other things enacted, That nothing in the said act contained should extend, or be construed to extend, to charge with the duty thereby imposed any officer or private man in any corps of yeomanry or volunteers, either cavalry or infantry, raised by virtue of an act, passed in the thirty-fourth year of his present Majesty's reign, intituled, An act for encouraging and disciplining such corps or companies of men, as shall voluntarily enroll themselves for the defence of their counties, towns, or coasts, or for the general defence of the kingdom during the present war: and whereas doubts have arisen on the said first recited act with respect to many officers and private men in such corps as to such exemption: and whereas many officers and private men in such corps using hair powder, have, through ignorance, and conceiving themselves to be exempt from the said duty, omitted to make such entries and obtain such certificates as are required by the said first-recited act, whereby they are or may become liable to the penalty contained therein; for remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every person inrolled and serving in any volunteer corps, or in any corps or body of men associated for the defence of any city, town, or place, and for maintaining publick tranquillity and good order within the same, whether of cavalry or infantry, and using hair powder,

Persons inrolled and serving in any volunteer corps, indemnified for using hair

who shall have omitted to obtain a certificate for that purpose, as required by the said recited act of the thirty-fifth year of his present Majesty's reign, shall be, and is hereby indemnified, freed, and discharged, from and against all penalties and forfeitures incurred, or to be incurred, for or by reason of having used or worn hair powder, or for or by reason of wearing or using hair powder, until and upon the fifth day of *April* one thousand eight hundred, without having obtained a certificate for that purpose, in pursuance of and according to the directions of the said first-recited act.

powder without a certificate until April 5, 1800,

II. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to indemnify any person against whom any final judgement or sentence shall have been given in any action, bill, plaint, or information, or by any magistrate or justice of the peace, before the first day of *March* one thousand eight hundred, for any penalty or forfeiture for any such omission or neglect as aforesaid.

except where judgement shall have been given before March 5, 1800.

III. And be it further enacted, That, from and after the fifth day of *April* one thousand eight hundred, nothing in the said recited act of the thirty-fifth year of his present Majesty's reign contained, shall extend, or be construed to extend, to charge with the duty thereby imposed, any person inrolled or to be inrolled, and actually serving in any volunteer corps; or in any corps or body of men associated for the defence of any city, town, or place, and for maintaining publick tranquillity and good order within the same, whether of infantry or cavalry, which now are or shall hereafter be raised; provided that such corps or body of men shall be within the provisions of an act, passed in the thirty-ninth year of the reign of his present Majesty, intituled, *An act for exempting, during the present war, persons serving in volunteer corps and associations from being ballotted for the militia, under certain conditions*; and that the commanding officer of such corps or body of men, and the person claiming to be discharged of and from the said duty upon hair powder certificates in pursuance of this act, shall have respectively complied with and conformed to the several provisions and regulations contained in the said act of the thirty-ninth year of his Majesty's reign aforesaid, and by the said act required, to entitle any person therein mentioned to be exempt from being liable to serve personally, or to provide a substitute in any militia.

After April 5, 1800, such persons shall not be charged with the duty if the corps to which they belong be within the provisions of 39 Geo. 3. c. 35. and if they comply with the regulations therein required to entitle them to be exempted from serving in the militia.

IV. Provided always, and be it further enacted, That every person claiming to be exempt by virtue of this act, of and from the said duty upon hair powder certificates, shall, in lieu and instead of delivering, or causing to be delivered, an account of his name and place of abode in the manner required by the said act of the thirty-fifth year of his Majesty's reign, deliver or cause to be delivered a certificate in the form in the schedule to this act annexed marked (A), in like manner in every respect as is required with respect to the making of the entries required to be made in pursuance of the said act; and the proper officer appointed to issue certificates under the said last recited act shall thereupon issue a receipt for such certificate made out in the name of such officer,

Persons claiming exemption from duty shall deliver a certificate in the form annexed marked (A), and a receipt from the proper officer agreeably to form (B), shall be issued.

Anno regni quadragesimo GEORGII III. c. 32. [1800,
which receipt shall be in the form in the schedule to this act annexed marked (B).

Officers under the rank of commander employed on the establishment of Greenwich hospital exempted from the duty.

Persons serving in any volunteer corps of cavalry, and those furnishing horses for that purpose, shall, to entitle to the exemption from the duty on such horses under 38 Geo. 3. c. 41.

deliver yearly, between April 5, and May 30, a certificate in the form annexed marked (A) to the officer appointed to receive lists under recited act, who shall give a receipt in the form marked (B).

V. *And whereas doubts have arisen whether officers holding commissions in his Majesty's navy under the rank of commander, employed on the establishment of the royal hospital at Greenwich, are exempt from the duty granted by the said recited act:* be it therefore enacted, That nothing in the said act contained shall extend, or be construed to extend, to charge with the duty by the said recited act imposed, any officer holding a commission in his Majesty's navy under the rank of commander, who shall be employed on the establishment of the royal hospital at Greenwich.

VI. And be it further enacted, That from, and after the fifth day of April one thousand eight hundred, every person serving in any volunteer corps of cavalry, and who shall use any horse, mare, or gelding for such service, and every person furnishing any horse, mare, or gelding, for any persons serving in any such corps as aforesaid, who shall respectively claim to be exempt from the payment of the duties granted by an act, passed in the thirty-eighth year of the reign of his present Majesty, intituled, *An act for repealing the duties upon male servants, carriages, horses, mules, and dogs, and for granting to his Majesty other duties in lieu thereof,* in respect of any such horse, shall, between the fifth day of April and the thirtieth day of May in every year, deliver and cause to be delivered by every person for whom any such horse shall be furnished as aforesaid, a certificate in the form in the schedule to this act annexed marked (A), at one of the respective offices in the said last recited act mentioned, or to the surveyor, inspector, or other person appointed by the commissioners for the affairs of taxes to receive lists under the said recited act as the same may require; and every such person, upon the delivery of such certificate, shall be entitled to receive, and shall receive from the surveyor, inspector, or other person aforesaid, to whom such certificate shall be delivered in pursuance of this act, a receipt in the form in the schedule to this act annexed marked (B); and every person claiming to be exempt from the said duty shall be charged and chargeable to the duties by the said recited act granted for every horse, mare, or gelding, so used or furnished as aforesaid, in respect whereof such certificate as aforesaid, shall not have been delivered pursuant to the provisions of this act; any thing in any act to the contrary thereof notwithstanding.

SCHEDULE.

(A.)

FORM OF CERTIFICATE.

I commanding officer of the do hereby certify, in pursuance of an act passed in the fortieth year of the reign of his present Majesty, intituled, *An act [here set forth the title of this act]*, that the muster rolls, certificates, and returns, of the said corps (or association), required by an act, passed in the thirty-

thirty-ninth year of his Majesty's reign, intituled, *An act for exempting, during the present war, persons serving in volunteer corps and associations from being balloted for the militia, under certain conditions*, have been duly delivered and returned according to the regulations of the said act; and that the said corps (or association) hath, in the course of the three months immediately preceding the date hereof, being inspected by _____ general (or field) officer in his Majesty's service, (or hath not been inspected by any general (or field) officer, but is ready and willing to be inspected), and that *A. B.* is inrolled and serving in the said corps (or association), and hath, since the date of his inrolment, duly attended at the exercise of the said corps (or association,) unless prevented by sickness, or by such other sufficient reason as hath been duly allowed by me, or by the commanding officer of the said corps (or association), for the time being.

Signed

Commanding officer.

Dated the _____

day of _____

(B.)

FORM OF RECEIPT.

No. _____

I do hereby certify, That _____ hath this day delivered at _____ a certificate from the commanding officer of the corps (or association) of _____ for the purpose of exempting him the said _____ from the payment of the said duty on hair powder certificates, (or, on horses, mares, or geldings, provided or furnished by him for the said corps, *as the case may be*), pursuant to the directions of an act, passed in the fortieth year of the reign of his present Majesty, intituled, *An act* [here insert the title of this act].

Signed

Description whether officer of }
stamps or assessed taxes }

Dated the _____

day of _____

C A P. XXXIII.

An act to enable the lords commissioners of his Majesty's treasury to issue exchequer bills, to a limited amount, on the credit of such aids or supplies as have been or shall be granted by parliament, for the service of the year one thousand eight hundred; and to enable the governor and company of the bank of England to advance cash or bullion, to be remitted abroad on account of foreign subsidies or services abroad. — [May 1, 1800.]

WHEREAS it may be necessary for the publick service that Preamble.
exchequer bills to a limited amount should be issued, on the credit of such aids or supplies as have been or shall be granted by parlia-

The treasury may issue exchequer bills to the amount of seven millions, agreeably to those issued under the malt act of this session c. 2; to be

payable out of supplies for 1800, 14 days notice in the Gazette, &c.

But treasury not to issue under this act exchequer bills on the credit of 39 Geo. 3. l. 2. c. 2. & 3. or on any aids that may be granted next session.

Exchequer bills shall bear an interest not exceeding 3d. 2q. per cent. per diem, &c.

ment for the service of the year one thousand eight hundred: 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 lords commissioners of his Majesty's treasury, or any three or more of them, now or for the time being, or the lord high treasurer for the time being, if they or he shall judge it adviseable at any time or times after the passing of this act, to prepare or make, and issue, or cause to be prepared or made and issued, any number of new exchequer bills, not exceeding in exchequer bills current at the same time, the sum of seven millions, in the same or like manner, form, and order, and according to the same or like rules and directions (except where other directions for making out the same are contained and particularly expressed in this act), as in and by an act, made in the 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 eight hundred*, are enacted and prescribed concerning the exchequer bills to be made in pursuance of the said act; which said exchequer bills shall be payable at any time out of all or any of the aids or supplies which have been or shall be granted by parliament for the service of the year one thousand eight hundred, on fourteen days notice being given by publick advertisement in the Gazette, and in three or more of the London newspapers, of the day of payment thereof: provided always, That every such exchequer bill shall and may be signed by the auditor of the receipt of his Majesty's exchequer, or in his name, by any person duly authorized by the said auditor to sign the same, with the approbation of the lords commissioners of the treasury, in writing under their hands, or of any three or more of them.

II. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend to authorise the lords commissioners of his Majesty's treasury to issue any exchequer bills on the credit of any duties or taxes granted by an act of the 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 eight hundred*; or by another act of the same session, intituled, *An act for continuing and granting to his Majesty a duty on pensions, offices, and personal estates, in England, Wales, and the town of Berwick upon Tweed, and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred*, in any other manner than they are authorized by the said acts; or to issue any exchequer bills on the credit of any aids or supplies which may be granted in the next session of parliament.

III. And be it further enacted, That the exchequer bills to be made out in pursuance of this act shall and may bear an interest not exceeding the rate of three pence halfpenny per centum per diem, upon or in respect of the whole of the monies respectively

tively contained therein; and that all such exchequer bills that shall not be paid out of all or any of the aids or supplies which have been or shall be granted by parliament for the service of the year one thousand eight hundred as aforesaid, shall be receivable as money in payment for any publick taxes, or to the receipt of any branch of the publick revenue, at any time after the expiration of four months from the date of any such bills respectively.

IV. And be it further enacted, That no exchequer bill to be made forth by virtue of this act shall be paid, received, or taken by, or pass or be current with any collector or receiver of any revenue, aid, supply, or tax whatever, payable to his Majesty, his heirs or successors, or at the receipt of the exchequer, from any such receiver or collector, or from any other person or persons, bodies politick or corporate, (otherwise or on any other account than for the discharging and cancelling of such exchequer bills, in case the same shall be in due course or order of payment), nor shall any action be maintained against any such collector or receiver for neglecting or refusing to receive any such exchequer bills, nor against any officer of the receipt of the exchequer for neglecting or refusing the same, before the day on which the same shall be made receivable as money in payment for any publick taxes or revenues as aforesaid, in pursuance of this act.

V. And be it further enacted, That all and every the clauses, provisoes, powers, privileges, advantages, penalties, forfeitures, and disabilities contained in the said first recited act relating to the exchequer bills authorized to be made by the said act (except as herein mentioned), shall be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually, to all intents and purposes, as if the same exchequer bills had been originally authorized by the said first recited act, or as if the said several provisions and clauses had been particularly repeated and re-enacted in the body of this act.

VI. And be it declared and further enacted, 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 all or any of the aids or supplies which have been or shall be granted by parliament for the service of the year one thousand eight hundred, any sum or sums of money, not exceeding in the whole the sum of three millions, 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; or any thing in an act, passed in the thirty-eighth year of his present Majesty's reign, intituled, An act to amend and continue, until one month after the conclusion of the present war, the provisions contained in an act passed in the session of parliament of the thirty-sixth and*

Exchequer bills so issued not to be received in payment of the revenue or at the exchequer, till the same become payable.

The clauses in the recited act extended to this act.

Bank of England may lend 3,000,000l. on the credit of this act, notwithstanding 5 and 6 Gul. & Mar. c. 20. or

38 Geo. 3.

c. 1.

thirty-

thirty-seventh years of his present Majesty, chapter ninety-one, videlicet, On the twenty-second of June one thousand seven hundred and ninety-seven, for the restriction on payments of cash by the bank, to the contrary thereof in any-wise notwithstanding.

Bank may advance for the publick service in cash or bullion, any sum granted this session for foreign subsidies.

VII. And be it further enacted, That it shall be lawful for the governor and company of the bank of *England*, to advance for the publick service, in cash or bullion, any such sum to be remitted abroad, as they shall judge expedient, from time to time, not exceeding in the whole the amount which has been or shall be granted in this session of parliament on account of foreign subsidies or services abroad; any thing in any act to the contrary notwithstanding.

C A P. XXXIV.

An act to permit the importation of goods and commodities from countries in America, belonging to any foreign European sovereign or state, in neutral ships, until the twenty-ninth day of September one thousand eight hundred and one. — [May 1, 1800.]

Preamble.

WHEREAS by the laws now in force no goods or commodities whatsoever, of the growth, production, or manufacture of *America*, can (except in certain cases) be imported into this kingdom, but in *British-built ships*, owned and navigated according to law: and whereas it is expedient, under the present circumstances, to permit certain goods and commodities to be imported, under restrictions, in foreign ships belonging to subjects of states in amity with his Majesty; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, and until the twenty-ninth day of *September* one thousand eight hundred and one, it shall and may be lawful for his Majesty, by and with the advice of his privy council, to grant licence to any *British* subject or subjects to import into this kingdom, for his or their own account, or for account of a subject or subjects of any state in amity with his Majesty, from any country in *America* belonging to any foreign *European* sovereign or state, any goods or commodities of the growth or produce, whether manufactured or otherwise, of any such country, not prohibited to be used or consumed in this kingdom, in any ship or vessel belonging to any state in amity with his Majesty, and under such rules, regulations, restrictions, and securities, as his Majesty, with the advice of his privy council, shall approve, and subject to the same duties as such goods and commodities would be subject to if imported in any *British-built* ship or vessel, and to the same rules, regulations, restrictions and securities, penalties and forfeitures, respecting the payment of the same; any law, custom, or usage, to the contrary in anywise notwithstanding.

His Majesty may grant licence to any *British* subject to import goods (not prohibited) from countries in *America* belonging to any foreign *European* sovereign or state, in neutral ships, on payment of the same duties as if imported in *British* ships.

Sugar and coffee to be warehoused immediately on importation, &c.

II. Provided always, That all sugar and coffee imported in pursuance of this act shall be warehoused immediately on importation, and shall not be taken out of warehouse to be used or consumed

consumed in this kingdom, but only for exportation to foreign parts.

No licence to be granted to any person who shall not have exported goods to such countries bearing such proportion in value to the goods to be imported, as his Majesty shall direct, &c.

III. Provided always, That no such licence shall be granted to any person or persons who shall not have exported, or given such security as shall be required for exporting from this kingdom according to law, to the possessions in *America* belonging to the same *European* sovereign or state, any goods or commodities, bearing such proportion in value to the goods so to be imported, as his Majesty, by and with the advice aforesaid, shall think reasonable, and shall direct.

IV. Provided always, That if any question shall arise in any case, whether any thing which shall be done was authorized to be done by virtue of any such licence, the proof that such thing was done under the circumstances, and according to the terms and conditions in such licence to be expressed, shall lie on the person or persons respectively claiming the benefit of such licence.

Proof, in case of dispute, to lie on the person claiming the benefit of the licence.

C A P. XXXV.

An act for granting a bounty on the importation of oats, until the first day of October one thousand eight hundred.—[May 1, 1800.]

WHEREAS it is expedient that encouragement should be given for a limited time, to the importation of oats into 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, for oats imported or brought into this kingdom in *British* ships or vessels, or in ships or vessels belonging to persons of any kingdom or state in amity with his Majesty, however the same may be navigated, there shall be paid and allowed the following bounty; (that is to say), whenever the average price of oats, ascertained and published in the *London Gazette* under the authority of any act or acts of parliament, shall be less than forty shillings per quarter, there shall be paid and allowed on every quarter of oats, (each *Winchester* bushel whereof shall weigh thirty-six pounds avoirdupois or upwards), a bounty equal to the difference between such average price and forty shillings per quarter, and which shall be imported or brought into *Great Britain* before the first day of *October* one thousand eight hundred, from any port of *Europe*, or any port in the *Mediterranean*, or in *Africa*, or from any of his Majesty's colonies in *America*, or the *United States*.

Preamble.

A bounty granted on oats imported before Oct. 1, 1800.

II. And be it further enacted, That the said bounty shall be under the management of the commissioners of his Majesty's customs in *England* and *Scotland* respectively, and shall be paid out of any monies in their hands arising by any of the duties or revenues under their management respectively, to the respective importers or consignees of such oats: provided always, That a due entry shall be made with the proper officers of the customs at the port into which the same shall be imported: provided also,

Bounty to be under the management of the commissioners of customs.

Entry to be made at the port of importation, and That proof given

that the oats
are free from
mixture.

No bounty
to be allowed
unless the oats
are imported
at certain
places.

Oats im-
ported, to be
inspected by
the officers of
the customs
and two skil-
ful persons,
who are to
certify
whether they
are fit for ma-
king meal.

Anno regni quadragesimo GEORGII III. c. 35. [1800.

That the collector or other proper officer of the customs of the port where such oats shall be imported, do receive full and satisfactory proof, that the said oats for which the bounty herein allowed is claimed, are wholly and entirely without mixture of any other corn or grain, or of grain the growth of any other country than in respect whereof the said bounty is claimed, and that in default thereof, the said bounties shall not nor shall any of them be allowed or paid.

III. Provided always, and be it enacted, That the bounty granted by this act shall not be paid, allowed, or received, unless the oats shall be imported or brought respectively into some one or other of his Majesty's ports, (that is to say), The ports of *London, Aberystwyth, Barnstaple, Beaumaris, Berwick, Biddleford, Boston, Bridgewater, Bridport, Bristol, Cardiff, Cardigan, Carlisle, Carnarvon, Chester, Chichester, Colchester, Cowes, Dartmouth, Dover, Exeter, Falmouth, Fowey, Harwich, Hull, Ipswich, Lancaster, Liverpool, Lyme, Lynn, Malden, Milford, Newcastle, Newhaven, Penzance, Plymouth, Poole, Portsmouth, Preston, Rochester, Sandwich, Scarborough, Shoreham, Southampton, Stockton, Sunderland, Swansea, Wells, Weymouth, Whitehaven, Whitby, Wisbeach, Yarmouth; Aberdeen, Ayr, Alba, Borrowstonefs, Campbelltown, Dumfries, Dunbar, Port Dundas, Dundee, Grangemouth, Glasgow, including Port Glasgow, Greenock, Kirkcaldy, Kirkcudbright, Leith, Lerwick, Montrose, Perth, and Wigton.*

IV. And be it further enacted, That before any of the said oats imported or brought into this kingdom for bounty under the regulations of this act, shall be delivered out of the charge of the proper officer or officers of the customs of the port where the same shall be respectively so imported or brought, such oats shall be carefully and attentively inspected or examined by such officer or officers of the customs as the commissioners of the customs in *England and Scotland* respectively shall think fit to direct for that duty, and two indifferent and disinterested persons experienced in the nature of the article to be so inspected or examined; which two indifferent and disinterested persons shall be chosen by the principal officers of the customs at such port, or any two of them, whereof the collector for the time being shall be one; which said officer or officers of the customs so directed by the said commissioners of the customs respectively, and the said two indifferent and disinterested persons, so chosen as aforesaid to inspect and examine the said oats, shall, upon having reviewed the same, certify and declare upon their corporal oaths, first administered by the said principal officers, or any two of them, whereof the collector shall be one, (who are hereby authorized and required to administer the same), whether the said oats are or are not merchantable and fit for making meal; and if the same shall appear by such certificate merchantable and fit for making meal, the bounties respectively granted by this act shall be paid and allowed thereon; but if the same shall appear by such certificate not to be merchantable or fit for making meal, no bounty granted by this act shall be paid or allowed thereon.

V. And

V. And be it further enacted, That the said indifferent and disinterested persons, so chosen by the said principal officers to inspect and examine the said oats, shall from time to time be paid by an order of the commissioners of his Majesty's customs, or any four or more of them, in *England*, or the commissioners of his Majesty's customs in *Scotland*, or any three or more of them, out of any monies in their hands, arising by any of the duties or revenues under their management respectively, the following sums, by way of recompence or reward for their trouble in so inspecting, examining and certifying, (that is to say), the sum of one penny *per* quarter for all oats inspected and examined and certified by them as aforesaid, and so in proportion for any greater or less quantity.

Recompence
to be made the
inspectors.

VI. Provided always, and be it further enacted, That in case any oats shall be so imported or brought from any of the ports or places herein mentioned into any of the respective ports herein also enumerated, subsequent to the time limited by this act, but before the fifteenth day of *October* one thousand eight hundred, it shall and may be lawful for the commissioners of his Majesty's customs in *England* and *Scotland* respectively, to order the bounty or bounties respectively to be paid thereon in like manner as if the same had been imported within the time limited by this act; provided proof shall be made, to the satisfaction of the said commissioners respectively, that the ships or vessels on board of which respectively such oats shall be so imported or brought, actually and *bona fide* set sail from such respective ports or places, for *Great Britain*, in such time as they might in the ordinary course of their voyage have arrived in *Great Britain* before the first day of *October* one thousand eight hundred; and proof shall also be given, and entry shall be made, and the oats inspected and examined and certified in like manner as is required by this act, to authorise the payment of bounty on the said oats imported within the time limited by this act.

Commissioners of customs may pay bounty on oats imported before Oct. 15, 1800, on proof of the vessels having sailed at such times, that they might in the ordinary course of their voyage have arrived before Oct. 1st.

VII. And be it further enacted, That if any ship or vessel has arrived or shall arrive at any port in *Great Britain*, where, according to the regulation of this act, the bounty is not allowed, the said ship or vessel shall and may lawfully depart from such port, without molestation or hindrance, with the oats on board, and may carry the same to any other port in *Great Britain* at which the same may be entered for the bounty, and there enter, land, and deliver the same, subject nevertheless to each and every the rules, regulations, conditions, and restrictions of this act.

Vessels arriving at a port where the bounty is not allowed, may sail to one where it is.

VIII. And be it further enacted, That this act shall continue in force until the fifteenth day of *October* one thousand eight hundred.

Continuance of act;

IX. Provided always, That any part of this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

altered or repealed this session.

C A P. XXXVI.

An act to enable courts of equity to compel a transfer of stock in suits, without making the governor and company of the bank of England, or the united company of merchants of England trading to the East Indies, or the governor and company of merchants of Great Britain trading to the South Seas, or other parts of America, party thereto.—[May 1, 1800.]

Preamble.

WHEREAS great expence arises in suits in courts of equity, from the practice of making the governor and company of the bank of England parties thereto, for the mere purpose of compelling or authorising the said corporation to suffer any transfer of stock standing in their books to be made which justice may require; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall be lawful for any of his Majesty's courts of equity, before or upon hearing any cause depending therein, to order the governor and company of the bank of England to suffer a transfer of stock standing in their books to be made, or to pay any accrued or accruing dividends thereon, belonging to or standing in the names of any party to a suit, as such courts may deem just; or to issue an injunction to restrain them from suffering any transfer of such stock, or from paying any dividends or interest accruing or accrued thereon, although such governor and company are not parties to the suit in which such decree or order shall be made, such courts being satisfied by the certificate of the accountant of the said corporation, duly signed by him as herein-after is directed, that the stock required to be transferred is standing in their books in the name of the persons or person required to transfer the same, or of the persons or person to whom they or he are or is the legal representative; and that after due service of a short order upon the said governor and company, or their proper officer, which shall contain no recital of their pleadings, or other matter than the title of the cause, and the ordering part of such decree or order which respects the said governor and company, and for which the sum of eighteen shillings and no more, shall be paid, like process shall issue to enforce such order or decree as to enforce them against any party to a suit depending in such court.

II. *And for the better enabling any party to a suit to obtain and produce such certificate in court,* be it enacted, That upon request in writing signed by the clerk in court (or other officer answering thereto) and the solicitor concerned in the cause for the party applying, which shall state the cause, and for what parties they are concerned, the governor and company of the bank of England shall deliver, or cause to be delivered, to the said clerk in court, or other officer and solicitor, or one of them, a certificate signed by their accountant, stating the amount of such stock or dividends, and in whose names or name such stock is standing in their

Any court of equity may order the bank of England to suffer a transfer of stock to be made, or to pay dividends, belonging to, or standing in the names of any party to a suit, or issue an injunction to restrain such transfer or payment, although the bank be not a party, &c.

On request of the clerk in court and the solicitor of the party, the bank shall deliver a certificate stating the amount of such stock or dividends, &c. for which

their books, and, if it be particularly required (but not otherwise) when such stock or any part thereof was transferred, and by whom, for the signing of which request in writing, there shall be paid to such clerk in court or other officer, a fee of six shillings and eight-pence, and no more, and to such solicitor, for the drawing, copying, and delivering at the bank, a fee of thirteen shillings and four-pence, and no more, and to the officer making out and delivering such certificate, a fee of two shillings and sixpence, and no more: provided nevertheless, That nothing herein contained shall extend to any case where any further discovery is wanted than what is herein-before expressly mentioned, nor to any case where the said governor and company claim any interest in or lien upon the said fund, but that in such cases it shall be necessary to make them a party to such suit as if this act had never been made; and that if any special matter shall arise, which, in the opinion of the said governor and company, shall affect their interests, or which might be objected against suffering such transfer of stock or payment of dividends, it shall be lawful for them to state such matter to the court by motion or petition in such suit, and that execution of process to compel such transfer or payment shall be suspended until final order shall be made thereon.

the fees here-
in specified
shall be paid.

Act not to extend to any further discovery than herein mentioned; nor to any case where the bank claim an interest in the fund, &c.

III. And be it further enacted, That in all suits now depending in which the said governor and company may have put in their answer, not claiming any interest in or lien upon the stock required to be transferred, no further proceeding shall be had against them as a party to such suits, but that the bill shall stand dismissed as against them in such suits; and that in all such suits an order may be made, upon motion or petition as of course, for the taxing of their costs already incurred, and for immediate payment thereof by the plaintiffs in any such suits, or any of them, subject however to any further order as between the other parties to such suits, respecting the final payment of such costs, as by the court in which any suit may be depending shall be deemed just.

In suits depending where the bank have put in their answer, not claiming any interest in the stock required to be transferred, proceedings shall be stopped and the bill dismissed, &c.

IV. And be it further enacted, That all the several regulations and provisions herein-before enacted, shall extend *mutatis mutandis* to every case where the united company of merchants of England trading to the *East Indies*, or the governor and company of merchants of *Great Britain* trading to the *South Seas* or other parts of *America*, have any stock standing in the books of such respective corporations, which may now be or hereafter may become the subject of any suit in equity or incidental thereto, saving to the said corporations respectively the like right of being made a party, or applying by motion or petition, in such suits as is before referred or given to the governor and company of the bank of *England*.

The provisions aforesaid shall extend to the *East India* company and the *South Sea* company where they have stock standing in their books, which may become the subject of a suit in equity.

C A P. XXXVII.

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, from the twenty-fifth day of March one thousand eight hundred.—[May 16, 1800.]

C A P. XXXVIII.

An act for repealing so much of an act, made in the last session of parliament, intituled, An act for permitting certain goods imported from the East Indies to be warehoused; and for repealing the duties now payable thereon, and granting other duties in lieu thereof, as relates to saltpetre.—[May 16, 1800.]

Preamble.
39 Geo. 3.
c. 59.

Recited act so far as respects saltpetre repealed; and such saltpetre as remain in the East India company's warehouses, and all hereafter imported, shall be charged with the duties payable previous to recited act. Duty on saltpetre in warehouses to be paid or secured as if then imported.

WHEREAS by an act, made in the last session of parliament, intituled, An act for permitting certain goods imported from the East Indies to be warehoused; and for repealing the duties now payable thereon, and granting other duties in lieu thereof, provision is made for warehousing any goods, wares, or merchandizes, except tea, cotton, wool, nutmegs, mace, cloves, and cinnamon, and bullion, diamonds, and other precious stones, upon importation and landing thereof, by the united company of merchants of England trading to the East Indies, in manner therein mentioned, and upon payment of the new and additional duties of customs in the said act mentioned: and whereas it is expedient that saltpetre should be exempted from the operation of the said recited act, and from the duty thereby imposed thereon; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said recited act, so far as it relates to saltpetre, shall be, and the same is hereby repealed; and that the duty thereby imposed on saltpetre shall cease and determine; and that, from and after the passing of this act, all the saltpetre which shall remain, or be unfold, in the warehouses of the said united company, and all saltpetre hereafter imported by the said united company, shall be subject and liable to the same rules, regulations, and provisions, and charged and chargeable with the same duties as were in force immediately before the passing of the said recited act; the said act, or any thing therein contained, to the contrary thereof in anywise notwithstanding.

II. And be it further enacted, That immediately after the passing of this act, the duty or duties which before the passing of the said recited act would have been payable on any saltpetre which shall remain, or be unfold, in the warehouses of the said united company, on the importation, shall be paid or secured by the said united company, in like manner as if the same saltpetre had been then imported by them.

C A P. XXXIX.

An act for increasing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.—[May 16, 1800.]

WHEREAS by an act, passed in the present session of parliament, Preamble. for punishing mutiny and desertion, and for the better payment Mutiny act of the army and their quarters, certain rates are established in that recited. part of Great Britain called England, the dominion of Wales, and the town of Berwick upon Tweed, for the payment of innholders and others on whom non-commissioned officers and private soldiers are quartered and billeted, who shall be furnished with diet and small beer at their quarters; and an option is given to such innholders and others, to furnish certain articles gratis, in lieu of diet and small beer, at the rates prescribed: and whereas the occasion of marching and quartering of troops has increased, and may continue, and the rules prescribed for furnishing soldiers with necessaries are, in many instances, become, from the high price of provisions, inadequate, and are productive of distress to such innholders and others: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every non-commissioned officer and private soldier who shall be furnished with diet and small beer within the Non-commissioned officers and soldiers, to allow 1s. 4d. per diem for diet and small beer in quarters in England; afore said part of Great Britain, by the innholders or other persons on whom such non-commissioned officers or private soldiers shall be quartered and billeted by virtue of the said act, shall pay and allow for the same one shilling and four-pence per diem; and that the accounts of the same shall be rendered, and payment thereof made, in like manner as is directed in the said act now in force touching the former rates of seven-pence per diem for the cavalry, and five-pence per diem for the infantry.

II. And be it further enacted, That in case any innholders or other persons on whom any non-commissioned officers or private men shall be quartered, shall, by virtue of the said option in the said act, furnish such non-commissioned officers or soldiers with the articles therein mentioned, in lieu of furnishing diet and small beer, at the rates prescribed by this act, such innholders or other persons on whom such non-commissioned officers or soldiers are quartered, and by whom the said articles shall have been so supplied, shall receive, in consideration thereof, one halfpenny per diem for each non-commissioned officer and soldier, instead of furnishing the same gratis, as required by the said act; which sum of one halfpenny per diem shall be accounted for and paid in like manner as is directed touching the rates aforesaid. and for articles which have been furnished gratis in lieu thereof, of one halfpenny per diem to be allowed.

III. And be it further enacted, That the sum to be paid to For horses quartered 1s. 2d. per diem to be paid for hay and straw the innholder or other person, on whom any of the horses belonging to his Majesty's forces shall be quartered by virtue of

the said act, for hay and straw, shall be one shilling and two-pence *per diem* for each horse, instead of sixpence *per diem* as directed in the said act.

IV. *And whereas the provisions contained in the said recited act, with respect to the manner of dieting non-commissioned officers and soldiers on a march, or employed in recruiting, and likewise the recruits by them raised, have been productive of much inconvenience, as well to the troops as the innholders; be it further enacted, That so much of the said recited act as relates to the manner of furnishing non-commissioned officers and soldiers on a march, or employed in recruiting, and likewise the recruits by them raised, with diet or other provision, be, and the same is hereby repealed.*

So much of recited act as relates to furnishing with diet non-commissioned officers and soldiers on a march, or recruiting, repealed.

Regulation with respect to dieting non-commissioned officers and soldiers on their march.

V. *And be it further enacted, That all non-commissioned officers and soldiers shall be entitled to receive their diet and small beer from the innholders or other persons on whom they may be billeted, at the rates herein-before prescribed, while on the march, as also on and for the day of their arrival at the place of their final destination, and on the two subsequent days, unless either of the two subsequent days shall be a market day in and for the town or place where such officers or soldiers shall be billeted, or within the distance of two miles thereof, in which case it shall and may be lawful for the innholder, or other person as aforesaid, to discontinue on and from such market day the supply of diet and small beer, and to furnish in lieu thereof the articles in the said recited act specified, and at the rate herein-before prescribed.*

Persons paying money to non-commissioned officers or soldiers on a march in lieu of furnishing diet and small beer, liable to be fined.

VI. *Provided always, That if any victualler, or other person liable by the said recited act, to have soldiers billeted or quartered on him or her, shall pay any sum or sums of money to any non-commissioned officer or soldier on the march, in lieu of furnishing in kind the diet and small beer to which such non-commissioned officer or soldier is entitled under the said act, every such victualler or other person may be proceeded against and fined, in like manner as if he or she had refused to furnish or allow according to the directions of the said recited act, the several things respectively directed to be furnished to non-commissioned officers or soldiers so quartered or billeted on him or her as aforesaid.*

When halted on a march, non-commissioned officers and soldiers entitled to diet and small beer as after arriving at their destination:

and if such halting be only for a day after arrival, and that be a

VII. *Provided also, That if any regiment, troop, company, or detachment, when on the march, shall be halted, either for a limited or indefinite time, at any intermediate place, the non-commissioned officers and soldiers belonging thereto shall be entitled to receive their diet and small beer from the persons on whom they shall be billeted at such intermediate place, for such time only for which they would be entitled to receive the same after arriving at the place of their final destination, according to this act.*

VIII. *Provided nevertheless, That whenever it shall happen that any regiment, troop, company, or detachment, when on their march, shall be halted, and it shall appear by the marching orders, that it is not intended that such regiment, troop, company,*

pany, or detachment, shall halt for any longer time than one market day, intire day after the day of their arrival at the place of halting, and the day after such arrival shall be such market day as aforesaid, it shall not be lawful for the innholders or other persons on whom the non-commissioned officers and soldiers shall be billeted, to discontinue, on such market day, the supply of diet and small beer to any such officers or soldiers; but that all such officers and soldiers shall be entitled to receive their diet and small beer, from such innholders and other persons aforesaid, upon such market day as aforesaid, at the rates herein-before prescribed, in like manner as they would have been entitled thereto if such day had not been a market day; any thing herein-before contained to the contrary hereof notwithstanding.

IX. And be it further enacted, That all non-commissioned officers and private men employed in recruiting, and the recruits by them raised, shall, while on the march, and for two days after the day of their arrival at any recruiting station, be entitled to the same benefits as are herein-before provided in regard to troops upon the march; but no recruit enlisted after the two days subsequent to the arrival of the party at their recruiting station, shall be entitled to be supplied with diet and small beer at the rate herein-before prescribed, except at the option of the person on whom he shall be quartered: provided also nevertheless, That in case any such recruiting party, with the recruits by them raised, shall remove from their station, and after a time shall return to the same place, they, and the recruits by them raised, so returning, shall not be again entitled to the supply of diet and small beer for such two days as aforesaid, unless the period between the time of their removal from such place, and their return thereto, shall have exceeded twenty-eight days.

X. Provided always, and be it further enacted, That the rates of subsistence directed to be paid to innkeepers and others, on quartering soldiers by an act passed in the last session of parliament, shall be payable until the commencement of this act.

XI. And be it further enacted, That this act shall commence and take place from the day of the passing thereof, and be in force until the twenty-fifth day of *March* one thousand eight hundred and one; and that this act may be altered, varied, or repealed, by an act or acts to be passed in this present session of parliament.

C A P. XL.

An act to enlarge the powers of the directors and guardians of the poor within the several hundreds, towns, and districts, in that part of Great Britain called England, incorporated by divers acts of parliament, for the purpose of the better maintenance and employment of the poor, as to the assessments to be made upon the several parishes, hamlets, and places therein mentioned, until the first day of January one thousand eight hundred and two.—[May 16, 1800.]

WHEREAS by an act, made in the thirty-sixth year of the reign of his present Majesty, intituled, An act for the better relief of the poor within the several hundreds, towns, and districts, in that part of Great Britain called England, incorporated by divers acts of parliament for the purpose of the better maintenance and employment of the poor; and for enlarging the power of the guardians of the poor, within the said several hundreds, towns, and districts, as to the assessments to be made upon the several parishes, hamlets, and places, within their respective hundreds, towns, and districts, for the support and maintenance of the poor, powers were given to the directors and acting guardians of the poor, incorporated by acts of parliament, in certain cases, to make such assessments as might be necessary for the support and maintenance of the poor, notwithstanding they might exceed the assessments limited by the respective acts; and it was by the said recited act provided, that, from and after the first day of January one thousand seven hundred and ninety-eight, the sums to be assessed by virtue thereof on any parish, hamlet, or place, should never exceed, in any one year, the amount of double the sum at that time raised by virtue of any incorporating act then existing: and whereas, on account of the scarcity of corn, in consequence of the late unfavourable harvest, and the advanced price of almost every necessary article of subsistence or utility, the amount of the rates and assessments, so limited by the said recited act to be collected, are become insufficient for the necessary relief and maintenance of such poor, who have of late very much increased in number; and it is expedient, that so much of the said recited act as directs such limitation, should be repealed, be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same,

So much of the recited act as directs that, after Jan. 1, 1798, the sums to be assessed on any place should not exceed the amount of double the sum at that time raised, shall be repealed.

That, from and after the passing of this act, so much of the said recited act as directs that, from and after the first day of January one thousand seven hundred and ninety-eight, the sums to be assessed on any parish, hamlet, or place, should never exceed, in any one year, the amount of double the sum at that time raised by virtue of any incorporating act then existing, shall be and the same is hereby repealed.

II. And whereas by the said recited act, the directors and acting guardians of the poor, incorporated by acts of parliament as therein mentioned, were empowered, at any of their annual, quarterly, or other general meetings, to make the said assessments under the limitation in the said act mentioned, whenever the average price of wheat, at the corn market in Mark Lane, London, for the quarter immediately preceding such annual, quarterly, or other general meeting, should have exceeded the average price of wheat at the same market, during those years from which the average amount of the poor's rates was taken, upon the passing of the several incorporating acts respectively: and whereas it is proper that so much of the said recited act as regulates the average price of wheat in the manner before mentioned should be repealed, and other provisions made for that purpose, be it therefore further enacted, That from and after the passing of this act, the said

Instead of the assessments

said directors and acting guardians of the poor incorporated as directed to be made under
 aforesaid, shall be empowered to make the said assessments, when- recited act,
 ever the average price of wheat, at the corn market in *Mark the directors*
Lane, London, shall exceed three pounds per quarter; any thing in and guardians
 the said recited act to the contrary notwithstanding. of the poor
 may make
 shall exceed

those assessments whenever the price of wheat at the market in Mark Lane shall exceed
 31. per quarter.

III. And be it further enacted, That this act shall continue Continuance
 and be in force until the first day of *January* one thousand eight of act.
 hundred and two, and no longer.

C A P. XLI.

*An act for explaining and amending several acts, made in the thirty-
 second year of King Henry the Eighth, and the first, thirteenth,
 and fourteenth years of the reign of Queen Elizabeth, so far as
 respects leases granted by archbishops, bishops, masters and fellows
 of colleges, deans and chapters of cathedral and collegiate churches,
 masters and guardians of hospitals, and others having any spiritual
 or ecclesiastical living or promotion.—[May 16, 1800.]*

WHEREAS doubts have arisen whether archbishops, bishops, **Preamble.**
 masters, and fellows of colleges, deans and chapters of cathedral
 and collegiate churches, masters and guardians of hospitals, and others
 having any spiritual or ecclesiastical living or promotion, who are by
 several acts, passed in the reigns of their late majesties King Henry
 the Eighth and Queen Elizabeth, restrained from granting any
 leases of their estates whereon the accustomed yearly rent is not reserved,
 can lawfully grant separate leases of parts of lands or tenements which
 have been usually demised by one lease and under one rent, reserving on
 the several parts so demised less than the rent anciently reserved on the
 demise of the whole, though the aggregate amount of the rents so re-
 served on such separate demises should be equal to or exceed the amount
 of the annual accustomed rent for the whole: and whereas many such
 separate leases have been granted, and great inconvenience may arise
 to persons claiming under such leases, if such leases should not be deemed
 valid and effectual, in case the amount of the rent anciently reserved
 on demises of the whole shall appear to have been reserved on the sepa-
 rate demises of the different parts; and the power of dividing tenements,
 anciently so demised in one parcel at one rent, may in many cases tend
 to improve the value of the estates belonging to such ecclesiastical persons
 and bodies respectively, as well as to the benefit of their lessees and 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 in all cases where any
 honours, castles, manors, messuages, lands, tythes, tenements, or
 other hereditaments, being parcel of the possessions of any arch-
 bishop, bishop, master, and fellows, dean and chapter, master
 or guardian of any hospital, or any other person or persons, or
 body or bodies politick or corporate, having any spiritual or
 ecclesiastical living or promotion, and having been anciently or
 accustomedly demised by se-
 Where any
 part of the
 possessions of
 any archbi-
 shop, &c. or
 person hav-
 ing any eccle-
 siastical liv-
 ing, shall be
 demised by se-

veral leases, which was formerly demised by one, or where a part shall be demised for less than the ancient rent, and the residue shall be retained in the possession of the lessor, the several rents reserved on the separate demises of the specific parts shall be taken to be the ancient rents within the meaning of 32 Henry 8. c. 28. 1 Eliz. c. 19. 13 Eliz. c. 5. and 14 Eliz. c. 11.

Demise made before passing this act not valid, unless the rents reserved be equal to or more than the rents accustomed, &c.

Where the whole of such premises shall be demised in parts, the aggregate rents reserved shall not be less than the old accustomed rent, and so in proportion where a part shall be retained in pos-

accustomably demised by one lease under one rent, or divers rents issuing out of the whole, now are or shall hereafter be demised by several leases to one or several persons under an apportioned or several rents, or where a part only of such honours, manors, messuages, lands, tythes, tenements, or other hereditaments as last mentioned, are or shall be demised by a separate lease or leases, under a less rent or less rents than was or were accustomably reserved for the whole by such former lease, and the residue thereof is or shall be retained in the possession or occupation of the lessor or lessors, the several and distinct rents reserved on the separate demises of the several specifick parts thereof comprized in and demised by such several leases, shall be deemed and taken to be the ancient and accustomed rents for such specifick parts respectively, within the intent and meaning of an act, passed in the thirty-second year of the reign of his late majesty King Henry the Eighth, intituled, *Lessees to enjoy the farms against the tenants in tail*; and of an act, passed in the first year of the reign of her late majesty Queen Elizabeth, intituled, *An act giving authority to the Queen's majesty, upon the avoidance of any archbishop or bishop, to take into her hands certain of the temporal possessions thereof, recompensing the same with parsonages impropriate and tythes*; and of another act, passed in the thirteenth year of the same Queen, intituled, *Fraudulent deeds made by spiritual persons, to defeat their successors of remedy for dilapidations, shall be void, &c.* and of another act, passed in the fourteenth year of the reign of the same Queen, intituled, *An act for the continuation, explanation, perfecting and enlarging of divers statutes.*

II. Provided always, That nothing herein contained shall extend to confirm or render valid any demise made before the passing of this act, unless the several rents reserved upon the separate demises of separate parts or tenements, theretofore accustomably demised under one entire lease, shall be equal to or more than the rent or rents theretofore accustomably reserved on the entire demise of the whole, or in case the whole should not be demised, but part reserved in the possession of the lessor or lessors, unless the rents reserved on the parts demised should be so far equal to or more than the whole amount of the ancient rent or rents, that the part not demised should be sufficient to answer the difference.

III. Provided also, That where the whole of any such honours, castles, manors, messuages, lands, tythes, tenements, or other hereditaments, accustomably demised by one lease, shall be demised in parts by several leases after the passing of this act, the aggregate amount of the several rents which shall be reserved by such separate leases, be not less than the old accustomed rent or rents theretofore reserved by such entire lease; and that where a part only shall be so demised by any such separate lease, and the residue shall be retained in the possession of the lessor or lessors, the rent or rents to be reserved by such separate lease or leases, shall not be less, in proportion to the fine or fines to be received on granting such lease or leases, than the rent or rents accustomed

to

to be reserved for the whole of the said premises, was in proportion to the fine received on granting the last entire lease.

IV. Provided also, That no greater proportion of the accustomed rent be reserved by any separate lease hereby confirmed or allowed to be granted, than the part of the premises thereby severally demised will reasonably bear and afford a competent security for.

V. Provided also, That where any specifick thing, incapable of division or apportionment shall have been reserved or made payable to the lessor or lessors, his or their heirs or successors, either by way of rent, or by any covenant or agreement contained in any such entire lease, the same may be wholly reserved and made payable out of a competent part of such lands or tenements demised by any such several lease as aforesaid; and in case, in any lease already granted, and intended hereby to be confirmed, any such provision shall appear to have been made for the payment and delivery of any such sum or sums of money, stipends, augmentations, or other things as aforesaid, the same shall be deemed and taken to have been lawfully made, in case the lands and tenements charged therewith shall be of a greater annual value than the payment or other things so charged, exclusive of the rent or other annual payment reserved to the lessor or lessors.

VI. Provided further, That nothing herein contained shall extend to authorise or confirm any lease whereon no annual rent is or shall be reserved to the lessor or lessors, his or their successors or assigns.

VII. Provided also, and be it further enacted, That this act, or any thing herein contained, shall not authorise the reservation or payment of any rent or rents upon any such several lease made or to be made under authority of this act, by any master, provost, president; warden, dean, governor, rector, or chief ruler of any college, cathedral church, hall or house of learning, in the universities of *Oxford* and *Cambridge*, or by the warden or other head officer of the colleges of *Winchester* and *Eaton*, in any other manner or proportions than is required by an act passed in the eighteenth year of the reign of her said late majesty *Queen Elizabeth*, intituled, *An act for maintenance of the colleges in the universities, and of Winchester and Eaton*.

VIII. Provided also, That where any such accustomed entire leases as aforesaid shall have usually contained covenants on the part of the lessee or lessees for the payment or delivery, or shall have in any other manner subjected or charged such lessee or lessees to or with the payment or delivery of any sum or sums of money, stipend, augmentation, or other thing, to or for the use of any vicar, curate, schoolmaster, or other person or persons, other than and besides the lessor or lessors, and his or their heirs or successors, all or any such leases as shall hereafter be granted of the same lands or tenements in severally as aforesaid, shall and may lawfully provide for the future payment and delivery of such sum or sums of money, stipends, augmentations, or other things,

possession by the lessor.

No greater proportion of the accustomed rent shall be reserved by any separate lease than the premises demised will bear.

Where any specifick thing shall have been reserved by the lessor, it may be a charge on the premises demised, &c.

No lease confirmed whereon no annual rent to the lessor is reserved.

Not to authorise the reservation of any rent on any such lease made by any master, &c. of any college in the universities, &c. in any other manner than is required by 18 Eliz.

Where payments have been reserved to vicars, &c. other than the lessors, provision shall be made in leases for the future payment thereof, out of premises of three times the annual value.

things, by and out of any part or parts of the lands or tenements accustomedly charged therewith, not being of less annual value than three times the amount of the payment so to be charged thereon, exclusive of the proportion of rent or other annual payments to be reserved to the lessor or lessors.

Not to confirm the claim of any vicar, &c. to such payment, where it depends only on the will of the person granting or renewing the lease. Persons holding such leases in trust, or granting under leases of specific parts under covenants of renewal, may surrender them, that separate leases may be granted by the original lessors to the cestuique, trusts and under lessees on reasonable terms subject to the accustomed rent, &c.

IX. Provided always, That nothing in this act shall extend to establish or confirm the claim of any vicar, curate, schoolmaster, or other person or persons, to any such sum or sums, salary, stipend, or other thing as aforesaid, the payment and continuance whereof shall depend only on the will of the person or persons, or body or bodies politick or corporate, granting or renewing such lease or leases respectively.

X. And be it further enacted, That where any person or persons now holding, or who shall hereafter hold, any such lease or leases as in this act mentioned, shall or may hold the same, or any specific part of the lands or tenements thereby demised, in trust for any other person or persons, or for any body or bodies politick or corporate, or shall have granted any under lease or under leases of any specific part or parts of his, her, or their respective holdings, and be under any covenant or engagement for renewal thereof to any other person or persons, body or bodies politick or corporate, when and as often as his, her, or their own lease or leases shall be renewed, it shall and may be lawful for such person or persons as first mentioned, at any time or times after the passing of this act, to surrender his, her, or their lease or leases, in order that separate and distinct leases may be granted by the original lessor or lessors of such specific parts of the same premises as shall have been held in trust, or subject to such covenants or engagements for renewal as aforesaid, to the respective under lessees and cestuique trusts, upon fair and reasonable terms, subject to an apportionment of the accustomed rent or rents, and other payments, according to the intent and meaning of this act; and every such surrender so made, and the new leases to be granted thereon, according to the intent and meaning of this act, shall be good and effectual in law and equity, notwithstanding such under lessees and cestuique trusts, or any of them, shall or may be infants, issue unborn, femes covert, persons absent from the realm, or otherwise incapacitated to act for themselves, provided that such new leases respectively be for the benefit of the several persons entitled to the benefit of such surrendered lease or leases respectively, and be expressly so declared in the body of each such new leases respectively.

C A P. XLII.

An act for the better observance of Good Friday, in certain cases therein mentioned.—[May 16, 1800.]

Preamble.

WHEREAS the bank of England and bankers in general are often under the necessity of transacting business on Good Friday, for the purpose of receiving money for bills of exchange and promissory

promissory notes becoming payable on that day, in consequence whereof many persons are prevented observing the same with due solemnity; now, therefore, for the better observance of Good Friday, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and of the commons, in this present parliament assembled, and by the authority of the same, That where bills of exchange and promissory notes become due and payable on Good Friday, the same shall, from and after the first day of June next ensuing, be payable on the day before Good Friday: and the holder or holders of such bills of exchange or promissory notes may note and protest the same for non-payment on the day preceding Good Friday, in like manner as if the same had fallen due and become payable on the day preceding Good Friday; and such noting and protests shall have the same effect and operation at law as if such bills and promissory notes had fallen due and become payable on the day preceding Good Friday, in the same manner as is usual in the cases of bills of exchange and promissory notes coming due on the day before any Lord's day, commonly called Sunday, and before the feast of the nativity or birth day of our Lord, commonly called Christmas day.

Where bills of exchange and promissory notes become payable on Good Friday, the same shall be payable on the day before, and the holders thereof may protest the same for non-payment on such preceding day.

C A P. XLIII.

An act to confirm an agreement entered into between the commissioners of his Majesty's treasury and the most noble Charles duke of Richmond, in pursuance of an act passed in the thirty-ninth year of the reign of his present Majesty, intituled, An act to enable the commissioners of the treasury to contract with the most noble Charles duke of Richmond, for the absolute purchase of the property of the said duke, and of all others interested, in a certain duty of twelve pence per chaldron on coals shipped in the river Tyne to be consumed in England, and to grant a compensation for the same, by way of annuity, payable out of the consolidated fund.—[May 30, 1800.]

C A P. XLIV.

An act for granting, until the twenty-fifth day of March one thousand eight hundred and one, certain allowances to adjutants, serjeant majors, and serjeants of militia, disembodied under an act of this session of parliament, intituled, An act for enabling his Majesty to accept the services of an additional number of volunteers from the militia, under certain restrictions.—[May 30, 1800.]

WHEREAS in pursuance of an act, made in this present session of parliament, intituled, An act for enabling his Majesty to accept the services of an additional number of volunteers from the militia, under certain restrictions, certain of the adjutants and serjeant majors of the said militia have been and may be reduced, and certain of the serjeants have been and may be disembodied: and whereas it is expedient that some provision should be made for the said adjutants, serjeant majors, and serjeants, during the time, and under the restrictions herein-after prescribed: 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

Preamble.
39 Geo. 3.
f. 2. c. 1.

Receivers general of the taxes to pay certain allowances to adjutants and serjeant majors reduced, and serjeants disembodied in pursuance of recited act.

lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That in every county, riding, or place, within that part of Great Britain called *England*, where any part of the militia shall have been disembodied in pursuance of the said recited act, the receiver or receivers general of the land tax, and other the duties under the management of the commissioners for the affairs of taxes, for such county, riding, or place respectively, shall issue and pay, or cause to be paid, the whole sums required, in the manner herein-after expressed, to every reduced adjutant and serjeant major, and to such of the disembodied serjeants as shall have served at least one year as serjeants, and shall have obtained certificates of their good behaviour from their respective commanding officers; that is to say, To every reduced adjutant an allowance of three shillings a day, to every reduced serjeant major, an allowance of one shilling a day, with the addition of two shillings and sixpence a week, and for every such disembodied serjeant as aforesaid, an allowance of one shilling a day.

Commanding officers of militia to give to such as are entitled to the allowance, a certificate, specifying the period to which they received pay, from which their allowances shall commence.

II. *And, in order that such allowances may be the more easily made at the respective places of residence of such adjutants, serjeant majors, and serjeants*, be it further enacted, That the commanding officer of every regiment, battalion, or corps of such militia, shall make or cause to be made out in writing, and shall sign and cause to be delivered to the adjutant, serjeant major, and each serjeant entitled to the said allowance as aforesaid, a certificate of his service as such adjutant, serjeant major, or serjeant, in such form and with such description as he shall think necessary, specifying the day on which such adjutant, serjeant major, and serjeant was reduced or disembodied as aforesaid, and the period up to which he received pay according to his rank in the militia; and every such adjutant, serjeant major, and serjeant shall be entitled to the allowance herein-before expressed, from the termination of the period last mentioned, at the times and in the manner, and for the period herein-after mentioned, without deduction or abatement on any account whatever.

Certificates to be indorsed by the minister and churchwardens of the place of residence of adjutant, &c. and lodged with the receiver general, who shall pay the money then due, and give order to the collector of the party's place of residence for payment of the

III. *And be it further enacted*, That every such adjutant, serjeant major, and serjeant, upon obtaining such certificate, shall procure the same to be indorsed with a certificate of the parish or place of his actual residence, under the signatures of the minister and churchwardens (or any two of them) of such parish or place, which certificate such minister and churchwardens respectively are hereby required to give without fee or reward, and shall forthwith lodge the same so indorsed with the receiver or one of the receivers general of the county, riding, or place, within which he shall reside, to be by such receiver general filed and preserved for the purposes herein-after mentioned, such receiver general giving a receipt for the same to such adjutant, serjeant major, or serjeant, and every such receiver general shall forthwith pay to every such adjutant, serjeant major, and serjeant, the full amount of the money then due to him under this act, and shall within seven days thereafter cause an order to be delivered to

to one of the collectors of the said several rates and duties for the parish or place mentioned in the indorsement upon any such certificate as the residence of the adjutant, serjeant major, or serjeant, to whom the certificate shall relate respectively, for the payment from time to time of the allowance given by this act, either weekly, monthly, or quarterly, as the person entitled thereto may demand the same, and every such collector shall pay the allowances directed by any such order to be paid out of any publick monies he may then have in his hands, or if he shall have no such monies then out of the first publick monies he shall thereafter receive, as long as any adjutant, serjeant major, or serjeant, shall reside in the same parish or place, and shall continue entitled to the allowance under this act, such collector taking proper receipts from time to time for such payments; and it shall be lawful for such collector to retain in his hands, with the consent of such receiver general from time to time, sufficient of the publick monies received by him for the payment in full of all such allowances for the period of one quarter of a year next ensuing; and all such payments made by such collector shall be allowed in his accounts with the respective commissioners of the said duties, and with the respective receivers general, and the said several sums of money, so paid by such collectors and receivers general respectively shall be allowed in the accounts of such receiver general out of the monies arising by the land tax, which shall be received or receivable by such receiver general.

IV. And be it further enacted, That as often as any such adjutant, serjeant major, or serjeant, shall change his place of residence to any other parish or place within the same county or riding in which he shall have lodged such certificate as aforesaid, the order upon the collector of the parish or place where such adjutant, serjeant major, or serjeant last resided, shall be void; and in order to obtain a continuance of his allowance, such adjutant, serjeant major, or serjeant, shall give or send notice of his change of residence to the said receiver general, together with a like certificate as is herein-before required from the minister and churchwardens of the parish or place where he shall intend to reside; and such receiver general shall thereupon, and so from time to time, cause like order to be given to the collector of such other parish or place, for the continuance of such allowance to such adjutant, serjeant major, or serjeant, so long as he shall be entitled to the same.

V. And be it further enacted, That as often as any such adjutant, serjeant major, or serjeant, shall change his place of residence into any other county or riding than the one in which such his certificate shall have been lodged as aforesaid, the receiver general with whom the same was lodged shall, upon a demand made for that purpose, deliver up the certificate of service of such adjutant, serjeant major, or serjeant, after indorsing thereon the time up to which the allowances thereon shall have been paid, and the adjutant, serjeant major, or serjeant, to

allowance
from time to
time, &c.

Rules to be
observed by
adjutants, &c.
changing their
places of re-
sidence within
the same
county, in or-
der to obtain
a continuance
of the allow-
ances.

Rules to be
observed for
the like pur-
pose, when
adjutants, &c.
remove into
any other
county.

whom such certificate shall relate, shall be entitled to receive his allowance by this act granted from the receiver general of such other county or riding; and for the purpose of obtaining and granting the same, every such adjutant, serjeant major, or serjeant, and every such receiver general and collector, and other person, shall proceed respectively, in like manner, in every respect, as is herein-before directed on the first delivery of such certificate.

Adjutants, &c. to make a return to the commanding officer of the militia of the place of his residence.

VI. And be it further enacted, That every such reduced adjutant, serjeant major, and serjeant aforesaid, shall at the time of his transmitting the certificate aforesaid, to the receiver general of any county, riding, or place, and also when and so often as he shall change his place of residence, make a return to the commanding officer of the militia of the county, riding, or place, to which he shall belong, of the place at which he shall then reside.

Adjutants may take the allowance, together with any emolument they may receive under 26 Geo. 3. c. 107. and any allowance they may be entitled to as adjutants.

VII. And be it further enacted, That every reduced adjutant, entitled to any allowance under this act may receive and take such allowance, together with the pay of any such other commission, or any such other allowance or emolument as is allowed to be held or received by any adjutant of any militia raised, and serving under an act passed in the twenty-sixth year of his Majesty's reign, intituled, *An act for amending and reducing into one act of parliament, the laws relating to the militia in that part of Great Britain called England*, together with any pay or allowance to which he may be entitled as such adjutant.

Adjutants holding any office under his Majesty, except as aforesaid, not entitled to the allowance.

VIII. Provided always, That no reduced adjutant aforesaid shall be entitled to receive such allowance under this act, who shall hold any office of profit, civil or military, under his Majesty, other than such as aforesaid.

Adjutants, &c. to remain liable to serve in the militia, and to join when called upon by the commanding officer.

IX. Provided always, and be it further enacted, That every such adjutant, serjeant major, and serjeant, shall remain liable to serve in the militia of the county, riding, or place to which he shall have belonged, and shall join any regiment, battalion, or corps of militia serving for such county, riding, or place, whenever called upon so to do by the commanding officer of such militia, either for the purpose of supplying any vacancy that may have arisen in the rank he shall have held in the said militia, or whenever the militia in which he shall have served shall be again augmented in pursuance of the said recited act of this session of parliament, and that from the time of any such adjutant, serjeant major, or serjeant, being again called into actual service, and becoming entitled to the pay of the rank in which he had formerly served, or in case any such adjutant shall be appointed captain of a company, or to any higher rank than that of captain, or in case any such adjutant, serjeant major, or serjeant, to whom such allowance shall have been granted, shall neglect to make such return of his place of residence to the commanding officer of the militia of the county, riding, or place to which he shall belong, as is required by this act, or shall neglect or refuse to join such militia, according to any notice that shall have been

The allowance to cease in certain cases.

given

given to him for that purpose, unless prevented by sickness or other sufficient cause, to be allowed by the commanding officer of such militia, then, and in any such case, the allowance granted by this act shall wholly cease.

X. Provided always, and be it further enacted, That the allowances hereby granted shall continue until the twenty-fifth day of *March* one thousand eight hundred and one, and no longer.

Continuance of allowances.

XI. And be it further enacted, That if any such collector as aforesaid shall at any time refuse or neglect to pay any such allowance that shall be demanded in pursuance of any order of any receiver general granted by virtue of this act, it shall be lawful for the adjutant, serjeant major, or serjeant, entitled thereto, to make a complaint of such neglect or refusal to any one of his Majesty's justices of the peace for the county, riding, or place, in which such adjutant, serjeant major, or serjeant shall reside, and such justice of the peace shall thereupon cause such collector to come before him with the order for payment of such allowance, and shall make such order for the punctual payment of such allowance then or to become due, as upon such enquiry he shall deem necessary; and if it shall appear to any such justice of the peace, upon any such complaint as aforesaid, that any such collector hath unnecessarily and without any good cause wilfully refused or delayed the payment of any such allowance, it shall be lawful for such justice of the peace to fine *instantèr* such collector in any sum not exceeding the sum of ten pounds, without any other or further information than summons or process as aforesaid, and unless such fine shall be forthwith paid, to cause such fine and costs attending the same to be forthwith levied by distress and sale of the goods and chattels of such collector, which fine shall be paid to the adjutant, serjeant major, or serjeant, whose allowance shall have so remained unpaid as aforesaid, and the surplus (if any) of the money so levied shall be returned upon demand to the party.

If a collector neglect to pay the allowance, on complaint to a justice, he shall order punctual payment, and may fine the collector.

XII. And be it further enacted, That no certificate given under this act, nor any allowance to any adjutant, serjeant major, or serjeant, or any part thereof, shall be assignable or assigned in law or in equity, in any way whatever, nor shall any such allowance be receivable, or any part thereof received, under any power or disposition thereof, or any part thereof, nor otherwise than to the sole use and benefit of such adjutant, serjeant major, or serjeant respectively, whose receipt shall be a sufficient discharge for all payments made to them respectively under this act.

No certificate nor any allowance to be assignable.

XIII. Provided always, and be it further enacted, That no fee or gratuity whatever shall be given or paid by any person entitled to any allowance under this act, for any thing which shall be done in relation thereto.

No fee to be paid for any thing done in relation to allowances.

C A P. XLV.

An act for making perpetual so much of an act, made in the thirty-fifth year of the reign of his present Majesty, for better securing the duties on glass, as was to continue in force for a limited time; and to con-

tinue several laws relating to the granting a bounty upon certain species of British and Irish linens exported, and taking off the duties on the importation of foreign raw linen yarns made of flax, until the twenty-fourth day of June one thousand eight hundred and one; to the better encouragement of the making of sail cloth in Great Britain, to the encouraging the manufacture of British sail cloth, and securing the duties on foreign made sail cloth imported, to the securing the duties upon foreign made sail cloth, and charging foreign made sails with a duty, until the twenty-ninth day of September one thousand eight hundred and four, and from thence to the end of the then next session of parliament; to the regulating the fees of the officers of the customs, and of the naval officers in the British colonies in America, and of the officers of the customs in the island of Newfoundland, until the ninth day of May one thousand eight hundred and four, and from thence to the end of the then next session of parliament; to the landing rum or spirits of the British sugar plantations, before payment of the duties of excise, until the twenty-ninth day of September one thousand eight hundred and five, and from thence to the end of the then next session of parliament; to the encouraging the fisheries carried on at Newfoundland and parts adjacent from Great Britain, Ireland, and the British dominions in Europe, until the first day of January one thousand eight hundred and two; and to the further support and encouragement of the fisheries carried on in the Greenland seas and Davis's streights, until the twenty-fifth day of December one thousand eight hundred and one.—[May 30, 1800.]

So much of 35 Geo. 3. c. 114. for securing duties on glass as was to have continuance until July 5, 1797, made perpetual. Act 29 Geo. 2. c. 15. for granting a bounty on linens, continued until June 24, 1801. Act 33 Geo. 2. c. 17. for making of sail cloth, continued until September 29, 1804. Act 9 Geo. 2. c. 37. for further encouraging the manufacture of British sail cloth, continued until September 29, 1804. Act 19 Geo. 2. c. 27. for securing the duties on foreign made sail cloth imported, continued until September 29, 1804. So much of act 10 Geo. 3. c. 37. as relates to the fees of the officers of the customs, &c. continued until May 9, 1804. So much of act 15 and 16 Geo. 2. c. 25. as relates to the landing of rum, &c. continued until September 29, 1805. So much of act 26 Geo. 3. c. 26. as relates to bounties for encouraging the Newfoundland fisheries, &c. continued until January 1, 1802. Act 26 Geo. 3. c. 41. for the encouragement of the Greenland fisheries; and so much of act 29 Geo. 3. c. 53. as relates to those fisheries continued until December 25, 1801.

C A P. XLVI.

An act for the more easy and expeditious recovery of small debts, and determining small causes in that part of Great Britain called Scotland.—[May 30, 1800.]

C A P. XLVII.

An act for repealing the rates and fares taken by licensed hackney coachmen, and for establishing other rates and fares in lieu thereof; and for explaining and amending several laws relating to hackney coaches and chairs.—[May 30, 1800.]

Preamble.

WHEREAS the rates and fares to be taken by hackney coachmen, and persons legally acting under them, for the hire of hackney coaches, have been found in some instances to be insufficient: and whereas it is therefore expedient that some of the rates and fares enumerated in an act, passed in the twenty-sixth year of the reign of his

his present Majesty, intituled, An act for explaining and amending an act, made in the twenty-fourth year of the reign of his present Majesty, intituled, 'An act for laying an additional duty on hackney coaches, and for explaining and amending several acts of parliament relating to hackney coaches,' should be increased: 26 Geo. 3. c. 72, recited.

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, every person who now is or shall hereafter be licensed by the commissioners for regulating hackney coaches and chairs, or the major part of them, to drive, keep, and let to hire by the hour or day, or otherwise, any hackney coach with horses, geldings, and mares, within the cities of *London* or *Westminster*, or the suburbs of the same, or within the parishes or places comprized within the weekly bills of mortality, or any other place or places, which by any of the laws now in being such hackney coachmen are compellable to go, or any person acting legally under any such licensed person shall be entitled to, and may demand, receive, and take for the hire of any such hackney coach, the rates and fares herein-after mentioned; (that is to say),

After passing this act, the following fares to be taken:

For every hackney coach hired and taken any distance, at any time between the hours of six of the clock in the morning and twelve of the clock at night, the rates and fares following, (that is to say),

Fares for coaches taken any distance between six in the morning and twelve at night:

For every distance within and not exceeding one mile, the sum of one shilling:

For every further distance within and not exceeding half a mile, computed as beyond the first mile, the additional sum of sixpence, and so in like manner the sum of sixpence for every further distance within and not exceeding half a mile, to be computed through the whole distance which such coach shall be driven or go:

And for every hackney coach hired and kept in waiting between the hours of six of the clock in the morning and twelve of the clock at night, the several rates and fares following, (that is to say),

fares for coaches kept in waiting between six in the morning and twelve at night:

For any time not exceeding forty minutes, the sum of one shilling; and for every further period of time not exceeding twenty minutes, to be computed from the expiration of the first forty minutes during the whole of the time which such coach shall be engaged, employed, or kept in waiting, the further sum of sixpence for every such additional period:

And for every hackney coach hired in any part of the cities of *London* and *Westminster*, or the borough of *Southwark*, or any place adjoining thereto, where there is a regular continuation of carriage way pavement from either of the said cities or borough aforesaid, or at any standing for hackney coaches beyond any such regular continuation of carriage way pavement, and taken to and discharged at any place from which such coach cannot

fares for coaches hired where there is a regular continuation of carriage way pavement, or at a stand beyond such continuation,

and discharged at a place where they cannot be driven to such nearest continuation, of such standing, before sun-set.

be driven to the nearest continuation of carriage way pavement, or such standing as aforesaid, before sun-set, (estimating the rate of driving of such coach at five miles in the hour), then one half part of the rate or fare allowed by this act, for all such distance as such coach can be so driven as aforesaid, towards such nearest continuation of carriage way pavement before sun-set; but nevertheless so as that no fraction of any sum less than sixpence shall be demandable or demanded, or payable or paid, where by reason of any such half rate or fare as aforesaid, any such fraction shall arise; and the full rate or fare allowed by this act, for all such distance as shall remain for such coach to be driven at the rate aforesaid, to such continuation of regular carriage way pavement after sun-set, or where any such coach shall, in either of such last mentioned cases, have been hired or taken at any standing beyond the regular continuation of carriage way pavement, then to such standing or to the nearest continuation of carriage way pavement, at the option of the person discharging such coach:

Fares for coaches hired for the day.

And for every hackney coach hired or kept for the day, (such day not to exceed twelve hours, and to end before or at twelve of the clock at night, and the distance which such coach shall be taken not to exceed twenty miles), the sum of eighteen shillings for such day's work, and for any further time exceeding such twelve hours or distance exceeding twenty miles, and also for any time after twelve of the clock at night, then such further rate or fare for such time or distance as is in any case allowed for any further time or distance of the like nature by this act; and also if any such coach shall be taken to and discharged at any place where there is not a regular continuation of carriage way pavement adjoining either of the cities or borough aforesaid, exceeding one mile from the extreme end of the nearest regular continuation of carriage way pavement, so as that such coach cannot be driven to such nearest continuation or carriage way pavement within such twelve hours, or before twelve of the clock at night, or where the distance of any such last mentioned place where any such coach shall be discharged as aforesaid, added to the distance which such coach shall have before been driven, shall in the whole exceed twenty miles, then such further and additional rate or fare as is allowed by this act for any further time or distance of the like nature:

Fares for coaches hired or kept in waiting after twelve at night, and before six in the morning, or which shall be discharged at such time and place that they cannot be driven to some

And for every hackney coach which shall be hired or taken, or kept in waiting for any time, or taken any distance after twelve of the clock at night and before six of the clock in the morning, or which shall be discharged at any such time and place, as that such coach cannot be driven to the extreme end of some regular continued carriage way pavement before twelve of the clock at night, an additional rate or fare for such time or distance as aforesaid, over and above the rate or fare before mentioned of one sixpence upon every shilling of such rate or fare, but so as that such additional rate or fare shall not be allowed, taken, or received, for any coach hired between the hours

of ten and twelve of the clock at night in any case unless the rate or fare according to the time for which such coach shall be kept, or the distance which such coach shall be taken, shall, according to the rates and fares before mentioned, amount to the sum of two shillings or upwards although such coach shall not be discharged till after twelve of the clock at night.

II. And be it further enacted, That whenever the average price of oats, made up, computed, and verified, and published in the *London Gazette*, according to the provisions of an act, passed in the thirty-first year of the reign of his present Majesty, intituled, *An Act for regulating the importation and exportation of corn, and the payment of the duty on foreign corn imported, and of the bounty on British corn exported*, shall exceed twenty-five shillings per quarter, it shall be lawful for the commissioners for licensing and regulating hackney coaches and chairs, or the major part of them, if they shall see fit, to cause an addition to be made to the rates and fares herein-before mentioned and allowed, to be demanded, received, and taken, for the hire of any hackney coach, in the proportion herein-after mentioned; that is to say,

Upon every rate or fare, amounting to two shillings, the additional sum of sixpence:

Upon every rate or fare amounting to four shillings, the additional sum of one shilling:

And so, in like manner, upon every increase of two shillings, or any rate or fare above the rate or fare of four shillings aforesaid, the additional sum of sixpence for every such increase of two shillings.

III. Provided always, That such additional rate or fare shall not be demandable, or payable or paid, in respect of any such rate or fare as aforesaid, unless such coach shall have been taken the full distance, or kept in waiting the full period, which such coach may be taken or kept respectively, for such sum of two shillings or four shillings respectively, or any such further increase of two shillings as aforesaid; which additional rate or fare shall and may be recovered in like manner as any other rate or fare for the hire of any hackney coach may be recovered; and such commissioners, or the major part of them, shall, whenever they shall think fit to increase such rates or fares in manner aforesaid, publish notice thereof in the *London Gazette*, specifying in such notice the period at which such increase is to commence, and for which such increase shall continue, so as that the period of such commencement shall be seven days at the least from the time of such notice being published in the *Gazette*; and it shall be lawful for such commissioners to continue such increase of rates and fares as aforesaid, until the average price of oats, so published as aforesaid, shall be reduced to one pound and one shilling a quarter, and for such further time, not exceeding thirty

Additional fare not payable unless the coach be taken the full distance, or kept in waiting the full period, for which allowed.

The commissioners to publish notice of increase of fares in the *Gazette*; which increase may be continued till 30 days after the average price of oats shall be reduced to one guinea per quarter.

days, after the average price of oats shall be reduced to one pound and one shilling per quarter, as they shall see fit.

IV. *And whereas it is expedient that some regulations should be made for the purpose of more effectually compelling persons licensed to drive, keep, and let to hire hackney coaches, to provide safe and clean coaches, and able and sufficient horses, and such as shall be fit for the accommodation of persons hiring the same;* be it therefore further enacted, That it shall be lawful for the said commissioners, and they are hereby authorized to appoint some proper person or persons of competent skill and judgement, with such moderate allowance as the said commissioners shall think fit for his or their pains and trouble, to inspect all hackney coaches licensed by such commissioners as aforesaid, and the horses which shall be used in drawing the said coaches; and such person or persons shall, four times at the least in each and every year, and also at all times whenever the commissioners shall think fit, survey and inspect all hackney coaches, and the horses which shall be used in drawing them, or such and so many of such hackney coaches and horses as they shall be required to survey and examine by such commissioners, and ascertain and examine the state and condition of such hackney coaches and horses, and report the same to the said commissioners; and it shall be lawful for the said commissioners, and they are hereby authorized to suspend the licence of any person or persons whose hackney coach shall be found defective, either in respect of the safety, state of repair, or condition or cleanliness thereof, or whose horses shall be deemed unfit or insufficient, and to continue such suspension of such licence until the same shall be properly rectified; and if any person or persons to whom any such hackney coach shall belong, or who shall be licensed to drive, keep, or let such hackney coach, or any person or persons employed by or acting for him or them, shall refuse to permit any person or persons, (being so appointed by such commissioners as aforesaid), to survey and examine any such hackney coach, or the horses used in drawing them, or shall produce to any such person or persons any other coach than the coach *bona fide* and ordinarily driven under the licence granted for that purpose, or the horses which they shall have ordinarily used in or for drawing the same, then and in such case it shall be lawful for the said commissioners, and they are hereby authorized to supersede such licence, and render the same null and void.

V. *And whereas many hackney coachmen who are in the streets with their coaches, in the course of their employment withdraw from those parts of the streets where they ought to stand and ply for hire, and also attend with their coaches about the theatres, and places of publick resort, and under pretence of being already hired, refuse to go with persons desirous of hiring such coaches;* be it therefore enacted, That every hackney coachman whose coach shall be found standing in any street or place, and whose coach shall not be actually hired, shall be deemed and taken to be plying for hire, although such coach shall not be on any standing or place usually appropriated for the

The commissioners may appoint inspectors of hackney coaches and horses;

and suspend the licence of any person whose coach shall be defective, or horses unfit;

and may annul licences if the inspectors are refused to examine coaches, &c.

Hackney coachmen, where coaches are standing in any place,

the purpose of hackney coaches standing or plying for hire; and every such coachman who shall not be actually hired, shall be obliged and compellable to go with any person or persons desirous of hiring such coach; and if any complaint shall be made to the said commissioners, of the refusal of any such hackney coachman to go with any person or persons desirous of hiring such coach, such hackney coachman shall be obliged to give evidence of having been and being hired at the time of the application made to hire such hackney coach; and in case any such hackney coachman cannot or shall not produce sufficient evidence of having been so then hired as aforesaid, he or they shall be subject and liable to such and the like penalty or penalties, and punishment, as may by any act or acts, or law or laws now in being, be imposed or inflicted in cases of refusal to carry for hire by licensed hackney coachmen.

compellable to go with any person desirous of hiring them; and in case of refusal liable to penalty, unless they prove their being hired.

VI. Provided always, That in every such case, where any coachman who shall have been summoned for any such refusal, shall produce sufficient evidence of having been then hired as aforesaid, it shall be lawful for such commissioners, and they are hereby authorized to require the person who shall have summoned such coachman, to make to such coachman such reasonable allowance for his loss of time, as to such commissioners shall in their discretion seem proper in that behalf.

If a coachman summoned for such refusal shall prove his having been hired, the commissioners to require the party to make him satisfaction for loss of time.

VII. *And whereas it is expedient that some provision should be made for the better ordering and regulating the drivers of hackney coaches, and also the persons attending as watermen and assistants at hackney coach standings, and at places of public resort,* be it therefore further enacted, That it shall be lawful for the said commissioners, and they are hereby authorized to require all and every person and persons licenced to keep, drive, or let to hire any hackney coach, to enter, in a book or books, to be kept for that purpose at the office of the said commissioners, the name and names, and residence or residences respectively, of the person or persons driving such licenced hackney coach, and it shall thereupon be lawful for the said commissioners to grant leave in such manner and form as they shall think fit to such person or persons to drive such hackney coach; and at any time or times upon complaint made by any person or persons, or information given of any misconduct of any such driver as aforesaid, or any complaint made by the owner of any such coach or person employing such driver, to revoke or suspend, for such time as they shall think necessary, such leave; and if any person or persons licenced to keep or let to hire any such hackney coach shall omit to enter the name or names, and residence or residences, of the driver or drivers of any such hackney coach, or shall permit or suffer any person or persons not so duly entered as aforesaid, and to whom no such leave shall have been granted as aforesaid, (unless for any period of time between the time of any such driver having left the driving of any such hackney coach, and the next day of meeting of such commissioners), then and in such case it shall be lawful for the said commissioners to revoke or to

The commissioners may require persons licenced to keep hackney coaches to enter at their office the names and residences of the drivers, to whom they may grant leave to drive, and revoke or suspend the same, as also the licences for keeping hackney coaches of persons who shall omit to enter the names of their drivers, or suffer any person not entered to drive.

suspend,

suspend, for such time as they shall see fit, the licence of such person or persons.

Persons attending as watermen to hackney coachmen, not authorised by the commissioners, liable to penalty.

The commissioners may make rules for regulating hackney coachmen and watermen attending them, and annex penalties for breach thereof.

No person shall carry persons for hire in a sedan chair, (unless hired for a day), within certain limits, without a licence, on penalty of 40s.

Hackney coachmen exacting more than their fare, liable to the penalties, and the fares recoverable, as by the laws now in being.

VIII. And be it further enacted, That, from and after the passing of this act, it shall not be lawful for any person to attend at any hackney coach standing, or at any place of publick resort, as a waterman or assistant to hackney coachmen, unless such person shall be authorised under the hand writing of the said commissioners so to do; and if any such person shall presume to attend as such waterman or assistant as aforesaid, without being so authorised as aforesaid, he shall be liable to such penalty and forfeiture for so doing, as shall be imposed in that behalf by the said commissioners, by any order, rule, or ordinance made by them in pursuance of this act.

IX. And be it further enacted, That the said commissioners for the time being shall have full power and authority to make, frame, and set down in writing, such reasonable rules, orders, and ordinances, for governing and regulating all persons who shall drive any hackney coaches, and also all persons who shall attend as watermen or as assistants to hackney coachmen, at any hackney coach standings, or at any places of publick resort, and to annex reasonable penalties and forfeitures for the breach of such rules, orders, and ordinances, not exceeding forty shillings nor less than five shillings, for any one offence; and such rules, orders, and ordinances, or any of them, from time to time, to alter or amend.

X. And be it further enacted, That, from and after the passing of this act, no person or persons shall presume to carry any person or persons for hire in any sedan chair, (unless such sedan chair shall have been or shall be hired by such person or persons for the whole of the day of twelve hours at the least, in which he, she, or they shall be carried in such sedan chair), within the cities of London or Westminster, or the suburbs of the same, or within any of the parishes or places comprized within the weekly bills of mortality, without having first obtained a licence for such carrying a hackney chair from the commissioners for licensing and regulating hackney coaches and chairs; and if any person shall offend herein, he shall forfeit for every such offence the sum of forty shillings, to be recovered, levied, and applied, as any penalty or fine may by any act or acts, or law or laws now in force, be recovered, levied, and applied, for the carrying any person or persons in any hackney chair for hire within the same cities, suburbs, or places, without such chairman or carrier being licensed by the commissioners aforesaid.

XI. And be it further enacted, That if any such hackney coachman, his renter or driver, shall exact or take more for his or their hire than the several rates hereby limited, he or they shall for every such offence be subject and liable to such and the like penalties, forfeitures, and punishments, to be levied, recovered, suffered, and inflicted by such persons, and in such and the like manner and form, as by any law or laws now are in being respecting such hackney coachmen, their renters or drivers; and

and that the several rates and fares herein-before mentioned shall and may be recovered in such and the like manner as the fares of hackney coachmen are by any act or acts of parliament now recoverable.

XII. And be it further enacted, That if any hackney coachmen, his, her, or their renter or renters, shall, from and after the passing of this act, be in arrear of payment of any rent or rents, reserved or made payable by any licence or licences granted, or to be hereafter granted by the said commissioners, or the major part of them, for any longer time than is or shall be expressed in such licence or licences, it shall and may be lawful to and for the said commissioners, or the major part of them, to revoke such licence or licences, and to levy the rents and sums of money reserved, and thereby made payable, either upon the goods and chattels of such owner or owners, or renter or renters, in such and the like manner and form, as they may by any law now in being do with respect to such owner or owners.

In case of arrears of rent made payable by licences, they may be revoked, and the arrears levied either upon the owner or renter.

XIII. And be it further enacted, That if any person or persons shall at any time or times be sued, molested, or prosecuted for any thing by him or them done or executed in pursuance of this act, or of any clause, matter, or thing, herein contained, such person and persons shall and may plead the general issue, and give this act and the special matter in evidence, for his and their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

General issue may be pleaded.

Treble costs.

C A P. XLVIII.

An act to repeal the duties on sugar and coffee exported, granted by an act, passed in the thirty-ninth year of his present Majesty's reign, for allowing British plantation sugar to be warehoused; for revoking so much of an act, made in the thirty-second year of the reign of his present Majesty, as relates to the ascertaining the average price of sugar, and regulating the allowance of drawback on the exportation thereof; and for allowing certain drawbacks on sugar exported, until the tenth day of May one thousand eight hundred and one.—[May 30, 1800.]

WHEREAS by an act, passed in the thirty-ninth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain additional duties on sugar imported and exported, and on coffee exported, and for reducing the drawbacks now allowed on the exportation of sugar, amongst other things, certain duties were granted on the exportation of sugar and coffee: and whereas it is expedient that the said duties should be repealed for a limited time: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, and so much

from thereof as im-

poses duties on the exportation of coffee and sugar repealed, and such duties as became payable between Oct. 13, 1799, and the passing this act shall not be payable.

from and after the passing of this act, and during the continuance thereof, so much of the said recited act as imposes the said duties on the exportation of coffee and sugar shall be, and the same is hereby repealed; and that so much of the said duties imposed by the said recited acts as became due and payable between the thirteenth day of *October* one thousand seven hundred and ninety-nine, and the time of passing this act, shall not be paid or payable, and that any bonds which may have been entered into for payment of any such duties shall be, and the same are hereby declared to be null and void, and the same shall be cancelled accordingly.

II. *And whereas it is expedient that further time should be given for the payment of the duties on British plantation sugar imported or to be imported into Great Britain after the thirty-first day of March one thousand eight hundred, for which the duties have not already been paid;* be it therefore enacted, That, from and after the passing of this act, and until the tenth day of *May* one thousand eight hundred and one, it shall be lawful for the commissioners of the customs for the time being in *England* and *Scotland* respectively, to take bond to his Majesty from the importer or importers, proprietor or proprietors, consignee or consignees of any *British* plantation sugar for the payment of the duties chargeable upon any such sugar imported into any port in *Great Britain* at any time after the thirty-first day of *March* one thousand eight hundred, or upon any such sugar in respect whereof such duties shall not have been paid before the passing of this act; and all sugar so bonded as aforesaid shall be lodged and secured at the sole expence of the importer or importers, proprietor or proprietors, consignee or consignees thereof under the joint locks of his Majesty and such importer or importers, proprietor or proprietors, consignee or consignees thereof, in such warehouse or warehouses as shall be fit for that purpose, and shall be approved of by the said commissioners of the customs in *England* and *Scotland*, as the case may be; and such sugar shall not be delivered, cleared, or taken from any such warehouse, unless or until the full duties due and payable thereon, shall be first paid to the proper officer of the customs; and if the importer or importers, proprietor or proprietors, consignee or consignees of such sugar, shall omit, neglect, or refuse to pay and satisfy all the duties due and payable in respect of such sugar as shall be entered in the usual and accustomed manner on or before the tenth day of *September* one thousand eight hundred, within six months from the date of any bond given under this act for the payment of the duties upon such sugar as aforesaid, and with respect to any such sugar as shall be imported into the port of *London*, and so entered between the said tenth day of *September* and the said tenth day of *March*, within three months from the date of any bond so given, and with respect to any such sugar as shall be imported into any other port of this kingdom, and so entered between the said tenth day of *September* and the said tenth day of *March*, within two months from the date of any bond so given, it shall be lawful for the commissioners

Until May 10, 1801, bond may be taken for the duties on British plantation sugar imported after March 31, 1800, or upon such sugar, the duties whereon shall not have been paid before passing this act, which sugar shall be warehoused, and if the duties be not paid within certain periods from the date of bonds, it may be sold.

commissioners of the customs in *England* and *Scotland* respectively, at the expiration of such periods as aforesaid, to cause such sugar to be publickly sold to the best bidder at such places as the said commissioners of the customs in *England* and *Scotland* respectively shall think proper, and out of the proceeds of such sale to satisfy such duties, together with all such expences as shall have arisen, relating to any such sugar, and the overplus (if any be) shall be paid to the importer or importers, proprietor or proprietors, consignee or consignees of such sugar, or such other person or persons as shall be authorised to receive the same.

III. And be it further enacted, That no bond taken by virtue and in pursuance of this act, shall be discharged either in law or equity, without the full payment or satisfaction of the principal money due or to become due thereon, together with interest, at and after the rate of five pounds *per centum per annum*, to be reckoned from the date of such bond until the actual payment or satisfaction thereof.

IV. Provided always, and be it enacted, That it shall and may be lawful to deduct and retain out of the principal and interest that may become due on any bond to be taken in pursuance of this act, the fees and stamp duties that shall have been paid on any such bond.

V. And whereas by an act passed in the thirty-ninth year of the reign of his present Majesty, for granting to his Majesty certain additional duties on sugar imported and exported, and on coffee exported, and for reducing the drawbacks allowed on the exportation of sugar, certain provisions of an act passed in the thirty-second year of the reign of his present Majesty, for regulating the allowance of the drawback and payment of the bounty on the exportation of sugar, and for other purposes, as far as the same related to the ascertaining the average price of sugar in manner in the said act mentioned, or of regulating the allowance of the drawback or the payment of the bounty on the exportation of sugar were repealed: and whereas it is expedient that the full drawback and bounty directed to be withheld by an act of the thirty-sixth year of the reign of his present Majesty, and by an act of the thirty-ninth year of the reign of his present Majesty, should be allowed in certain cases: and whereas it thereby becomes necessary that the several provisions of the said act of the thirty-second year of the reign of his present Majesty, so far as the same relate to the ascertaining the average price of sugar, and regulating the allowance of drawback or the payment of bounty on the exportation of sugar, should be revived: be it therefore enacted, That, from and after the fifth day of *May* one thousand eight hundred, the said act passed in the thirty-second year of the reign of his present Majesty, and all the clauses, provisions, powers, authorities, directions, and regulations therein contained, as far as the same relate to ascertaining the average price of sugar in the manner therein mentioned, or of regulating the allowance of drawback, or the payment of the bounty on the exportation of sugar, shall be, and the same are hereby revived, and shall be and remain in full force during the continuance of this act, except as any such provisions, directions,

No bond shall be discharged without payment of principal and interest.

Fees and stamp duties may be retained.

Recital of 39 Geo. 3. c. 63. whereby certain provisions of 32 Geo. 3. c. 43. were repealed.

36 Geo. 3. c. 18 and 39 Geo. 3. c. 63, recited.

From May 5, 1800, 32 Geo. 3. c. 43. as far as relates to ascertaining the average price of sugar, and regulating the drawback on exportation, revived.

or

or regulations are herein altered, in as full and ample a manner, to all intents and purposes whatsoever, as if all the said clauses, provisions, powers, authorities, and directions were repeated and re-enacted in the body of this present act; any thing in the said act of the thirty-ninth year of the reign of his present Majesty to the contrary thereof in anywise notwithstanding.

From May 5, 1800, till Nov. 10, 1800, the drawbacks on the exportation of sugar, withheld by recited acts of 36 Geo. 3. and 39 Geo. 3. to be allowed, and the duty imposed by 39 Geo. 3. upon sugar imported by the East India company, discontinued on such as shall be exported.

VI. And be it further enacted, That, from and after the fifth day of *May* one thousand eight hundred, and until the tenth day of *November* one thousand eight hundred, the whole of the drawbacks and bounty paid or payable on the exportation of sugar, directed to be withheld by the said acts of the thirty-sixth and thirty-ninth years of his present Majesty's reign, shall be paid and allowed in like manner in every respect, and subject to, and under and according to the like rules and regulations as any drawbacks or bounties were paid or allowed before the passing of the said act of the thirty-ninth year of the reign of his present Majesty, and during all such time as aforesaid, the whole of the duty imposed by an act of the thirty-ninth year of the reign of his present Majesty, upon sugar imported into *Great Britain* by the united company of merchants of *England* trading to the *East Indies*, and warehoused according to law, and sold at the sales of the said company, shall, as to all such sugar as shall be exported during the time last aforesaid, be, and the same is hereby wholly discontinued; any thing contained in the said act of the thirty-ninth year of the reign of his present Majesty, to the contrary notwithstanding.

If on Nov. 10, 1800, the average price of muscovado sugar, taken as directed by 32 Geo. 3. c. 47. shall not have exceeded 75s. per cwt. the drawbacks withheld by 36 Geo. 3. and 39 Geo. 3. shall be paid, and the said duties on sugar imported by the East India company to be discontinued on delivery for exportation.

VII. And be it further enacted, That if on the said tenth day of *November* one thousand eight hundred, it shall appear by notice in the *London Gazette*, in manner directed in the said act of the thirty-second year of the reign of his present Majesty, that the average prices of brown or muscovado sugar, taken in manner directed by the said act made in the thirty-second year of the reign of his present Majesty, for the six weeks preceding, shall not have exceeded seventy-five shillings for an hundred weight, inclusive of the duties of customs paid or payable thereon on the importation into *Great Britain*, then and in every such case the whole of the drawbacks and bounty paid or payable on the exportation of sugar directed to be withheld by the said act of the thirty-sixth year of his present Majesty's reign, and by the said act of the thirty-ninth year of his present Majesty's reign, shall be paid and allowed in like manner in every respect, and subject to, and under and according to the like rules and regulations as any drawbacks and bounties were paid and allowed before the passing of the said act of the thirty-ninth year of the reign of his present Majesty, by any act or acts of parliament, except as any such rules or regulations are altered by this act; and the whole of the duty imposed by an act passed in the thirty-ninth year of the reign of his present Majesty upon sugar imported into *Great Britain* by the united company of merchants of *England* trading to the *East Indies*, and warehoused according to law, and sold at the sales of the said company, shall, upon the deli-

very

very thereof out of the warehouses for exportation, during the time of any drawbacks or bounties being paid or allowed under this act, be, and the same are hereby wholly discontinued; any thing in the said act passed in the thirty-ninth year of the reign of his present Majesty contained to the contrary notwithstanding.

VIII. Provided always, and be it enacted, That the drawback and bounty payable on the exportation of sugar, by virtue and in pursuance of this act, shall be paid and allowed on all sugar which shall be shipped or laden on board any ship or ships, or water-born with intent to be shipped or laden on board any ship or ships in *Great Britain*.

Drawback to be paid on sugar shipped, or waterborn with intent to be shipped, for exportation.

IX. And be it further enacted, That this act shall, as to all the matters and things herein contained relating to the paying and allowing any drawback or bounty, or discontinuing any duty under this act, have continuance until the tenth day of *May* one thousand eight hundred and one.

Continuance of act.

C A P. XLIX.

An act for the better ascertaining and collecting the duties granted by several acts passed in the last session of parliament, relating to the duties on income; and to explain and amend the said acts.—
[June 20, 1800.]

WHEREAS it is expedient that provision should be made for **Preamble.**

better collecting the duties upon income, imposed by several acts of the last session 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, from and after the passing of this act, no person or persons shall be allowed to separate or divide the sum intended to be contributed into several portions, nor shall elect to pay the same by payments to be made in different divisions in separate proportions; but all and every person and persons, whether any such statement shall be made jointly by two or more persons, or separately, shall deliver a statement, comprehending the whole sum intended to be contributed by him, her, or them, in respect of the whole of his, her, or their income, from whatever source the same shall arise, or in respect of the whole of the income received or receivable by him, her, or them, as trustee, agent, receiver, guardian, committee, tutor, or curator, or in any other capacity, on account of any other person or persons, in one and the same division, and to the assessors for the same parish or place, or commissioners, as the case may require, for the same district, whether they shall be commercial commissioners or commissioners for the purposes of the acts on income, except in the cases where the same persons shall be engaged in different concerns of trade or manufacture in partnership, or separately, in divers places; and such person or persons shall be charged and assessed to the whole of such income by the same description of commissioners, and not in different portions by commissioners

All persons shall deliver statements, whether made jointly or separately, comprehending the sum intended to be contributed for the whole income from whatever source arising, or receivable as trustee, &c. in one and the same division, except where engaged in different concerns; and shall be assessed by the same description of commissioners.

of different districts or by different commissioners, (except as aforelaid); any thing in the said acts, or any of them, to the contrary notwithstanding.

Every person carrying on trade where commercial commissioners act, (except as herein-after provided), shall deliver his statement to them, and his income shall be cognizable by them only.

Persons in trade to distinguish in their statements how much of the sum is payable in respect of income arising from trade, and how much in respect of income arising from other source, but shall be assessed according to the same rate for the whole in one sum.

Persons in trade to specify in their statements where and to whom they were delivered the preceding year, and whether the income was calculated on an average of years, and the years and number; and partners to specify the name and residence of each, and whether the statements delivered in the preceding year contain their joint or separate income, and where assessed and how calculated.

II. And be it further enacted, That every person carrying on trade or manufacture, within any city, town, place, or district, where commercial commissioners have been or shall hereafter be appointed to act, and shall act as such commercial commissioners, except as herein-after is otherwise provided, shall deliver in the statement required to be returned by him or her in pursuance of the said acts and this act, to the commercial commissioners for such city, town, place, or district; and the income of every such person shall be cognizable only by such commercial commissioners.

III. And be it further enacted, That every person engaged in trade or manufacture shall specify and distinguish, in the statement delivered by him or her under the said acts or this act, (whether the same shall be delivered to commercial commissioners or commissioners for the purposes of the said acts), or to assessors, how much of the sum of money contained in such statement is payable in respect of income arising from trade or manufacture, and how much thereof in respect of income, derived from any other source or sources; and every such person shall be assessed according to the same rate to the whole of the duties payable in respect of the whole of his or her income in one sum, from whatever source or sources the same shall arise, distinguishing nevertheless in such assessment the proportion assessed in respect of income arising from trade or manufacture, and the proportion thereof arising from any other source or sources.

IV. And be it further enacted, That every person engaged in trade or manufacture shall, in his or her statement, specify the district where his or her statement if any was delivered in the preceding year, and whether the same was delivered to assessors or to commercial commissioners, and also whether the income in respect whereof the same was delivered, was calculated on an average of years, or on one year only; and if on an average of years, then the particular years and number thereof; and where any two or more persons shall be engaged in trade or manufacture as partners together, then the statement or statements of such partners, whether the same shall be delivered in jointly or separately, shall also specify the name and residence of every partner, and each partner shall respectively state whether the statement or statements delivered in by him in the preceding year of such partnership income (if any such were delivered in) contained the joint or separate income of such partners, and also where and before what commissioners such partner was assessed; and whether such statement or statements was or were calculated on the income of the preceding year, or on an average of any and what number of preceding years.

V. Provided

V. Provided always, and be it further enacted, That all statements delivered by any persons trading in partnership together, whether joint or separate, shall be delivered in the division or place, and to the respective commissioners, where the trade or manufacture shall be carried on, notwithstanding the same person may be engaged in distinct partnership concerns; and if any such trade or manufacture shall be carried on in divers places, then the same shall be delivered in at some one of such places, at the election of the principal partner or person having the larger share or interest in such partnership concern, and being resident in *Great Britain*; or if the respective shares and interests of several of such partners in any such partnership, who are respectively resident in *Great Britain*, shall be equal, then at the election of such of the said partners who shall be so resident, and who shall be first named in the deed, instrument, or other agreement of copartnership, or when there shall be no such deed, instrument, or agreement of copartnership, then at the election of such of the said partners who shall be so resident in *Great Britain*, and shall be named singly or with priority to the other partner or partners in the usual copartnership name, stile, and firm; whereof such partner is hereby required to give notice to every other partner in such trade or manufacture residing in *Great Britain*: provided also, That where no such partner shall be resident in *Great Britain*, then the statement of the income of such partnership shall be delivered by their agent, manager, or factor in *Great Britain*, jointly for such partners: provided also, That where certain of the partners shall not be resident in *Great Britain*, and any other or others shall be resident therein, and the partner or partners who is or are so resident, shall be desirous of delivering separate statements, the partner or principal partner of those who are resident in *Great Britain*, shall deliver the statements of income arising from such partnership, of all the partners not resident in *Great Britain*; and every statement of the joint income of any such partnership, where the partners shall be desirous of being charged jointly, shall comprize only the income arising from such trade or manufacture as aforesaid, or from such lands or tenements occupied for the purpose of such trade or manufacture; and a distinct assessment shall be made upon the partners jointly upon the whole as a separate income, without any division thereof into shares or portions according to the respective interests of such partners, and without any addition of any separate income: provided always, That if any or either of such partners shall be chargeable in respect of his or her separate income, amounting to less than two hundred pounds, every such partner shall declare his or her proportion in such partnership, in order that the separate income may be added thereto in making the assessment, or in default thereof he or she shall be chargeable for the tenth of such separate income, whatever may be the amount thereof.

only the income arising from the trade and premises; and a distinct assessment shall be made upon the partners jointly upon the whole as a separate income. If a partner shall be chargeable in respect of his separate income for less than 200l. he shall declare his proportion in the partnership, or be liable to pay a tenth.

The commissioners acting within any district in which persons in trade shall be assessed, (except the commercial commissioners for London and its vicinity), may appoint persons to receive the duties assessed upon traders whose assessments shall not have been included in any warrant to the collectors, or who shall not have given notice to pay the same into the bank, and may allow them such recompence as shall be approved of by the commissioners for taxes.

Such persons to remit weekly to the receiver general the money collected.

No trader whose proposed contribution shall not amount to 20l. shall be entitled to be assessed by the commercial commissioners for London, but partners whose joint contribution amounts to that sum may be assessed by them.

VI. And be it further enacted, That it shall be lawful for the commissioners acting in the execution of the acts relating to duties on income, within any district in which any person shall be assessed according to the rules and regulations in the said acts or any or either of them or this act contained, for assessing persons engaged in trade or manufacture, (except the commercial commissioners for the city of *London* and its vicinity), to appoint some proper person or persons, and such as can give competent security to the satisfaction of the said commissioners, (which security the said commissioners, or any two of them, are hereby authorised to require and take in their own names, and insert therein such conditions as shall be required by the commissioners for the affairs of taxes in that behalf), to receive the duties assessed by such commissioners in any such district upon persons engaged in trade or manufacture, whose assessment shall not be included in any warrant to any collector or collectors of the said duties; or who shall not have given notice to pay the same into the bank of *England*; and it shall be lawful for the said respective commissioners to allow to the person or persons so appointed as aforesaid, such salary or reward for his or their attendance and trouble therein, as shall be agreed upon between such commissioners and the person or persons as aforesaid, and as shall be approved of by the commissioners for the affairs of taxes, not exceeding the rate of one penny halfpenny in the pound of the sum paid to the receiver general as after mentioned; which salary or reward the person or persons so appointed is and are hereby empowered to detain out of the payments of the last instalment payable in respect of the duties receivable by him or them as aforesaid; and every such person shall on some day in every week, to be named in the security entered into by him, pay or remit to the receiver general of the county, riding, shire, stewartry, or place, where such duties shall be paid as aforesaid, the whole amount of the duties that shall from time to time be collected by virtue of this act.

VII. Provided always, and be it further enacted, That no person engaged in trade or manufacture, and entitled by the said acts to be assessed by the commercial commissioners appointed within and for the city of *London* and its vicinity, whose contribution, in respect of income arising from such trade or manufacture, which shall be returned in the statement delivered in by him or her, shall not amount to the sum of twenty pounds, shall, from and after the passing of this act, be entitled to be assessed by the said commercial commissioners of the city of *London* and its vicinity: provided always, That nothing herein contained shall extend or be construed to extend to prevent any persons engaged in trade or manufacture in partnership, whose joint contribution in respect of income arising from such trade or manufacture, which shall be returned in one statement as upon a partnership income, and to be assessed as such, shall amount to the said sum of twenty pounds, from being assessed by such commercial commissioners, although the whole income of any one of such partners might not amount to such sum as aforesaid.

VIII. And

VIII. And be it further enacted, That all persons engaged in trade and manufacture, whose contribution so returned as aforesaid, as arising from trade or manufacture, shall not amount to the said sum of twenty pounds, and residing or carrying on any such trade or manufacture within the jurisdiction of the commercial commissioners for the city of *London* and its vicinity, shall, from and after the passing of this act, be assessed by the commissioners for the purposes of the said acts and this act, acting for the district within which such persons respectively shall carry on such trade or manufacture; and it shall be lawful for such persons respectively, by him, her, or themselves, or his, her, or their agents, to deliver or cause to be delivered their respective statements to the clerks to the said last-mentioned commissioners, in such and the like manner, in every respect, as if such statements were delivered to the commercial commissioners; and such persons shall thereupon be assessed by all or any of such rules, directions, and regulations, as are in any of the said acts and this act contained, with respect to persons in trade or manufacture.

Traders whose proposed contribution shall not amount to 20l. residing within the jurisdiction of the commercial commissioners for *London*, shall be assessed by the commissioners for executing the income acts, to whose clerks they may deliver statements as to the commercial commissioners, and shall be assessed as traders.

IX. And be it further enacted, That every person engaged in trade or manufacture, within the limits of the district of the commercial commissioners for the city of *London* and its vicinity, who, by reason of any of the provisions of this act, shall not be entitled to be assessed by such commercial commissioners as aforesaid, and every person engaged in trade or manufacture in any city, town, place, or district, where no such commercial commissioners as aforesaid shall act, may on the delivery of his or her statement to the commissioners for the purposes of the said acts in the district where such trade or manufacture shall be carried on, require to be assessed to the said duties, under the like rules and in all respects in like manner as if such statements had been delivered to commercial commissioners; and the commissioners for the purposes of the said acts, in every such district, shall, on the receipt of any sealed statement which shall have been delivered to them and not to the assessors, proceed to charge such person in like manner, and under the like powers, rules, regulations, and directions, in all respects, as any commercial commissioners might have done; provided that such commissioners for the purposes of the said acts, and their respective clerks, and such receiver or receivers as they shall appoint as hereinbefore provided, shall, before they act therein, take the oath of secrecy required to be taken by commercial commissioners and their respective clerks, by virtue of the said acts or any of them, in addition to the oath required to be taken by other commissioners.

Traders within the limits of the commercial commissioners for *London*, not entitled to be assessed by them, and traders in any district where no commercial commissioners act, may, on delivery of statements to the commissioners for the purposes of the income acts, be assessed as if they had been delivered to commercial commissioners; such commissioners, their clerks, and the receivers to take the oath of secrecy before they act.

X. And be it further enacted, That any income arising from property in any of the *British* plantations in *America*, and imported into *Great Britain* from thence, shall be stated, proved, ascertained, and assessed, before and by the respective commis-

Income arising from property in the *British* plantations

in America and imported into Great Britain, shall be assessed by the commissioners for the district within which the owner shall reside, where the contribution shall not amount to 20 l. as income arising from trade.

So much of acts as restrain commercial commissioners from enquiring into statements before 21 days after delivery, repealed.

The commercial commissioners, and the commissioners acting as such, shall enter the sums assessed in respect of income arising from trade, separate from assessments in respect of other income, and transmit to the tax office, distinct accounts of the amount of income assessed as arising from trade, from property in America, and from any other source, and lists of the names, &c. of all persons assessed by them, made out according to an alphabetical arrangement

In addition to the certificate required to be given to the persons assessed by the commercial commission-

ers for the purposes of the said acts and this act, acting for the district within which the person or persons to whom any such property shall belong shall reside, in every case where the amount of contribution in respect of the income arising from such property as aforesaid shall not amount to the sum of twenty pounds, in like manner and under the like rules as income arising from trade or manufacture.

XI. And be it further enacted, That so much of the said recited acts, or any of them, as restrain commercial commissioners from enquiring into statements of income delivered to them before the expiration of twenty-one days from the day of receiving the same, shall be and the same is hereby repealed.

XII. And be it further enacted, That, from and after the passing of this act, the several commercial commissioners, and the commissioners for the purposes of the said acts, acting as such commercial commissioners, shall, in their respective books of assessments, enter and cause to be entered the several amounts of the sums assessed by them in respect of income arising from trade or manufacture, separate and apart from all sums assessed by them in respect of income arising from any other source; and shall, from time to time, make out and cause to be made out, and shall transmit or cause to be transmitted to the commissioners for the affairs of taxes, distinct accounts of the amount of income assessed by them as arising from trade or manufacture, and of the amount of income assessed by them as arising from property in any of the *British* plantations in *America*, and also from any other source or sources, distinguishing the amount arising on each head of income; which accounts shall severally be made out with the particulars and in the manner required by the said acts for the like accounts respectively; and shall also from time to time make out or cause to be made out, and shall transmit or cause to be transmitted to the commissioners for the affairs of taxes, lists containing the name, description, and place of residence of all and every persons or person assessed by them respectively, as soon as the same conveniently can be done; which lists shall be made out according to an alphabetical arrangement of the respective parishes or places of residence, classing together all parishes and places in the same county, riding, shire, or stewardry.

XIII. And be it further enacted, That in addition to the certificate required by the said acts to be given to every person to be assessed by commercial commissioners, the said commercial commissioners shall, at the same time at which the certificate before-mentioned shall be delivered, deliver to the person so assessed, or to some person on his or her behalf, another certificate,

cate, containing the proper name, description, and residence of the person so assessed, and certifying that such person hath been charged to the said duties on income, according to the provisions of the said acts by the commissioners granting such certificate; which certificate shall be signed by the clerk to the said commissioners, and shall be exhibited forthwith by the party, to the commissioners for the purposes of the said acts, within the district where such person might otherwise lawfully be assessed, to be by them returned to the party exhibiting such certificate after having taken a copy thereof, to be by the said commissioners kept and filed; and in default of such certificate being exhibited within a reasonable time, unless a sufficient excuse be given to the satisfaction of such commissioners, it shall be lawful for the commissioners for the purposes of the said acts in such district, to proceed to assess such person to the said duties, in like manner as persons not engaged in trade or manufacture may be assessed thereto.

ers, they shall deliver another containing the name, &c. of the person assessed, and that he hath been charged to the duties which shall be signed by their clerk, and exhibited to the commissioners for executing the income acts, that a copy may be taken and filed, and if not exhibited in a reasonable

time, they may assess the party as a person not concerned in trade.

XIV. And be it further enacted, That whenever the commercial commissioners shall, according to the provisions of the said acts, have allowed to any person, any abatement of the sums assessed for the year ending on the fifth day of *April* in any year, on account of diminution of income, and shall have granted a certificate thereof in the manner directed by the said acts, or any act relating to the said duties, or referred to and made applicable thereby, it shall be lawful for the governor and company of the bank of *England* to direct their cashier or cashiers to repay to such person such sum as it shall appear has been overpaid on such assessment, out of any publick monies in the hands of such cashier or cashiers; who shall from time to time replace the same out of the first monies that shall come into the bank of *England* of the said duties upon income; for which payment the certificate of the said commissioners shall be a sufficient authority.

When the commercial commissioners shall have granted a certificate of an abatement on account of diminution of income, the bank may direct payment of the over-payment.

XV. And be it further enacted, That the rules prescribed in the schedules of the several acts for granting duties on income, or either of them, as far as relates to the mode for ascertaining income arising from land occupied by the owner, or by a tenant at rack rent, shall be and are hereby repealed.

The rules prescribed in the schedules, as far as relate to ascertaining income rent, repealed.

XVI. And be it further enacted, That, from and after the passing of this act, the income arising from land occupied by a tenant at rack rent, shall be taken in the proportions herein-after specified to the aggregate amount of the following articles; (*videlicet*),

Income arising from land occupied by a tenant at rack rent, to be taken in certain proportions to the aggregate amount of the following articles, viz. rent, taxes, &c.

Rent for one year payable to the landlord or landlords:

Parochial and other rates and assessments charged on the said lands, or upon the occupiers in respect of such lands, on an average of the three successive years ending on the twenty-ninth day of *September* one thousand seven hundred and ninety-nine, or

on an average of the three successive years ending the twentieth day of *September* of the year immediately preceding the date of the existing lease, contract, or agreement by virtue of which such lands are held or occupied; provided such lease, contract, or agreement bears date of its commencement within fifteen years previous to the passing of this act, or in case the date of the commencement of the said lease shall go beyond fifteen years from the passing of this act, then to an average of any three successive years within the said period of fifteen years; and provided the said parochial and other rates and assessments are payable by the occupier for the time being;

And the value of all tithes as the same would be worth to be let when taken in kind, or the sums paid or payable for the same, or agreed to be paid in satisfaction for the same, within or for the last preceding or the current year.

If such aggregate amount be under three hundred pounds a year, then the income shall be taken at one half of such amount; and if at three hundred pounds a year, or upwards, then at three-fifths of such amount.

Income arising from land occupied by the owner to be taken at the aggregate amount of rent of like lands in the neighbourhood, and a proportion of what would be computed to be the income of the tenant at rack rent.

XVII. And be it further enacted, That in case of lands occupied by the owner, the income arising therefrom shall be taken at the aggregate amount of the rent at which the same are worth to be let by the year, according to the ordinary rent of lands of the like quality, and under the like circumstances, in the same neighbourhood, and a certain proportion of what would be computed to be the income of the tenant at rack rent, as above mentioned; that is to say, If such aggregate amount be under three hundred pounds a year, then the income shall be taken at such rent and two-fifths of such amount, and if at three hundred pounds a year or upwards, then at such rent and one-half of such amount; except always where the lands shall have come into the occupation of the owner within eighteen months past, on the expiration of a lease or the death or failure of a tenant, in which case the same shall be valued at one year's rent only of lands of the like quality as aforesaid.

Occupiers of land thinking themselves aggrieved by such assessments may appeal, as allowed by the income acts, and if it be proved that the sum so estimated exceeds the clear income, the commissioners may amend the assessment, so

XVIII. Provided always, and be it further enacted, That if by pursuing the rules before-mentioned, any occupier of land shall think himself aggrieved by the assessment to be made thereupon, it shall be lawful for such occupier of land to appeal from such assessment, at such time and in such manner as appeals may be made under the said acts; and if upon the hearing of such appeal, it shall be proved to the satisfaction of the commissioners, that the sum so estimated as the income arising from such lands by virtue of such rule, doth exceed the amount of the clear income actually received by such occupier from such lands, on the average of three years preceding (if such person shall have occupied such lands during three years) or on the average of the period for which he shall have occupied the same (if less than three years) it shall be lawful for such commissioners, and they are hereby required, to amend such assessment in such manner as

according

according to all circumstances proved to them, shall appear just and reasonable to be charged in respect of such actual income, computed on the average and in manner aforesaid; so that in no such case the occupier shall be charged with more than one tenth part of his actual profits from the land so occupied by him.

XIX. And be it further enacted, That the several provisions of the said recited acts, or any of them, which exempt from the duties thereby granted persons being in *Great Britain* for some temporary purpose only, and not with any view or intent of establishing their residence therein, shall not be extended, in any case, from and after the passing of this act, to any person who shall have continually resided in *Great Britain* for the space of six calendar months prior to the time required for the delivery of his or her statement of income; but every person who shall have continually so resided during the period before-mentioned, shall be chargeable to the said duties on income in the manner directed by the said recited acts, as a person actually residing in *Great Britain*, whether such person shall be a subject of his Majesty or not; any thing in the said acts to the contrary notwithstanding: and every person who shall be adjudged, by reason of temporary residence in *Great Britain*, to be chargeable to the duties granted by an act passed in the thirty-eighth year of the reign of his present Majesty, intituled, *An act for granting to his Majesty an aid and contribution for the prosecution of the war*, shall be charged thereto in the manner herein-after directed.

XX. And be it further enacted, That in every case where the said respective commissioners shall adjudge any person to be chargeable to the duties granted by the said last mentioned act, as a person residing in this kingdom for a temporary purpose only, it shall be lawful for them, in their respective divisions or districts, or any two or more of them, and they are hereby required, to issue their precept or precepts to the respective assessors, or one of them, of the duties on houses, windows, and lights, and other the duties under the management of the commissioners for the affairs of taxes, granted by two acts passed in the thirty-eighth year of the reign of his present Majesty, the one thereof intituled, *An act for repealing the duties on houses, windows, and lights, on inhabited houses, and on clocks and watches; and for granting to his Majesty other duties on houses, windows, and lights, and on inhabited houses, in lieu thereof; and the other thereof intituled, An act for repealing the duties upon male servants, carriages, horses, mules, and dogs; and for granting to his Majesty other duties in lieu thereof; and acting for the parish or place where the person or persons intended to be charged shall reside or be, or for any other parish or place where such person or persons shall have returned to pay the duties or any of them charged by virtue of the said acts, requiring such assessors, or one or more of them respectively, to cause a return to be made, on a day and at a place to be fixed in every such precept, of the*

that no occupier shall be charged with more than a tenth of the actual profits from the land.

Provisions which exempt temporary residents, not to extend to persons who have continually resided six months prior to the time for delivery of statements, who shall be chargeable to the duties.

Temporary residents chargeable to the duties granted by 38 Geo. 3. c. 16. to be charged thereto as herein-after directed.

Where the commissioners shall adjudge any such person chargeable to the duties under the aid and contribution act, they shall issue precepts to the assessors of the duties granted by 38 Geo. 3. c. 40 and 41. to cause a return to be made of the particulars and amount of the duties for which such person shall stand charged by virtue of the last assessment under the said acts, or if no assessment has been

made for the current or preceding year, or he shall not have been charged to the full amount, then to cause a return to be made of the house and window duties, and of the greatest number of male servants, &c. kept by him.

The assessors to whom precepts shall be delivered, shall cause previous assessments to be computed upon the parties, in proportion to the duties granted by the said two acts of 38 Geo. 3. in respect of dwelling houses then occupied by them, and of the greatest number of male servants, &c. kept by them, which shall be the basis of an assessment to be made by the commissioners under the income acts, according to the aid and contribution act, but no assessments to the duties granted by the said acts of 38 Geo. 3. made for the purpose of this act, shall

particulars and amount of the duties for and to which such person or persons shall stand charged by virtue of the last assessment or assessments made upon such person or persons by virtue of the said last mentioned acts within their respective parishes and places, in case any such assessment or assessments shall have been made; and if no such assessment shall have been made upon such person or persons for the current or preceding year, or if he, she, or they shall not have been charged to the full amount that is or might be chargeable by virtue of the said acts last mentioned, according to such return as is directed to be made by this act, then such assessors, or one of them, shall cause a return to be made of the house and window duties, and of the greatest number of male servants, carriages, horses, and dogs retained, kept, or used by such person or persons as aforesaid, at any time during the period herein-after mentioned, or which he, she, or they shall then retain, keep, or use respectively.

XXI. And be it further enacted, That in every case where any such enquiry as aforesaid shall have been directed, it shall be lawful for the respective assessors to whom such precepts shall be delivered, and they are hereby required, according to the directions therein contained, to cause a previous assessment or assessments to be computed upon the person or persons mentioned in such precepts respectively, in proportion to the duties granted by the said two acts passed in the thirty-eighth year of the reign of his present Majesty, in respect of all and every dwelling houses or house which, or any part whereof, shall be then occupied by such person or persons, and whether any other person or persons shall have been charged for the same or not, and also in respect of the greatest number of male servants, carriages, horses, and dogs retained, kept, or used by him, her, or them, at any time within the period for which the before-mentioned return is hereby directed to be made, according to the respective description, and at the respective rates contained in the said last mentioned acts; which assessment or assessments so computed, being confirmed as herein-after is directed, and returned to the said respective commissioners appointed under the said acts for granting duties on income, shall be the basis of an assessment to be made by the said commissioners upon such person or persons to the said duties on income, according to the said act for granting an aid and contribution to the war as aforesaid: provided always, That no assessment to the duties granted by the said acts of the thirty-eighth year of his present Majesty's reign respectively or either of them, made for the purposes of this act, shall be deemed a charge upon any person or persons to the duties granted by the said acts, any farther than such person would be liable to if this act had not been made: provided also, That in cases where a sufficient assessment shall have already been made upon such person or persons to the said last-mentioned duties, as required by this act, it shall be lawful for such assessors to cause a copy of such assessment to be returned to the said respective commissioners for

for the purposes of this act, instead of making an assessment as herein-before is directed. be deemed a charge to the said duties

farther than the person would be liable if this act had not been made. Where a sufficient assessment has already been made, the assessors shall return a copy to the commissioners instead of making an assessment. Where a sufficient assessment has already been made, the assessors shall return a copy to the commissioners

XXII. And be it further enacted, That every assessment of the sums computed under the authority of this act, shall be returned by the assessors making the same to the proper commissioners of the division for the duties granted by the said last mentioned acts, for their confirmation, such assessors giving notice thereof to the party or parties; which assessment shall be subject to appeal, within ten days after such notice, in the manner directed by the said acts; and which appeal shall be determined by such commissioners as soon as conveniently can be done, on ten days general notice to be given by them in the manner directed or used in other cases of assessed taxes; and every such assessment so confirmed or determined, shall be transmitted to the commissioners for carrying into execution the said acts for granting duties on income, to be by them used and applied in the execution thereof, as herein is directed. Assessments under this act shall be returned to the commissioners of the division for the duties granted by the last-mentioned acts, the assessors giving notice thereof to the parties. Assessments subject to appeal, which shall be determined as in other cases of

assessed taxes, shall be transmitted to the commissioners for executing the income acts. Assessments subject to appeal, which shall be determined as in other cases of

XXIII. Provided always, and be it further enacted, That, if any person, whose ordinary residence shall have been out of *Great Britain*, shall, during the continuance of any charge made upon him or her, under the said first-recited acts or this act, by reason of temporary residence therein, depart from *Great Britain* and go into any parts beyond the seas, such charge shall continue until the end of the current year, unless notice of the time of such departure be delivered to the clerk of the commissioners by whom such charge was made, and a receipt or receipts be produced to such clerk, of the payment or satisfaction of all sums which had accrued or might accrue upon such charge prior to the time of such departure; in which case it shall be lawful for the said commissioners to vacate such charge from and after the period of the actual departure of such person from *Great Britain*, whenever the same shall be certified to the said commissioners by the collector of the customs, or his deputy, or by any officer of the customs authorized by such collector or deputy, at the port of departure of such person; which certificate every such collector or deputy shall give or cause to be given whenever required so to do by such person for the purposes aforesaid: provided that no person, being a subject of his Majesty, shall be entitled to vacate such charge in respect of income arising in *Great Britain*, by occasion of his or her departure from *Great Britain* within the year for which such charge was made: provided also, That in default of a certificate upon such departure, the said duties may be levied for the whole of the current year as any debt to his Majesty upon record may be levied by law. If any person whose ordinary residence is out of Great Britain, shall, during the continuance of any charge made upon him on account of temporary residence, go beyond the seas, the charge shall continue until the end of the current year, unless notice of departure be delivered to the clerk of the commissioners, and a receipt produced for all sums accrued prior thereto, in which case the charge may be vacated on certificate from

the officer of the customs at the port of departure; but no subject of his Majesty shall be entitled to vacate such charge in respect of income arising in *Great Britain* within the year. In default of certificate, the duties may be levied as a debt upon record to his Majesty.

No lodger chargeable in respect of assessments upon the duties on houses, &c. in any greater proportion than for the part in his occupation,

XXIV. Provided also, and be it further enacted, That nothing herein contained shall be construed to extend to charge any lodger in respect of the amount of any assessment computed upon the duties on houses, windows, or lights, for any greater proportion of the house than what shall be in his or her actual occupation: and that in every such case the part actually occupied by such lodger shall be considered, for the purposes of this act, as a separate and distinct dwelling house.

Where the commissioners shall assess any person at a greater amount than the sum delivered in, or shall discover that any increase ought to be made to any assessment, they may charge for such increase a proportion not exceeding double the amount of the increase, unless it be made appear that the omission did not proceed from fraud, &c.

XXV. And be it further enacted, That in every case where the commercial commissioners, or commissioners acting for any division, shall assess any person or persons at any greater amount than the sum delivered in, in the statement of such person or persons; or where the said commissioners shall at any time within the space of twelve calendar months after such assessment shall have been made, discover that any increase ought to be made to such assessment, it shall be lawful for the said commissioners, or any two or more of them, to charge such person or persons for every such increase beyond the sums delivered in in such statement, or the sum contained in such assessment, as the case may require, with a proportion not exceeding double the amount by which the duties with which such person would otherwise have been chargeable under or by virtue of the said acts or this act, shall have been so increased; unless such person or persons shall make it appear, that the omission complained of did not proceed from any fraud, covin, art, or contrivance whatever, or any gross or wilful neglect.

Upon enquiry into the amount of any income, or of any deduction to be made therefrom, the commissioners may summon high constables, churchwardens, overseers, clerks to commissioners of land tax, &c. who shall bring with them all such documents as may be required.

XXVI. And be it further enacted, That it shall be lawful for the commissioners acting in and for each division, upon any enquiry into the amount of any income, or of any deduction to be made from any income, to summon all high constables, churchwardens, and overseers of the poor, and all clerks to commissioners of land tax and supply and assessed taxes, and all collectors, supervisors, and other officers of excise, or any of them respectively, within the division of the said respective commissioners, and also all inspectors and surveyors, assessors and collectors of assessed taxes acting for such division or any part thereof, whom the said commissioners shall judge able to give evidence of the amount of income or reputed income then under enquiry, or of the amount of deductions to be made thereout; and all persons so summoned shall attend the meeting or meetings of the said commissioners mentioned in such summons, and bring with them before the said commissioners, for their inspection, all such parochial and other publick rates and assessments, and all books, documents, and papers relating thereto, and all other publick books, documents, and papers, as to such commissioners respectively may seem necessary, and which they shall require; and it shall also be lawful for such commissioners to examine upon oath, or solemn affirmation, as the case may require, all such high constables,

constables, churchwardens, and overseers of the poor, and clerks to commissioners, and all such collectors, supervisors, and officers of excise, and inspectors and surveyors, assessors and collectors of taxes as aforesaid, touching any matter within the jurisdiction of the said commissioners in the execution of the said acts or this act, and touching any matter contained in such rates or assessments, or such books, documents, and papers, as may in any way relate thereto, or that may better enable such commissioners to ascertain the annual amount of any income, or which ought to be ascertained or charged to the said duties, or to the amount of any deduction to be made from such income; and every person so summoned as aforesaid, who shall neglect to appear before any such commissioners, or to bring or produce any such rates or assessments, or any book, document, or paper required by any such commissioners as aforesaid, or to answer to any such commissioners any question, on oath or affirmation, touching any matter relating to the execution of the said acts or this act, shall, for every such offence, forfeit any sum not exceeding the sum of twenty pounds; and it shall be lawful for any inspector or surveyor to inspect at all reasonable hours, or demand a copy gratis of any such rate or assessment, or any book, document, or paper relating to any such rate or assessment, or any other publick book, document, or paper, as the respective commissioners in their respective divisions, or any two or more of them respectively may think necessary to further the enquiry of such commissioners, or of such inspector or surveyor, in any manner relating to the execution of the said acts or this act, and which shall be in the hands of any such officer or person aforesaid, whenever the said commissioners, or any two or more of them, shall authorise any such inspector or surveyor so to do, by writing under their hands and seals; and if any such officer or person aforesaid shall wilfully neglect, or refuse to permit such inspection, or to grant such copy of any such rate or assessment, or any book, document, or paper, required by such inspector or surveyor, under the authority of this act, every such officer or person shall forfeit and pay the sum of twenty pounds.

XXVII. And be it further enacted, That, from and after the passing of this act, whenever it shall appear to any of the said respective commissioners for the purposes of the said acts, or to any commercial commissioners, that any statement or statements hath or have been delivered to them, or to any assessor or assessors, contrary to the directions of the said acts or this act, or by mistake, and contrary to the intent of the party, and such commissioners shall be of opinion that the income declared in such statement ought to be ascertained by other commissioners, or whenever it shall appear to any commercial commissioners, that any person delivering a statement to them, is not entitled to be assessed by them, then and in every such case it shall be lawful for such respective commissioners, and they are hereby respectively required forthwith to transmit such statement or statements to the commissioners for the affairs of taxes, to be by them forthwith

The commissioners may examine high constables, &c. on oath.

Persons summoned, neglecting to appear or to bring the documents required, or to answer on oath, shall forfeit not exceeding 20*l*. Inspectors or surveyors may inspect or demand a copy gratis, of any rate, &c. as the commissioners may think necessary to the further enquiry of them, or of the inspectors or surveyors, when authorised by the commissioners.

Persons neglecting to permit such inspection, or to grant such copy, to forfeit 20*l*.

Where it shall appear to the commissioners that any statement has been delivered to them, or any assessor, contrary to the income acts, or by mistake, and they shall be of opinion that it ought to be ascertained by other commissioners, or when it shall appear to the com-

mercian commissioners that any person delivering a statement to them is not entitled to be assessed by them, they shall transmit the same to the tax office, in order to being sent to the proper commissioners, and notice thereof shall be given to the parties; and the commissioners to whom such statements shall be transmitted from the tax office shall, within

sent to the commissioners to whom such statement or statements ought, in the opinion of the commissioners transmitting the same, to have been delivered; and the said respective commissioners to whom such statements were first delivered, shall cause notice thereof to be given to or left at the usual place of abode of the person or persons who shall have delivered such statement or statements, if the same shall be known; and if the same shall not be known by such commissioners, then for the said commissioners of taxes to cause notice thereof to be given, in such manner as they conveniently can, either by delivery of notice to the party, or by leaving the same at his or her last or usual place of abode, or by publick advertisement in one or more of the *London* newspapers or gazette; and it shall be lawful for the respective commissioners to whom any such statement or statements shall be transmitted by the commissioners for the affairs of taxes as aforesaid, and they are hereby required, within a reasonable time after the receipt thereof, to proceed to make an assessment, upon the person or persons mentioned in such statement, in like manner in every respect as if such statement or statements had been first delivered to them, or to the assessor or assessors within the division of such commissioners.

a reasonable time, make an assessment upon the persons mentioned in the statements, as if they had been first delivered to them or to the assessors of the division.

The commissioners may put questions in writing and demand signed answers relate to income, and issue precepts requiring them, and if not given in the times limited may (unless applied to to proceed to *viva voce* examination), make assessments according to their judgement.

XXVIII. And be it further enacted, That in every instance in which the commissioners are authorised by the said acts, or any of them, to put any question to any person or persons relative to his, her, or their income, it shall be lawful for such commissioners to put such question or questions in writing, and to demand an answer accordingly from such person or persons, signed by him, her, or them, and from time to time to issue their precept or precepts, requiring true and particular answers to be given to such questions; and if at the end of the time or times limited in such precept or precepts, no answer in writing shall be given to any such question so put by the said commissioners, or an answer which shall not be satisfactory to the said commissioners, it shall be lawful for them, or any two or more of them, and they are hereby required, (unless the said commissioners shall be applied to by the party to proceed to *viva voce* examination, in which case they shall summon the party accordingly, and proceed to a *viva voce* examination, as directed by the said acts), according to the best of their judgement, to settle and ascertain in what sums such person or persons ought to be charged by the said acts or this act, and to make an assessment accordingly.

If any person shall, after passing this act, reside in a district wherein he shall not have been before charged for

XXIX. And be it further enacted, That if any person or persons shall, from and after the passing of this act, be resident in any district or division wherein such person or persons shall not have been before charged to the said duties on income for the current year, the assessor or assessors, collector or collectors, or any inspector or surveyor, shall give or leave notice in writing to or for every such person so residing within the limits for which such assessors,

assessors, collectors, inspectors, or surveyors respectively act, to make out and deliver, within fourteen days next ensuing the day of giving of such notice, a declaration in writing signed with his or her proper name, which declaration shall specify the name of the parish or place, and county or counties, wherein such person shall have been assessed to the said duties on income for that year; and also to produce the certificate of such assessment, or in default thereof, to deliver a statement of his or her income, for the purpose of being assessed to the duties upon income; and if any such person as aforesaid shall neglect or refuse to make out and sign and deliver such declaration as aforesaid, within the time before-mentioned, or shall make any false or untrue return therein in any particular thereof, every such person shall for every such offence forfeit and pay a sum not exceeding the sum of twenty pounds; and when, in any such case, it shall not appear that any such person or persons shall have been assessed to the said duties upon income in any other parish or place, then, and in such case, it shall be lawful for the respective commissioners acting for the said district, and they are hereby required, to proceed to assess such person to the said duties on income, in like manner in every respect as if such person had been resident in such district at the time of the publication of notices as directed by the said acts; and if any person or persons assessed to the said duties on income, shall remove out of the parish or place where he, she, or they shall have been assessed to the said duties, without first paying or discharging all the said duties upon income charged upon him, her, or them, which shall then be due and payable, or without leaving in such parish or place, sufficient goods and chattels whereon the said duties in arrear may be raised and levied, and the same shall remain in arrear and unpaid for the space of twenty days after the time appointed by the said acts for payment thereof, every such person shall for every such offence forfeit and pay (over and above the said duties so left unpaid as aforesaid) the sum of twenty pounds; and also in every such case it shall be lawful for the commissioners for the affairs of taxes, to certify to the commissioners of the district within which such person or persons shall then reside, the whole amount of the assessment made upon such person or persons, together with the amount of what may be in arrear and due thereon; and such last-mentioned commissioners shall thereupon issue a warrant of distress for the recovery of the whole of the duty that shall then be in arrear, together with the whole amount of the remainder of the said assessment for the year for which such assessment shall have been made as aforesaid; and if goods or chattels cannot be found whereon such distress can be fully made, then and in every such case the whole of such arrear of duty, and remainder of assessment aforesaid, or such part thereof as cannot be so levied and collected by distress as aforesaid, shall be recoverable as a debt upon record to his Majesty, his heirs and successors.

If any person shall remove without paying the duties or leaving sufficient effects, and the same shall remain in arrear for 20 days after the appointed time for payment, he shall forfeit 20*l*. and on certificate from the commissioners for the arrears, to together with the remainder of the assessment for the year, and if sufficient distress cannot be found, the money unsatisfied shall be recoverable as a debt upon record to his Majesty.

XXX. And

Commissioners appointed for hearing appeal, for part of a county or riding, or of the three divisions of Lincolnshire, may act within any part of such county, riding, or division, and arrange amongst themselves for what part they will act, giving notice to the tax office; but no such person shall act as a commissioner of appeals, and as a commissioner for the purposes of the income acts within the same part.

Qualification of commissioners for executing the income acts, or of commissioners of appeal for counties at large in Wales or Scotland, a personal estate of the like value, or a real estate of the like nature and two fifths of the value required as a qualification for counties at large in Great Britain.

If the directions for appointing commissioners for executing the income acts, or for hearing appeals, shall be found inapplicable to any liberty, &c. in England, or any stewardry, &c. in Scotland, and commissioners shall not have been appointed, or shall have

XXX. And be it further enacted, That notwithstanding any persons may have been appointed to be commissioners for hearing and determining appeals for part of a county or riding, or of the three divisions of the county of *Lincoln*, it shall be lawful for such persons, by virtue of such appointment, to act as such commissioners in the hearing and determining appeals arising within any part of such county or riding, or of the divisions in the said county of *Lincoln*, and to select and arrange amongst themselves for what part of such county, riding, or division, they will so act, giving due notice thereof to the commissioners for the affairs of taxes; provided always, that no such person shall act as a commissioner of appeals, and also as a commissioner for the purposes of the said acts, within the same part of such county, riding, or division as last aforesaid.

XXXI. Provided always, and be it further enacted, That, from and after the passing of this act, any person shall be capable of acting as a commissioner for the purposes of the said acts, or as a commissioner for hearing and determining appeals, within or for any of the counties at large within the dominion of *Wales*; or in that part of *Great Britain* called *Scotland*, who shall be possessed of a personal estate of the like value, or be seised or possessed of an estate in lands, tenements, or hereditaments, of the like nature and of two-fifths of the value, as is required as the qualification of a commissioner for the purposes of the said acts, or of a commissioner for hearing and determining appeals respectively, within and for any other county at large in *Great Britain*, without being subject to the penalties in the said acts contained for acting without the qualification therein required in such cases; any thing in any act or acts to the contrary thereof notwithstanding.

XXXII. And be it further enacted, That in case the provisions or directions of the said acts for nominating and appointing commissioners for the purposes of the said acts, or commissioners for hearing appeals, or any of them, shall have been or shall be found, reputed, or deemed inapplicable to any liberty, town, or place in *England*, or to any stewardry, sheriffdom, or place, or any part thereof in *Scotland*, by occasion whereof or for any other cause such commissioners shall not have been appointed, or having been appointed shall have declined to act as such commissioners respectively, in such liberty, town, or place in *England*, or in such stewardry, borough, or place in *Scotland*, it shall be lawful for the sheriff of such liberty, town, or place in *England*, for the time being, or in case there be no sheriff, for the mayor, bailiff, coroner, or chief magistrate of such liberty, town or place in *England* for the time being, and for the sheriff or sheriff depute of such stewardry, sheriffdom, or place in *Scotland* for the time being, and such officers respectively are hereby required, from time

time to time as often as there shall be occasion, to summon the persons named in the commission of the peace, having authority to act as justices or conservators of the peace within or for such liberty, town, or place in *England*, or such stewardry, sheriffdom, or place in *Scotland*; and such justices or conservators of the peace so summoned respectively as aforesaid, shall, if in *England*, select a sufficient number of persons qualified as required by the said acts in the cases of towns in *England*, not being counties of themselves, and if in *Scotland*, shall select the like number of persons qualified as required by the said acts in the cases of stewardries in *Scotland*, to be commissioners for the purposes of the said acts, for such liberty, town, or place in *England*, or such stewardry, sheriffdom, or place in *Scotland*; and also a sufficient number of persons, qualified as required by the said acts, in the cases of counties in *England*, and shires and stewardries in *Scotland* respectively, to be commissioners for hearing and determining appeals therein respectively; which persons shall be so selected from the lists of persons so qualified, which shall be prepared and laid before them at such meeting by the respective officers hereby required to summon such persons, (and which lists every such officer is hereby required to prepare and make out and lay before such persons at such meeting), with power for the commissioners for the affairs of taxes in *England*, and the barons of the exchequer in *Scotland*, at the request of any person so qualified, to require his and their name and names to be inserted therein, and also for such persons to select a sufficient number of persons also so qualified to supply vacancies arising therein from time to time; and if the persons present at the said meeting or meetings shall not find in any such lists sufficient numbers of persons qualified to be commissioners, they shall select such number of persons so qualified from any adjoining county in *England*, or shire or stewardry in *Scotland*; and the names of such persons shall be returned to the commissioners for the affairs of taxes, and such persons who shall be so selected shall be commissioners respectively for the purposes of the said acts, and for hearing and determining appeals, in the order in which their names shall be returned as aforesaid.

shall be returned to the commissioners for the affairs of taxes.

XXXIII. And be it further enacted, That whenever it shall happen that the acts relating to the said duties upon income cannot be executed in any year previous to the time appointed for the payment of the first or any subsequent instalment of the said duties, it shall be lawful for the commissioners who shall have made any assise after the period appointed for any such payment, (which they are hereby declared to be competent to do whenever the same shall be necessary), to settle and adjust at what time and in what proportions the instalment or instalments, of which the time or times for payment shall then have elapsed, shall be paid, in such manner as to them shall appear just and reasonable; regard being had to the amount of such assise, and settle at what

time, and in what proportions the instalments shall

and the number of days appointed for the payment of instalments then to come in such year.

Every court having controul over any income chargeable to duties, may appoint proper persons with salaries, with the approbation of the treasury, to make out and deliver to the commissioners for executing the income acts, or the commercial commissioners, statements of such income. The treasury may order the salaries to be paid out of the duties on income.

Persons so appointed shall make out statements as soon as can be conveniently done, and deliver them to the commissioners, who shall make the assessments, and transmit them to the respective courts, that directions may be given for payment.

Such parts of the said acts as require certain forms of notices for and returns of income to be delivered by assessors, repealed, which

All things relating to

XXXIV. And be it further enacted, That it shall be lawful for every court of equity, or other court having the direction and controul over any income chargeable to the said duties on income, whether such income shall be under the controul and direction of any such court by reason of any suit depending therein in respect of such income, or of any property from which any such income shall arise, or whether the same shall belong to any infant, lunatick, or other person or persons, to appoint some proper person or persons, with such assistants, as may by any such court be deemed necessary, and with such respective salaries or rewards as to such respective courts shall, with the consent and approbation of the commissioners of the treasury, seem reasonable and fit; and which salaries and rewards such commissioners of the treasury, or any three or more of them for the time being, are hereby authorised from time to time to direct the cashier or cashiers of the bank of *England*, or any receiver general, as may be most convenient to advance and pay out of the duties granted on income, received or receivable by them respectively, and for payment of which the order of such commissioners of the treasury as aforesaid shall be a sufficient voucher and discharge, to make out and deliver to the respective commissioners for the purposes of the said acts and this act, or to the commercial commissioners, as the case may require, acting for the respective districts within which such courts shall respectively sit, statements of all such income as aforesaid; and the persons so respectively appointed as aforesaid shall, as soon after they shall be so appointed as the same can conveniently be done, make out such statements, and from time to time, in making out the same, take the direction of the court, under the direction and controul whereof any such income shall be, and deliver the same to such respective commissioners as aforesaid; and the respective commissioners to whom any such statement shall be delivered, shall thereupon proceed to assess all such income as aforesaid, and shall, as soon after such assessment shall have been made as aforesaid as the same can be done, cause the same to be transmitted to the respective courts having the direction and controul of such income as aforesaid, in order that such courts respectively may give such directions therein as may be necessary for the payment of such assessments.

XXXV. And be it further enacted, That so much and such parts of the said acts as require certain forms of notices for and returns of income to be delivered by assessors, shall be and the same are hereby repealed; and that, from and after the passing of this act, such forms for notices and returns shall be delivered from time to time as shall be requisite, and so as to be conformable to the provisions of the said acts and this act, and the true intent and meaning thereof.

shall be delivered from time to time as shall be requisite.

XXXVI. And be it further enacted, That all matters and things

things in this act contained, relating to any person or persons liable to be assessed to the said duties upon income, shall be applied to, and the same are hereby declared to extend to all bodies, corporations, companies, fraternities, and societies whatever, as far as any such matters and things can be or are applicable to any bodies, corporations, companies, fraternities, or societies, in like manner in every respect as if such matters had been expressly extended to such bodies, corporations, companies, fraternities, or societies.

persons liable to be assessed to extend to bodies, &c.

XXXVII. And be it further enacted, That whenever any person or persons shall have been or shall be assessed, in one division or place, to the duties on his, her, or their income, and shall have been, or shall be again assessed in another division or place for the same income, or any part thereof, it shall be lawful for such person or persons to apply to the commissioners acting for the several parishes or places in which such person or persons shall have been so assessed as aforesaid; for the purpose of being relieved from such double assessment; and the commissioners acting for the division or place within which such person or persons shall have been first assessed to the said duties, shall upon such application give, or cause to be given, a certificate under the hands of any two of such commissioners of the amount of the assessment there made, with the particulars of the income there assessed; which certificate shall be given gratis; upon the production of which certificate to the commissioners of any other division or place within which such person or persons shall have been assessed in respect of the same income, or any part thereof, such commissioners shall, upon being satisfied that such person or persons has or have been so doubly assessed as aforesaid, cause the assessment made in such division or place to be vacated; so as that such person or persons may not remain charged by more than one assessment for the same income.

Persons assessed in one division and again in another may apply to the commissioners acting for the several places for relief, and the commissioners for the place making the first assessment shall certify the amount of the assessment there made, upon production of which to the commissioners of the other place they shall cause the assessment made therein to be vacated.

XXXVIII. And whereas doubts have arisen in what manner the income arising from houses kept by the owners for the purpose of being let out wholly or in part in lodgings, ought to be charged under the said recited acts; be it declared and further enacted, That the owner of any such house shall be chargeable for such house, or such part thereof only which shall be actually occupied by him or her, for his or her own house; and that for such house, or such part thereof which shall be let out in lodgings, or kept for that purpose, the owner thereof shall be chargeable in respect of the income arising from the profits made thereby.

The owners of lodging houses chargeable for the parts they occupy, and for the profits arising from the parts let out.

XXXIX. And whereas doubts have arisen whether persons having or holding any perpetual curacy should be charged to the said duties upon income, in respect of any stipend paid to a curate; be it therefore enacted, That no person having or holding any perpetual curacy shall be charged in respect of any stipend which he shall pay to any curate or curates for doing the duty, or any part of the duty of such perpetual curacy.

Persons holding perpetual curacies not to be charged in respect of stipends paid for doing the duty.

XL. And be it further enacted, That it shall be lawful for the commissioners acting in the execution of any act of acts relating

The commissioners for executing the income acts

may determine offences, subjecting to pecuniary penalties as justices of the peace might, and the penalty shall be added to the assessment, and collected therewith.

to duties upon income, to hear and determine any offence against the same, which subjects the offender to any pecuniary penalty, in like manner in every respect, and by all such powers and authorities, ways and means, as any justice of the peace might have exercised and used in pursuance or by virtue of the said acts; or any of them; and every such penalty that shall be adjudged by such commissioners in pursuance of any such act or acts or this act, against any person who shall have been or shall be liable to be assessed to the duties granted by the said acts, in respect of his or her income, shall be added by such commissioners to the assessment of the person who shall have forfeited the same, if such penalty shall be forfeited within the district within which the final assessment upon such person shall have been or is to be made in pursuance of this act; or if such penalty shall be forfeited in any other district, then and in every such case, the commissioners by whom such penalty shall be adjudged, shall certify the conviction thereof to the commissioners of the district by whom the final assessment upon such person shall have been or is to be made, and such commissioners shall forthwith add the same to the final assessment upon such person, and such penalty shall be levied and collected therewith and as part of the said assessment; subject nevertheless to such distribution of the penalty so levied, and to the like costs, as by the said acts, or any of them, is or are directed.

The provisions of recited income acts, (except where varied by this) and of this act, to be construed together as one act.

Act may be altered or repealed this session.

XLi. And be it further enacted, That all and every the provisions of the said acts, or any of them, except where the same are expressly varied by this act, shall, in the execution of this act, be severally applied and construed, in like manner as if the said provisions were severally and specially enacted in this act; and all and every the provisions of this act shall, in the execution of the said recited acts, be severally applied and construed in like manner as if the same provisions severally formed a part of the said acts, and were specially enacted therein.

XLii. And be it further enacted, That this act, or any of the provisions herein contained, may be altered, varied, or repealed, by any act or acts to be made in this session of parliament.

C A P. L.

An act to extend the provisions of an act made in the seventeenth year of the reign of King George the Second, intituled, An act to amend and make more effectual the laws relating to rogues, vagabonds, and other idle and disorderly persons, and to houses of correction.—[June 20, 1800.]

Preamble.

WHEREAS idle and disorderly persons frequently assemble and associate themselves to support and assist each other in the destruction of game in the night, and are, if interrupted, guilty of great violence by shooting, maiming, and beating, to the great terror of his Majesty's subjects, and to the encouragement of idleness and immorality; and such practices are found by experience to lead to the

*commission of crimes and felonies: for the suppression 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 if any persons to the number of two or more shall, after the passing of this act, enter into or be found in any forest, chase, park, wood, plantation, paddock, field, meadow, or other open or inclosed ground, in the night, that is to say, Between the hours of eight of the clock at night and six in the morning from the first day of *October* to the first day of *February*, or between the hours of ten at night and four in the morning from the first day of *February* to the first day of *October* in each and every year, having any gun, net, engine, or other instrument for the purpose and with the intent to destroy, take, or kill, or shall wilfully destroy, take, or kill, any hare, pheasant, partridge, heath fowl commonly called *Black Game*, or grouse commonly called *Red Game*, or any other game; or if any person or persons shall be found with any gun, fire arms, bludgeon, or with any other offensive weapon, protecting, aiding, abetting, or assisting any such persons as aforesaid; it shall and may be lawful to and for the ranger and rangers, and to and for the owner and owners, occupier and occupiers of any such forest, chase, park, wood, plantation, paddock, field, meadow, or other open or inclosed ground, and also for his, her, or their keeper and keepers, servant and servants, and also for any other person or persons, to seize and apprehend, or to assist in seizing and apprehending such offender or offenders, by virtue of this act, and by the authority of the same to convey and deliver such offender or offenders into the custody of a peace officer, who is hereby authorized and directed to convey such offender or offenders before some one of his Majesty's justices of the peace for the county or place where such offence shall be alledged to have been committed; or in case such offender or offenders shall not be so apprehended, then it shall and may be lawful for any such justice, on information before him on the oath of any credible witness or witnesses, to issue his warrant for the apprehension of such offender or offenders; and if, upon the apprehension of any such offender or offenders, it shall appear to such justice on the oath of any credible witness or witnesses, that the person or persons so charged hath or have been guilty of any or either of the said offences, every such person shall be deemed and taken to be a rogue and a vagabond, within the true intent and meaning of an act, made in the seventeenth year of the reign of King *George the Second*, intituled, *An act to amend and make more effectual the laws relating to rogues and vagabonds, and other idle and disorderly persons, and to houses of correction*, and shall suffer such pains and punishments as are directed to be inflicted by any law or statute in force and effect on rogues and vagabonds; and in case any person or persons being so convicted shall again offend against any of the provisions of this act, such person or persons shall be*

Persons to the number of two or more found in any forest, &c. at the times herein specified, having any gun or engine with intent to kill or take game, or persons aiding them with offensive weapons, may be apprehended, and on conviction before a justice shall be deemed rogues and vagabonds within the meaning of 17 Geo. 2. c. 5, &c.

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deemed and taken to be an incorrigible rogue, and shall suffer
such pains and punishments as by any law or statute in force and
effect are directed to be inflicted on incorrigible rogues.

C A P L I.

*An act to permit blubber from the Greenland fishery and Davis's
Streights to be boiled into oil after the arrival of the ships from the
fishery, and for charging the duty thereon; for altering the convey
duty now payable on the importation of opium; for repealing the
duties on the importation of oil of turpentine and tar, and charging
other duties in lieu thereof; for exempting burr stones, and stones
used for the purpose of paving or the making or mending of roads,
from the duties charged thereon when carried coastwise; for obliging
masters of ships laden with tobacco to remove the same from their
moorings when their cargoes are discharged; and for extending
bonds given on licensing ships, vessels, or boats, to all cases wherein
ships, vessels, or boats may be liable to forfeiture.— [June 20, 1800.]*

Preamble.
38 Geo. 3.
c. 76.

WHEREAS by an act, passed in the thirty-eighth year of the
reign of his present Majesty, intituled, An act for the better
protection of the trade of this kingdom, and for granting new
and additional duties of customs on goods imported and exported,
and on the tonnage of certain ships entering outwards or inwards
to or from foreign parts, until the signing the preliminary articles
of peace; amongst other things a duty of sixteen shillings and ten-
pence per ton is imposed on the importation of oil or blubber: and
whereas it is the practice on board ships or vessels employed in the
southern whale fishery to boil the blubber (being the produce of whales
and other creatures caught and taken in the said fishery) during the
voyage, and to import the oil only into Great Britain, which practice
is not observed on board ships or vessels employed in the Greenland
whale fishery; in consequence whereof the importers of blubber in the
said last mentioned fishery are liable to pay as much duty for the blubber
as the importers pay for the oil in the said first mentioned fishery; and
it is therefore expedient that the blubber (being the produce of whales
and other creatures living in the sea, caught and taken in the said
fishery) should be permitted to be boiled into oil, and afterwards to pay
duty accordingly; be it therefore enacted by the King's most ex-
cellent majesty, by and with the advice and consent of the lords
spiritual and temporal, and commons, in this present parliament
assembled, and by the authority of the same, That, from and
after the passing of this act, it shall and may be lawful, upon
the return of any ship or vessel from the Greenland Seas or Davis's
Streights, with any blubber, being the produce of whales or
other creatures living in the seas, caught and taken in the said
fishery, to boil such blubber, under the care and inspection of
the proper officer or officers of the customs, into oil, and after-
wards such oil shall be admitted to entry, and the duties thereon
paid, according to the laws now in force; any act or acts of
parliament, or custom or usage, to the contrary in anywise
notwithstanding.

On return of
any vessel
from the
Greenland
and Davis's
Streights, the
blubber may
be boiled into
oil, and ad-
mitted to en-
try,

II. And

II. And be it further enacted, That in case any blubber as may blubber imported into Great Britain in any ship or vessel employed in the said fishery since the twenty-eighth day of June one thousand seven hundred and ninety-eight, and such blubber has afterwards been boiled into oil, such oil shall be admitted to entry, and shall be charged with duty agreeably to the regulations and directions of this act. in any vessel employed in the said fishery since June 28, 1798:

III. And whereas by the said act passed in the thirty-eighth year of the reign of his present Majesty, amongst other things, a duty of one shilling and two-pence halfpenny the pound weight is imposed on the importation of opium: and whereas it is expedient to repeal the said duty on opium, and to impose in lieu thereof a duty of three pounds for every one hundred pounds of the true and real value of such opium imported; be it therefore enacted, That, from and after the eleventh day of May one thousand eight hundred, the duty imposed by the said recited act on opium imported into this kingdom shall be, and the same is hereby repealed (save and except in all cases relating to the recovering or paying any arrears thereof which may remain unpaid, or to any fine, penalty, or forfeiture relating thereto, which shall have been incurred at any time before the passing of this act). From May 11, 1800, the duty imposed by recited act on opium repealed, except arrears,

IV. And be it further enacted, That, from and after the eleventh day of May one thousand eight hundred, in lieu and instead of the said duty hereby repealed, there shall be raised, levied, collected, and paid unto his Majesty, his heirs and successors, in ready money, without any discount whatever, upon the importation of opium into this kingdom, a duty of customs of three pounds for every one hundred pounds of the true and real value of such opium so imported. and instead thereof 3l. for every 100l. in value of opium imported shall be paid.

V. And be it further enacted, That the value of such opium so imported shall be ascertained by such rules and regulations, and shall be subject and liable to such and the like conditions, restrictions, forfeitures, and penalties, as are prescribed, directed, and imposed by the said recited act, in the case of goods imported into this kingdom, and thereby subject to duty according to the value thereof; and that the duties by this act imposed shall be managed, raised, levied, collected, answered, paid, secured, recovered, appropriated, and applied, in such and the like manner, and in and by the like ways, means, or methods, as the duties of customs imposed on goods imported into this kingdom, and which are subject to duty according to the value thereof, are by the said recited act managed, raised, levied, collected, answered, paid, secured, recovered, appropriated, and applied. The value of opium to be ascertained, and the duty to be levied, as directed by recited act,

VI. And be it further enacted, That this act shall have continuance with respect to the said duty imposed on opium during such time as the said recited act shall remain in force, and no longer. Continuance of that duty.

VII. And whereas it is expedient that the duties payable on the importation of oil of turpentine should be repealed, and new duties imposed in lieu thereof, except so much of the said duties as are payable by virtue of the said act passed in the thirty-eighth year of the reign of his

From July 5, 1800, the import duties on oil of turpentine, except those payable under recited act, repealed,

his present Majesty; be it therefore enacted, That, from and after the fifth day of *July* one thousand eight hundred, the duties now payable by law on the importation of oil of turpentine, except so much of the said duties as are payable by virtue of the said recited act passed in the thirty-eighth year of the reign of his present Majesty, shall be, and the same are hereby repealed, (save and except in all cases relating to the recovering or paying any arrears thereof which may remain unpaid, or to any fine, penalty, or forfeiture, relating thereto, which shall have been incurred at any time before the passing of this act).

and instead thereof a duty of 2d. 2q. per lb. shall be paid.

VIII. And be it further enacted, That, from and after the fifth day of *July* one thousand eight hundred, in lieu and instead of the said duties hereby repealed, there shall be raised, levied, collected, and paid unto his Majesty, his heirs and successors, in ready money, without any discount whatever, upon the importation of oil of turpentine into this kingdom, a duty of customs of two-pence halfpenny the pound weight, and so in proportion for any greater or less quantity.

The duties on oil of turpentine to be subject to the additional duty of 5l. per cent. and 5l. per cent. granted by 37 Geo. 3. c. 15, and 37 Geo. 3. c. 110.

IX. And be it further enacted, That the said duties upon oil of turpentine shall be subject and liable to the additional duty of five pounds *per centum* thereon, payable upon goods, wares, and merchandize imported, by virtue of an act, passed in the thirty-seventh year of the reign of his present Majesty, for granting to his Majesty certain duties of customs on goods, wares, and merchandize imported into, exported from, or brought and carried coastwise within *Great Britain*, and for other purposes; and shall also be subject and liable to the further additional duty of five pounds *per centum* thereon, payable upon goods, wares, and merchandize imported by virtue of another act, passed in the thirty-seventh year of the reign of his present Majesty, for granting to his Majesty additional duties of customs on goods, wares, and merchandize imported into, exported from, or carried coastwise in this kingdom, and for other purposes.

From July 5, 1800, the duties payable on tar imported, and the drawbacks allowed on exportation, except those payable and allowed under 38 Geo. 3. c. 36, repealed,

X. *And whereas it is expedient that the duties payable on the importation, and the drawbacks allowed on the exportation of tar, should be repealed, except so much of the said duties as are payable by virtue of the said act, passed in the thirty-eighth year of the reign of his present Majesty, and that new duties should be imposed, and drawbacks allowed in lieu thereof*; be it therefore enacted, That, from and after the fifth day of *July* one thousand eight hundred, the duties now payable by law on the importation of tar, except so much of the said duties as are payable by virtue of the said recited act, passed in the thirty-eighth year of the reign of his present Majesty, shall be, and the same are hereby repealed, and the drawbacks now allowed by law, on the exportation of tar, shall be, and the same are hereby repealed (save and except in all cases relating to the recovering, paying, or allowing, any arrears thereof which may remain unpaid, or to any fine, penalty, or forfeiture, relating thereto, which shall have been incurred at any time before the passing of this act).

and instead thereof the

XI. And be it further enacted, That, from and after the fifth

fifth day of July one thousand eight hundred, in lieu and instead of the said duties hereby repealed, there shall be raised, levied, collected, and paid unto his Majesty, his heirs and successors, in ready money, without any discount whatever, upon the importation of tar, the following duties of customs, and so in proportion for any greater or less quantity; and on the exportation of such tar to foreign parts there shall be allowed the following drawbacks; and so in proportion for any greater or less quantity; that is to say,

following shall be paid and allowed.

	Duties.			Drawbacks.			Duties and drawbacks.
	£.	s.	d.	£.	s.	d.	
Tar, not being the production of any of the dominions or plantations of the crown of Great Britain, <i>videlicet</i> , imported in a British-built ship, the last containing twelve barrels, each barrel not exceeding thirty-one gallons and a half	0	9	4	0	8	4	
Tar imported in a foreign ship, the last containing twelve barrels, each barrel not exceeding thirty-one gallons and a half	0	10	0	0	8	4	
Tar of the product of any of the dominions or plantations of the crown of Great Britain, the last containing twelve barrels, each barrel not exceeding thirty-one gallons and a half	0	8	3	0	7	3	

XII. And be it further enacted, That the said duties upon tar shall be subject and liable to the additional duty of five pounds *per centum* thereon, payable upon goods, wares, and merchandize, imported by virtue of an act, passed in the thirty-seventh year of the reign of his present Majesty, for granting to his Majesty certain duties of customs on goods, wares, and merchandize imported into, exported from, or brought and carried coastwise within Great Britain, and for other purposes; and shall also be subject and liable to the further additional duty of five pounds *per centum* thereon, payable upon goods, wares, and merchandize imported by virtue of another act, passed in the thirty-seventh year of the reign of his present Majesty, for granting to his Majesty additional duties of customs on goods, wares, and merchandize imported into, exported from, or carried coastwise in this kingdom, and for other purposes.

The duties on tar shall be subject to the additional duty of 5 l. per cent. and 5 l. per cent. granted by 37 Geo 3. c. 15. and 37 Geo. 3. c. 110.

XIII. And be it further enacted, That the duties hereby imposed, and the drawbacks allowed, shall and may be managed, ascertained, raised, levied, collected, answered, paid, secured, recovered, appropriated, applied, and allowed, in such and the like manner, and in and by such and the like ways, means, or methods by which the duties of customs hereby repealed on the like goods, wares, or merchandize imposed and payable by an act, passed in the twenty-seventh year of the reign of his present Majesty, or by any other act or acts

The said duties and drawbacks shall be managed, levied, and allowed as the former, and the powers of all acts for securing the revenue of customs shall extend to this act.

Anno regni quadragesimo GEORGH III. c. 51. [1800.

of parliament in force on or immediately before the passing of this act, were or might be managed, ascertained, raised, levied, collected, answered, paid, secured, recovered, appropriated, applied, and allowed, and the goods, wares, or merchandize so by this act made chargeable with the said duties, and on which the said drawbacks are allowed, shall be, and the same are hereby made subject and liable to all and every the conditions, regulations, rules, restrictions, penalties, and forfeitures, to which any goods, wares, or merchandize, upon which any duties of customs are imposed and payable, or any drawbacks are allowed, were subject and liable by any act or acts of parliament in force on or immediately before the passing of this act; and all and every pain, penalty, fine, or forfeiture for any offence whatever committed against or in breach of any act or acts of parliament in force on or immediately before the passing of this act, made for securing the revenue of customs, or for the regulation or improvement thereof, and the several clauses, powers, and directions therein contained, shall, and are hereby directed and declared to extend to, and shall be respectively applied, practised, and put in execution, for and in respect of the duties hereby charged, and the drawback hereby allowed, as far as the same are applicable thereto, in as full and ample a manner, to all intents and purposes whatever, as if all and every the said acts, clauses, provisions, powers, directions, pains, penalties, and forfeitures, were particularly repeated and re-enacted in the body of this present act.

34 Geo. 3.
c. 51.

XIV. *And whereas by an act, passed in the thirty-fourth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain duties of customs on slate, stone, and marble, amongst other things certain duties are imposed upon all stone, the production of Great Britain, (except as therein provided), which shall be brought coastwise by sea from any port or place within the kingdom of Great Britain to any other port, or to any place within the limits of any other port within the said kingdom, and it is also amongst other things in the said act provided, that any stone cut or manufactured into mill stones, or manufactured stone used for the purposes of husbandry, shall not be charged with the duty thereby imposed on stone the production of Great Britain: and whereas it is expedient that all stone cut or manufactured into burr stones, and all stones used for the purpose of paving, or for the purpose of making or mending roads, should be exempt from the payment of duty; be it therefore*

enacted, That all stones whatever, cut or manufactured into burr stones, and all stones used for the purpose of paving, or for the purpose of making or mending roads, shall be, and the same are hereby declared to be, exempt from the duty by the said recited act upon stone the production of Great Britain, provided from the same shall be accompanied with the usual coast dispatches, as in case of goods carried coastwise free of duty; and that the proprietor or proprietors, or consignee or consignees thereof, shall, previous to the same being unshipped or landed from on board the ship or vessel in which the same shall have been brought coast-

Burr and paving stones; and stones for mending roads, shall be exempted from the duty imposed by the recited act, if accompanied with the usual coast dis-

wife, make, with the proper officer of the customs at the port or place where the same shall be brought coastwise, a regular entry of such goods, and shall make oath thereon before the said officer, who is hereby authorized and required to administer the same, that such goods are of the denomination or description aforesaid; and, with respect to paving stones, that the same are intended for the purposes of being made use of in paving or making or mending of roads only.

patches, and provided the conditions herein mentioned be complied with:

XV. And be it further enacted, That all stone exempt from duty by this act shall be subject and liable to such and the like conditions, restrictions, forfeitures, and penalties as are prescribed, directed, and imposed by the said recited act, as fully and effectually to all intents and purposes as if all the clauses, powers, directions, and authorities of the said recited act, were particularly repeated and re-enacted in the body of this present act.

but stone so exempted shall be subject to the regulations prescribed by recited act.

XVI. *And whereas by an act passed in the thirty-first year of the reign of his present Majesty to prevent other ships than those laden with tobacco from mooring and discharging their lading at the places appointed by an act passed in the twenty-ninth year of the reign of his present Majesty, intituled, An act for repealing the duties on tobacco and snuff, and for granting new duties in lieu thereof, and*

29 Geo. 3. c. 68.

for other purposes, it is amongst other things enacted, That it shall not be lawful for any ship or vessel, other than such ships as shall be laden in the whole or in part with tobacco, to be moored, or the lading thereof discharged, at or within the limits of any of the places appointed, or to be appointed, for the mooring of ships laden with tobacco; and in case any ship or vessel shall be moored, or the lading thereof discharged, contrary to this act, the master or other person having or taking the charge or command of such ship or vessel, and wilfully offending herein, shall for each and every such offence forfeit the sum of twenty pounds: and whereas the provisions of the said recited act are not sufficient to prevent inconvenience to the masters of ships or vessels laden with tobacco for want of its being expressly declared, that after ships or vessels laden with tobacco have discharged their cargo, such ships or vessels shall be removed from the mooring places to make room for other ships or vessels which may arrive with tobacco for the purpose of discharging their cargoes; for remedy thereof be it enacted, That as soon as conveniently may be after ships or vessels, laden in the whole or in part with tobacco, have regularly discharged their cargoes respectively, such ships or vessels shall be removed from the place or places appointed for mooring of the ships or vessels laden with tobacco; and in case the master or other person having or taking the charge or command of any such ship or vessel shall omit, neglect, or refuse to remove such ship or vessel from such mooring place or places, such master or other person shall for each and every offence forfeit the sum of twenty pounds.

When vessels laden with tobacco shall have discharged their cargoes, they shall be removed from the mooring place on penalty of 20l.

XVII. *And whereas by an act, passed in the twenty-fourth year of the reign of his present Majesty, intituled, An act for the more effectual prevention of smuggling in this kingdom, and several other acts, certain ships, vessels, and boats therein particularly de-*

24 Geo. 3. c. 47.

scribed, are in certain cases subject to forfeiture, unless the owner thereof shall have a licence for navigating the same, as therein directed, from the lord high admiral of Great Britain, or the commissioners of the admiralty for the time being, or any person authorised by them, to grant the same: and whereas the owner of every ship, vessel, or boat, so licensed, is required to give certain security, as in the said acts directed, before such ship, vessel, or boat should proceed to sea, or sail out of any port, harbour, or creek, in this kingdom: and whereas it is expedient that the terms and conditions of such security should be extended to all cases wherein such ship, vessel, or boat may be forfeited or liable to forfeiture for or on account of any offence contrary to or in breach of any acts or act of parliament now in force; and that, over and above the security in the said acts directed, further security should be given by bond in manner directed by the said acts by the said owner before any such ship, vessel, or boat, shall proceed to sea, or sail out of any port, harbour, or creek, in this kingdom, that such ships, vessels, and boats, shall not be used or employed in hovering within the limits of any of the ports of this kingdom, or within four leagues of the coast thereof, or in any other manner, or in any trade or employment whatever, contrary to law: be it therefore enacted, That, from and after the

The owner of every vessel licensed under the recited act, shall, before it sails, give bond that the same shall not be found within certain limits herein specified;

passing of this act, the owner of every ship, vessel, or boat, which shall be licensed in pursuance of the said recited act, or any subsequent act or acts of parliament, shall, before any such ship, vessel, or boat, shall proceed to sea, or sail out of any port, harbour, or creek, in this kingdom, give security by bond, in the manner directed by the said recited acts respectively, that such ships, vessels, and boats, shall not be found at anchor, or hovering within the limits of any of the ports of this kingdom, or within four leagues of the coast thereof, nor discovered to have been within the said limits or distance contrary to the said recited act, passed in the twenty-fourth year of the reign of his present Majesty, and also that such ship, vessel, or boat, shall not be found within the distances and situations particularly described and set forth in an act, passed in the thirty-fourth year of the reign of his present Majesty, for repealing so much of an act, made in the seventh year of the reign of his present Majesty, as directs, that no cambrick or lawn shall be imported from Ireland, and for making more effectual an act, made in the twenty-fourth year of the reign of his present Majesty, for the more effectual prevention of smuggling in this kingdom, and for other purposes, contrary to the directions and provisions of the said recited act; and also, that such ship, vessel, or boat, shall not be employed, or be found or discovered to have been out of the limits within which such ship, vessel, or boat, shall or may be licensed to navigate or trade, contrary to the directions and provisions of an act, passed in the twenty-seventh year of the reign of his present Majesty, for making further provisions in regard to such vessels as are particularly described in an act, made in the twenty-fourth year of the reign of his present Majesty, for the more effectual prevention of smuggling in this kingdom, and for extending the said act to other vessels and boats not particularly described therein, and

and for other purposes; and also that such ship, vessel, or boat, shall not be engaged for or used in any trade or employment whatever, other than that described and set forth in the licence for such ship, vessel, or boat, contrary to an act, passed in the thirty-eighth year of the reign of his present Majesty, to prevent vessels licensed by the admiralty from being engaged in any trade or employment not permitted by their licences; and also that such ship, vessel, or boat, shall not be used or employed in any other way or manner whatever, contrary to the laws in force relating to the revenue of customs on and immediately before the passing of this act.

and also that the vessel shall not be engaged in any other trade or employment than what is set forth in the licence, &c.

C A P. LII.

An act for granting to his Majesty a certain sum of money, to be raised by a lottery.—[June 20, 1800.]

£26,250l. to be raised by a lottery, to consist of 60,000 tickets at 13l. 15s. 5d. each. All persons who have made deposits of 1l. 5s. 5d. for each ticket pursuant to the resolution of the house of commons, are required to pay the remainder of their subscriptions at the time following, viz. 2l. 10s. by July 14, 1800.—2l. by Aug. 29.—2l. by Oct. 20.—3l. by Dec. 5.—and the remaining 3l. by Jan. 23, 1801, and the contributors for each 13l. 15s. 5d. advanced, shall be entitled to such lot upon each fortunate ticket as is herein mentioned; and those that pay contributions before Dec. 4. to be allowed discount at 3l. per cent. per annum, and to have lottery tickets delivered at 13l. 15s. 5d. each. Cashier to give security, to the satisfaction of the commissioners of the treasury; and to pay all monies received into the exchequer. Commissioners of the treasury empowered to apply the money paid in by the cashier. 500,000l. the amount of the prizes, to be paid out of any supplies granted this session. Managers and directors of the lottery to be appointed by the treasury. Method of the lottery books. Managers to examine the books, with the tickets, and deliver them to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the undisposed tickets, with an account of money received and paid in. Undisposed tickets to be delivered into the exchequer. Tickets of the middle columns to be rolled up, and fastened with thread or silk; and cut off indentwise into a box marked with the letter (A), and put into another box, to be locked up and sealed. Books to be prepared with two columns, on each of which 60,000 tickets are to be printed. The number and value of the fortunate tickets. One prize of 20,000l.—one of 10,000l.—two of 5,000l.—four of 2,000l.—five of 1,000l.—ten of 500l.—sixteen of 200l.—fifty-four of 100l.—one hundred of 50l.—seventeen thousand two hundred of 10l.—20,000l. to the owner of the first drawn ticket on the twenty-fifth day,—20,000l. to the owner of the first drawn ticket on the twenty-ninth day,—30,000l. to the owner of the first drawn ticket on the thirty-third day,—and 2,000l. to the owner of the first drawn ticket on the fortieth day.—Tickets in the outermost column of the last mentioned books to be rolled up and tied, and cut off into a box marked with the letter (B), &c. Publick notice to be given of putting the tickets into the boxes. Lottery to begin drawing on March 2, 1801. Method to be observed in drawing, &c. Number of the fortunate tickets, and the sums to be printed. Disputes to be adjusted by the managers. Forging tickets, &c. felony. Offenders (not in prison) discovering persons guilty to receive a pardon and fifty pounds reward. Managers to be sworn. Cashier may receive the sums subscribed; giving a note for the same, which shall entitle the bearer to a ticket for every 13l. 15s. 5d. paid. After July 14, 1800, the cashier may deliver tickets not exceeding in value half of the sum actually subscribed; and shall give receipts for the residue of such sums, after value of the tickets so delivered. Contributors not making good their payments within the times limited,

forfeit their deposits, and the tickets to be returned to the managers, &c. Commissioners of the treasury may reward the managers, &c. as they shall think fit. The 500,000l. for the payment of the fortunate tickets, to be charged on any supplies granted this session; and shall be paid to the proprietors, without any deduction, on Aug. 1, 1801, &c. Managers to give notice of the times for exchanging tickets for certificates. Certificates to be numbered, &c. and signed, &c. Commissioners of the treasury empowered to defray the incidental expence attending the execution of this act. No fee to be taken for receiving or paying contribution monies for receipts, &c. on penalty of 20l. No person to take down the numbers of the tickets at the time of drawing unless employed as a clerk by the managers or licensed so to do. Persons so licensed, to receive from the stamp office numerical books which shall be stamped on every leaf. Commissioners to grant such licences only on account of licensed lottery offices. Penalty on unlicensed persons taking down or publishing the numbers of tickets drawn, &c. On complaint, the magistrates of London may grant warrants for apprehending offenders. Persons in the actual commission of such offence may be apprehended by any person, and carried before a magistrate, who may commit the offender if penalty be not paid. Penalty of 50l. on persons summoned as witnesses not appearing, &c. Commissioners shall not be required to grant a licence for dealing in lottery tickets, unless it shall appear that the party is able to answer the penalty required by law, and he shall have deposited a certain number of tickets, &c. Persons to whom licences are granted to give bond agreeably to 22 Geo. 3. c. 47. At the end of twelve months after the expiration of licences the commissioners may give up bonds or put them in suit. Licences of persons neglecting to deposit or divide into shares 50 tickets to be void; and the defaulters to be published in the gazette, &c. In cases where licences under 22 Geo. 3. c. 47. are declared void, in such cases licences granted after the commencement of this act shall be void for offences against this act, or 27 Geo. 3. c. 1. Licences may be refused to persons convicted. Twenty pounds penalty on persons continuing on their houses the words Licensed, &c. after expiration of their licences, &c. Executors, &c. may be authorized to carry on business for the residue of the term of licences. No tickets to be divided into any other shares than halves, quarters, eights and sixteenths, on penalty of fifty pounds. Persons counterfeiting shares, &c. guilty of felony. Persons preparing or having in their custody any register or list of tickets but as in this act particularized; or keeping any place for examining tickets, by any other than such list, &c. to forfeit 50l. On complaint on oath of offences against 27 Geo. 3. c. 1. whereby the parties may be liable to punishment as rogues, justices may authorize persons to break open houses, &c. Persons discovered in such houses concerned in carrying on illegal transactions, to be punished as rogues, and may be arrested, &c. Persons obstructing officers may be imprisoned, &c. Persons employing or aiding others to carry on such illegal transactions to be deemed rogues and vagabonds. Manner in which actions for penalties shall be commenced. Where the amount of penalties sued for is not inserted in writs, the defendant to be served with a copy of the process, &c. Offenders adjudged rogues and vagabonds may be committed. Proceedings not removeable by certiorari. General issue. Treble costs.

C A P. LIII.

An act for granting a bounty on the importation of rye, until the fifteenth day of October one thousand eight hundred.—[June 20, 1800.]

Preamble.

WHEREAS it is expedient that encouragement should be given to the importation of rye into this kingdom, 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

with the 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, for rye imported or brought into this kingdom in *British* ships or vessels, or in ships or vessels belonging to persons of any kingdom or state in amity with his Majesty, however the same may be navigated, there shall be paid and allowed the following bounty; (that is to say), Whenever the average price of rye, ascertained and published in the *London Gazette* under the authority of any act or acts of parliament, shall be less than sixty-five shillings per quarter, a bounty equal to the difference of such average price and such rate of sixty-five shillings shall be paid on every quarter of rye which shall be imported or brought into *Great Britain* before the first day of *October* one thousand eight hundred.

A bounty granted on rye imported before Oct. 1. 1800.

II. And, in order that the bounty shall be governed as near as may be by the average price of rye at the time of importation, be it enacted, That such bounty shall be paid upon such rye according to the average price of rye in *England* and *Wales*, so ascertained and published in the *London Gazette* in the second week after such rye shall have been imported.

Bounty to be paid according to the average price of rye published in the *London Gazette*, &c.

III. And be it further enacted, That the said bounty shall be under the management of the commissioners of his Majesty's customs in *England* and *Scotland* respectively, and shall be paid out of any monies in their hands arising by any of the duties or revenues under their management respectively, to the respective importers or consignees of such rye: provided always, That a due entry shall be made with the proper officers of the customs, at the port into which such rye shall be imported: provided also,

Bounty to be under the management of the commissioners of customs.

That the collector or other proper officer of the customs of the port where such rye shall be imported, do receive full and satisfactory proof, that the rye, for which the bounty herein allowed is claimed, is wholly and entirely without mixture of any other corn or grain, and that in default thereof, the said bounty shall not be allowed or paid.

Entry to be made at the port of importation, and proof given that the rye is free from mixture.

IV. Provided always, and be it enacted, That the bounty granted by this act shall not be paid, allowed, or received, unless the rye shall be imported or brought into some one or other of his Majesty's ports, (that is to say), The ports of *London*, *Aberystwyth*, *Barnstaple*, *Beaumaris*, *Berwick*, *Biddesford*, *Boston*, *Bridgewater*, *Bridport*, *Bristol*, *Cardiff*, *Cardigan*, *Carlisle*, *Carnarvon*, *Chester*, *Chichester*, *Colchester*, *Cowes*, *Dartmouth*, *Dover*, *Exeter*, *Falmouth*, *Fowey*, *Harwich*, *Hull*, *Ispswich*, *Lancaster*, *Liverpool*, *Lyme*, *Lynn*, *Malden*, *Milford*, *Newcastle*, *Newhaven*, *Penzance*, *Plymouth*, *Poole*, *Portsmouth*, *Preston*, *Rochester*, *Sandwich*, *Scarborough*, *Shoreham*, *Southampton*, *Stockton*, *Sunderland*, *Swansea*, *Wells*, *Weymouth*, *Whitehaven*, *Whitby*, *Wisbeach*, *Yarmouth*;

No bounty to be allowed unless the rye is imported at certain places.

Aberdeen, *Ayr*, *Alloa*, *Borrowstonefs*, *Campbeltown*, *Dumfries*, *Dunbar*, *Port Dundas*, *Dundee*, *Grangemouth*, *Glasgow*, including *Port Glasgow*, *Greenock*, including *Kirkcaldy*, *Kirkcudbright*, *Leith*, *Leirwick*, *Montrose*, *Perth*, and *Wigton*.

V. And

Rye imported, to be inspected by the officers of the customs and two skillful persons, who are to certify whether it is fit for making meal.

V. And be it further enacted, That before any of the rye, imported or brought into this kingdom for bounty under the regulations of this act, shall be delivered out of the charge of the proper officer or officers of the customs of the port where the same shall be respectively so imported or brought, such rye shall be carefully and attentively inspected and examined by such officer or officers of the customs as the commissioners of the customs in *England* and *Scotland* respectively shall think fit to direct for that duty, and two indifferent and disinterested persons experienced in the nature of the article to be so inspected and examined; which two indifferent and disinterested persons shall be chosen by the principal officers of the customs at such port, or any two of them, whereof the collector for the time being shall be one; which said officer or officers of the customs so directed by the said commissioners of the customs respectively, and the said two indifferent and disinterested persons, so chosen as aforesaid to inspect and examine the said article, shall, upon having viewed the same, certify and declare upon their corporal oaths, first administered by the said principal officers, or any two of them, whereof the collector shall be one, (who are hereby authorised and required to administer the same), whether the said rye is or is not merchantable and fit for making meal; and if the same shall appear by such certificate to be merchantable and fit for making meal, the bounty granted by this act shall be paid and allowed thereon; but if the same shall appear by such certificate not to be merchantable or fit for making meal, no bounty granted by this act shall be paid or allowed thereon.

Recompence to be made the inspectors.

VI. And be it further enacted, That the said indifferent and disinterested persons, so chosen by the said principal officers to inspect and examine the said goods, shall from time to time be paid by an order of the commissioners of his Majesty's customs, or any four or more of them, in *England*, or the commissioners of his Majesty's customs in *Scotland*, or any three or more of them, out of any monies in their hands, arising by any of the duties or revenues under their management respectively, by way of recompence or reward for their trouble in so inspecting, examining, and certifying, the sum of one penny per quarter for all rye inspected and examined and certified by them as aforesaid, and so in proportion for any greater or less quantity.

Commissioners of customs may pay bounty on rye imported before Oct. 15, 1800, on proof of the vessels having sailed at such times, that they might in the ordinary course of their voyage have arrived before Oct. 1.

VII. Provided always, and be it further enacted, That in case any rye shall be so imported or brought from any of the ports or places herein mentioned into any of the respective ports herein also enumerated, subsequent to the time limited by this act, but before the fifteenth day of *October* one thousand eight hundred, it shall be lawful for the commissioners of his Majesty's customs in *England* and *Scotland* respectively, to order the bounty to be paid thereon in like manner as if the same had been imported within the time limited by this act; provided proof shall be made, to the satisfaction of the said commissioners respectively, that the ships or vessels on board of which such rye shall be so imported or brought, actually and *bona fide* set sail from such respective

respective ports or places, for *Great Britain*, in such time as they might in the ordinary course of their voyage have arrived in *Great Britain* before the said first day of *October* one thousand eight hundred; and proof shall also be given, and entry shall be made, and the rye inspected and examined and certified in like manner as is required by this act, to authorise the payment of bounty on the said article imported within the time limited by this act.

VIII. And be it further enacted, That if any ship or vessel has arrived or shall arrive at any port in *Great Britain*, where, according to the regulation of this act, the bounty is not allowed, the said ship or vessel shall and may lawfully depart from such port, without molestation or hindrance, with the rye on board, and may carry the same to any other port of *Great Britain* at which the same may be entered for the bounty, and there enter, land, and deliver the same, subject nevertheless to each and every the rules, regulations, conditions, and restrictions of this act.

Vessels arriving at a port where the bounty is not allowed, may sail to one where it is.

IX. And be it further enacted, That this act shall continue in force until the fifteenth day of *October* one thousand eight hundred.

Continuance of act;

X. Provided always, That any part of this act may be altered, varied, or repealed, by any act or acts to be made in this present session of parliament.

which may be altered or repealed this session.

C A P. LIV.

An act for more effectually charging publick accountants with the payment of interest; for allowing interest to them in certain cases; and for compelling the payment of balances due from them.—[June 20, 1800.]

WHEREAS it is expedient to provide more effectually, in certain cases, for charging publick accountants with the payment of interest upon publick monies received by and due from them: 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 person employed in the collection or receipt of any part of his Majesty's revenues, shall from and after the passing of this act, die, or go out of office, being indebted to his Majesty at that time, in respect of his said office, to the amount of five hundred pounds or upwards, the proper officer or officers to whom it does or may belong by law to ascertain the balance due to his Majesty, and demandable from such person or his lawful representative or representatives, shall compute interest, after the rate of five pounds *per centum per annum*, upon the whole of such balance, from three months next after the time of such person going out of office, or from twelve months next after the death of such person (as the case may be), unto the day of ascertaining such balance; and the

Preamble.

Where publick accountants die or go out of office indebted to his Majesty, 500l. or upwards, the proper officer to compute interest on the balance, and give the party or his representative notice of the said amount of both.

said officer or officers shall thereupon forthwith cause a notice in writing to be given to such person, or his lawful representative or representatives, or his or their agent, specifying the amount of such balance, and also of such charge for interest; the total amount of which said balance and interest shall and may be sued for and recovered, by such process, and in such manner, as any other debt due to his Majesty, together with interest thereon, to be computed in such manner as herein-after directed: provided nevertheless, That if such accounting party, or his representative or representatives, shall think himself or themselves aggrieved by such charge for interest, it shall and may be lawful for him or them to apply (within six months from the receiving such notice), to his Majesty's court of exchequer at *Westminster*, by motion in open court; which court shall proceed to hear and determine the said matter, and allow or disallow the said charge for interest, in the whole or in part, as to the said court shall seem just and reasonable: provided also, That no such proceeding touching such charge for interest shall prevent or delay the suing for or recovering the balance aforesaid, exclusive of such interest, in such manner as the same might heretofore have been sued for or recovered.

Parties thinking themselves aggrieved by charge of interest, may within six months apply to the court of exchequer; but no such proceeding shall prevent recovering balances, exclusive of interest.

If the party does not apply or the charge for interest be allowed by the court, interest upon the interest to be charged for the intermediate period.

II. And be it further enacted, That in case the said person or persons shall nevertheless neglect to apply within the said period of six months to the said court of exchequer, in manner aforesaid, or if upon application to the said court the said charge for interest or any part thereof shall be allowed by the said court of exchequer, thereupon the aforesaid officer or officers to whom it does or may belong by law to ascertain the said original balance, shall, from and after the expiration of the said period of six months, or upon the determination of the said court (as the case may be), proceed to compute a further sum, at the rate of five pounds *per centum per annum*, for interest upon the amount of the said charge for interest, or upon so much thereof as shall have been allowed by the said court, from the time when the said balance was so ascertained as aforesaid, until the expiration of the said period of six months, (in case no application shall have been made within that time to the said court of exchequer), or until such application shall have been finally disposed of by the said court (as the case may be); which said further sum so computed for intermediate interest shall be added to the amount of the said charge for interest, (or so much thereof as shall have been allowed by the said court), and shall together therewith become a debt due to his Majesty, his heirs and successors, to be sued for and recovered accordingly.

The aggregate amount of the original balance, and of the interest, shall bear interest till paid; and if the balance has been

III. And be it further enacted, That the aggregate amount of the said original balance so ascertained as aforesaid, and of the charge for interest thereon, shall bear interest after the rate of five pounds *per centum per annum*, from the time when the said balance was so ascertained as aforesaid, until the same shall have been paid by or recovered from the said accounting party, or his lawful representative or representatives; and in case the said balance

balance shall have been paid, then and in that case the aggregate amount of the said charge for interest, or so much thereof as shall have been allowed by the said court, and of the further interest thereon, so directed to be computed and added thereto as aforesaid, shall in like manner bear interest at the rate of five pounds *per centum per annum*, from the expiration of the said period of six months, or determination of the said court of exchequer, until the same shall have been paid by or recovered from the said party or his lawful representative or representatives; the amount of which growing interest shall in either case be deemed a debt due to his Majesty, his heirs and successors, and shall and may be sued for and recovered accordingly.

IV. And be it further enacted, That upon any audit which shall take place after the passing of this act, of any ordinary or extraordinary account, where it shall appear to the commissioners for auditing the publick accounts, that any publick accountant is indebted to his Majesty, upon the balance thereof, in the sum of five hundred pounds or upwards, (such account not being an account current) it shall and may be lawful for the said commissioners, at their discretion, to charge the said accounting party with interest, upon the whole or any part of the said balance, for such period of time past, and at such rate of interest, as they shall deem to be just and reasonable; so that the said rate of interest do not exceed five pounds *per centum per annum*; and the said commissioners are hereby required, in all cases where they shall charge the accounting party with interest as aforesaid, to cause a notice in writing to be given forthwith to such accounting party, or his lawful representative or representatives, or his or their agent, specifying the amount of such balance, and also of such charge for interest; and the grounds upon which such charge for interest has been made; and also to set forth the amount of such charge for interest, together with the grounds thereof, in the said account, when they shall cause the same, according to the nature thereof, either to be declared by their own authority, or to be prepared for declaration, or to be stated to the lords commissioners of his Majesty's treasury for their consideration: provided nevertheless, That nothing herein contained shall prevent or delay the said lords commissioners from proceeding, and they are hereby required to proceed, to allow or disallow the amount of such balance, or any part thereof, upon any account so prepared for declaration, or stated to them as aforesaid, distinct and apart from the said charge for interest; which said charge for interest they shall and may nevertheless in such case proceed afterwards to allow or disallow, in the whole or in part, as they shall think just and reasonable.

V. And be it further enacted, That after any extraordinary account shall have been stated to the lords commissioners of his Majesty's treasury, and they shall have granted their warrant to prepare the same for declaration, the said commissioners for auditing the publick accounts shall proceed to compute interest, after the rate of five pounds *per centum per annum*, upon the amount

paid, the aggregate of the interest and of the further interest shall bear interest.

The commissioners for auditing publick accounts, where an accountant owes a balance of 500l. or upwards (accounts current excepted) may charge interest, and shall cause notice to be given to the party or his representative, of the amount of the balance, and of the interest, and of the grounds for charging it; and shall state the same to the treasury.

The treasury shall proceed to allow or disallow balances of accounts prepared for declaration, distinct from interest.

After warrant granted, to prepare any extraordinary account for declaration, the commissioners shall

compute intermediate interest from the time of stating the account to Jan. 5, or July 5, preceding the declaration, which shall be added to the balance, and interest allowed by the treasury.

When any account (not being an account current) shall be declared, the party shall be charged with further interest upon the sum due till it is paid or recovered.

of the said balance so stated by them as aforesaid, or so much thereof as shall have been allowed by the said lords commissioners of his Majesty's treasury, and shall then remain due; and also upon the amount of the said charge for interest so stated as aforesaid, or upon so much thereof as shall have been allowed by the said lords commissioners of his Majesty's treasury, such interest to be computed from the time when the said account was so stated, until the fifth day of *January* or the fifth day of *July* (as the case may be) next preceding the time when the said account of balance or interest (as the case may be) shall be presented for declaration; and the amount of such further interest for the said intermediate period of time shall be added to the amount of the said balance and charge for interest respectively, which shall have been allowed by the said lords commissioners of his Majesty's treasury, and shall therewith form the total sum with which the said accountant shall be charged as due to his Majesty on the said accounts of balance or interest, when the same shall be respectively presented for declaration.

VI. And be it further enacted, That, from and after the time when any account, not being an account current, shall be declared, the said party accountant, or his lawful representative or representatives, shall be charged with interest, after the rate of five pounds *per centum per annum*, upon the amount of the sum due upon every account which shall be so declared (whether the same shall be for principal or interest) in manner following; (that is to say), Upon every account declared by the said commissioners for auditing the publick accounts, the said interest shall commence at and be computed from the time of such declaration; and upon every ordinary account prepared by them for declaration, the said interest shall commence at and be computed from the time when the same was so prepared; and upon every extraordinary account, stated by them to the lords commissioners of his Majesty's treasury, the said interest shall commence at and be computed from the said fifth day of *January* or fifth day of *July* (as the case may be) next preceding the time when the said account was presented for declaration; and in each and every of the said cases, the said interest shall grow due and be payable from the periods severally above mentioned, until the said sum shall be paid or recovered by due course of law; the amount of which growing interest shall be deemed a debt due to his Majesty, his heirs and successors, and may be recovered in the same manner, and by the same means, as the sum due upon the said declared account; and no accountant shall be deemed even and quit, according to the course of his Majesty's exchequer, until he shall have fully paid and discharged the amount of such growing interest, together with such sum so declared to be due as aforesaid.

Balances ascertained to be due from revenue officers, and balances

VII. And be it further enacted, That all balances, which before the passing of this act have been ascertained to be due from persons employed in the collection or receipt of any of his Majesty's revenues, and also, the balances of all accounts which before

before the passing of this act have been declared, according to the course of his Majesty's exchequer, by the lords commissioners of his Majesty's treasury, or so much of the said several balances so ascertained or declared respectively as hath not yet been paid or recovered to and for the use of his Majesty; and so much of any sum now depending before the said lords commissioners as shall be declared a balance, and shall not have been paid or discharged at the time of such declaration, shall severally and respectively bear interest at the rate of five pounds *per centum per annum*, from and after the passing of this act until they shall be duly paid or recovered; the amount of which growing interest shall also be deemed a debt due to his Majesty, his heirs and successors, and shall and may be sued for and recovered accordingly.

VIII. Provided always, and be it further enacted, That nothing herein-before contained shall operate to charge any surety with interest for delay of payment by the principal debtor, except from such time only as such surety shall be called upon to answer for the default of the principal.

IX. *And, for the better enabling the said commissioners for auditing the publick accounts to ascertain what sums of money have been or may be hereafter paid into the receipt of his Majesty's exchequer, by publick accountants, in or towards the discharge of balances which have been or may hereafter be declared to be due to his Majesty, his heirs or successors;* be it hereby further enacted, That the said commissioners shall, within seven days after every declaration of accounts, transmit to the auditor of the receipt of the exchequer, for the information of the tellers of the said exchequer, a schedule or account, specifying the sums declared to be due upon such declaration of accounts, and the names of the persons from whom the said sums are declared to be due respectively; and the said auditor shall, within seven days after the four usual quarterly days of payment, in every year, transmit to the said commissioners an account of all monies paid into the exchequer, within the preceding quarter, by or on behalf of the several persons whose names have been so transmitted to him as herein-before directed.

X. And be it further enacted, That when any re-payments shall be made by sub-accountants to the paymaster general of his Majesty's forces, the treasurer of the navy, the treasurer of the ordnance, or to any other principal accountant, of any sums of money which shall have been issued by such principal accountants to the sub-accountants respectively, accounts of such re-payments, for the six months preceding, shall be transmitted to the commissioners for auditing publick accounts, on the fifth day of *January* and the fifth day of *July* in every year, by the principal accountants, and that the principal officers of the ordnance, the commissioners of his Majesty's navy, the commissioners for victualling his Majesty's navy, and the commissioners for sick and hurt, shall, on the same days, in each year, transmit to the said commissioners for auditing the publick accounts, an account

of accounts declared by the treasury, before passing this act and not yet paid, and balances now depending, and not paid at the time of declaration, shall bear an interest from passing this act until paid.

No surety to be charged with interest till called upon to answer for default of the principal.

The commissioners for auditing the publick accounts to transmit to the auditor of the exchequer a schedule of the sums declared to be due, and the names of the debtors, and he shall quarterly transmit to the commissioners an account of the monies paid in by or on behalf of the parties.

Accounts of repayments by sub-accountants to principal accountants, shall be transmitted to the commissioners for auditing the publick accounts half-yearly, and the principal officers of the ordnance, &c.

shall transmit to them half-yearly accounts of all imprests cleared by them.

The treasury to allow interest upon sums amounting to 500l. and upwards, ascertained or declared to be due to publick accountants, till the whole be discharged.

for the six months preceding, of all imprests cleared by them for money issued to any sub-accountants.

XI. *And whereas it is just and reasonable that interest should be allowed to publick accountants for monies advanced by them for the publick service, and remaining due to them upon the balance of their accounts, not being accounts current; be it therefore enacted, That it shall and may be lawful for the lords commissioners of his Majesty's treasury, and they are hereby required, to allow and direct interest to be paid, after the rate of five pounds per centum per annum, upon every sum of money amounting to five hundred pounds and upwards, which hath already been, or hereafter shall be so ascertained or declared as aforesaid, to be due upon the balance of such accounts from the publick to any person or persons whatever; such interest, in respect of such sums as have been already so ascertained or declared as aforesaid, to commence at and be computed from the passing of this act; and in respect of such sums as shall hereafter be so ascertained or declared as aforesaid, to commence at and be computed from the time of the complete delivery of such accounts into the office for auditing the publick accounts, which said interest shall in every case continue to grow due, and be payable in respect of the said principal sums of money, until the said principal sums and every part thereof shall be fully satisfied and discharged.*

The commissioners of customs and excise, for stamps, and for taxes, the postmaster general, and the principal officers employed in any other branch of the revenue, shall proceed to recover all balances due from persons employed under them.

XII. *And whereas it is expedient to provide more effectually for compelling the payment of balances which are or may become due from publick accountants; be it therefore further enacted, That, from and after the passing of this act, the commissioners of the customs and excise in England and Scotland respectively, and the commissioners for stamps, and for the affairs of taxes, and also his Majesty's postmaster general, and the principal officer or officers employed in the collection and management of any other branch of his Majesty's revenues, shall and they are hereby severally required forthwith to proceed with all due diligence, by legal process or other lawful ways and means, to recover all balances and sums of money which have been ascertained to be due and now remain due to his Majesty from any person or persons heretofore employed in the collection or receipt of any of his Majesty's revenues under the management of such several commissioners and officers respectively; and so from time to time, when and so soon as any balance or sum of money shall be ascertained to be due for principal and interest, or either of them, to his Majesty, his heirs and successors, from any person dying or going out of office, who now is or shall hereafter be employed in the collection or receipt of any of his Majesty's revenues under the management of such several commissioners and officers respectively.*

The commissioners for auditing the publick accounts and the

XIII. *And be it further enacted, That, from and after the passing of this act, the said commissioners for auditing the publick accounts, and the auditors of the land revenue of the crown, shall, and they are hereby severally required forthwith to proceed*
with

with all due diligence, by legal process or other lawful ways and means, to recover all balances and sums of money which have been heretofore declared to be due to his Majesty, and now remain due, (except balances due on accounts current), and so from time to time when and so often as any account of the receipt or expenditure of publick money, which shall have been audited by the said commissioners and auditors above-mentioned, shall be declared to be due for principal and interest, or either of them, (except in the case of accounts current), the said commissioners and auditors shall without delay cause the same to be recorded in the offices of his Majesty's remembrancer, of the lord treasurer's remembrancer, and of the clerk of the pipe; and shall thereupon, by notice in writing, require the parties indebted upon such declared accounts, or their representatives, to pay the amount of the balances due from them into the receipt of the exchequer within three months from receiving such notice; and in case the said balances shall not be paid, and legal proof of such payment be not exhibited to the said commissioners and auditors, within the said three months, they the said commissioners and auditors respectively are hereby required to proceed forthwith with all due diligence, by legal process or other lawful ways and means to recover the said balances and sums of money in which the said parties or their representatives stand indebted.

XIV. Provided always, and be it further enacted, That nothing herein-before contained, shall extend to prevent any charge of interest on any accountant, on the ground of any special circumstances on which such accountant might have been charged with interest if this act had not passed.

This act not to prevent any charge of interest on the ground of any circumstances on which it

might have been charged before this act.

XV. Provided also nevertheless, and be it further enacted, That nothing herein contained shall extend to abridge or alter the rights and powers of his Majesty, his heirs and successors, to controul, suspend, or prevent the execution of any process or proceeding under this act, or otherwise, for recovering such balances or monies, or any part thereof; but that all such rights and powers shall remain in full force and effect, so far as by law they now exist; any thing herein-before contained to the contrary notwithstanding.

Not to abridge the rights of his Majesty to controul, suspend, or prevent the execution of any process for recovering balances, &c.

XVI. And be it further enacted, That the lords commissioners of his Majesty's treasury shall cause to be laid before both houses of parliament, within fourteen days after the commencement of every session, a list of the publick accountants, in respect of whom the execution of any process or proceeding under this act, or otherwise, for recovering any balances so ascertained or declared to be due from them for principal or interest, or any part thereof, hath been controuled, suspended, or prevented by the authority of his Majesty, his heirs or successors, within one year preceding the commencement of such session, specifying in such list the amount of the balances originally ascertained or declared to be due from such persons respectively, and the several

The treasury shall cause to be laid before parliament, within 14 days after the commencement of every session, a list of publick accountants in respect of whom the execution of any process hath been con-

trouled, suspended, or prevented by authority of his Majesty within the preceding year.

fums still remaining due from them, and the causes for which the execution of such procefs or proceeding has been controuled, suspended, or prevented.

C A P. LV.

An act to amend so much of an act, made in the last session of parliament, for the augmentation of the salaries of the judges of the courts in Westminster Hall, and also of the lords of session, lords commissioners of justiciary, and barons of exchequer in Scotland, as relates to the salaries of the judges of the courts of session, justiciary, and exchequer in Scotland.—[June 20, 1800.]

Preamble.
39 Geo. 3.
c. 110.

WHEREAS doubts have arisen upon the construction of an act, made in the last session of parliament, intituled, An act for the augmentation of the salaries of the judges in the courts in Westminster Hall; and also of the lords of session, lords commissioners of justiciary, and barons of exchequer in Scotland; and for enabling his Majesty to grant annuities to persons in certain offices in the said courts of Westminster Hall, on their resignation of their respective offices; so far as relates to the lord president of the court of session, the lord chief baron, the lord justice clerk, the lords of session, lords commissioners of justiciary, and barons of exchequer in Scotland; 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, there shall be issued, paid, and applied in every year, out of the monies that shall arise from any of the duties and revenues in that part of Great Britain called Scotland, which, by several acts made in the seventh and tenth years of the reign of Queen Anne, were charged or made chargeable with the payment of the fees, salaries, and other charges allowed, or to be allowed by her Majesty, her heirs or successors, for keeping up the courts of session, justiciary, and exchequer in Scotland, to the judges after mentioned, so much money as will make up their respective salaries to the annual fums herein-after mentioned; *videlicet*, To the lord president of the court of session three thousand pounds; to each of the other lords of session, who is not lord justice clerk, or a lord commissioner of justiciary, one thousand two hundred pounds; to the lord justice clerk, two thousand four hundred pounds; to each of the other lords of session, who are lords commissioners of justiciary, one thousand seven hundred pounds; to the lord chief baron of the court of exchequer, three thousand pounds; and to each of the other barons of the court of exchequer, one thousand two hundred pounds; which said fums of money, to be issued in pursuance of this act, shall from time to time, from thenceforth, be payable and paid quarterly, clear from all taxes and deductions whatever; the first payment to be made on the fifth day of July one thousand eight hundred.

The salaries herein specified, to be paid to the Judges of the courts of session, justiciary, and exchequer, out of those revenues which were appropriated for supporting the said courts, by the acts of 7 and 10 Anne.

Salaries to be payable quarterly.

C A P. LVI.

An act for relief of persons entitled to entailed estates to be purchased with trust monies.—[June 20, 1800.]

WHEREAS by the practice of courts of equity, in cases in which Preamble.
 money under the controul of such courts is subject to be laid out in the purchase of lands, to be limited to uses capable of being barred by fine, the said courts direct such money to be paid to the party or parties who could by fine bar the uses to which such lands, in case the same had been purchased, would have been limited, and do not require or compel the actual investment of such monies in the purchase of lands, notwithstanding other persons might take estates or interests therein, if the same were purchased, and be entitled to hold such estates or interests until such fine was actually levied: and whereas nevertheless, where money under the controul of the said courts is subject to be invested in the purchase of lands, to be limited to uses not capable of being barred by fine, but capable of being barred by recovery, the said courts, according to the practice thereof, refuse to direct the same to be paid to the party or parties who, in case such lands had been purchased, could by recovery have barred all the uses to which the same would have been limited, and require and compel the actual investment of such monies in a purchase or purchases of some lands; and such last mentioned practice is attended with great inconvenience and expence to the party or parties who by a recovery could bar the uses to which such lands are to be limited when purchased, and the interest and benefit of others, who might take estates barrable by such recovery when suffered, is not according to such last mentioned practice materially promoted or secured, and it may therefore be expedient to alter such practice: and whereas it may also be expedient to provide some satisfactory and summary proceeding, whereby trustees possessed of money subject to be laid out in lands, may be required in proper cases to pay such money to the parties entitled, and under this act to become entitled to receive the same: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by the authority of the same, That, from and after the passing of this act, in all cases where money, under the controul of any court of equity, or of or to which any individuals as trustees are possessed or entitled, shall be subject to be invested in the purchase of freehold or copyhold hereditaments, or both, to be settled upon any person or persons in such manner that it would be competent in case such money had been invested in the purchase of real estates, for the person or persons who would be the tenant or tenants of the first estate or estates tail therein, either alone or together, with the person or persons who would be the owner or owners of the particular preceding estate or estates therein, if any, by deed, fine, or common recovery, or any of them, or other lawful act, in the case of freehold hereditaments, or by surrender and recovery, or either of them, or other lawful act, in the case of copyhold hereditaments, to bar the first estate or
 Where money, under the controul of chancery, &c. shall be subject to be invested in the purchase of premises, to be settled in such manner that it would be competent to bar estates tail and remainders, it shall not be necessary to have such estates money to ac-

tually invested; but the court of chancery, on petition of the parties, may order such money to be paid to them, or applied as they shall appoint.

estates tail, and the rights and interests of all persons in remainder, it shall not be necessary to have such money actually invested in lands or hereditaments, in order that such estates tail and remainders over may be so barred; but that it shall and may be lawful to and for the high court of chancery, or such court of equity under the controul of which such money shall be, and in the case of trustees, to and for the said high court of chancery, in a summary way, upon petition of the person or persons who would be tenant or tenants of the first estate or first estates tail, and of the person or persons who would be the owner or owners of the antecedent particular estate or estates, if any, in the lands and hereditaments in case the same were purchased, such petitioners being adults, and in case where any of the parties are or is femes covert or a feme covert, they, she, or they being first separately examined in court, or upon a commission, and consenting, to order the monies subjected to such trusts to be paid to the petitioners or any of them, or to be paid and applied in such manner and for such purposes as the petitioners shall appoint and the court shall approve of.

Securities for such money may be transferred under an order of the court of chancery, &c.

II. And be it further enacted, That in all cases where monies subjected to be laid out in the purchase of hereditaments to be settled as aforesaid, shall happen to be invested in government or real or other securities, all such securities shall, for the purposes of this act, be considered as money, and shall and may accordingly be transferred, assigned, and disposed of, under an order of the respective courts aforesaid, made in a summary way upon the petition of such persons, and with such examination and consent, where necessary, as aforesaid, in such and the same manner as monies subjected to be laid out in the purchase of hereditaments, to be settled as aforesaid, are herein-before authorized to be paid, applied, and disposed of.

C A P. LVII.

An act for enabling the barons of the court of exchequer in Scotland to advance to the lord provost and magistrates of the city of Edinburgh, for the purpose of completing the improvements of the harbour of Leith, a certain sum, being part of the money which by an act of the last session of parliament was directed to be paid into the said court of exchequer by the proprietors of the Forth and Clyde navigation.— [June 20, 1800.]

C A P. LVIII.

An act for further continuing and amending an act, made in the last session of parliament, for enabling his Majesty to prohibit the exportation and permit the importation of corn; and for allowing the importation of other articles of provision without payment of duty.— [June 30, 1800.]

Preamble.
39 Geo. 3.
c. 87, recited,

WHEREAS an act was passed in the thirty-ninth year of the reign of his present Majesty, intituled, An act for enabling his Majesty to prohibit the exportation and permit the importation of corn, and for allowing the importation of other articles of

of provision without payment of duty, to continue in force until six weeks from the commencement of the next session of parliament: *which act was further continued by an act passed in the second session of the thirty-ninth year of his Majesty's reign, until the thirtieth day of September one thousand eight hundred: and whereas it is expedient that the said act should be further continued for a limited time:* be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act shall be, and the same is hereby further continued until the expiration of forty days after the commencement of the next session of parliament.

II. Provided always, and be it further enacted, That if any corn or other articles as aforesaid shall be imported into this kingdom subsequent to the period fixed by any order in council made in pursuance of the said act for the importation of corn and other articles as aforesaid free of duty, such corn or other articles shall be admitted to an entry in like manner as if they had arrived before the expiration of the said period; provided proof shall be made to the satisfaction of the lords of his Majesty's most honourable privy council, that the ship or vessel on board of which respectively such corn or other articles shall be so imported, did actually and *bonâ fide* set sail for *Great Britain*, at such time that they might in the ordinary course of their voyage have arrived in *Great Britain* before the expiration of the said period.

C A P. LIX.

An act to remove doubts arising from the construction of an act, made in the thirty-ninth year of his present Majesty's reign, intituled, An act for permitting certain goods imported from the East Indies to be warehoused, and for repealing the duties now payable thereon, and granting other duties in lieu thereof.—
[June 30, 1800.]

WHEREAS by an act, made in the thirty-ninth year of the reign of his present Majesty, intituled, An act for permitting certain goods imported from the *East Indies* to be warehoused, and for repealing the duties now payable thereon, and granting other duties in lieu thereof; *some of the duties for or in respect of certain goods imported from the East Indies, by the united company of merchants trading to the East Indies, are repealed, and certain new and additional duties of customs are imposed for and in respect of such goods: and whereas doubts may arise whether the duties of excise by the laws in force immediately before the passing of the said act, imposed for or in respect of spirits, wine, glass, cocoa nuts, and coffee, respectively imported by the said united company from the East Indies, are not by the said recited act repealed;* 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

and further continued till 40 days after the commencement of the next session.

Corn, &c. shall be admitted to entry although imported subsequent to the period fixed by any order in council, proof being made that the vessel importing the same, from the time of her sailing, might have arrived before the said period.

Preamble. 39 Geo. 3. c. 59.

The duties of excise on spirits, wine, glafs, cocoa nuts, and coffee, imported by the East India company, not repealed or altered by the recited act.

same, That neither the said act of the thirty-ninth year of his Majesty's reign, nor any clause, matter, or thing therein contained, was intended to extend, nor did nor doth extend, nor shall be deemed or construed to extend, or to have extended, to repeal or alter any or either of the duties of excise which were by any or either of the laws in force immediately before the passing of the said act of the thirty-ninth year of his Majesty's reign, imposed for or in respect of spirits, wine, glafs, cocoa nuts, and coffee respectively, or any or either of them, imported by the said united company from the *East Indies*; and that all and singular the duties of excise which were imposed by any or either of the laws in force immediately before the passing of the said act of the thirty-ninth year of his Majesty's reign, for or in respect of spirits, wine, glafs, cocoa nuts, and coffee respectively, or any or either of them, imported by the said united company from the *East Indies* since the passing of the said act of the thirty-ninth year of his Majesty's reign, remained and continued, and still remain and continue in force, as the same respectively were immediately before the making of the said last-mentioned act; any thing in the said act contained to the contrary in anywise notwithstanding.

C A P. LX.

An act to lessen the duties on wine and spirits the produce of the British settlement of the Cape of Good Hope; and to empower the importers to land the same before payment of the duties of excise, and to lodge the same in warehouses; and to allow the same to be shipped free of duty as stores, to be consumed on board merchants ships on their voyages.—[June 30, 1800.]

Preamble.

WHEREAS *the castle, town, and settlement of the Cape of Good Hope, with the territories and dependencies thereof, are now in the possession of his Majesty; and for the encouragement of the trade and commerce to and from the same, it is expedient to lessen the duties payable on the importation of wine and spirits, the produce of the said settlement, or the territories or dependencies thereof, and to make such provisions as are herein-after mentioned: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That no wine of the produce of the British settlement of the Cape of Good Hope, or the territories or dependencies thereof, and which, from and after the fifth day of July one thousand eight hundred, shall be imported into the kingdom of Great Britain, shall be subject or liable to any greater or higher duty or duties, but the same shall be subject and liable to the same or the like duties as are by law imposed for or in respect of Portugal wine imported into this kingdom; and upon the exportation of any such wine, of the produce of the said settlement, territories, or dependencies, and for or in respect whereof the duties by this act directed shall have been paid, and which shall be exported as merchandise to any port or place beyond the seas,*

From July 5, 1800, wine of the Cape of Good Hope imported into Great Britain, to be liable to the same duties, and the same drawback to be allowed on exportation, as Portugal wine.

there

there shall be paid and allowed the same or the like drawback and drawbacks as are by law directed to be paid or allowed for or in respect of *Portugal* wine exported from *Great Britain* as merchandize to such port or place, any acts or act of parliament to the contrary in anywise notwithstanding.

II. And be it further enacted, That the duties by this act payable for or in respect of wine of the produce of the said settlement of the *Cape of Good Hope*, or the territories or dependencies thereof, shall be allowed for or in respect of such wine intended for the use of admirals, captains, or other commissioned officers employed in his Majesty's service, for their actual consumption on board such of his Majesty's ships as they shall respectively serve, in like manner and under the like provisions, conditions, and restrictions, as a drawback of the former duties paid on the importation of wines into *Great Britain* are directed to be allowed by an act, passed in the thirty-third year of the reign of his present Majesty, intituled, *An act to allow the drawback of the duties of customs and excise upon wines consumed by admirals, captains, and other commissioned officers on board ships of war in actual service, and to allow such ships to be supplied with tobacco duty free*; or by another act, passed in the thirty-fifth year of the reign aforesaid, intituled, *An act for granting to his Majesty additional duties of excise on foreign wines and sweets*.

A drawback of the duties to be allowed on wine for the consumption of naval officers on board ships, as permitted by 33 Geo. 3. c. 48. and 35 Geo. 3. c. 10.

III. And be it further enacted, That no spirits of the produce of the said settlement, territories, or dependencies, and which shall, from and after the said fifth day of *July* one thousand eight hundred, be imported directly from thence into this kingdom, shall be subject or liable to any greater or higher duty or duties of customs or excise, but the same shall be subject and liable to the same or the like duties of customs and excise, as are or shall be by law imposed for or in respect of rum or spirits of the growth, produce, and manufacture of the *British* sugar plantations in the *West Indies*, imported into this kingdom directly from the said sugar plantations; and upon the exportation of any such spirits of the produce of the said settlement, territories, or dependencies, and for or in respect whereof the duties of customs by this act directed shall have been paid, and which shall be exported as merchandize to foreign parts, there shall be paid and allowed a drawback of such customs duty, any act or acts of parliament to the contrary notwithstanding.

Spirits of the *Cape* to be liable to the same duties on importation, and the same drawback to be allowed on exportation, as spirits of the *British West India* plantations;

IV. And be it further enacted, That the duties of excise by this act directed for or in respect of spirits imported directly from the said settlement, territories, or dependencies, may be bonded and secured, and shall be paid and payable in such manner only, and under such regulations and restrictions as the duties of excise imposed for or in respect of spirits, being of the growth, produce, and manufacture of the *British* sugar plantations in the *West Indies* may be now bonded and secured, and are by law paid and payable.

and the duties of excise thereon may be bonded in the same manner.

V. And be it further enacted, That all and singular the rules, regulations, restrictions, provisions, clauses, matters, and things, which

Regulations respecting imported spirits of the *British*

West India plantations to be applied to spirits from the Cape;

which in or by any act or acts of parliament now in force, are contained, provided, settled, or established, for or in respect of the importing rum or spirits of the growth, produce, and manufacture of the *British* sugar plantations in the *West Indies*, or landing the same before payment of the duties of excise, or lodging or securing the same in warehouses for that purpose provided, upon the proprietor or importer giving bond as therein required; and all and singular the fines, penalties, and forfeitures for or in respect thereof, shall be used, applied, practised, and put in execution for or in respect of spirits imported directly from the said settlement of the *Cape of Good Hope*, or the territories or dependencies thereof, as fully and effectually to all intents and purposes as if all and every the said rules, regulations, restrictions, provisions, fines, penalties, forfeitures, clauses, matters, and things were particularly repeated and re-enacted in this present act.

and the duties to be allowed on shipping thereof to be consumed in voyages as for West India spirits.

VI. And be it further enacted, That the duties of excise and customs by this act directed for or in respect of spirits imported from the said settlement, territories, or dependencies, shall be allowed on the shipping thereof as stores, to be spent and consumed on board in any voyage to parts beyond the seas, in the same manner as the said duties imposed for or in respect of rum or spirits of the growth, produce, and manufacture of the *British* sugar plantations in the *West Indies*, imported into this kingdom directly from the said sugar plantations, are by law directed to be allowed.

Wine and spirits of the Cape condemned as prize and taken out of any warehouse for home consumption to be subject to the duties imposed by this act.

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

The duties of customs payable under this act and the drawbacks allowed to be managed as former duties and drawbacks, &c.

VIII. And be it further enacted, That the duties of customs payable under or by virtue of this act, for or in respect of wine or spirits respectively, the produce of the said settlement of the *Cape of Good Hope*, or the territories or dependencies thereof, shall be managed, ascertained, raised, levied, collected, answered, and paid in such and the like manner, and in or by any or either of the means, ways, or methods by which the former duties of customs for or in respect of such wines and spirits respectively were or ought to be managed, ascertained, raised, levied, collected,

collected, answered, and paid; and the drawbacks of customs payable or allowable under or by virtue of this act, for or in respect of any such wine or spirits respectively, exported as merchandize, shall be paid or allowed in such and the like manner, and in or by any or either of the means, ways, or methods by which the former drawbacks of the customs for and in respect of such wines or spirits respectively exported as merchandize, were or ought to be paid or allowed; and that all such wine and spirits respectively, for or in respect whereof any duty of customs is by this act imposed or made payable, or for or in respect whereof any drawback of customs is by this act directed to be paid or allowed, shall be, and such wine and spirits respectively are hereby made subject and liable to all and every the conditions, rules, regulations, restrictions, provisions, and forfeitures respectively to which goods, wares, or merchandize in general were subject and liable by any act or acts of parliament in force immediately before the said fifth day of July one thousand eight hundred, respecting the revenue of customs; and all and every fine, penalty, or forfeiture of any nature or kind whatever, for any offence whatever committed against or in breach of any act or acts of parliament in force immediately before the said fifth day of July one thousand eight hundred, made for securing the revenue of customs, or for the regulation or improvement thereof, and the several powers, directions, clauses, matters, and things therein contained (unless where expressly altered by this act), shall and the same are hereby respectively directed and declared to extend to, and the same shall respectively be applied, practised, and put in execution for and in respect of the several duties of customs by this act imposed or directed to be paid, and drawbacks of duties of customs by this act granted, or directed to be paid or allowed, in as full and ample manner, to all intents and purposes whatever, as if all and every the said acts, clauses, conditions, rules, regulations, restrictions, provisions, powers, directions, fines, penalties, and forfeitures respectively, were particularly repeated and re-enacted in the body of this act.

IX. And be it further enacted, That such of the duties of customs as shall arise, or become payable in that part of *Great Britain* called *England*, under or by virtue of this act, for or in respect of wine or spirits respectively, the produce of the said settlement of the *Cape of Good Hope*, or the territories or dependencies thereof, shall be under the management of the commissioners of the customs in *England* for the time being, and such thereof as shall arise or become payable in that part of *Great Britain* called *Scotland*, shall be under the management of the commissioners of the customs in *Scotland* for the time being; and that such of the duties of excise as shall arise or become payable in that part of *Great Britain* called *England*, under or by virtue of this act, for or in respect of wine or spirits respectively the produce of the said settlement, or the territories or dependencies thereof, shall be under the management of the commissioners of excise in *England* for the time being, and such thereof

Duties to be under the management of the commissioners of customs and excise respectively.

as shall arise or become payable in that part of *Great Britain* called *Scotland*, shall be under the management of the commissioners of excise in *Scotland* for the time being.

The duties of excise and drawbacks to be subject to the regulations respecting wines and spirits.

X. And be it further enacted, That the said duties of excise respectively shall be raised, levied, collected, and paid, under and subject to the rules, regulations, restrictions, provisions, (except where any alteration therein is expressly made by this act), fines, penalties, and forfeitures, which, in or by any act or acts of parliament in force at the time of passing this act, are contained, provided, settled, or established for or in respect of any of the duties on foreign wine and spirits respectively, or for detecting or punishing frauds relating thereto, and the drawbacks of excise by this act directed to be paid or allowed for or in respect of any such wine, shall be paid and allowed, under and subject to the rules, regulations, restrictions and provisions, fines, penalties, and forfeitures, which, in or by any act or acts of parliament in force immediately before the passing of this act, are contained, provided, settled, or established, for or in respect of the allowance or payment of the excise drawbacks of the duties on wines; and the said rules, regulations, restrictions, and provisions, shall, and the same respectively are hereby declared to be and remain in full force and effect, and shall be used, applied, and put in execution for the purposes of such duties and drawbacks of excise as fully and effectually to all intents and purposes as if the said rules, regulations, restrictions, and provisions, fines, penalties, and forfeitures, were particularly repeated and re-enacted in this present act.

12 Car. 2. c. 24. and all other acts relating to the excise, to extend to this act.

XI. And be it further enacted, That all and every the powers, directions, rules, penalties, forfeitures, clauses, matters, and things, which, in and by an act, made in the twelfth year of the reign of King *Charles* the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights service and purveyance, and for settling a revenue upon his Majesty in lieu thereof*, or by any other law now in force relating to his Majesty's revenue of excise, upon beer, ale, and other liquors, are provided or established for managing, raising, levying, collecting, mitigating, or recovering, adjudging or ascertaining the duties thereby granted, or any of them, (other than and in such cases for which other penalties or provisions are made and prescribed by this act), shall be used, practised, and put in execution in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the duties of excise by this act imposed or directed to be paid, as fully and effectually to all intents and purposes whatever, as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things were particularly repeated and re-enacted in this present act.

Duties under this act how to be applied.

XII. And be it further enacted, That the several duties by this act imposed or directed to be paid, shall be appropriated and applied in like manner as the duties respectively by this act repealed or lessened were, by the former laws relating thereto respect-

respectively in force immediately before the commencement of this act, appropriated and applied.

C A P. LXI.

An act to revive and continue, until the first day of July one thousand eight hundred and one, such part of an act, made in the present session of parliament, for reducing the duties upon spirits distilled from melasses or sugar, or any mixture therewith, and for other purposes, as relates to the duties on wort or wash brewed or made from melasses or sugar.—[June 30, 1800.]

So much of act 40 Geo. 3. c. 8. as relates to the duties on wort or wash made from melasses or sugar or to any distiller of spirits shall from June 1, 1800, be revived and continued until July 1, 1801.

C A P. LXII.

An act to allow, for nine months after the passing of the act, the use of sugar in the brewing of beer.—[June 30, 1800.]

WHEREAS by several acts now in force, common brewers or Preamble.

retailers of beer or ale are prohibited from using sugar in the brewing or making of beer or ale: and whereas it is expedient to allow the use of sugar in the brewing or making of beer or ale for a limited time: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That for the space of nine months, from and after the passing of this act, it shall and may be lawful to and for any such common brewer or retailer of beer or ale, to make use of sugar in the brewing or making of any guile, or brewing of beer, ale, or worts; any thing in any act or acts of parliament contained to the contrary in anywise notwithstanding.

Common brewers or retailers of beer may, for nine months, make use of sugar in brewing:

II. Provided nevertheless, That nothing in this act contained shall extend, or be deemed or construed to extend, to allow any common brewer or retailer of beer or ale to make use of any melasses in the brewing or making of beer or ale; or any sugar, except in the state in which the same shall have been imported into this kingdom, and without the same having been previously diluted with water or other liquor, or undergone any process or manufacture to alter the same: provided also, That no such brewer or retailer, or brewers or retailers, shall be at liberty, or be allowed or permitted to make use of any sugar in the brewing or making of beer, ale, or worts, unless he, she, or they shall have given to the officer of excise, under whose survey he, she, or they shall then be, twenty-four hours previous notice of his, her, or their intention so to make use of such sugar, and specifying in such notice the exact hour and time of his, her, or their beginning to brew or make such guile, or brewing of beer, ale, or worts, and the weight of the sugar to be made use of in the brewing or making of such guile.

but shall not be allowed to make use of melasses; or any sugar except in the state in which it is imported: nor unless 24 hours notice be given to the excise officer of the time of brewing, and the weight of sugar to be used.

III. And be it further enacted, That if any common brewer or retailer of beer or ale shall, after the passing of this act, make use of any other

If any common brewer, &c. make use of any other

than brown or muscovado sugar, or take into his possession more than 10 lb. of melasses, honey, &c. he shall forfeit 200l.

Penalties and forfeitures how to be recovered and applied.

use of any melasses, sugar, honey, syrup, composition, or extract of sugar, except brown or muscovado sugar made use of in the manner herein-before allowed, or if any common brewer shall receive or take into his, her, or their custody or possession, any quantity of melasses, honey, syrup, composition, or extract of sugar, exceeding ten pounds weight, every such brewer and retailer shall forfeit and lose for every such offence respectively the sum of two hundred pounds.

IV. And be it further enacted, That all fines, penalties, and forfeitures imposed by this act, shall be sued for, recovered, levied, or mitigated, by such ways, means, or methods, as any fine, penalty, or forfeiture, may be sued for, recovered, levied, or mitigated by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland* respectively; and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall inform, discover, or sue for the same.

C A P. LXIII.

An act for repealing part of the duties and drawbacks of customs on kid skins imported, and the exemption of imported kid skins from excise duty on being dressed in Great Britain.—[June 30, 1800.]

Preamble.

WHEREAS by an act made in the twenty-seventh year of the reign of his present Majesty, among other things, for repealing the several duties of customs and excise, and granting other duties in lieu thereof, certain duties of customs and excise are imposed for and in respect of kid skins in the hair imported into or tarwed in Great Britain, except such kid skins as paid the full duty on the importation thereof; and by the said act a certain drawback of the said duty of customs is directed to be paid and allowed on the exportation of such kid skins imported: and whereas it is expedient to repeal a part of the said duty of customs and a certain part of the said drawback, and to repeal the exemption of the duties of excise on the said kid skins; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of *August* one thousand eight hundred, eight shillings and four-pence, part of the said duty of customs imposed by the said act of the twenty-seventh year of the reign of his present Majesty, together with the sum of two shillings and nine-pence, part of the said drawback of customs granted or allowed by the said act, shall cease and determine, and be no longer paid or payable, save and except in all cases relating to the recovering, paying, or allowing any arrears thereof, which may at that time remain unpaid, or to any fine, penalty, or forfeiture, fines, penalties, or forfeitures, relating thereto respectively, which shall have been incurred at any time before or on the said first day of *August* one thousand eight hundred:

From Aug. 1, 1800, 8s 4d. part of the duty of customs on kid skins imposed by 27 Geo. 3. c. 13. and 28. 9d. part of the drawback allowed thereon, shall cease.

II. And

II. And be it further enacted, That, from and after the said first day of *August* one thousand eight hundred, the said recited exception in the said act of the twenty-seventh year of the reign of the said King George the Third, as aforesaid shall be, and the same is hereby repealed; and from and after the said first day of *August* one thousand eight hundred, all kid skins imported shall, on being tawed in *Great Britain*, be subject and liable to the same duty of excise as is by the said act imposed for or in respect of such kid skins tawed in *Great Britain*, as did not fall within the said recited exception; any thing in any act or acts of parliament to the contrary in anywise notwithstanding.

From Aug. 1, 1800, the exemption of the duty of excise on kid skins repealed; and all that are afterwards imported shall be subject to the same duty as is imposed by the recited act on kid skins tawed in *Great Britain*.

C A P. LXIV.

An act for permitting the free importation of linseed cakes and rape cakes in neutral ships.—[June 30, 1800.]

WHEREAS by an act, passed in the thirty-sixth year of his present Majesty's reign, intituled, An act for allowing the im-

Preamble. 36 Geo. 3. c. 113.

portation of arrow root from the *British* plantations, and also of linseed cakes and rape cakes from any foreign country, in *British*-built ships, owned, navigated, and registered according to law, without payment of duty, it is enacted, That it shall be lawful to import into *Great Britain*, in any *British* ship or vessel, linseed cakes and rape cakes without payment of duty: and whereas it is expedient further to facilitate the importation of the said articles, 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, until the first day of *January* one thousand eight hundred and four, it shall and may be lawful to import into *Great Britain* in any ship or vessel whatsoever belonging to the subject or subjects of any sovereign or state in amity with his Majesty, linseed cakes and rape cakes without payment of duty, in the same manner, and subject to the same rules, regulations, restrictions, penalties, and forfeitures, as are provided in the said act respecting linseed cakes and rape cakes imported in any *British* ship or vessel.

Linseed and rape cakes may be imported in any neutral vessel, duty free, till Jan. 1, 1804.

C A P. LXV.

An act to continue, until the first day of January one thousand eight hundred and four, several acts relating to the admission of certain articles of merchandize in neutral ships, and to the issuing of orders in council for that purpose.—[June 30, 1800.]

Acts 35 Geo. 3. c. 15. 35 Geo. 3. c. 80. and 36 Geo. 3. c. 76. continued until Jan. 1, 1804.

C A P. LXVI.

An act to repeal so much of an act, passed in the second year of King James the First, as prohibits the use of horse hides in making boots and shoes: and for better preventing the damaging of raw hides and skins in the tawing thereof.—[June 30, 1800.]

Preamble.

2 Jac. 1. c.
22. and9 Annæ, c. 11,
recited.

So much of
first recited
act as prohib-
its the use of
horse hide in
shoes, &c. and
so much of
therecited acts
as relates to
gashing of
hides, repeal-
ed.

Mayors, &c.
to appoint
proper places
and times
for examining
raw hides,
and proper
persons to be
inspectors.

WHEREAS by reason of the skill and improvement of the tanners, curriers, and other persons concerned in the manufacturing and dressing of leather, many hides formerly supposed unfit to be used in the making of boots and shoes are now become useful therein; and it is therefore expedient that so much of an act passed in the second year of the reign of his majesty King James the First, intituled, An act concerning tanners, curriers, shoemakers, and other artificers occupying the cutting of leather, as prohibits cordwainers and shoemakers from putting into any shoes, boots, buskins, startops, slippers, or pantofles, any leather made of horse hide, should be repealed: and whereas it has been found, that the provisions of the said recited act, and also of another act passed in the ninth year of the reign of her majesty Queen Anne, intituled, An act for laying certain duties upon hides and skins, tanned, tawed, or dressed, and upon vellum and parchment, for the term of thirty-two years, for prosecuting the war, and other her Majesty's most necessary occasions, so far as relates to preventing the gashing, cutting, and flawing of hides and skins in the slaying thereof, have been ineffectual to enforce the good purposes thereby intended, in consequence of which great losses arise to the dealers in leather, and a great increase in the price thereof to the publick: and whereas it is become necessary that so much of the said recited acts as relate to the prevention of the cutting and gashing of hides and skins in the slaying thereof should be repealed, and that other and more effectual provisions should be made instead thereof: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, so much of the said first recited act as prohibits any cordwainer or shoemaker from putting into any part of any shoes, boots, buskins, startops, slippers, or pantofles, any part of any horse hide, and also so much of the said recited acts as relates to the preventing the gashing and cutting of hides and skins in the slaying thereof, shall be and the same are respectively hereby repealed.

II. And be it further enacted, That it shall be lawful for the mayor, bailiff, or other head officer of every city, town corporate, borough, or market town, having any such head officer, or any two or more justices of the peace, or magistrates having jurisdiction to keep the peace within and acting for any city, liberty, town corporate, borough, or market town, where there shall be no such head officer as aforesaid; and in cities, liberties, towns corporate, boroughs, and market towns, where there are not two such magistrates, then any two or more such justices of the peace acting for any division of any county, riding, shire, or stewarty, within or nearest to which any such city, borough, or market town shall be situate, shall, and he and they is and are hereby respectively empowered and required within three months after the passing of this act, to chosse and appoint some proper and convenient place or places for the examining and inspecting all the raw hides and skins of all oxen, bulls, cows, heifers, steers, or stirks, calves, hogs, or pigs, sheep, lambs, horses, mares, or geldings,

geldings, killed, slaughtered, or flayed within such city, town corporate, borough, or market town, or within such distance thereof as shall be ascertained and fixed by the person or persons choosing and appointing such place or places as aforesaid, so as that such distance shall, in no case, exceed three miles, nor be less than two miles from any such city, town corporate, borough, or market town; and such person or persons as aforesaid shall also appoint proper and convenient days and hours for the inspection of hides and skins in such place or places so appointed as aforesaid; and shall cause notice thereof, and of the distance from such city, town corporate, borough, or market town, to which the jurisdiction of the inspector or inspectors, appointed in pursuance of this act to examine and mark raw hides and skins in any place or places so appointed as aforesaid, shall extend, to be put up in legible characters, and in some conspicuous part of the place or places so appointed as aforesaid; and the person or persons appointing such place or places as aforesaid shall also at the time of fixing and appointing such place or places as aforesaid, or as soon after as the same can be done, and annually in each year, or oftener if necessary, appoint some person or persons of competent skill to be inspector or inspectors of hides and skins within such city, liberty, borough, or market town, or the respective districts thereof; and also from time to time to appoint any other inspector or inspectors to supply any vacancy that may arise by death, removal, or otherwise, of any such inspector or inspectors.

III. Provided always, That if any six or more, or in case of any difference of opinion of the majority of the tanners, curriers, or other persons manufacturing of leather, not being journeymen or apprentices or persons working with or for any master currier, or manufacturer of leather for hire, and who shall be then residing and carrying on such trade or manufacture within such city, liberty, borough, or market town, or the district thereof respectively, and who shall have respectively delivered in writing their respective names and places of abode, and occupations in such manufacture of leather as aforesaid, shall recommend, in writing, to the person or persons authorized by this act to appoint inspectors of raw hides and skins, two persons proper to be appointed inspectors in every place where one inspector shall be necessary, or four persons proper to be appointed inspectors as aforesaid, where two inspectors shall be requisite, then one or two of such persons so recommended, as the case may require, and no other, shall be appointed to be such inspector or inspectors as aforesaid, provided that two or more partners in trade shall be considered as one person only in the recommendation of such inspector or inspectors: provided also, That when any complaint shall be made by any person or persons interested or dealing in any raw hides or skins, in any such place or places appointed for the inspection thereof as aforesaid, of any misconduct or neglect of duty in any such inspector as aforesaid, and due proof thereof shall be made to the satisfaction of the person or persons authorized by this act to appoint inspectors of raw hides and skins for the city, town corporate,

If six or more manufacturers of leather shall recommend to the persons authorized to appoint inspectors, two proper persons to be appointed where one inspector shall be necessary, or four where two shall be requisite, then one or two of them, as the case may require, shall be appointed.

On complaint of misconduct or neglect in any inspector, he may be discharged and another appointed in his room.

porate, borough, or market town, For which such inspector as aforesaid shall act, then and in every such case, it shall be lawful for such person or persons so authorised as aforesaid, and he and they is and are hereby respectively authorised and required to discharge such inspector from the execution of his office, and to appoint another inspector in like manner as herein-before directed to supply the vacancy occasioned by such removal as aforesaid.

If any person shall, after Aug. 1, 1800, wilfully or carelessly injure any hide so as to render it less valuable for making leather, &c. and shall be convicted thereof, he shall pay certain penalties.

IV. And be it further enacted, That if any butcher or other person, or his or her servant, shall, after the first day of August one thousand eight hundred, wilfully, negligently, or carelessly cut or flay or gash the hide or skin of any ox, bull, cow, heifer, steer, or stirk, or of any horse, mare, colt, or gelding, or of any calf, hog, pig, sheep, or lamb, so as to occasion any injury to the same, or render it less useful and valuable for the purpose of making leather, or shall flay any hide of any ox, bull, cow, heifer, steer, stirk, or calf below the knee or gambrel, and shall thereof be convicted before any one or more justice or justices of the peace of the county, city, or town where such hide or skin shall be found, upon the oath of any inspector or inspectors of raw hides or skins appointed under this act, or any other witness or witnesses, he or she shall forfeit and pay for every hide or skin so cut, flayed, or gashed, and for every hide of every ox, bull, cow, heifer, steer, stirk, or calf so flayed below the knee or gambrel as aforesaid, the several and respective fines and penalties following: (that is to say), A sum not exceeding ten shillings and not less than one shilling, for the raw hide or skin of every ox, bull, cow, heifer, steer, or stirk, so wilfully or negligently cut, gashed, or flayed in the flaying thereof, or that shall be so flayed below the knee or gambrel as aforesaid: a sum not exceeding five shillings nor less than sixpence, for the hide or skin of every calf so negligently or wilfully cut, gashed, or flayed in the flaying thereof, or that shall be so flayed or taken off below the knee or gambrel as aforesaid: a sum not exceeding five shillings nor less than one shilling, for the hide or skin of every horse, mare, or gelding; and a sum not exceeding sixpence and not less than three-pence, for the hide or skin of every hog, pig, sheep, or lamb, which shall be so wilfully, or negligently, or carelessly damaged by cuts, gashes, or flaws in the flaying thereof as aforesaid.

Inspectors to take the following

V. And be it further enacted, That every person appointed an inspector of hides and skins under this act shall, before he shall begin to execute his said office, take an oath, duly and faithfully to execute the same, which oath the person or persons appointing such inspector is and are hereby authorised to administer, and which oath shall be in the words following; that is to say,

oath.

I A. B. do swear, That I will faithfully and diligently execute the office of inspector of hides and skins, according to the true intent and meaning of an act, passed in the fortieth year of the reign of his majesty King George the Third, intituled, *An act,*

[Here

[Here set forth the title of the act], without favour or affection, prejudice or malice, to any person whomsoever.

So help me GOD.

And every such inspector shall, with all due care, examine and mark in manner by this act directed, all raw hides and skins flayed within the district for which he shall be inspector as aforesaid; and every such inspector shall be entitled to demand and take for the examining and marking of the several and respective sorts of raw hides and skins examined and marked by him in pursuance of this act, the several and respective sums following; (that is to say), For the hide of every ox, bull, cow, heiter, steer, or stirk, horse, mare, or gelding, the sum of one penny; and for every calf, hog, or pig skin, the sum of one halfpenny; and for every sheep or lamb skin, the sum of one farthing; and if any person, to whom any such raw hide or skin shall belong as aforesaid, or any other person for him, or any other person or persons whomsoever, other than such inspector or inspectors as aforesaid, or some person or persons authorized by him or them in that behalf, shall stamp or mark any raw skin or hide with any stamp or mark usually the stamp or mark of any such inspector, he or she shall forfeit for every such offence the sum of twenty pounds.

Inspectors to examine and mark raw hides and to be entitled to certain fees.

If any person other than the inspector shall mark any raw hide he shall forfeit 20l.

VI. And be it further enacted, That it shall be lawful for any such inspector or inspectors as aforesaid, upon the examining and inspecting of any raw hide or skin that shall have been damaged in the flaying thereof, to impose such penalty for the wilful, careles, or negligent cutting, gashing, or flawing, of such hide or skin, or for the flaying of any hide, contrary to the provisions of this act, not exceeding one half of the highest amount of any penalty imposed by this act, in respect of any such damage as shall in the opinion of such inspector or inspectors be just and reasonable, according to the state of such raw hide or skin, without having such penalty adjudged by any magistrate or justice of the peace in pursuance of the provisions of this act, subject nevertheless to the determination of any arbitrators summoned in pursuance of this act, in case the person or persons to whom such hide or skin shall belong, or any person or persons on his, her, or their behalf, shall dispute the payment of such penalty, and give notice in writing of his, her, or their determination of having such difference of opinion or dispute determined by such arbitrators as aforesaid.

Inspectors may impose penalties not exceeding half of the highest imposed by this act for wilfully or carelessly cutting of hides without their being adjudged by a magistrate, subject to the determination of arbitrators.

VII. Provided always, That in every case where any such inspector or inspectors as aforesaid shall deem any such person or persons liable to any higher amount of penalty, in respect of the damage done to any such hide or skin, than such half amount as aforesaid, then and in every such case, such inspector or inspectors shall proceed for the recovery thereof by information before any magistrate or justice of the peace, in manner by this act directed.

If an inspector shall deem any person liable to more than such half amount, he shall proceed for recovery thereof by information before a magis-

VIII. Provided also, That the whole penalty imposed by any such inspector or inspectors as aforesaid, in respect of any such

Penalty to be paid to the inspector who shall impose or inform for it.

damaged hide or skin, and also the whole penalty that shall be adjudged by any magistrate or justice of the peace, upon the information of any inspector or inspectors who shall have deemed it necessary to inform for the same, in manner herein-before mentioned, shall go and be paid to the inspector or inspectors, who shall impose or inform for any such penalties respectively as aforesaid.

Inspectors to provide stamps for marking hides as herein directed.

IX. And be it further enacted, That every such inspector of raw hides and skins appointed under this act, shall provide two different and distinct stamps or marks, the one thereof (that is to say), The letter S. to denote good and perfect raw hides and skins, and the other thereof, (that is to say) The letter D. to denote damaged hides or skins; with the first of which stamps or marks he shall stamp or mark on or near the tail, every raw hide or skin that is not damaged in the slaying thereof, and with the latter of which stamps or marks he shall stamp or mark on one of the fore shanks every raw hide or skin that is damaged in the slaying thereof, upon being paid the penalty by this act imposed for the wilful, careless, or negligent, cutting, gashing, or flawing of any hide or skin in the slaying thereof, or for the slaying of any hide, contrary to the provisions of this act; and if any person or persons to whom any such damaged hide or skin shall belong, shall refuse to pay the penalty by this act imposed for cutting, gashing, or flawing of raw hides or skins in the slaying thereof, or for any hide not allowed by this act to be flayed below the gambrel or knee, that shall be so flayed as aforesaid, or shall refuse or neglect to pay the several sums of money herein-before allowed to be taken for inspecting, examining, and marking, any raw hides or skins, it shall be lawful for the inspector or inspectors who shall examine any such hide or skin, or for any other inspector or inspectors, forthwith to seize any such raw hide or skin as aforesaid, and unless such penalty shall be paid in less than forty-eight hours after such seizure so made as aforesaid, or unless notice shall be given by the person or persons to whom such hide or skin shall belong, or any person on his, her, or their behalf, of his, her, or their intention of having such hide or skin produced, and the dispute thereon decided by arbitrators, to be appointed in pursuance of this act, it shall be lawful for such inspector or inspectors to sell or cause to be sold the same, and to retain the penalty by this act imposed as aforesaid, and every reasonable expence incurred therein, and the overplus (if any such there be) shall be returned to the person or persons to whom such raw hide or skin shall have belonged as aforesaid.

If penalty or fee for marking hides be not paid, the inspector may seize and sell them, unless notice be given of having the matter decided by arbitrators.

From August 1, 1800, if any person within any district where an inspector has been appointed shall neglect to bring

X. And be it further enacted, That, from and after the first day of August one thousand eight hundred, if any butcher or other person residing in any city, town corporate, borough, or market town, or within the district thereof, for which an inspector or inspectors shall have been appointed as aforesaid, shall wilfully neglect or omit to bring any raw hide or skin belonging to him or her of any ox, bull, cow, heifer, steer, or stirk, horse, mare,

mare, or gelding, calf, hog, pig, sheep, or lamb, by this act required to be stamped or marked, to some place appointed in pursuance of this act, in such city, town corporate, borough, or market town, for the examining and inspecting raw hides and skins, within the hours prescribed for that purpose; or if any butcher or other person shall remove or take away from such place, any such raw hide or skin that shall have been flayed within any city, town corporate, borough, or market town, or within any district belonging thereto, for the purposes of this act, within or for which any such inspector or inspectors shall have been appointed under this act as aforesaid, that shall not have been examined and marked by some inspector of raw hides and skins appointed under this act, or by some person authorised by him, and approved by any magistrate of the district for which such inspector shall be appointed; every such butcher or other person shall forfeit and pay a sum not exceeding five pounds, nor less than forty shillings, for every such raw hide or skin so neglected or omitted to be brought to such place appointed for the inspection thereof as aforesaid, and within the hours prescribed for that purpose, or so removed or taken away before such hide or skin shall have been stamped or marked as aforesaid.

any raw hide to the proper place to be marked, or shall remove therefrom any that shall not have been marked, he shall be liable to penalty.

XI. Provided always, That if any such butcher, or other person or persons as aforesaid, shall give notice in writing to the inspector or inspectors of such city, town corporate, borough, or market town, of his or her intention of carrying his or her raw hides or skins to any other place where any inspector or inspectors shall be appointed under this act, for any period not less than one calendar month, following the date of such notice; then, and in such case, it shall be lawful for such butcher, or other person or persons as aforesaid, to carry such raw hides or skins to any such other place as aforesaid, during the period mentioned in such notice, for the purpose of having the same hides or skins examined and marked in pursuance of this act, and from time to time to renew such notice for any further period, not less than one calendar month as aforesaid.

If any person shall give notice to the inspector of his intention to carry his raw hides to any other place for inspection for not less than a month, he may do so.

XII. And be it further enacted, That in case any difference of opinion or dispute shall arise between any butcher or other person or persons, and any inspector or inspectors, whether any hide or skin has been injured in the flaying thereof, or rendered less useful and valuable for the purpose of leather, within the intent and meaning of this act, then and in such case it shall be lawful for any magistrate or justice of the peace, before whom such difference or dispute shall be brought by any such inspector or inspectors, or butcher or other person or persons as aforesaid, and he is hereby authorised, empowered, and required within forty-eight hours to summon any five impartial and respectable persons, who shall be engaged or concerned in the working or manufacturing of leather, to whom, or to any three or more of such persons so summoned as aforesaid, such difference or dispute shall be referred, and who are hereby authorised and required to hear and finally determine the same within the space of twenty-

In case of dispute whether hides have been injured, the magistrate shall summon five persons engaged in the working of leather, three of whom may determine finally the same.

Such persons to take an oath to do equal justice.

The party against whom the decision shall be given to pay all expences.

Persons summoned and not attending to forfeit 40s.

Application of penalties.

four hours; and before any such person so summoned shall act in hearing or determining any such dispute, he shall take an oath before such magistrate or justice of the peace as aforesaid, (which oath the said magistrate or justice of the peace is hereby empowered to administer), that he will do equal justice between the parties concerned in such difference or dispute, and such magistrate or justice of the peace shall cause the raw hide or skin, or raw hides or skins whereon such difference or dispute shall arise, to be produced to such persons as aforesaid, and such difference or dispute to be heard before them; and the decision of such persons, or the major part of them thereon, shall be binding and conclusive on all the parties interested in such difference or dispute, and the party or parties against whom such decision shall be given shall be liable to and pay the costs of summoning, and attendance of such persons before-mentioned, and all incidental expences incurred thereby, to be settled, ascertained, and allowed by the magistrate or justice of the peace who shall summon such persons as aforesaid.

XIII. And be it further enacted, That if any person who shall be duly summoned upon any such difference or dispute as aforesaid, shall nevertheless refuse or neglect to attend at the time and place mentioned in such summons, unless he shall give such reason for his non-attendance as may be deemed satisfactory by the magistrate or justice of the peace summoning such jury, he shall forfeit and pay for every such offence the sum of forty shillings.

XIV. And be it further enacted, That all penalties and forfeitures inflicted and imposed by this act, and not otherwise disposed of, shall go and be distributed in manner following; (that is to say), One half of every such penalty or forfeiture shall go and be paid to the person who shall inform against, and prosecute to conviction, every such offender or offenders as aforesaid; and the other half thereof shall go and be applied for the better carrying into execution the purposes of this act, either in rewarding, with any proportion thereof, any inspector or inspectors of raw hides and skins, acting in the district within which any such penalties shall have been incurred, or in the paying any such charges or expences as have arisen in establishing any such place or places for the inspection of raw hides and skins as aforesaid, or for any purpose relating to the care, improvement, or continuing of any such place or places, in such proportion, and in such ways, and towards such of the said last mentioned purposes, as the person or persons appointing any such place or places, to whom such last mentioned moiety, when recovered, shall be paid for the purposes herein mentioned, shall, with the approbation and consent of any six or more, or in case of any difference of opinion of the majority of the persons dealing in the manufactory of leather, (not being journeymen or apprentices, or persons working with or for any master currier or manufacturer of leather for hire), who shall deliver their opinions in writing to such person or persons in manner herein-before directed with respect to the recommendation of any inspector or inspectors, direct;

and if any person or persons, to whom any such moiety of any such penalties or forfeitures shall be paid for the purposes aforesaid, shall misapply such monies, or neglect or refuse to apply the same to the purposes of this act, in manner herein-before directed, he shall, for every such offence, forfeit double the sum so retained or misapplied as aforesaid, to be sued for, recovered, and applied as any penalty, by this act imposed, may be sued for, recovered, and applied.

XV. And be it further enacted, That nothing herein contained shall extend or be construed to extend to the cities of *London* or *Westminster*, or the borough of *Southwark*, or any of the liberties thereof, or to any place or places within fifteen miles of the *Royal Exchange* of the said city of *London*.

Act not to extend to certain limits.

XVI. And be it further enacted, That every penalty and forfeiture imposed by this act shall and may be recoverable before any one or more justice or justices of the peace for the county, riding, or division, or any magistrate or magistrates of any city, town corporate, borough, liberty, or jurisdiction or place where the offence shall be committed, upon conviction or confession of the party, or on the oath of one or more credible witness or witnesses, and such penalty and forfeiture shall be levied by warrant under the hand and seal, or hands and seals of such justice or justices, magistrate or magistrates, by distress and sale of the goods and chattels of the person or persons so offending, and in case such distress cannot be found, and such penalty and forfeiture and the said costs and charges shall not be forthwith paid, it shall and may be lawful for such justice or justices, magistrate or magistrates, 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 commit such offender or offenders to the common gaol or house of correction of the county or place where the offence shall be committed, for any time not exceeding one month, until the said penalty and forfeiture, and costs and charges, shall respectively be sooner paid and satisfied.

Recovery of penalties.

XVII. Provided always, That in case any person or persons shall find himself or themselves aggrieved by the judgement of any such justice or justices, magistrate or magistrates, in any case where the penalty adjudged shall exceed the sum of ten shillings, then he or they shall or may upon giving security to the amount of the value of such penalty and forfeiture, together with such costs as shall be awarded in case such judgement shall be affirmed, appeal to the justices at the next general or quarter sessions of the peace for the county, riding, division, city, liberty, town, or place as aforesaid, who are hereby empowered finally to hear and determine the same, and in case the judgement of such justice or justices shall be affirmed, it shall be lawful for such justices at their general or quarter sessions as aforesaid, to award the person or persons to pay such costs occasioned by such appeal as to them shall seem meet; and no such judgement or conviction shall be removeable by *Certiorari* into any court whatsoever.

Persons aggrieved by any judgement, where the penalty exceeds 10s. may appeal to the quarter sessions.

XVIII. And

Information for offences to be laid within three days after committed.

Convictions may be made in the following

form.

XVIII. And be it further enacted, That any information for any offence committed against this act shall be laid before one or more justice or justices of the peace, magistrate or magistrates, within three days after the said offence has been committed, and that otherwise such information shall be of no effect.

XIX. And be it further enacted, That every such conviction before one or more justice or justices, may be made in the form following; to wit,

‘ **B**E 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 the said county of _____ or, for the riding or division of the said county of _____ or, for the said city, liberty, district, or town of _____ (as the case shall happen to be); in pursuance of an act, passed in the fortieth year of the reign of his majesty King George the Third, for (or, as the case may be). Given under hand and seal, the day and year above written.’

Conviction to be filed.

Which conviction shall be certified to the next general quarter sessions, there to be filed amongst the records of the county, riding, or division.

Publick act.

XX. 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, and all other persons whomsoever, without specially pleading the same.

C A P. LXVII.

An act for the union of Great Britain and Ireland.—[July 2, 1800.]

Preamble.

WHEREAS in pursuance of his Majesty's most gracious recommendation to the two houses of parliament in Great Britain and Ireland respectively, to consider of such measures as might best tend to strengthen and consolidate the connection between the two kingdoms, the two houses of the parliament of Great Britain and the two houses of the parliament of Ireland have severally agreed and resolved, that, in order to promote and secure the essential interests of Great Britain and Ireland, and to consolidate the strength, power, and resources of the British empire, it will be adviseable to concur in such measures as may best tend to unite the two kingdoms of Great Britain and Ireland into one kingdom, in such manner, and on such terms and conditions, as may be established by the acts of the respective parliaments of Great Britain and Ireland.

The parliaments of England and Ireland have agreed upon the articles following: That Great Britain and

And whereas, in furtherance of the said resolution, both houses of the said two parliaments respectively have likewise agreed upon certain articles for effectuating and establishing the said purposes, in the tenor following:

ARTICLE FIRST.

That it be the first article of the union of the kingdoms of Great Britain and Ireland, that the said kingdoms of Great Britain

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tain and Ireland shall, upon the first day of *January* which shall be in the year of our Lord one thousand eight hundred and one, and for ever after, be united into one kingdom, by the name of *The United Kingdom of Great Britain and Ireland*; and that the royal stile and titles appertaining to the imperial crown of the said united kingdom and its dependencies; and also the ensigns, armorial flags and banners thereof, shall be such as his Majesty, by his royal proclamation under the great seal of the united kingdom, shall be pleased to appoint.

Ireland shall, upon Jan. 1, 1801, be united into one kingdom; and that the titles appertaining to the crown, &c. shall be such as his Majesty shall be pleased to appoint.

ARTICLE SECOND.

That it be the second article of union, that the succession to the imperial crown of the said united kingdom, and of the dominions thereunto belonging, shall continue limited and settled in the same manner as the succession to the imperial crown of the said kingdoms of *Great Britain and Ireland* now stands limited and settled, according to the existing laws, and to the terms of union between *England and Scotland*.

That the succession to the crown shall continue limited and settled as at present.

ARTICLE THIRD.

That it be the third article of union, that the said united kingdom be represented in one and the same parliament, to be stiled *The Parliament of the United Kingdom of Great Britain and Ireland*.

That the united kingdom be represented in one parliament.

ARTICLE FOURTH.

That it be the fourth article of union, that four lords spiritual of *Ireland* by rotation of sessions, and twenty-eight lords temporal of *Ireland* elected for life by the peers of *Ireland*, shall be the number to sit and vote on the part of *Ireland* in the house of lords of the parliament of the united kingdom; and one hundred commoners (two for each county of *Ireland*, two for the city of *Dublin*, two for the city of *Cork*, one for the university of *Trinity College*, and one for each of the thirty-one most considerable cities, towns, and boroughs), be the number to sit and vote on the part of *Ireland* in the house of commons of the parliament of the united kingdom:

That the number of lords spiritual and temporal, and of commoners, here- in specified, shall sit and vote on the part of *Ireland* in the parliament of the united kingdom.

That such act as shall be passed in the parliament of *Ireland* previous to the union, to regulate the mode by which the lords spiritual and temporal, and the commons, to serve in the parliament of the united kingdom on the part of *Ireland*, shall be summoned and returned to the said parliament, shall be considered as forming part of the treaty of union, and shall be incorporated in the acts of the respective parliaments by which the said union shall be ratified and established:

That such act as shall be passed in *Ireland* to regulate the mode of summoning and returning the lords and commoners shall be considered as part of the

That all questions touching the rotation or election of lords spiritual or temporal of *Ireland* to sit in the parliament of the united kingdom, shall be decided by the house of lords thereof; and whenever, by reason of an equality of votes in the election of lords of *Ireland* to sit in

That all questions touching the rotation or election of lords of *Ireland* to sit in

the united parliament shall be decided by the house of lords thereof.

any such lords temporal, a complete election shall not be made according to the true intent of this article, the names of those peers for whom such equality of votes shall be so given, shall be written on pieces of paper of a similar form, and shall be put into a glass, by the clerk of the parliaments at the table of the house of lords whilst the house is sitting; and the peer or peers whose name or names shall be first drawn out by the clerk of the parliaments, shall be deemed the peer or peers elected, as the case may be :

That any peer of Ireland may be elected to serve in the house of commons of the united kingdom, unless previously elected to sit in the house of lords; but shall not be entitled to the privilege of peerage, &c.

That any person holding any peerage of *Ireland* now subsisting, or hereafter to be created, shall not thereby be disqualified from being elected to serve if he shall so think fit, or from serving or continuing to serve, if he shall so think fit, for any county, city, or borough of *Great Britain*, in the house of commons of the united kingdom, unless he shall have been previously elected as above, to sit in the house of lords of the united kingdom; but that so long as such peer of *Ireland* shall so continue to be a member of the house of commons, he shall not be entitled to the privilege of peerage, nor be capable of being elected to serve as a peer on the part of *Ireland*, or of voting at any such election; and that he shall be liable to be sued, indicted, proceeded against, and tried as a commoner, for any offence with which he may be charged :

His Majesty may create peers, and make promotions in the peerage of *Ireland* after the union, under certain regulations.

That it shall be lawful for his Majesty, his heirs and successors, to create peers of that part of the united kingdom called *Ireland*, and to make promotions in the peerage thereof, after the union; provided that no new creation of any such peers shall take place after the union until three of the peerages of *Ireland*, which shall have been existing at the time of the union, shall have become extinct; and upon such extinction of three peerages, that it shall be lawful for his Majesty, his heirs and successors, to create one peer of that part of the united kingdom called *Ireland*; and in like manner so often as three peerages of that part of the united kingdom called *Ireland* shall become extinct, it shall be lawful for his Majesty, his heirs and successors, to create one other peer of the said part of the united kingdom; and if it shall happen that the peers of that part of the united kingdom called *Ireland*, shall, by extinction of peerages or otherwise, be reduced to the number of one hundred, exclusive of all such peers of that part of the united kingdom called *Ireland*, as shall hold any peerage of *Great Britain* subsisting at the time of the union, or of the united kingdom created since the union, by which such peers shall be entitled to an hereditary seat in the house of lords of the united kingdom, then and in that case it shall and may be lawful for his Majesty, his heirs and successors, to create one peer of that part of the united kingdom called *Ireland* as often as any one of such one hundred peerages shall fail by extinction, or as often as any one peer of that part of the united kingdom called *Ireland* shall become entitled, by descent or creation, to an hereditary seat in the house of lords of the united kingdom; it being the true intent and meaning of this article, that at all times

after

after the union it shall and may be lawful for his Majesty, his heirs and successors, to keep up the peerage of that part of the united kingdom called *Ireland* to the number of one hundred, over and above the number of such of the said peers as shall be entitled, by descent or creation, to an hereditary seat in the house of lords of the united kingdom :

That if any peerage shall at any time be in abeyance, such peerage shall be deemed and taken as an existing peerage; and no peerage shall be deemed extinct, unless on default of claimants to the inheritance of such peerage for the space of one year from the death of the person who shall have been last possessed thereof; and if no claim shall be made to the inheritance of such peerage, in such form and manner as may from time to time be prescribed by the house of lords of the united kingdom, before the expiration of the said period of a year, then and in that case such peerage shall be deemed extinct; provided that nothing herein shall exclude any person from afterwards putting in a claim to the peerage so deemed extinct; and if such claim shall be allowed as valid, by judgement of the house of lords of the united kingdom, reported to his Majesty, such peerage shall be considered as revived; and in case any new creation of a peerage of that part of the united kingdom called *Ireland*, shall have taken place in the interval, in consequence of the supposed extinction of such peerage, then no new right of creation shall accrue to his Majesty, his heirs or successors, in consequence of the next extinction which shall take place of any peerage of that part of the united kingdom called *Ireland* :

Peerages in abeyance to be deemed existing peerages, and no peerage to be deemed extinct but on default of claim for a year after the death of the late possessor. If a claim be after that period made and allowed, and a new creation shall have taken place in the interval, no new right of creation shall accrue to his Majesty on

the next extinction of a peerage.

That all questions touching the election of members to sit on the part of *Ireland* in the house of commons of the united kingdom shall be heard and decided in the same manner as questions touching such elections in *Great Britain* now are, or at any time hereafter shall by law be heard and decided; subject nevertheless to such particular regulations in respect of *Ireland* as, from local circumstances, the parliament of the united kingdom may from time to time deem expedient :

Questions touching the election of members to sit in the house of commons of the united kingdom on the part of *Ireland* and *Great Britain*;

shall be decided as questions touching such elections in

That the qualifications in respect of property of the members elected on the part of *Ireland* to sit in the house of commons of the united kingdom, shall be respectively the same as are now provided by law in the cases of elections for counties and cities and boroughs respectively in that part of *Great Britain* called *England*, unless any other provision shall hereafter be made in that respect by act of parliament of the united kingdom :

and their qualifications in respect of property shall be the same as in *England*.

That when his Majesty, his heirs or successors, shall declare his, her, or their pleasure for holding the first or any subsequent parliament of the united kingdom, a proclamation shall issue, under the great seal of the united kingdom, to cause the lords spiritual and temporal, and commons, who are to serve in the parliament thereof on the part of *Ireland*, to be returned in such

When his Majesty shall declare his pleasure for holding a parliament of the united kingdom, a

proclamation shall issue to cause the lords and commons, who are to serve on the part of Ireland, to be returned as shall be provided by any act of the present session in Ireland.

manner as by any act of this present session of the parliament of Ireland shall be provided; and that the lords spiritual and temporal and commons of Great Britain shall, together with the lords spiritual and temporal and commons so returned as aforesaid on the part of Ireland, constitute the two houses of the parliament of the united kingdom:

If his Majesty, on or before Jan. 1, 1801, shall declare it is expedient that the present parliament of Great Britain should be the members of the respective houses of the first parliament of the united kingdom on the part of Great Britain, they and the lords and commons returned on the part of Ireland may continue to sit so long as the present parliament of Great Britain may; but until an act shall have passed in the united parliament, providing in what cases persons holding offices of profit under the crown in Ireland, shall be incapable of sitting in the house of commons of the united kingdom, no more than 20 shall sit therein; and if more than that number be returned, the seats or places of such as shall have accepted such offices shall be vacated, so as to reduce them to 20. The lords and commons of the united parliament shall take the oaths, &c. as enjoined to be taken by the lords and commons of the British parliament.

That if his Majesty, on or before the first day of January one thousand eight hundred and one, on which day the union is to take place, shall declare, under the great seal of Great Britain, that it is expedient that the lords and commons of the present parliament of Great Britain should be the members of the respective houses of the first parliament of the united kingdom on the part of Great Britain, then the said lords and commons of the present parliament of Great Britain shall accordingly be the members of the respective houses of the first parliament of the united kingdom on the part of Great Britain; and they, together with the lords spiritual and temporal and commons, so summoned and returned as above on the part of Ireland, shall be the lords spiritual and temporal and commons of the first parliament of the united kingdom; and such first parliament may (in that case) if not sooner dissolved, continue to sit so long as the present parliament of Great Britain may now by law continue to sit, if not sooner dissolved: provided always, that until an act shall have passed in the parliament of the united kingdom, providing in what cases persons holding offices or places of profit under the crown in Ireland, shall be incapable of being members of the house of commons of the parliament of the united kingdom, no greater number of members than twenty, holding such offices or places, as aforesaid, shall be capable of sitting in the said house of commons of the parliament of the united kingdom; and if such a number of members shall be returned to serve in the said house as to make the whole number of members of the said house holding such offices or places as aforesaid more than twenty, then and in such case the seats or places of such members as shall have last accepted such offices or places shall be vacated, at the option of such members, so as to reduce the number of members holding such offices or places to the number of twenty; and no person holding any such office or place shall be capable of being elected or of sitting in the said house, while there are twenty persons holding such offices or places sitting in the said house; and that every one of the lords of parliament of the united kingdom, and every member of the house of commons of the united kingdom, in the first and all succeeding parliaments, shall, until the parliament of the united kingdom shall otherwise provide, take the oaths, and make and subscribe the declaration, and take and subscribe the oath now by law enjoined to be taken, made, and subscribed by the lords and commons of the parliament of Great Britain:

That the lords of parliament on the part of *Ireland*, in the house of lords of the united kingdom, shall at all times have the same privileges of parliament which shall belong to the lords of parliament on the part of *Great Britain*; and the lords spiritual and temporal respectively on the part of *Ireland* shall at all times have the same rights in respect of their sitting and voting upon the trial of peers, as the lords spiritual and temporal respectively on the part of *Great Britain*; and that all lords spiritual of *Ireland* shall have rank and precedence next and immediately after the lords spiritual of the same rank and degree of *Great Britain*, and shall enjoy all privileges as fully as the lords spiritual of *Great Britain* do now or may hereafter enjoy the same (the right and privilege of sitting in the house of lords, and the privileges depending thereon, and particularly the right of sitting on the trial of peers, excepted); and that the persons holding any temporal peerages of *Ireland*, existing at the time of the union, shall, from and after the union, have rank and precedence next and immediately after all the persons holding peerages of the like orders and degrees in *Great Britain*, subsisting at the time of the union; and that all peerages of *Ireland* created after the union shall have rank and precedence with the peerages of the united kingdom, so created, according to the dates of their creations; and that all peerages both of *Great Britain* and *Ireland*, now subsisting or hereafter to be created, shall in all other respects, from the date of the union, be considered as peerages of the united kingdom; and that the peers of *Ireland* shall, as peers of the united kingdom, be sued and tried as peers, except as aforesaid, and shall enjoy all privileges of peers as fully as the peers of *Great Britain*; the right and privilege of sitting in the house of lords, and the privileges depending thereon, and the right of sitting on the trial of peers, only excepted:

kingdom created after the union, shall have rank according to creation; and all peerages of *Great Britain* and of *Ireland* shall, in all other respects, be considered as peerages of the united kingdom, and the peers of *Ireland* shall enjoy the same privileges, except those depending upon sitting in the house of lords.

ARTICLE FIFTH.

That it be the fifth article of union, That the churches of *England* and *Ireland*, as now by law established, be united into one protestant episcopal church, to be called, *The United Church of England and Ireland*; and that the doctrine, worship, discipline, and government of the said united church shall be, and shall remain in full force for ever, as the same are now by law established for the church of *England*; and that the continuance and preservation of the said united church, as the established church of *England* and *Ireland*, shall be deemed and taken to be an essential and fundamental part of the union; and that in like manner the doctrine, worship, discipline, and government of the church of *Scotland*, shall remain and be preserved as the same are now established by law, and by the acts for the union of the two kingdoms of *England* and *Scotland*.

The churches of *England* and *Ireland* to be united into one protestant episcopal church, and the doctrine of the church of *Scotland* to remain as now established.

ARTICLE SIXTH.

The subjects of Great Britain and Ireland shall be on the same footing in respect of trade and navigation, and in all treaties with foreign powers the subjects of Ireland shall have the same privileges as British subjects.

From January 1, 1801, all prohibitions and bounties on the export of articles the produce or manufacture of either country to the other shall cease.

All articles the produce or manufacture of either country, not herein-after enumerated as subject to specific duties, shall be imported into each country from the other, duty free, other than the countervailing duties in the schedule No. 1. or to such as shall hereafter be imposed by the united parliament; and for 20 years from the union, the articles in schedule No. 2. shall be subject, on importation into each country, to the duties in the said schedule; and old and new drapery shall pay, on importation into each country, the duty now payable on importation into Ireland; salt, hops, and coals, on importation into Ireland, not exceeding the present duties.

Calicoes and muslins on importation into either country shall

That it be the sixth article of union, That his Majesty's subjects of *Great Britain* and *Ireland* shall, from and after the first day of *January* one thousand eight hundred and one, be entitled to the same privileges, and be on the same footing, as to encouragements and bounties on the like articles being the growth, produce, or manufacture of either country respectively, and generally in respect of trade and navigation in all ports and places in the united kingdom and its dependencies; and that in all treaties made by his Majesty, his heirs and successors, with any foreign power, his Majesty's subjects of *Ireland* shall have the same privileges, and be on the same footing, as his Majesty's subjects of *Great Britain*:

That, from the first day of *January* one thousand eight hundred and one, all prohibitions and bounties on the export of articles, the growth, produce, or manufacture of either country, to the other, shall cease and determine; and that the said articles shall thenceforth be exported from one country to the other, without duty or bounty on such export:

That, from the first day of *January* one thousand eight hundred and one, all prohibitions and bounties on the export of articles, the produce or manufacture of either country to the other shall cease.

That all articles, the growth, produce, or manufacture of either country, (not herein-after enumerated as subject to specific duties), shall from thenceforth be imported into each country from the other, free from duty, other than such countervailing duties on the several articles enumerated in the schedule number one A. and B. hereunto annexed, as are therein specified, or to such other countervailing duties as shall hereafter be imposed by the parliament of the united kingdom, in the manner herein-after provided; and that, for the period of twenty years from the union, the articles enumerated in the schedule number two hereunto annexed, shall be subject, on importation into each country from the other, to the duties specified in the said schedule number two; and the woollen manufactures, known by the names of *Old and New Drapery*, shall pay, on importation into each country from the other, the duties now payable on importation into *Ireland*: salt and hops, on importation into *Ireland* from *Great Britain*, duties not exceeding those which are now paid on importation into *Ireland*; and coals, on importation into *Ireland* from *Great Britain*, shall be subject to burthens not exceeding those to which they are now subject:

That, from the first day of *January* one thousand eight hundred and one, all prohibitions and bounties on the export of articles, the growth, produce, or manufacture of either country, to the other, shall cease and determine; and that the said articles shall thenceforth be exported from one country to the other, without duty or bounty on such export:

That calicoes and muslins shall, on their importation into either country from the other, be subject and liable to the duties now payable on the same on the importation thereof from *Great Britain* into *Ireland*, until the fifth day of *January* one thousand eight

eight hundred and eight; and from and after the said day, the said duties shall be annually reduced, by equal proportions as near as may be in each year, so as that the said duties shall stand at ten *per centum* from and after the fifth day of *January* one thousand eight hundred and sixteen, until the fifth day of *January* one thousand eight hundred and twenty-one: and that cotton yarn and cotton twist shall, on their importation into either country from the other, be subject and liable to the duties now payable upon the same on the importation thereof from *Great Britain* into *Ireland*, until the fifth day of *January* one thousand eight hundred and eight; and from and after the said day, the said duties shall be annually reduced, by equal proportions as near as may be in each year, so that as that all duties shall cease on the said articles from and after the fifth day of *January* one thousand eight hundred and sixteen:

twist shall, on importation into either country, be subject to the duties now payable on importation from *Great Britain* into *Ireland*, until *January* 5, 1808, and shall then be annually reduced, so as that all duties shall cease from *January* 5, 1816.

That any articles of the growth, produce, or manufacture of either country, which are or may be subject to internal duty, or to duty on the materials of which they are composed, may be made subject, on their importation into each country respectively from the other, to such countervailing duty as shall appear to be just and reasonable in respect of such internal duty or duties on the materials; and that for the said purposes the articles specified in the said schedule number one, A. and B. shall be subject to the duties set forth therein, liable to be taken off, diminished, or increased, in the manner herein specified; and that upon the export of the said articles from each country to the other respectively, a drawback shall be given equal in amount to the countervailing duty payable on such articles on the import thereof into the same country from the other; and that in like manner in future it shall be competent to the united parliament to impose any new or additional countervailing duties, or to take off or diminish such existing countervailing duties as may appear, on like principles, to be just and reasonable in respect of any future or additional internal duty on any article of the growth, produce, or manufacture of either country, or of any new or additional duty on any materials of which such article may be composed, or of any abatement of duty on the same; and that when any such new or additional countervailing duty shall be so imposed on the import of any article into either country from the other, a drawback, equal in amount to such countervailing duty, shall be given in like manner on the export of every such article respectively from the same country to the other:

That all articles, the growth, produce, or manufacture of either country, when exported through the other, shall in all cases be exported subject to the same charges as if they had been exported directly from the country of which they were the growth, produce, or manufacture:

Articles of the produce or manufacture of either country, subject to internal duty, or to duty on the materials, may be subjected on importation into each country to countervailing duties, and upon their export a drawback of the duty shall be allowed.

Articles the produce or manufacture of either country when exported through the other, shall be subject to the same charges as if exported directly from the country of which they were the produce or manufacture.

Duty on the import of foreign or colonial goods into either country shall be drawn back, or if any be retained shall be credited to the country to which exported, so long as the expenditure of the united kingdom shall be defrayed by proportional contributions: provided always, That nothing herein shall extend to take away any duty, bounty, or prohibition, which exists with respect to corn, meal, malt, flour, or biscuit; but, that all duties, bounties, or prohibitions, on the said articles, may be regulated, varied, or repealed, from time to time, as the united parliament shall deem expedient.

That all duty charged on the import of foreign or colonial goods into either country shall, on their export to the other, be either drawn back, or the amount, (if any be retained), shall be placed to the credit of the country to which they shall be so exported, so long as the expenditure of the united kingdom shall be defrayed by proportional contributions: provided always, That nothing herein shall extend to take away any duty, bounty, or prohibition, which exists with respect to corn, meal, malt, flour, or biscuit; but, that all duties, bounties, or prohibitions, on the said articles, may be regulated, varied, or repealed, from time to time, as the united parliament shall deem expedient.

SCHEDULE, Number One.

Of the articles to be charged with countervailing duties upon importation from *Ireland* into *Great Britain*, and from *Great Britain* into *Ireland*, respectively, according to the sixth article of union.

A.

On importation into *Great Britain* from *Ireland*.

ARTICLES.

ARTICLES.	Customs.			Excise.		
	£.	s.	d.	£.	s.	d.
BEER.—For every barrel consisting of thirty-six gallons, <i>English</i> beer measure, of <i>Irish</i> beer, ale, or mum, which shall be imported into <i>Great Britain</i> directly from <i>Ireland</i> , and so in proportion for any greater or less quantity, to be paid by the importer thereof	—	—	—	—	8	—
BRICKS and TILES.—For every thousand of <i>Irish</i> bricks	—	—	—	—	5	—
For every thousand of <i>Irish</i> plain tiles	—	—	—	—	4	10
For every thousand of <i>Irish</i> pan or ridge tiles	—	—	—	—	12	10
For every hundred of <i>Irish</i> paving tiles, not exceeding ten inches square	—	—	—	—	2	5
For every hundred of <i>Irish</i> paving tiles exceeding ten inches square	—	—	—	—	4	10
For every thousand of <i>Irish</i> tiles, other than such as are herein-before enumerated and described, by whatsoever name or names such tiles are or may be called or known	—	—	—	—	—	4 10
						CANDLES.—

ARTICLES.

Customs.

Excise.

£. s. d. £. s. d.

CANDLES.—For every pound weight avoirdupois of <i>Irish</i> candles of tallow, and other candles whatsoever (except wax and spermaceti)	—	—	—	1	—	—
For every pound weight avoirdupois of <i>Irish</i> candles, which may be made of wax or spermaceti, or which are usually called or sold either for wax or spermaceti, notwithstanding the mixture of any other ingredient therewith	—	—	—	—	—	3½
CHOCOLATE, &c.—For every pound weight avoirdupois of <i>Irish</i> cocoa, cocoa paste, or chocolate	—	—	—	—	2	—
CORDAGE; <i>videlicet</i> .—To be used as standing rigging or other cordage made from topt hemp, the ton, containing twenty hundred weight	4	10	3	—	—	—
Of any other sort, cable yarn, packthread, and twine, the ton, containing twenty hundred weight	4	4	4	—	—	—
CYDER and PERRY.—For every hoghead, consisting of sixty-three gallons <i>English</i> wine measure, of <i>Irish</i> cyder and perry, which shall be imported as merchandize or for sale, and which shall be sent or consigned to any factor or agent to sell or dispose of	—	—	—	—	19	2
GLASS.—For every square foot superficial measure of <i>Irish</i> plate glass	—	—	—	—	2	2¼
For every hundred weight of <i>Irish</i> flint enamel, stained, paste, or phial glass	—	—	—	2	3	6
For every hundred weight of <i>Irish</i> spread window glass, commonly called <i>Broad Glass</i>	—	—	—	—	8	1
For every hundred weight of <i>Irish</i> window glass (not being spread glass) whether flashed or otherwise manufactured, and commonly called or known by the name of <i>Crown Glass</i> , or <i>German Sheet Glass</i>	—	—	—	1	9	9
For every hundred weight of vessels made use of in chemical laboratories, and of garden glasses, and of all other vessels or utensils of common bottle metal, manufactured in <i>Ireland</i> , common bottles excepted	—	—	—	—	4	—
For every hundred weight of any sort or species of <i>Irish</i> glass, not herein-before enumerated or described	—	—	—	—	2	2
Bottles of common green glass, the dozen quarts	—	—	—	—	—	9

U U 2

HOPS.

ARTICLES.	Customs.			Excise.		
	£.	s.	d.	£.	s.	d.
HOPS.—For every pound weight avoirdupois of <i>Irish</i> hops	—	—	—	—	—	1½
LEATHER, unmanufactured. — For every pound weight avoirdupois of hides, of what kind soever, and of calf skins, kips, hog skins, dog skins, and seal skins, tanned in <i>Ireland</i> , and of sheep skins and lamb skins so tanned for gloves and bazils, which shall be imported in the whole hide or skin, and neither cut nor diminished in any respect whatever	—	—	—	—	—	1½
For every dozen of goat skins tanned in <i>Ireland</i> to resemble <i>Spanish</i> leather	—	—	—	—	4	—
For every dozen of sheep skins tanned in <i>Ireland</i> for roans, being after the nature of <i>Spanish</i> leather	—	—	—	—	2	3
For every pound weight avoirdupois of all other hides or skins not herein-before enumerated and described, and of all pieces and parts of hides or skins which shall be tanned in <i>Ireland</i>	—	—	—	—	—	6
For all hides of horses, mares, and geldings, which shall be dressed in allum and salt or meal, or otherwise tawed in <i>Ireland</i> , for each and every such hide	—	—	—	—	1	6
For all hides of steers, cows, or any other hides of what kind soever (those of horses, mares, and geldings excepted) which shall be dressed in allum and salt, or meal, or otherwise tawed in <i>Ireland</i> , for each and every such hide	—	—	—	—	—	3
For every pound weight avoirdupois of all calf skins, kips, and seal skins, which shall be so dressed in allum and salt, or meal, or otherwise tawed in <i>Ireland</i> , and imported into <i>Great Britain</i> , in the whole skin, neither cut nor diminished in any respect whatever	—	—	—	—	—	1½
For every dozen of flink calf skins which shall be so dressed in allum and salt, or meal, or otherwise tawed with the hair on, in <i>Ireland</i>	—	—	—	—	—	3
For every dozen of flink calf skins which shall be so dressed in allum and salt, or meal, or otherwise tawed without hair, in <i>Ireland</i> , and for every dozen of dog skins and kid skins, which shall be	—	—	—	—	—	—

dressed

ARTICLES.

Customs.

Excise.

£. s. d. £. s. d.

dressed in allum and salt, or meal, or otherwise tawed in <i>Ireland</i> - - -	—	—	—	1	—	—
For every pound weight avoirdupois of buck and doe skins, which shall be dressed in allum and salt, or meal, or otherwise tawed in <i>Ireland</i> , and which shall be imported in the whole skin, and neither cut nor diminished in any respect whatever - - -	—	—	—	—	6	—
For every dozen of goat skins and beaver skins, which shall be dressed in allum and salt, or meal, or otherwise tawed in <i>Ireland</i> - - -	—	—	—	2	—	—
For every pound weight avoirdupois of sheep skins and lamb skins, which shall be dressed in allum and salt, or meal, or otherwise tawed in <i>Ireland</i> , and which shall be imported in the whole skin, and neither cut nor diminished in any respect whatever - - -	—	—	—	—	—	1½
For every pound weight avoirdupois of all other hides and skins, not herein-before enumerated and described, and of all pieces or parts of hides or skins, which shall be dressed in allum and salt, or meal, or otherwise tawed in <i>Ireland</i> - - -	—	—	—	—	6	—
For every pound weight avoirdupois of all buck, deer, and elk skins, which shall be dressed in oil in <i>Ireland</i> , and imported in the whole skin, and neither cut nor diminished in any respect whatever - - -	—	—	—	1	—	—
For every pound weight avoirdupois of all sheep and lamb skins, which shall be dressed in oil in <i>Ireland</i> - - -	—	—	—	—	3	—
For every pound weight avoirdupois of all other hides and skins, and parts and pieces of hides and skins, which shall be dressed in oil in <i>Ireland</i> - - -	—	—	—	—	6	—
For every dozen of <i>Irish</i> vellum - - -	—	—	—	3	5½	—
For every dozen of <i>Irish</i> parchment - - -	—	—	—	1	8½	—
LEATHER, manufactured into goods and wares:						
For every poundweight avoirdupois of tanned leather, manufactured and actually made into goods or wares in <i>Ireland</i> - - -	—	—	—	—	—	1½
For every pound weight avoirdupois of <i>Irish</i> made boots and shoes, and gloves, and other manufactures made of tawed or dressed leather - - -	—	—	—	—	—	—

ARTICLES.

Customs. Excise.

	£.	s.	d.	£.	s.	d.
For every pound weight avoirdupois of all buck and deer skins, and elk skins, dressed in oil and manufactured into goods and wares in <i>Ireland</i>	—	—	—	1	—	—
For every pound weight avoirdupois of all sheep and lamb skins, dressed in oil and manufactured into goods or wares in <i>Ireland</i>	—	—	—	—	—	3
For every pound weight avoirdupois of all other hides and skins, not herein-before enumerated or described, dressed in oil and manufactured into goods or wares in <i>Ireland</i>	—	—	—	—	—	6
MEAD or METHEGLIN.—For every gallon, <i>English</i> wine measure, of <i>Irish</i> mead or metheglin	—	—	—	1	—	$\frac{1}{2}$
PAPER.—For every pound weight avoirdupois of <i>Irish</i> paper, fit or proper, or that may be used for or applied to the uses or purposes of writing, drawing, and printing, or either of them, and of all <i>Irish</i> elephant papers and cartridge papers	—	—	—	—	—	2 $\frac{1}{2}$
For every pound weight avoirdupois of <i>Irish</i> coloured papers and whited brown papers (other than and except elephant and cartridge papers) fit and proper for the use and purpose of wrapping up goods, and not fit or proper or capable of being used for or applied to the purposes of writing, drawing, and printing, or either of them	—	—	—	—	—	1
For every pound weight avoirdupois of <i>Irish</i> brown paper, fit and proper for the use and purpose of wrapping up goods, and not fit or proper or capable of being used for or applied to the uses and purposes of writing, drawing, and printing, or either of them	—	—	—	—	—	$\frac{1}{2}$
For every pound weight avoirdupois of every sort or kind of <i>Irish</i> paper, not herein-before enumerated or described, sheathing, and button paper and button board excepted	—	—	—	—	—	2 $\frac{1}{2}$
For every one hundred weight of <i>Irish</i> pasteboard, millboard, and scaleboard	—	—	—	10	—	6
For every one hundred weight of <i>Irish</i> glazed papers for clothiers and hot pressers	—	—	—	—	—	6

For

ARTICLES.

Customs. Excise.

£. s. d. £. s. d.

For every pound weight avoirdupois of books, bound or unbound, and of maps or prints, which shall be imported into <i>Great Britain</i> directly from <i>Ireland</i>	—	—	—	—	2
PRINTED GOODS. —For every yard square of <i>Irish</i> printed, painted, or stained papers, to serve for hangings, or other uses	—	—	—	—	1½
For every yard in length, reckoning yard wide, of foreign callicoes and foreign muslins, which shall be printed, painted, stained, or dyed in <i>Ireland</i> (except such as shall be dyed throughout of one colour), over and above any duty of customs payable on the importation of foreign callicoes and muslins	—	—	—	—	7
For every yard in length, reckoning yard wide, of all <i>Irish</i> printed, painted, stained, or dyed <i>Irish</i> -made callicoes, muslins, linens, and stuffs, made either of cotton or linen, mixed with other materials, fustians, velvets, velverets, dimities, and other figured stuffs, made of cotton and other materials, mixed or wholly made of cotton wool (except such as shall be dyed throughout of one colour only)	—	—	—	—	3½
For every yard in length, reckoning yard wide, of all <i>Irish</i> printed, stained, painted, or dyed <i>Irish</i> -made stuffs not before enumerated or described (except such as shall be dyed throughout of one colour only and except stuffs made of woollen, or whereof the greatest part in value shall be woollen)	—	—	—	—	3½
For every yard in length, reckoning half yard wide, of all <i>Irish</i> printed, stained, painted, or dyed silks, (silk handkerchiefs excepted) over and above any duty of customs payable on the importation of silk	—	—	—	1	1½
For every yard square of <i>Irish</i> printed, stained, painted, or dyed silk handkerchiefs, and so in proportion for wide or narrow silk handkerchiefs, over and above every duty of customs payable on silk	—	—	—	—	4½
SALT. —For every bushel, consisting of	—	—	—	—	—

ARTICLES.

	Customs.			Excise.		
	£.	s.	d.	£.	s.	d.
fifty-six pounds weight avoirdupois, of <i>Irish</i> salt, or <i>Irish Glauber</i> or <i>Irish Epsom</i> salt	—	—	—	10	—	—
For every bushel, consisting of sixty-five pounds weight avoirdupois, of <i>Irish</i> rock salt	—	—	—	10	—	—
SILK.—Manufactures of ribbons and stuffs of silk only, the pound, containing sixteen ounces	—	5	—	—	—	—
Note, Two-thirds of the weight of gauze and one-third of the weight of crape, is to be deducted for gum and drefs.						
Silk and ribbons of silk, mixed with gold or silver, the pound, containing sixteen ounces	—	6	8	—	—	—
Silk stockings, silk gloves, silk fringe, silk laces, stitching or sewing silk, the pound containing sixteen ounces	—	3	—	—	—	—
Silk, manufactures of, not otherwise enumerated or described, the pound, containing sixteen ounces	—	4	—	—	—	—
Stuffs of silk and program yarn, the pound, containing sixteen ounces	—	1	2	—	—	—
Stuffs of silk mixed with inkle or cotton, the pound, containing sixteen ounces	—	1	8	—	—	—
Stuffs of silk and worsted, the pound, containing sixteen ounces	—	—	10	—	—	—
Stuffs of silk mixed with any other material, the pound, containing sixteen ounces	—	1	3	—	—	—
SOAP.—For every pound weight avoirdupois of <i>Irish</i> hard, cake, or ball soap	—	—	—	—	—	2½
For every pound weight of <i>Irish</i> soft soap	—	—	—	—	—	1½
SPIRITS, BRITISH.—For every gallon, <i>English</i> wine measure, of spirits, <i>aqua vitæ</i> , or strong waters, which shall be distilled or made in <i>Ireland</i> , and imported at a strength not exceeding one to ten over hydrometer proof	—	—	—	5	—	1½
Note.—Spirits above the strength of one to ten will be charged in proportion; and on sweetened or compounded spirits, the duty will be computed upon the highest degree of strength at which such spirits can be made.						
STARCH.—For every pound weight of <i>Irish</i> starch or hair powder, of what kind soever	—	—	—	—	—	3½
SUGARS.—Refined; <i>videlicet</i> , called	—	—	—	—	—	—

Boftards,

ARTICLES.

Customs.

Excise.

	£.	s.	d.	£.	s.	d.
<i>Bastards</i> , whole or ground, the hundred weight			18		2	
Lumps, the hundred weight	1	14	— $\frac{1}{2}$			
Single loaf, the hundred weight	1	16	4			
Powder loaf and double loaf, the hundred weight	1	19	1			
Sugar candy, brown, the hundred weight	1	14	— $\frac{1}{2}$			
Sugar candy, white, the hundred weight	1	19	1			
Sugar, refined, of any other sort, the hundred weight	1	19	1			
SWEETS.—For every barrel, consisting of thirty-one gallons and a half, <i>English</i> wine measure, of <i>Irish</i> sweets, or other <i>Irish</i> liquor, made by infusion, fermentation, or otherwise, from fruit or sugar, or from fruit or sugar mixed with any other materials or ingredients whatsoever, commonly called <i>Sweets</i> , or called or distinguished by the name of <i>Made Wines</i>			—	2	2	—
TOBACCO and SNUFF.—For every pound weight avoirdupois of unmanufactured tobacco, of the growth or produce of <i>Ireland</i> , over and above any duty of customs			—		1	1
For every pound weight avoirdupois of <i>Irish</i> manufactured short cut tobacco, or tobacco manufactured into what is commonly called or known by the name of <i>Spanish</i>			—		1	7
For every pound weight avoirdupois of <i>Irish</i> manufactured shag tobacco			—		1	5 $\frac{1}{2}$
For every pound weight avoirdupois of <i>Irish</i> manufactured roll tobacco			—		1	7
For every pound weight avoirdupois of <i>Irish</i> manufactured carrot tobacco			—		1	5 $\frac{1}{2}$
For every pound weight avoirdupois of every other sort of <i>Irish</i> manufactured tobacco, not herein-before enumerated or described			—		1	7
For every pound weight avoirdupois of <i>Irish</i> manufactured rappee snuff			—		1	4 $\frac{1}{2}$
For every pound weight avoirdupois of <i>Irish</i> manufactured <i>Scotch</i> snuff			—		1	10 $\frac{1}{2}$
For every pound weight avoirdupois of <i>Irish</i> manufactured brown <i>Scotch</i> snuff			—		1	3 $\frac{1}{2}$
For every pound weight avoirdupois of <i>Irish</i> manufactured tobacco stalk flour			—		1	9
For every pound weight avoirdupois of every other sort or kind of <i>Irish</i> manu-						

ARTICLES.	Customs.			Excise.		
	£.	s.	d.	£.	s.	d.
factured snuff, or snuff work, not here- in-before enumerated or described	—	—	—	1	10½	—
Tobacco unmanufactured, the pound	—	—	6 ⁶ / ₁₀	—	—	—
VERJUICE.—For every hoghead con- sisting of sixty-three gallons <i>English</i> wine measure, of <i>Irish</i> verjuice	—	—	—	7	8	—
VINEGAR.—For every barrel consist- ing of thirty-four gallons, <i>English</i> beer measure, of <i>Irish</i> vinegar	—	—	—	12	8 ^r	—
WIRE.—For every ounce troy weight of <i>Irish</i> gilt wire	—	—	—	—	9½	—
For every ounce troy of <i>Irish</i> silver wire	—	—	—	—	7	—
For every pound weight avoirdupois of <i>Irish</i> gold thread, gold lace, or gold fringe, made of plate wire spun upon silk	—	—	—	7	8	—
For every pound weight avoirdupois of <i>Irish</i> silver thread, silver lace, or silver fringe, made of plate wire spun upon silk	—	—	—	5	9	—

B.

On importation into *Ireland* from *Great Britain*.

BEER.—For and upon every barrel containing thirty-two gallons, imported from <i>Great Britain</i>	—	4	6	—	—	—
GLASS BOTTLES.—For and upon each reputed quart	—	—	—	—	—	½
LEATHER, unmanufactured.—For and upon each pound in every hide or skin, or piece of any such hide or skin of what kind or denomination soever, other than such as are herein-after mentioned and described	—	—	—	—	—	1
For and upon each hide of horses, mares, or geldings	—	1	—	—	—	—
For and upon all skins called veal skins, and all skins of hogs, for every dozen skins thereof, and after the same rate for any greater or less quantity	—	5	—	—	—	—
For and upon all skins for shoes and other like pur- poses, and all seal skins, for every dozen thereof, and after the same rate for any greater or less quantity	—	—	—	—	2	6
For and upon all skins for bookbinders use, for every dozen thereof, and after the same rate for any greater or less quantity	—	—	—	—	—	1
For and upon all goat skins tanned with shumack, or otherwise to resemble <i>Spanish</i> leather, and all sheep skins tanned for roans, being after the nature of	—	—	—	—	—	—

Spanish

ARTICLES.

	£.	s.	d.
<i>Spanish</i> leather, for every pound weight avoirdupois	—	—	1
For and upon all sheep and lamb skins tanned for gloves and basils, for every pound weight avoirdupois, and so in proportion for any greater or less quantity	—	—	½
LEATHER, dressed in oil.—For and upon every hide and skin, and piece of such hide and skin, other than such as are herein-after mentioned or described, for every pound weight avoirdupois	—	—	2
For and upon all deer skins, goat skins, and beaver skins, for every pound weight thereof avoirdupois	—	—	3
For and upon all calf skins, for every pound weight thereof avoirdupois	—	—	2
For and upon all sheep and lamb skins, for every pound weight avoirdupois	—	—	½
VELLUM and PARCHMENT.—For and upon every dozen skins of vellum	—	—	6
For and upon every dozen skins of parchment	—	—	3
LEATHER, manufactured into goods and wares.— For and upon all tanned leather manufactured into goods and wares, whereof leather is the most valuable part, the following duties; <i>videlicet</i> ,			
For and upon every pound weight avoirdupois of tanned leather, manufactured and actually made into goods and wares in <i>Great Britain</i> , of leather only, or of which leather makes the most valuable part	—	—	1
For and upon every pound weight avoirdupois of tawed or dressed leather, manufactured and actually made in <i>Great Britain</i> , of leather only, or of which leather makes the most valuable part	—	—	1
For and upon every pound weight avoirdupois of all buck and deer skins, and elk skins, dressed in oil, and manufactured into goods and wares in <i>Great Britain</i> , of leather only, or of which leather makes the most valuable part	—	—	3
For and upon every pound weight avoirdupois of all sheep and lamb skins dressed in oil, and manufactured into goods and wares in <i>Great Britain</i> , of leather only, or of which leather makes the most valuable part	—	—	½
For and upon every pound weight avoirdupois of all other hides and skins, not herein-before enumerated or described, dressed in oil, and manufactured into goods and wares in <i>Great Britain</i> , of leather only, or of which leather makes the most valuable part	—	—	2
PAPER.—For and upon every pound weight avoirdupois of paper, fit or proper for, or that may be			

ARTICLES.

	£.	s.	d.
used for or applied to the uses or purposes of writing, drawing, or printing, or either of them, and all elephant paper, and all cartridge paper	—	—	2½
For every pound weight avoirdupois of all coloured paper, and whited-brown papers, other than and except elephant and cartridge paper, fit or proper for the uses or purposes of wrapping up goods, and not fit or proper, or capable of being used for or applied to the uses or purposes of writing, drawing, and printing, or either of them, and also except paper hangings	—	—	1
For every pound weight avoirdupois of brown paper, fit and proper for the use or purpose of wrapping up goods, and not fit or proper or capable of being used for or applied to the uses or purposes of writing, drawing, or printing, or either of them	—	—	½
For and upon every one hundred weight of glazed paper for clothiers and hotpressers, and so in proportion for any greater or less quantity	—	5	—
For and upon every one hundred weight of paste-board, millboard, and scaleboard, and so in proportion for any greater or less quantity	—	10	—
For and upon every pound weight of every sort or kind of paper, not herein-before particularly enumerated or described, other than and except papers commonly called or known by the names of <i>Sheathing Paper</i> , and <i>Button Paper</i> or <i>Button Board</i> , and <i>Paper Hangings</i>	—	—	2½
STAINED PAPER.—For and upon every square yard of printed, painted, or stained paper, for hangings or other uses, and so in proportion for any greater or less quantity	—	—	1
For and upon every pound weight avoirdupois of books bound or unbound, and of maps or prints, which shall be imported into <i>Ireland</i> from <i>Great Britain</i>	—	—	2
CARDS.—For and upon every pack of printed, painted, or playing cards, made or manufactured in <i>Great Britain</i>	—	—	1 5
And a further duty of 2½d. per pound weight.			
DICE.—For and upon every pair of dice made or manufactured in <i>Great Britain</i>	—	10	—
WROUGHT PLATE.—For and upon every ounce troy weight of gold or silver plate, which shall be wrought, made, or manufactured in <i>Great Britain</i> , and imported into <i>Ireland</i>	—	—	6
SILK MANUFACTURE.—For and upon all silks being of the manufacture of <i>Great Britain</i> , and imported directly from thence, the following duties; <i>videlicet</i> ,			

For

ARTICLES.

	£.	s.	d.
For and upon all ribbons and stuffs of silks only, for every pound weight thereof containing sixteen ounces	—	2	1
For and upon all silk and ribbons of silk, mixed with gold or silver, for every pound weight thereof containing sixteen ounces	—	2	9
For and upon all silk stockings, silk gloves, silk fringe, silk laces, stitching and sewing silk, for every pound weight thereof containing sixteen ounces	—	1	3
For and upon all manufactures of silk not otherwise enumerated or described, for every pound weight thereof containing sixteen ounces	—	1	8
For and upon all stuffs of silk and program yarn, the pound weight containing sixteen ounces	—	—	6
For and upon all stuffs of silk mixed with incl or cotton, the pound weight containing sixteen ounces	—	—	9
For and upon all stuffs of silk and worsted mixed, the pound weight containing sixteen ounces	—	—	4
For and upon all stuffs of silk mixed with any other material, the pound weight containing sixteen ounces	—	—	6½
SPIRITS. —For and upon every gallon of spirits, being of the manufacture of <i>Great Britain</i> , and imported from thence, a duty of	—	3	7
SUGAR, Refined —of the manufacture of <i>Great Britain</i> , and imported directly from thence, the following duties; <i>videlicet</i> ,			
For and upon all sugar called <i>Bastards</i> , white or ground, the hundred weight containing 112 pounds	—	19	8
For and upon all sugar called <i>Lumps</i> , the hundred weight containing 112 pounds	1	16	10½
For and upon all sugar called <i>Single Loaf Sugar</i> , the hundred weight containing 112 pounds	1	19	4
For and upon all sugar called <i>Powder Loaf</i> and <i>Double Loaf</i> , the hundred weight containing 112 pounds	2	2	4
For and upon all sugar called <i>Sugar Candy</i> , brown, the hundred weight containing 112 pounds	1	16	10
For and upon all sugar called <i>Sugar Candy</i> , white, the hundred weight containing 112 pounds	2	2	4
For and upon all sugar refined of any other sort, the hundred weight containing 112 pounds	2	2	4
SWEETS. —For and upon every barrel, containing thirty-two gallons wine measure, of <i>British</i> sweets, or other <i>British</i> liquor made by infusion, fermentation, or otherwise, from fruit or sugar, or from fruit and sugar mixed with any other material or			

ARTICLES.

	£.	s.	d.
ingredients whatsoever, commonly called <i>Sweets</i> , or called or distinguished by the name of <i>Made Wines</i>	—	10	—
For and upon every gallon of mead or metheglin	—	—	4
For and upon every barrel, containing thirty-two gallons, of vinegar	—	3	—
TOBACCO and SNUFF.—For and upon every pound weight avoirdupois of unmanufactured tobacco, of the growth or produce of <i>Great Britain</i> , over and above any duty of customs now payable	—	—	5
For and upon every pound weight of <i>British</i> manufactured short cut tobacco, or tobacco manufactured into what is commonly called or known by the name of <i>Spanish</i>	—	1	— $\frac{7}{16}$
For and upon every pound weight of <i>British</i> manufactured shag tobacco cut	—	—	11
For and upon every pound weight of <i>British</i> manufactured roll tobacco	—	1	— $\frac{7}{16}$
For and upon every pound weight of <i>British</i> manufactured carrot tobacco	—	—	11
For and upon every pound weight of every other sort of <i>British</i> manufactured tobacco not herein-before enumerated or described	—	1	— $\frac{7}{16}$
For and upon every pound weight avoirdupois of <i>British</i> manufactured rappee snuff	—	—	10 $\frac{1}{2}$
For and upon every pound weight of <i>British</i> manufactured snuff called <i>Scotch Snuff</i>	—	1	4
For and upon every pound weight of <i>British</i> manufactured snuff called <i>Brown Scotch Snuff</i>	—	—	9 $\frac{1}{2}$
For and upon every pound weight of <i>British</i> manufactured stalk flour	—	1	3
For and upon every pound weight of every other sort or kind of <i>British</i> manufactured snuff, or snuff work, not herein-before enumerated or described	—	1	4

SCHEDULE.—Number Two.

Of the articles charged with the duties specified upon importation into *Great Britain* and *Ireland* respectively, according to the sixth article of union.

Apparel	} 10% per cent. on the true value.
Brass, wrought	
Cabinet ware	
Coaches and other carriages	
Copper, wrought	
Cottons, other than calicoes and muslins	
Glass	
Haberdashery	

Haberdathery	-	-	-	-	} 10 <i>s.</i> per cent. on the true value.
Hats	-	-	-	-	
Tin plates, wrought iron and hard ware	-	-	-	-	
Gold and silver lace, gold and silver thread, bullion for lace, pearl, and spangles	-	-	-	-	
Millinery	-	-	-	-	
Paper stained	-	-	-	-	
Pottery	-	-	-	-	
Saddlery and other manufactured leather	-	-	-	-	
Silk manufacture	-	-	-	-	
Stockings	-	-	-	-	

ARTICLE SEVENTH.

That it be the seventh article of union, that the charge arising from the payment of the interest, and the sinking fund for the reduction of the principal, of the debt incurred in either kingdom before the union, shall continue to be separately defrayed by *Great Britain* and *Ireland* respectively, except as herein-after provided :

That for the space of twenty years after the union shall take place, the contribution of *Great Britain* and *Ireland* respectively, towards the expenditure of the united kingdom in each year, shall be defrayed in the proportion of fifteen parts for *Great Britain* and two parts for *Ireland*; and that at the expiration of the said twenty years, the future expenditure of the united kingdom (other than the interest and charges of the debt to which either country shall be separately liable) shall be defrayed in such proportion as the parliament of the united kingdom shall deem just and reasonable upon a comparison of the real value of the exports and imports of the respective countries, upon an average of the three years next preceding the period of revision; or on a comparison of the value of the quantities of the following articles consumed within the respective countries, on a similar average; *videlicet*, beer, spirits, sugar, wine, tea, tobacco, and malt; or according to the aggregate proportion resulting from both these considerations combined; or on a comparison of the amount of income in each country, estimated from the produce for the same period of a general tax, if such shall have been imposed on the same descriptions of income in both countries; and that the parliament of the united kingdom shall afterwards proceed in like manner to revise and fix the said proportions according to the same rules, or any of them, at periods not more distant than twenty years, nor less than seven years from each other; unless, previous to any such period, the parliament of the united kingdom shall have declared, as herein-after provided, that the expenditure of the united kingdom shall be defrayed indiscriminately, by equal taxes imposed on the like articles in both countries: that, for the defraying the said expenditure according to the rules above laid down, the revenues of *Ireland* shall hereafter constitute a consolidated fund, which shall be charged, in the first instance,

The interest and the sinking fund for reduction of the debt of either kingdom, shall continue to be defrayed separately. The expenditure of the united kingdom to be defrayed and provided for as herein specified.

with

with the interest of the debt of *Ireland*, and with the sinking fund applicable to the reduction of the said debt, and the remainder shall be applied towards defraying the proportion of the expenditure of the united kingdom, to which *Ireland* may be liable in each year: that the proportion of contribution to which *Great Britain* and *Ireland* will be liable, shall be raised by such taxes in each country respectively, as the parliament of the united kingdom shall from time to time deem fit: provided always, That in regulating the taxes in each country, by which their respective proportions shall be levied, no article in *Ireland* shall be made liable to any new or additional duty, by which the whole amount of duty payable thereon would exceed the amount which will be thereafter payable in *England* on the like article: that, if at the end of any year any surplus shall accrue from the revenues of *Ireland*, after defraying the interest, sinking fund, and proportional contribution and separate charges to which the said country shall then be liable, taxes shall be taken off to the amount of such surplus, or the surplus shall be applied by the parliament of the united kingdom to local purposes in *Ireland*, or to make good any deficiency which may arise in the revenues of *Ireland* in time of peace, or be invested, by the commissioners of the national debt of *Ireland*, in the funds, to accumulate for the benefit of *Ireland* at compound interest, in case of the contribution of *Ireland* in time of war; provided that the surplus so to accumulate shall at no future period be suffered to exceed the sum of five millions: that all monies to be raised after the union, by loan, in peace or war, for the service of the united kingdom by the parliament thereof, shall be considered to be a joint debt, and the charges thereof shall be borne by the respective countries in the proportion of their respective contributions; provided that, if at any time, in raising their respective contributions hereby fixed for each country, the parliament of the united kingdom shall judge it fit to raise a greater proportion of such respective contributions in one country within the year than in the other, or to set apart a greater proportion of sinking fund for the liquidation of the whole or any part of the loan raised on account of the one country than of that raised on account of the other country, then such part of the said loan, for the liquidation of which different provisions shall have been made for the respective countries, shall be kept distinct, and shall be borne by each separately, and only that part of the said loan be deemed joint and common, for the reduction of which the respective countries shall have made provision in the proportion of their respective contributions: that, if at any future day the separate debt of each country respectively shall have been liquidated, or, if the values of their respective debts (estimated according to the amount of the interest and annuities attending the same, and of the sinking fund applicable to the reduction thereof, and to the period within which the whole capital of such debt shall appear to be redeemable by such sinking fund) shall be to each other in the same proportion with the respective contributions of each country respectively; or if the amount by which the value of the larger

larger of such debts shall vary from such proportion, shall not exceed one hundredth part of the said value; and if it shall appear to the parliament of the united kingdom, that the respective circumstances of the two countries will thenceforth admit of their contributing indiscriminately, by equal taxes imposed on the same articles in each, to the future expenditure of the united kingdom, it shall be competent to the parliament of the united kingdom to declare, that all future expence thenceforth to be incurred, together with the interest and charges of all joint debts contracted previous to such declaration, shall be so defrayed indiscriminately by equal taxes imposed on the same articles in each country, and thenceforth from time to time, as circumstances may require, to impose and apply such taxes accordingly, subject only to such particular exemptions or abatements in *Ireland*, and in that part of *Great Britain* called *Scotland*, as circumstances may appear from time to time to demand: that, from the period of such declaration, it shall no longer be necessary to regulate the contribution of the two countries towards the future expenditure of the united kingdom, according to any specifick proportion, or according to any of the rules hereinbefore prescribed; provided nevertheless, that the interest or charges which may remain on account of any part of the separate debt with which either country shall be chargeable, and which shall not be liquidated or consolidated proportionably as above, shall, until extinguished, continue to be defrayed by separate taxes in each country: that a sum, not less than the sum which has been granted by the parliament of *Ireland* on the average of six years immediately preceding the first day of *January* in the year one thousand eight hundred, in premiums for the internal encouragement of agriculture or manufactures, or for the maintaining institutions for pious and charitable purposes, shall be applied, for the period of twenty years after the union, to such local purposes in *Ireland*, in such manner as the parliament of the united kingdom shall direct: that, from and after the first day of *January* one thousand eight hundred and one, all publick revenue arising to the united kingdom from the territorial dependencies thereof, and applied to the general expenditure of the united kingdom, shall be so applied in the proportions of the respective contributions of the two countries:

ARTICLE EIGHTH.

That it be the eighth article of union, That all laws in force at the time of the union, and all the courts of civil and ecclesiastical jurisdiction within the respective kingdoms, shall remain as now by law established within the same, subject only to such alterations and regulations from time to time as circumstances may appear to the parliament of the united kingdom to require; provided that all writs of error and appeals, depending at the time of the union or hereafter to be brought, and which might now be finally decided by the house of lords of either kingdom, shall, from and after the union, be finally decided by the house

All laws in force at the union, and all courts of jurisdiction within the respective kingdoms, shall remain, subject to such alterations as may appear proper to the united parliament.

All appeals to be finally decided by the peers of the united kingdom.

There shall remain in Ireland a court of admiralty, and appeals therefrom shall be to the delegates in chancery there. All laws contrary to the provisions enacted

of lords of the united kingdom; and provided, That, from and after the union, there shall remain in *Ireland* an instance court of admiralty, for the determination of causes, civil and maritime only, and that the appeal from sentences of the said court shall be to his Majesty's delegates in his court of chancery in that part of the united kingdom called *Ireland*; and that all laws at present in force in either kingdom, which shall be contrary to any of the provisions which may be enacted by any act for carrying these articles into effect, be from and after the union repealed.

for carrying these articles into effect to be repealed.

His Majesty having been pleased to approve of the foregoing articles, it is enacted, That they shall be the articles of union, and be in force for ever, from Jan. 1, 1801; provided that before that period an act shall have been passed in Ireland for carrying them into effect.

Recital of an act of the parliament of Ireland to regulate the mode by which the lords and the commons, to serve in the parliament of the united kingdom on the part of Ireland, shall be summoned and returned.

And whereas the said articles having, by address of the respective houses of parliament in Great Britain and Ireland, been humbly laid before his Majesty, his Majesty has been graciously pleased to approve the same; and to recommend it to his two houses of parliament in Great Britain and Ireland to consider of such measures as may be necessary for giving effect to the said articles: in order, therefore, to give full effect and validity to 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 the said foregoing recited articles, each and every one of them, according to the true import and tenor thereof, be ratified, confirmed, and approved, and be and they are hereby declared to be the articles of the union of Great Britain and Ireland, and the same shall be in force and have effect for ever, from the first day of January which shall be in the year of our Lord one thousand eight hundred and one; provided that before that period an act shall have been passed by the parliament of Ireland, for carrying into effect, in the like manner, the said foregoing recited articles.

H. And whereas an act, intituled, An act to regulate the mode by which the lords spiritual and temporal, and the commons, to serve in the parliament of the united kingdom on the part of Ireland, shall be summoned and returned to the said parliament, has been passed by the parliament of Ireland; the tenor whereof is as follows; 'An act to regulate the mode by which the lords spiritual and temporal, and the commons to serve in the parliament of the united kingdom on the part of Ireland, shall be summoned and returned to the said parliament. Whereas it is agreed by the fourth article of union, That four lords spiritual of Ireland, by rotation of sessions, and twenty-eight lords temporal of Ireland, elected for life by the peers of Ireland, shall be the number to sit and vote on the part of Ireland in the house of lords of the parliament of the united kingdom; and one hundred commoners (two for each county of Ireland, two for the city of Dublin, two for the city of Cork, one for the college of the Holy Trinity of Dublin, and one for each of the thirty-one most considerable cities, towns, and boroughs) be the number to sit and vote on

the part of *Ireland* in the house of commons of the parliament of the united kingdom; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That the said four lords spiritual shall be taken from among the lords spiritual of *Ireland* in the manner following; that is to say, That one of the four archbishops of *Ireland*, and three of the eighteen bishops of *Ireland*, shall sit in the house of lords of the united parliament in each session thereof, the said right of sitting being regulated as between the said archbishops respectively by a rotation among the archiepiscopal sees from session to session, and in like manner that of the bishops by a like rotation among the episcopal sees: That the primate of all *Ireland* for the time being shall sit in the first session of the parliament of the united kingdom, the archbishop of *Dublin* for the time being in the second, the archbishop of *Cashel* for the time being in the third, the archbishop of *Tuam* for the time being in the fourth, and so by rotation of sessions for ever, such rotation to proceed regularly and without interruption from session to session, notwithstanding any dissolution or expiration of parliament: that three suffragan bishops shall in like manner sit according to rotation of their sees, from session to session, in the following order; the lord bishop of *Meath*, the lord bishop of *Kildare*, the lord bishop of *Derry*, in the first session of the parliament of the united kingdom; the lord bishop of *Raphoe*, the lord bishop of *Limerick*, *Ardfert*, and *Aghadoc*, the lord bishop of *Dromore*, in the second session of the parliament of the united kingdom; the lord bishop of *Elphin*, the lord bishop of *Down* and *Connor*, the lord bishop of *Waterford* and *Lismore*, in the third session of the parliament of the united kingdom; the lord bishop of *Leighlin* and *Ferns*, the lord bishop of *Cloyne*, the lord bishop of *Cork* and *Ross*, in the fourth session of the parliament of the united kingdom; the lord bishop of *Killaloe* and *Kilfenora*, the lord bishop of *Kilmore*, the lord bishop of *Clogher*, in the fifth session of the parliament of the united kingdom; the lord bishop of *Offory*, the lord bishop of *Killala* and *Achonry*, the lord bishop of *Clonsfert* and *Kilmacduagh*, in the sixth session of the parliament of the united kingdom; the said rotation to be nevertheless subject to such variation therefrom from time to time as is herein-after provided: that the said twenty-eight lords temporal shall be chosen by all the temporal peers of *Ireland* in the manner herein-after provided; that each of the said lords temporal so chosen shall be entitled to sit in the house of lords of the parliament of the united kingdom during his life; and in case of his death, or forfeiture of any of the said lords temporal, the temporal peers of *Ireland* shall, in the manner herein-after provided, choose another peer out of their own number to supply the place so vacant. And be it enacted, That of the one hundred commoners to sit on the part of *Ireland* in the united parliament, sixty-four shall be chosen for the counties, and thirty-six for the following cities and boroughs,

Anno regni quadragesimo GEORGI II. c. 67. [1800.
videlicet: For each county of *Ireland* two; for the city of *Dublin* two; for the city of *Cork* two; for the college of the Holy Trinity of *Dublin* one; for the city of *Watersford* one; for the city of *Limerick* one; for the borough of *Belfast* one; for the county and town of *Drogheda* one; for the county and town of *Carrickfergus* one; for the borough of *Newry* one; for the city of *Kilkenny* one; for the city of *Londonderry* one; for the town of *Galway* one; for the borough of *Clonmell* one; for the town of *Wexford* one; for the town of *Youghall* one; for the town of *Bandon-Bridge* one; for the borough of *Armagh* one; for the borough of *Dundalk* one; for the town of *Kinsale* one; for the borough of *Lisburne* one; for the borough of *Sligo* one; for the borough of *Catherlough* one; for the borough of *Ennis* one; for the borough of *Dungarvan* one; for the borough of *Downpatrick* one; for the borough of *Colraine* one; for the town of *Mallow* one; for the borough of *Athlone* one; for the town of *New Ross* one; for the borough of *Tralee* one; for the city of *Cashe* one; for the borough of *Dungannon* one; for the borough of *Portarlington* one; for the borough of *Enniskillen* one. And be it enacted, That in case of the summoning of a new parliament, or if the seat of any of the said commoners shall become vacant by death or otherwise, then the said counties, cities, or boroughs, or any of them, as the case may be, shall proceed to a new election; and that all the other towns, cities, corporations, or boroughs, other than the aforesaid, shall cease to elect representatives to serve in parliament; and no meeting shall at any time hereafter be summoned, called, convened, or held, for the purpose of electing any person or persons to serve or act, or be considered, as representative or representatives of any other place, town, city, corporation, or borough, other than the aforesaid, or as representative or representatives of the freemen, freeholders, householders, or inhabitants thereof, either in the parliament of the united kingdom or elsewhere, (unless it shall hereafter be otherwise provided by the parliament of the united kingdom); and every person summoning, calling, or holding any such meeting or assembly, or taking any part in any such election or pretended election, shall, being thereof duly convicted, incur and suffer the pains and penalties ordained and provided by the statute of provision and *præmunire*, made in the sixteenth year of the reign of *Richard* the Second. For the due election of the persons to be chosen to sit in the respective houses of the parliament of the united kingdom on the part of *Ireland*, be it enacted, That on the day following that on which the act for establishing the union shall have received the royal assent, the primate of all *Ireland*, the lord bishop of *Meath*, the lord bishop of *Kildare*, and the lord bishop of *Derry*, shall be, and they are hereby declared to be the representatives of the lords spiritual of *Ireland* in the parliament of the united kingdom, for the first session thereof; and that the temporal peers of *Ireland* shall assemble at twelve of the clock on the same day as aforesaid, in the now accustomed place of meeting of the house of lords of *Ireland*,

Ireland, and shall then and there proceed to elect twenty-eight lords temporal to represent the peerage of *Ireland* in the parliament of the united kingdom, in the following manner; that is to say, The names of the peers shall be called over according to their rank, by the clerk of the crown, or his deputy, who shall then and there attend for that purpose; and each of the said peers, who, previous to the said day, and in the present parliament shall have actually taken his seat in the house of lords of *Ireland*, and who shall there have taken the oaths, and signed the declaration, which are or shall be by law required to be taken and signed by the lords of the parliament of *Ireland* before they can sit and vote in the parliament hereof, shall, when his name is called, deliver, either by himself or by his proxy (the name of such proxy having been previously entered in the books of the house of lords of *Ireland*, according to the present forms and usages thereof) to the clerk of the crown, or his deputy (who shall then and there attend for that purpose), a list of twenty-eight of the temporal peers of *Ireland*; and the clerk of the crown or his deputy shall then and there publicly read the said lists, and shall then and there cast up the said lists, and publicly declare the names of the twenty-eight lords who shall be chosen by the majority of votes in the said lists, and shall make a return of the said names to the house of lords of the first parliament of the united kingdom; and the twenty-eight lords so chosen by the majority of votes in the said lists shall, during their respective lives, sit as representatives of the peers of *Ireland* in the house of lords of the united kingdom, and be entitled to receive writs of summons to that and every succeeding parliament; and in case a complete election shall not be made of the whole number of twenty-eight peers, by reason of an equality of votes, the clerk of the crown shall return such number in favour of whom a complete election shall have been made in one list, and in a second list shall return the names of those peers who shall have an equality of votes, but in favour of whom, by reason of such equality, a complete election shall not have been made, and the names of the peers in the second list, for whom an equal number of votes shall have been so given, shall be written on pieces of paper of a similar form, and shall be put into a glass by the clerk of the parliament of the united kingdom, at the table of the house of lords thereof, whilst the house is sitting, and the peer whose name shall be first drawn out by the clerk of the parliament, shall be deemed the peer elected; and so successively as often as the case may require; and whenever the seat of any of the twenty-eight lords temporal so elected shall be vacated by decease or forfeiture, the chancellor, the keeper or commissioners of the great seal of the united kingdom for the time being, upon receiving a certificate under the hand and seal of any two lords temporal of the parliament of the united kingdom, certifying the decease of such peer, or on view of the record of attainder of such peer, shall direct a writ to be issued under the great seal of the united kingdom, to the chancellor,

the keeper or commissioners of the great seal of *Ireland* for the time being, directing him or them to cause writs to be issued, by the clerk of the crown in *Ireland*, to every temporal peer of *Ireland*, who shall have sat and voted in the house of lords of *Ireland* before the union, or whose right to sit and vote therein, or to vote at such elections, shall, on claim made on his behalf, have been admitted by the house of lords of *Ireland* before the union, or after the union by the house of lords of the united kingdom; and notice shall forthwith be published by the said clerk of the crown, in the *London* and *Dublin* gazettes, of the issuing of such writs, and of the names and titles of all the peers to whom the same are directed; and to the said writs there shall be annexed a form of return thereof, in which a blank shall be left for the name of the peer to be elected, and the said writs shall enjoin each peer, within fifty-two days from the teste of the writ, to return the same into the crown office of *Ireland* with the blank filled up, by inserting the name of the peer for whom he shall vote, as the peer to succeed to the vacancy made by demise or forfeiture as aforesaid; and the said writs and returns shall be bipartite, so as that the name of the peer to be chosen shall be written twice, that is, once on each part of such writ and return, and so as that each part may also be subscribed by the peer to whom the same shall be directed, and likewise be sealed with his seal of arms; and one part of the said writs and returns so filled up, subscribed and sealed as above, shall remain of record in the crown office of *Ireland*, and the other part shall be certified by the clerk of the crown to the clerk of the parliament of the united kingdom; and no peer of *Ireland*, except such as shall have been elected as representative peers on the part of *Ireland* in the house of lords of the united kingdom, and shall there have taken the oaths, and signed the declaration prescribed by law, shall, under pain of suffering such punishment as the house of lords of the united kingdom may award and adjudge, make a return to such writ, unless he shall, after the issuing thereof, and before the day on which the writ is returnable, have taken the oaths and signed the declaration which are or shall be by law required to be taken and signed by the lords of the united kingdom, before they can sit and vote in the parliament thereof; which oaths and declaration shall be either taken and subscribed in the court of chancery of *Ireland*, or before one of his Majesty's justices of the peace of that part of the united kingdom called *Ireland*, a certificate whereof, signed by such justices of the peace, or by the register of the said court of chancery, shall be transmitted by such peer with the return, and shall be annexed to that part thereof remaining of record in the crown office of *Ireland*; and the clerk of the crown shall forthwith after the return day of the writs, cause to be published in the *London* and *Dublin* gazettes, a notice of the name of the person chosen by the majority of votes; and the peer so chosen shall, during his life, be one of the peers to sit and vote on the part of *Ireland* in the house of lords of the united kingdom; and in case the votes shall be equal, the names

of such persons who have an equal number of votes in their favour, shall be written on pieces of paper of a similar form, and shall be put into a glass by the clerk of the parliament of the united kingdom, at the table of the house of lords, whilst the house is sitting, and the peer whose name shall be first drawn out by the clerk of the parliament shall be deemed the peer elected. And be it enacted, That in case any lord spiritual, being a temporal peer of the united kingdom, or being a temporal peer of that part of the united kingdom called *Ireland*, shall be chosen by the lords temporal to be one of the representatives of the lords temporal, in every such case, during the life of such spiritual peer being a temporal peer of the united kingdom, or being a temporal peer of that part of the united kingdom called *Ireland*, so chosen to represent the lords temporal, the rotation of representation of the spiritual lords shall proceed to the next spiritual lord, without regard to such spiritual lord so chosen a temporal peer, that is to say, If such spiritual lord shall be an archbishop, then the rotation shall proceed to the archbishop whose see is next in rotation, and if such spiritual lord shall be a suffragan bishop, then the rotation shall proceed to the suffragan bishop whose see is next in rotation. And whereas by the said fourth article of union it is agreed that, if his Majesty shall, on or before the first day of *January* next, declare, under the great seal of *Great Britain*, that it is expedient that the lords and commons of the present parliament of *Great Britain* should be the members of the respective houses of the first parliament of the united kingdom on the part of *Great Britain*, then the lords and commons of the present parliament of *Great Britain* shall accordingly be the members of the respective houses of the first parliament of the united kingdom on the part of *Great Britain*; be it enacted, for and in that case only, That the present members of the thirty-two counties of *Ireland*, and the two members for the city of *Dublin*, and the two members for the city of *Cork*, shall be, and they are hereby declared to be, by virtue of this act, members for the said counties and cities in the first parliament of the united kingdom; and that, on a day and hour to be appointed by his Majesty under the great seal of *Ireland*, previous to the said first day of *January* one thousand eight hundred and one, the members then serving for the college of the Holy Trinity of *Dublin*, and for each of the following cities or boroughs, that is to say, The city of *Waterford*, city of *Limerick*, borough of *Belfast*, county and town of *Drogheda*, county and town of *Carrickfergus*, borough of *Newry*, city of *Kilkenny*, city of *Londonderry*, town of *Galway*, borough of *Clonmell*, town of *Wexford*, town of *Youghall*, town of *Bandon-Bridge*, borough of *Armagh*, borough of *Dundalk*, town of *Kinsale*, borough of *Lisburne*, borough of *Sligo*, borough of *Catherlough*, borough of *Ennis*, borough of *Dungarvan*, borough of *Downpatrick*, borough of *Coleraine*, town of *Mallow*, borough of *Athlone*, town of *New Ross*, borough of *Tralee*, city of *Cashel*, borough of *Dungannon*, borough of *Portarlington*, and borough

of *Enniskillen*, or any five or more of them, shall meet in the now usual place of meeting of the house of commons of *Ireland*, and the names of the members then serving for the said places and boroughs, shall be written on separate pieces of paper, and the said papers being folded up, shall be placed in a glass or glasses, and shall successively be drawn thereout by the clerk of the crown, or his deputy, who shall then and there attend for that purpose; and the first drawn name of a member of each of the aforesaid places or boroughs shall be taken as the name of the member to serve for the said place or borough in the first parliament of the united kingdom; and a return of the said names shall be made by the clerk of the crown, or his deputy, to the house of commons of the first parliament of the united kingdom; and a certificate thereof shall be given respectively by the said clerk of the crown, or his deputy, to each of the members whose names shall have been so drawn: provided always, That it may be allowed to any member of any of the said places or boroughs, by personal application, to be then and there made by him to the clerk of the crown or his deputy, or by declaration in writing under his hand, to be transmitted by him to the clerk of the crown previous to the said day so appointed as above, to withdraw his name previous to the drawing of the names by lot; in which case, or in that of a vacancy by death or otherwise of one of the members of any of the said places or boroughs, at the time of so drawing the names, the name of the other member shall be returned as aforesaid as the name of the member to serve for such place in the first parliament of the united kingdom; or if both members for any such place or borough shall so withdraw their names, or if there shall be a vacancy of both members at the time aforesaid, the clerk of the crown shall certify the same to the house of commons of the first parliament of the united kingdom, and shall also express, in such return, whether any writ shall then have issued for the election of a member or members to supply such vacancy; and if a writ shall so have issued for the election of one member only, such writ shall be superseded, and any election to be thereafter made thereupon shall be null and of no effect; and if such writ shall have issued for the election of two members, the said two members shall be chosen accordingly, and their names being returned by the clerk of the crown to the house of commons of the parliament of the united kingdom, one of the said names shall then be drawn, by lot, in such manner and time as the said house of commons shall direct; and the person whose name shall be so drawn, shall be deemed to be the member to sit for such place in the first parliament of the united kingdom; but if, at the time aforesaid, no writ shall have issued to supply such vacancy, none shall thereafter issue until the same be ordered by resolution of the house of commons of the parliament of the united kingdom, as in the case of any other vacancy of a seat in the house of commons of the parliament of the united kingdom. And be it enacted, That whenever his Majesty, his heirs and successors, shall,

shall, by proclamation under the great seal of the united kingdom summon a new parliament of the united kingdom of *Great Britain and Ireland*, the chancellor, keeper or commissioners of the great seal of *Ireland*, shall cause writs to be issued to the several counties, cities, the college of the Holy Trinity of *Dublin*, and boroughs in that part of the united kingdom called *Ireland*, specified in this act, for the election of members to serve in the parliament of the united kingdom, according to the numbers herein-before set forth; and whenever any vacancy of a seat in the house of commons of the parliament of the united kingdom, for any of the said counties, cities, or boroughs, or for the said college of the Holy Trinity of *Dublin*, shall arise, by death or otherwise, the chancellor, keeper, or commissioners of the great seal, upon such vacancy being certified to them respectively, by the proper warrant, shall forthwith cause a writ to issue for the election of a person to fill up such vacancy; and such writs, and the returns thereon, respectively being returned into the crown office in that part of the united kingdom called *Ireland*, shall from thence be transmitted to the crown office in that part of the united kingdom called *England*, and be certified to the house of commons in the same manner as the like returns have been usually or shall hereafter be certified; and copies of the said writs and returns, attested by the chancellor, keeper or commissioners of the great seal of *Ireland* for the time being, shall be preserved in the crown office of *Ireland*, and shall be evidence of such writs and returns, in case the original writs and returns shall be lost; be it enacted, That the said act, so herein recited, be taken as a part of this act, and be deemed to all intents and purposes incorporated within the same.

III. And be it enacted, That the great seal of *Ireland* may, if his Majesty shall so think fit, after the union, be used in like manner as before the union, except where it is otherwise provided by the foregoing articles, within that part of the united kingdom called *Ireland*; and that his Majesty may, so long as he shall think fit, continue the privy council of *Ireland* to be his privy council for that part of the united kingdom called *Ireland*.

C A P. LXVIII.

An act for extending the powers of the commissioners named in an act, made in this present session of parliament, intituled, An act for appointing commissioners to put in execution an act of this session of parliament, intituled, 'An act for continuing and granting to his Majesty a duty on pensions, offices, and personal estates, in England, Wales, and the town of Berwick upon Tweed, and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred,' together with those named in two former acts, for appointing commissioners of the land tax; for indemnifying such persons, named in the said act, as have acted as commissioners of the land tax; and for rendering valid certain acts done by them.—[July 9, 1800.]

C A P. LXIX.

An act for repealing the duties on perfumery and on licences for vending the same.—[July 9, 1800.]

Recited act to be taken as a part of this act.

The great seal of Ireland may, if his Majesty shall think fit, after the union, be used there in like manner as before, except where otherwise provided by the foregoing articles; and his Majesty may continue the privy council of Ireland.

Preamble.

26 Geo 3.

c. 49.

WHEREAS by an act, made in the twenty-sixth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain stamp duties on perfumery, hair powder, and other articles therein mentioned, and on licences to be taken out by persons uttering or vending the same, it was amongst other things enacted, That, from and after the fifth day of July one thousand seven hundred and eighty-six, there should be raised, levied, collected, and paid, throughout the kingdom of Great Britain, certain stamp duties on the several wares and other articles therein mentioned, which should be uttered, vended, or exposed to sale in Great Britain, according to the respective prices thereof therein mentioned, and on licences taken out by persons uttering or vending the same: and whereas it is expedient that the duties granted by the said recited act should be repealed: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the fifth day of July one thousand eight hundred, the several and respective duties granted by the said act on the several wares and other articles therein mentioned, and on licences for vending the same, shall cease and determine; and that then and from thenceforth all the powers and authorities given and granted, and the rules and regulations established and prescribed by the said recited act, in relation to the managing, securing, ascertaining, collecting, recovering, levying, and paying the said duties, and all penalties and forfeitures in respect thereof, shall also cease and determine; save and except in all cases relating to the recovering of any arrears which may at that time remain unpaid of the said duties, and to the accounting for the same, or to any penalty or forfeiture which shall have been incurred upon or at any time before the said fifth day of July one thousand eight hundred.

From July 5, 1800, the duties on perfumery and licences imposed by recited act repealed, except arrears.

II. And whereas many persons dealing in perfumery may have in their custody or possession divers covers, wrappers, or labels, stamped or marked according to the provisions of the said recited act, which shall not have been used in the sale or disposal of any wares; be it therefore enacted, That it shall be lawful for all persons who shall have in their custody or possession any such stamped covers, wrappers, or labels as aforesaid, to bring or send the same unto the commissioners of the stamp duties at their head office, and it shall be lawful for the said commissioners of stamps, and they are hereby authorized, upon due proof upon oath made to the satisfaction of the said commissioners (which oath the said commissioners, or any one or more of them, are hereby authorized to administer) that such stamped covers, wrappers, or labels have *bona fide* not been used in the sale or disposal of any wares within the intent and meaning of the said recited act, to stamp and mark, or cause to be stamped or marked, for the several persons who shall so bring or deliver any quantity of such stamped covers, wrappers, or labels, any vellum, parchment, or paper, stamped

Persons having stamps, under the recited act, in their possession, which have not been used, may bring the same to the stamp office, and the commissioners are authorized to order other stamps to be delivered to them of the like value in lieu thereof.

stamped with any stamps of the like value with the amount of the said stamped covers, wrappers, or labels, and of such description of stamps as shall be required by any such person or persons as aforesaid, without demanding or taking, directly or indirectly for the same, any sum or sums of money or other consideration whatever.

C A P. LXX.

An act to exempt from duty waste paper imported into this kingdom, for the purpose of being re-manufactured, except the duty imposed by an act of the thirty-eighth year of the reign of his present Majesty, for the better protection of the trade of this kingdom, and for granting new and additional duties of customs on goods imported and exported.—[July 9, 1800.]

WHEREAS it is expedient to encourage the importation of Preamble.

waste paper, for the purpose of being re-manufactured in this kingdom; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, no duty, except the duty imposed by an act of the thirty-eighth year of the reign of his present Majesty, intituled, 'An act for the better protection of the trade of this kingdom, and for granting new and additional duties of customs on goods imported and exported, and on the tonnage of certain ships entering outwards or inwards to or from foreign parts, until the signing the preliminary articles of peace, shall be paid or payable upon the importation of any waste paper whatever; provided the same shall, upon the importation thereof, be in a state so as to render it wholly and entirely unfit for any other purpose than that of being re-manufactured; and provided also, that the same shall be duly entered and regularly landed in the presence of the proper officers appointed for that purpose.

No duty except that imposed by 38 Geo. 3. c. 76. shall be paid on the importation of waste paper, provided it be in a state fit for no other purpose than re-manufacture.

C A P. LXXI.

An act to authorise bakers and other persons to sell bread to his Majesty's forces on their march, which shall not have been baked twenty-four hours, and to indemnify all persons by whom such bread may have been so sold.—[July 9, 1800.]

WHEREAS an act was made in this present session of parliament, intituled, An act to prohibit, until the expiration of six weeks after the commencement of the next session of parliament, any person or persons from selling any bread which shall not have been baked a certain time: and whereas it may have been necessary to supply his Majesty's troops on their march, and on their first arrival in any town or place, with bread which had not been baked for the period of time required by the said act, whereby bakers and other persons may have incurred divers penalties: and whereas it is expedient that such bakers and other persons should

Preamble. C. 18. of this session.

be relieved from such penalties, and that it should be lawful to supply his Majesty's troops during their march, and on their first arrival in any town or place, with bread which shall not have been baked for the period mentioned in the said act: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said recited act shall not extend, or be construed to extend, to any baker or other person who, since the passing of the said act, has sold or delivered, or offered or exposed to sale, or who during the continuance of the said act shall sell or deliver, or offer or expose to sale, any bread which had not or shall not have been baked twenty-four hours, to or for the use of any of his Majesty's troops on their march, or within twenty-four hours after their arrival, at any quarter, barrack, or cantonment, and every such baker or other person shall be and is hereby freed and discharged from all penalties and forfeitures inflicted by the said recited act, in respect of any bread sold, or offered or exposed to sale, to or for the use of his Majesty's troops as aforesaid; and all proceedings already had for the recovery of any such penalty or forfeiture shall be forthwith stayed.

Recited act not to extend to bakers selling to his Majesty's troops on their march, &c. bread which has not been baked 24 hours.

C A P. LXXII.

An act to amend several laws relating to the duties on stamped vellum, parchment, and paper.—[July 9, 1800]

Preamble.
19 Geo. 3.
c. 45, recited.

WHEREAS *by an act, passed in the nineteenth year of the reign of his present Majesty, intituled, An act to enable the chancellor and council of the duchy of Lancaster to sell and dispose of certain fee farm rents and other rents, and to enfranchise copyhold and customary tenements within their survey, and to encourage the growth of timber on lands held of the said duchy, it is enabled, That where the money to be paid as the consideration money for any grant, conveyance, or assurance of the said rents, shall not exceed the sum of ten pounds, such grants, conveyances, and assurances, under the seal of the said duchy, shall be subject to no stamp duty for the same: and whereas, since the passing of the said act, certain additional and new stamp duties have been granted: and whereas doubts have arisen whether the said provisions of the said recited act of the nineteenth year of the reign of his present Majesty continue in force; and also, whether the said grants and assurances, which are thereby exempted from stamp duty, are also exempted from the stamp duties granted since the passing of the said act; be it therefore enacted, and it is hereby declared and enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all such grants, assurances, and conveyances as aforesaid shall be, remain, and continue exempted from the several stamp duties granted, as well since the passing of the said recited act of the nineteenth year of the reign of his present Majesty as be-*

Grants exempted from stamp duties by recited act, to continue exempted from all such duties.

fore

fore the passing thereof, any act or acts to the contrary thereof notwithstanding.

II. *And whereas, by an act made in the thirty-seventh year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain stamp duties on the several matters therein-mentioned, and for better securing the duties on certificates to be taken out by solicitors, attornies, and others, practising in certain courts of justice in Great Britain, a stamp duty of six shillings and eight-pence is chargeable upon every skin or piece of vellum or parchment, or sheet or piece of paper, on which any copy, purporting to be a true copy, or attested to be a true copy of any indenture, lease, or other deed, or any part thereof, for the security or use of any person, other than the person having or being entitled to the custody of such indenture, lease, or other deed, should, from and after the fifth day of July one thousand seven hundred and ninety-seven, be ingrossed, printed, or written: and whereas it is expedient that the said duty should be repealed, except as herein-after is provided, and other duties granted in lieu thereof:* be it therefore enacted, That, from and after the first day of August one thousand eight hundred, the said stamp duty of six shillings and eight-pence, charged and payable by the said recited act as aforesaid, shall cease and determine, and be no longer paid or payable, save and except as herein-after is mentioned and provided; and save also and except as to any arrears of the said duties which may, on the said first day of August, remain unpaid, or to any fine, penalty, or forfeiture, fines, penalties, or forfeitures, relating thereto, which shall have been incurred at any time before or on the said first day of August, and the several powers, provisions, and remedies for recovering the same respectively.

III. Provided always, and be it further enacted, That nothing herein contained shall be construed to repeal, or in any manner affect the duties granted by the said act, so far as the same relate to any copy of any indenture, lease, or other deed, or any part thereof, made or to be made for the security or use of any person or persons being a party or parties to the same indenture, lease, or other deed, and not having the custody of the original indenture, lease, or other deed, or of any counterpart or duplicate thereof, or where such copy shall not be made in lieu of such original indenture, lease, or other deed.

IV. And be it further enacted, That, from and after the said first day of August, there shall, in lieu of the duties hereby repealed, be raised, levied, collected, and paid, throughout the kingdom of Great Britain, unto his Majesty, his heirs and successors, a stamp duty of sixpence upon every piece of vellum or parchment, or sheet or piece of paper, upon which any copy, purporting to be a true copy, or attested to be a true copy, of any indenture, lease, or other deed, or any part thereof, shall be ingrossed, written, or printed, for, or for the security or use of, any person or persons, other than any or either of the parties to the same indenture, lease, or other deed or deeds, and

37 Geo. 3.
c. 90, recited;

and from Aug. 1, 1800, the stamp duty of 6s. 8d. upon every sheet of a copy of any indenture, for the use of any but the person entitled to the custody of the indenture, repealed;

but not to extend to copies for the security of any party to an indenture not entitled to the custody of the original, &c.

From Aug. 1, 1800, in lieu of the duties repealed, there shall be paid a stamp duty of 6d. on every sheet of such copy intended for any other than the parties to the indenture, not having the custody thereof, &c.

not having the custody of such original indenture, lease, or other deed, or any duplicate or counterpart thereof, or where such copy shall not be made in lieu of any such original indenture, lease, or other deed.

Duties to be under the management of the commissioners for stamps.

V. And be it further enacted, That for the more effectually levying, collecting, and paying the said duties herein-before granted, the same shall be under the government, care, and management of the commissioners for the time being appointed to manage the duties charged on stamped vellum, parchment, and paper, who, or the major part of them, are required and empowered to employ the necessary officers under them for that purpose, and to cause such new stamp to be provided to denote the said new and additional duty as shall be requisite in that behalf, and to alter or renew the same respectively from time to time, and to do all other things necessary to be done for putting this act in execution, with relation to the duties herein-before granted, in the like and in as full and ample a manner, as they or the major part of them are authorised to put in execution any former law concerning stamped vellum, parchment, or paper.

Number of stamps to be put upon every copy to be calculated according to last recited act, which shall extend to the duty hereby granted.

VI. And be it further enacted, That the number of stamps to be put on every such copy shall be calculated and ascertained in like manner, and according to such and the like rules, in every respect, as are contained in the said herein last-before recited act, with respect to the said duty of six shillings and eight-pence; and all the clauses, provisions, rules, penalties, forfeitures, matters, and things, relating to the said duty of six shillings and eight-pence, or prescribed in the said last recited act, with respect to any copies, purporting to be true copies, or attested to be true copies, of any indentures, leases, or other deeds, shall be extended, applied, and put in practice, and shall continue and be in force, for the stamping every such copy as aforesaid, charged with any duty by this act, or for the raising, levying, and collecting the duty hereby granted respectively, in the like manner and as fully and effectually as if the said clauses, provisions, rules, penalties, forfeitures, matters, and things, had been re-enacted in this act.

25 Geo. 3. c. 80, recited.

VII. *And whereas by an act, passed in the twenty-fifth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain duties on certificates, to be taken out by solicitors, attornies, and others, practising in certain courts of justice in Great Britain, and certain other duties with respect to warrants, mandates, and authorities, to be entered or filed of record, as therein-mentioned; and of another act, passed in the thirty-seventh year of his present Majesty's reign, intituled, An act for granting to his Majesty certain stamp duties on the several matters therein-mentioned; and for better securing the duties on certificates to be taken out by solicitors, attornies, and others, practising in certain courts of justice in Great Britain, certain duties are granted on certificates to be taken out by certain notaries therein described: and whereas doubts have arisen, whether notaries, not being admitted in any courts, are liable to the said duties; for remedy*

remedy whereof, be it enacted, That, from and after the first day of November one thousand eight hundred, every person who shall act as a publick notary, or use or exercise the office of a notary in any manner, or do any notarial act whatsoever, without having been duly admitted in the court or courts wherein notaries are usually admitted, and without having delivered in his name and usual place of residence, and taken out such certificate as is directed in and by the said last recited acts of the twenty-fifth and thirty-seventh years of the reign of his present Majesty, or one of them, shall, for every such offence, forfeit and pay the sum of fifty pounds, and shall be and is hereby made incapable to do any act, matter, or thing as a notary publick, or recover any fee or reward on account of any such act, matter, or thing, without such certificate as aforesaid; and every such penalty shall be recoverable and recovered, and applied in like manner in every respect as any penalty of the like value imposed by the said last recited acts, or either of them, may be recovered and applied.

VIII. *And whereas the provision contained in an act, passed in the thirty-fifth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain stamp duties on sea insurances, by which it is enacted, That the commissioners or officers in the said act mentioned shall not be required to provide, at the publick charge, any stamped parchment for policies of insurance, where the sum to be insured thereon shall not amount to ten thousand pounds or upwards, has been found to be productive of great inconvenience: and whereas it is expedient that certain provisions of the said act, relating to the cancelling of certain policies of insurance in certain cases, and to the making an allowance of the stamps thereon, should be amended in certain particulars herein-after mentioned; and that provision should be made to permit the said commissioners of stamps to make an allowance of the value of certain stamps on policies of insurance, issued on former acts of parliament, prior to the said last recited act, that have never been used, and have been rendered useless by the said act: be it therefore enacted, That so much of the said recited act as enacts, that the said commissioners or officers in the said act mentioned, should not be required to provide, at the publick charge, any parchment stamped for blank policies of insurance, as in the said act is particularly mentioned, where the sum to be insured thereon should not amount to ten thousand pounds or upwards, shall, from and after the first day of August one thousand eight hundred, be, and the same is hereby repealed; and that, from and after the said first day of August, the said commissioners shall provide sufficient quantities of parchment or paper only, and not of vellum, adapted for policies of insurance, with the several forms for blank policies of insurance printed thereon, and stamped according to the provisions of the said act, for the several and respective sums of five thousand pounds, six thousand pounds, seven thousand pounds, eight thousand pounds, and nine thousand pounds respectively, to be insured thereon.*

IX. *And whereas it is expedient that the period within which any stamped vellum, parchment, or paper, delivered in pursuance of the*

From Nov. 1, 1800, notaries acting without having taken out their certificate, to forfeit 50l and be rendered incapable of acting.

35 Geo. 3. c. 63. recited; and so much as enacts that the commissioners, &c. shall not be required to provide blank policies of insurance for sums not amounting to 10,000l. repealed; and from Aug. 1, 1800. stamped policies to be provided for 5, 6, 7, 8, and 9000l. respectively.

Policies may be brought to the stamp office to be cancelled within six months of the date of delivery.

So much of last recited act as empowers the commissioners to cancel policies brought within 10 days after departure of the vessel, repealed.

If an insurance be made on a ship that does not proceed upon her voyage, or upon goods that shall not have been shipped, &c. the commissioners may cancel the policies.

said last recited act, may be brought or sent to the commissioners of stamp duties, at their head office, to be cancelled, on the terms and according to the regulations in the said last recited act contained, should be extended: be it therefore enacted, That, from and after the passing of this act, it shall be lawful for all and every person or persons, to whom any stamped vellum, parchment, or paper, shall have been delivered in pursuance of the said act, bearing the date of the delivery thereof by the proper officer, in the manner in the said act directed, to bring or send to be cancelled any such stamped vellum, parchment, or paper, allowed by the said act to be cancelled, unto the commissioners of the stamp duties, at their head office, at any time within six calendar months after the date of the delivery thereof as aforesaid; and the said commissioners or their officers shall have the like authority as is in the said act contained, to cancel the policies so brought as aforesaid, and to exchange the same for other stamped vellum, parchment, or paper, with stamps of the like value with the stamped vellum, parchment, or paper so cancelled, in like manner in every respect as if the same had been brought to be cancelled within the period prescribed by the said last recited act; any thing in the said act contained to the contrary notwithstanding.

X. And be it further enacted, That so much of the said last recited act as empowers the said commissioners to cause any policy that shall have been made and subscribed on any ship or ships bound on a voyage outwards from any port or place in *Great Britain*, or any part, share, or interest therein, or arising thereout, or on any goods or merchandizes laden on board such ship or ships which shall be brought to be cancelled within ten office days after the departure of such ship or ships from any such port or place in like manner, and under the like powers, as if such policy had been brought to be cancelled within ten office days from the date of the first subscription, shall, from and after the passing of this act, be, and the same is hereby repealed.

XI. And whereas it is expedient, that the provisions in the said recited act, empowering the said commissioners to make allowances for stamps on policies of insurance, where the sum insured shall exceed the interest of the assured in any such policy, should be further extended: be it further enacted, That, from and after the passing of this act, in case any insurance shall have been made on any ship, that is to say, On the body, tackle, apparel, ordnance, munition, artillery, boat, and other furniture thereof, or upon the freight of any ship, or in case any insurance shall be made on any goods, merchandizes, or other effects laden or to be laden on board of any ship or ships, whether such ship or ships shall be specifically named in such policy or not, and it shall happen that any such ship so insured as aforesaid, shall not have proceeded upon the voyage insured, or that any goods, merchandizes, or other effects so insured as aforesaid have not been shipped on board any ship or ships, whether specifically named in the policy or not, or in case of any insurance made on any ship or on any freight, or on any goods, merchandizes, or other effects, the sum insured

insured shall be found to exceed the interest of the assured on which the risk attached, and in case the separate interest of one person, or the joint interest of two or more persons assured in such policy, shall fall short of the sum insured on such account by the sum of one thousand pounds or upwards where the duty payable thereon shall be at and after the rate of one shilling and three-pence *per centum*, or of five hundred pounds and upwards, when the duty payable thereon shall be at and after the rate of two shillings and sixpence *per centum*, then and in every such case as aforesaid, upon due proof on oath or affirmation to the satisfaction of the said commissioners, or any one of them, that any such ship hath not proceeded upon the voyage insured, or that any such goods, merchandizes, or other effects aforesaid, have not been shipped on board any ship or ships, whether specifically named or not, and that no risk hath, in either of such cases, attached, or on such due proof as aforesaid of the value of the interest, if any, assured in any such ship, freight, goods, merchandizes, or other effects as aforesaid, on which any risk has attached, and on the production of the policy whereby such insurance was made, and also on such due proof as aforesaid being made of the *bonâ file* return of the premiums by the several underwriters or insurers on such policy, on account only of such, no risk, no interest, or short interest, as the case may be, or of the proportion of the premium so returned on any such account as aforesaid, it shall be lawful for the said commissioners to make an allowance to the assured or assureds of the stamps on any such policies, in respect of the sums thereby insured, when the whole of the premiums shall have been returned on any such account as aforesaid, or of such part of the sums thereby insured as shall be found to exceed the interest of the assured or assureds in any such policy; and the said commissioners are hereby authorized and required to cancel any such policies, and to deliver other stamped papers or parchment of the value of the stamps so allowed as aforesaid, in the manner in the said act directed with respect to policies brought to be cancelled: provided always, That no such allowance shall be made as aforesaid, in any case where the interest of the assured or assureds in any such ship, or in any such freight, or on any such goods, merchandizes, or other effects, shall be valued in or by any such policy so brought to be cancelled as aforesaid.

XII. *And whereas divers persons have in their possession certain policies of insurance stamped in pursuance of certain acts of parliament in force at and immediately before the passing of the said recited act, and which policies of insurance were, and are, by the said last recited act, rendered useless and of no value whatever to the persons possessing the same: and whereas also divers persons have in their possession many policies of insurance spoiled, obliterated, or rendered unfit for use, and allowed, according to the provisions of the said recited act, to be cancelled; but inasmuch as the same, through inadvertence and undesignedly have not been carried or sent to be cancelled within the period by the said recited act prescribed, the commissioners of stamps are not, by*

Policies of insurance stamped according to the provisions of acts prior to the last recited act, and policies stamped according to recited act, not carried to be cancelled within the period thereby prescribed, may be cancelled by the commissioners.

the said act, authorized to cancel such policies, or allow stamps to the amount of the value thereof: and whereas it is expedient that the said commissioners should be empowered to cancel the said stamped policies, and to provide other policies, stamped according to the provisions of the said last recited act: be it therefore enacted, That on the production to the said commissioners of any policies of insurance, stamped according to the provisions of any act or acts passed prior to the said last recited act, or of any such policies of insurance stamped in pursuance of the said last recited act, that shall not have been carried or sent to be cancelled within the period by the said act prescribed, and on due proof made to the said commissioners, in the manner in the said last recited act prescribed, with respect to policies of insurance brought to be cancelled, that such stamped vellum, parchment, or paper, whereon any such policy hath been written or printed, hath not been subscribed or underwritten by any person or persons, or used for any other purpose or in any other manner whatsoever, it shall be lawful for the said commissioners, and they are hereby required to cancel the same; and to stamp, or cause to be stamped, for the use of the person or persons producing the same, any quantity of other vellum, parchment, or paper, fit for the like uses, with stamps amounting to the like value, and to mark the date and and time of the delivery thereof, in manner in the said last recited act prescribed, without demanding or taking, directly or indirectly, for the same, any sum or sums of money, or other consideration whatsoever.

Duties granted by last recited act to extend to every deed which by law may form, or is intended to form, a part of any conveyance of lands, &c. whereby a greater interest shall be conveyed than a term of twenty-one years. Such deeds not stamped agreeably thereto, may be duly stamped within 12 months after passing this act.

XIII. *And whereas, by an act passed in the thirty-seventh year of the reign of his present Majesty, certain leases of lands or tenements of small value for a term not exceeding twenty-one years, are exempted from the duties granted on deeds by the said act, and doubts have arisen on the construction thereof; be it further enacted, That the said duties granted by the said last recited act shall be construed to extend to every deed which by law may form, or is intended to form, a part of any conveyance of lands or tenements, whereby a greater interest in the same shall be conveyed than a term of twenty-one years, whatever may be the value thereof; any thing in the said act contained to the contrary thereof notwithstanding: provided always, That where, by reason of any such doubt, any vellum, parchment, or paper, upon which any such deed as aforesaid shall have been engrossed, written, or printed, shall not have been duly stamped according to the provisions of the said last recited act, then and in such case it shall be lawful for the said commissioners of stamps, and they are hereby authorized, upon the production thereof to the said commissioners, or any one of them, for the purpose of being stamped according to the provisions of the said last recited act, at any time within twelve months after the passing of this act, to cause such deed to be stamped, upon payment of the duty by the said last recited act granted, without any penalty whatever; and every person concerned in engrossing, writing, or printing any such deed, or in making or executing the same, shall be, and is hereby freed, discharged,*

charged, and indemnified from all penalties and forfeitures that shall have arisen, or may arise, in respect of any such deed.

XIV. *And whereas, by an act of parliament passed in the thirty-fourth year of the reign of his present Majesty, intituled, An act for granting to his Majesty certain stamp duties on indentures of clerkships to solicitors and attornies in any of the courts in England, therein mentioned, it is enacted, That within the bills of mortality, from and after the fifth day of February one thousand seven hundred and ninety-four, and in every other part of England and Wales from and after the tenth day of February one thousand seven hundred and ninety-four, there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, for and in respect of every contract in writing made after the said fifth and tenth days of February one thousand seven hundred and ninety-four respectively, whereby any person shall become bound to serve as a clerk in order to his admission as a solicitor or attorney in any of the courts of law or equity in the said act mentioned, in pursuance of the laws then in force for the better regulation of solicitors and attornies, divers rates and duties in the said act mentioned, and the indentures or other writings containing such contract, duly stamped according to the directions of the said act, are required to be enrolled or registered with the proper officer to be appointed for that purpose, by the court wherein such person shall propose to be afterwards admitted a solicitor or attorney by virtue of the service under such contract, together with an affidavit of the time of the execution of such contract by such clerk; and in case such indenture, or other writing, shall not be so enrolled or registered within six months next after the execution thereof, together with such affidavit of the time of execution of such contract, then, and in such case, the service of such clerk under such indenture or writing shall be deemed to commence from the time of such enrolment or registry only, and not from the execution of such indenture or writing: and whereas the said act did not receive the royal assent until the twenty-eighth day of March one thousand seven hundred and ninety-four; and several persons were bound by indentures and writings made after the said fifth and tenth days of February respectively, and before the said twenty-eighth day of March; and which indentures and writings are charged with and liable to the said duties imposed by the said act, and no provision is therein made for the payment of the same, or for the enrolment or registry of such indentures and writings respectively: and whereas it is reasonable that some provision should be made for that purpose; therefore be it enacted, That any and every such indenture and writing, made after the said fifth and tenth days of February one thousand seven hundred and ninety-four respectively, and before the said twenty-eighth day of March in the same year whereon any such duty is by the said act required to be paid, shall and may, on payment of the duty thereby required, on or before the first day of June one thousand eight hundred and one, be stamped with the proper stamp in that behalf, and the commissioners for the time being appointed to manage the duties on stamped parchment, paper, and vellum, are hereby authorised and required to cause the same to be stamped accordingly.*

34 Geo. 3.
c. 14, recited.

Every indenture made in the bills of mortality after Feb. 5. and in every other part of England and Wales after Feb. 10, 1794, and before Mar. 28, 1794, whereon any duty is by the last recited act imposed, may, on payment of the duties on or before June 1, 1801, be duly stamped;

and may, within three months after being stamped, be enrolled by the proper officer of the court, &c.

XV. And be it further enacted, That every such indenture and writing shall and may, at any time within three calendar months next after the same shall be so stamped by virtue of this act, be enrolled and registered by the proper officer of the court for that purpose, together with an affidavit of the time of the due execution of such contract, in manner directed by the said act, and such officer of the said courts is hereby required and authorized to enrol and register the same accordingly; and the service of every such clerk shall be deemed and taken to commence according to the due execution of such indenture and writing; the said act, or any thing herein contained to the contrary notwithstanding.

XVI. *And whereas it is expedient that the said commissioners of stamps should be empowered to allow to any person or persons, who shall have taken out any probates of any will or letters of administration, through any inadvertence or mistake, in any ecclesiastical court or courts, the full value in other stamped vellum, parchment, or paper, of the amount of the stamp duty on any of such probates or letters of administration that shall have been rendered wholly useless and of no effect whatever, so as that no person or persons shall pay the stamp duty granted upon probates of wills or letters of administration, by any act or acts now in force, more than once upon any one will, or on the same property of any person dying intestate:* be it therefore enacted,

Commissioners of stamps may cancel useless probates of wills and letters of administration, and allow such stamps.

That where due proof on oath shall be made to such commissioners of stamps, to the satisfaction of the said commissioners, (which oath the said commissioners, or any one of them, is hereby authorized to administer), that any will hath, through any inadvertence or mistake, been proved, or that any letters of administration have been taken out on the same property in more than one ecclesiastical or prerogative court, or more than once in any such ecclesiastical court, and that by reason thereof more than one stamp duty shall have been paid thereupon, then and in every such case it shall be lawful for such commissioners, and they are hereby authorized, upon delivery to them of any such useless probate or letters of administration as aforesaid to be cancelled, and on production of the valid probate or letters of administration that shall have been granted on any such will or property as aforesaid, to cancel such useless probate or letters of administration, and to stamp or mark, or cause to be stamped or marked, or deliver any vellum, parchment, or paper, stamped with stamps of the like denomination and value with the amount of any such probate or probates or letters of administration, without demanding or taking, directly or indirectly for the same, any sum of money or other consideration whatsoever.

37 Geo. 3. c. 90, recited.

XVII. *And whereas many persons who, by an act passed in the thirty-seventh year of his present Majesty's reign, intituled, An act for granting to his Majesty certain stamp duties on the several matters therein mentioned, and for better securing the duties on certificates to be taken out by solicitors, attornies, and others, practising in certain courts of justice in Great Britain, are required to obtain and enter certificates of their enrolment, entry, admission, or register,*

register, in the courts therein mentioned annually, between the first day of November and the end of Michaelmas term then next following, have neglected or omitted so to do, through absence or inadvertency, and without any intention to defraud his Majesty of the said duties, and some actions have been commenced, and are depending, and other actions may be commenced against such persons, to recover the penalties incurred by them: and whereas the recovery of all the penalties that may have been incurred in many of the said cases would be attended with the ruin of the said parties: and whereas it is expedient that some relief should be given in such cases: be it therefore enacted, That where any person, who shall have neglected or omitted to obtain and enter his certificate at the time and in manner required by the said acts, shall nevertheless have obtained and entered, or shall obtain and enter, his certificate before or within one calendar month after the passing of this act, in manner directed by the several acts passed relating to certificates to be taken out by solicitors, attornies, and others, practising in certain courts of justice in Great Britain, then and in any such case every such person shall be and is hereby indemnified, freed, and discharged, from and against all penalties, forfeitures, incapacities, and disabilities incurred, or to be incurred, for or by reason of his having neglected or omitted, previous to the passing of this act, to obtain or enter such certificate, and all acts done by any such person shall be of the same force and validity as the same or any of them would have been, if such person had obtained his certificate according to the directions of the said recited act of the thirty-seventh year aforesaid; and no action or actions shall, from and after the passing of this act, be commenced or prosecuted for any such neglect or omission as aforesaid, until after the expiration of the said one calendar month, and then only against any person or persons who shall not have obtained or entered his certificate as aforesaid; and in case any action or actions shall have been commenced before the passing of this act, against any person or persons for such neglect or omission, such person or persons shall not be liable for such neglect or omission to the payment of more than the sum of one hundred pounds, and the informer or informers in such action or actions shall not recover, or be entitled to recover, more than such sum of one hundred pounds, in any such action or actions, together with the costs of suit; and the person or persons against whom any such action shall have been brought shall, upon payment into the court in which such action or actions shall be brought, of the full sum of one hundred pounds, and upon payment to the informer or informers by whom any such action or actions shall have been brought, of the costs of suit, to be taxed according to the practice of such court, be wholly indemnified, freed, and discharged, from and against all penalties and forfeitures incurred by reason of any such neglect or omission as aforesaid.

XVIII. Provided nevertheless, That nothing herein contained shall be construed to extend to indemnify any person, against whom final judgement shall have been given on or before the

Persons who have neglected to obtain certificates as required by recited act, and who shall obtain and enter them within a month after passing this act, indemnified.

Persons, against whom actions shall have been commenced before passing this act, not liable to pay more than 100*l.* with costs;

but nothing herein shall indemnify any person against whom judge-

ment shall have been given, on or before June 1, 1800.

34 Geo. 3. c. 72, recited.

Single demy paper not exceeding 30 inches and an half in length, and 20 inches in breadth, may be stamped.

Anno regni quadragesimo GEORGIÏ III. c. 73. [1800. first day of June one thousand eight hundred, in any action in any of his Majesty's courts of record, for any penalty or penalties incurred by having neglected or omitted to obtain his certificate according to the directions of the said act.

XIX. *And whereas by an act, passed in the thirty-fourth year of his present Majesty's reign, intituled, An act to enable the commissioners of his Majesty's stamp duties to stamp the paper used for the printing newspapers thereon in sheets of single demy paper, instead of sheets of double demy paper, it was among other things provided, that no sheet of single demy paper, stamped in pursuance of the said last recited act, for the printing of newspapers, should exceed twenty-eight inches in length and twenty inches in breadth: and whereas it is expedient to permit the commissioners and officers in the said act mentioned, to stamp and mark, in manner by the said act directed, single demy paper for the purposes in the said act mentioned, of a larger size than in and by the said act is allowed: be it therefore enacted, That, from and after the passing of this act, it shall be lawful for the said commissioners and officers in the said act mentioned, and they are hereby authorized to stamp and mark, in the manner in the said act directed, any single demy paper, not exceeding thirty inches and one half inch in length, and twenty inches in breadth; any thing in the said act contained to the contrary thereof notwithstanding.*

C A P. LXXIII.

An act for repealing the duties of excise on distilleries in Scotland, and on the exportation of British-made spirits from England to Scotland, and for granting other duties in lieu thereof; and for altering, amending, and continuing certain acts of parliament for the regulation of distilleries in Scotland.—[July 9, 1800.]

Preamble.

WHEREAS by the laws now in force certain duties of excise are payable for or in respect of stills used for distilling low wines or spirits, and for rectifying, compounding, or mixing spirits for consumption in Scotland, and also for making spirits for exportation from England to Scotland; and a certain duty is now also payable for or in respect of British spirits, distilled for consumption in Scotland, and for or in respect of unmalted grain used in distillation in Scotland: and whereas it is expedient to repeal the said duties, and to impose other duties in lieu thereof: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the tenth day of November one thousand eight hundred, all and singular the said duties shall cease and determine, and be no longer payable or paid; save and except the duties of six pounds and ten shillings, imposed by several acts of the thirty-third, thirty-fifth, and thirty-seventh years of the reign of his present Majesty, on stills used in distilling spirits in the highland district or *Scotland*; and save and except in all cases relating to the recovering

From November 10, 1800. the present duties on distilleries in Scotland to cease, except certain duties on stills in the highland district,

vering or paying of any arrears of the said duties hereby repealed, which may at that time remain unpaid, or to any fine, penalty, or forfeiture relating thereto respectively, which shall have been incurred at any time before or on the said tenth day of *November* one thousand eight hundred.

II. And be it further enacted, That, from and after the said tenth day of *November* one thousand eight hundred, in lieu and in stead of the said duties by this act repealed, there shall be raised, levied, collected, and paid, unto his Majesty, his heirs and successors, the several duties of excise herein-after respectively mentioned; that is to say, For and upon each and every gallon *English* wine measure, (and so in proportion for any less quantity or measure), of the cubical content or capacity of each and every still, (including the head, and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend, and until the top of the head shall turn downwards, and form an angle of forty-five degrees), which shall be used or employed for any or either of the purposes herein-after mentioned; that is to say,

and the duties following to be paid for each gallon of the content of every still used for the purposes herein-after mentioned, viz.

For the making or distilling of low wines or spirits for consumption in *Scotland* from corn, grain, malt, tilts, cyder, or perry, or other wash or liquor made or brewed from any sort of *British* materials, or any mixture therewith, in any part or place in *Scotland*, (other than and except the highland district, as particularly specified and described in an act made in the thirty-seventh year of the reign of his present Majesty), the annual sum of one hundred and eight pounds:

For making spirits (except in the highland district) for consumption in *Scotland* from *British* materials, 108l. annually:

For the making or distilling of low wines or spirits for consumption in *Scotland* from melasses or sugar, or any mixture therewith, in any part or place in *Scotland*, the annual sum of six hundred and seventy pounds:

For making such spirits from melasses or sugar in any part of *Scotland* 670l.

For the making or distilling of low wines or spirits for consumption in *Scotland* from foreign refused wines, or foreign cyder, or wash prepared from foreign materials, (except melasses and sugar), or any mixture therewith, in any part or place in *Scotland*, the annual sum of seven hundred and sixty pounds: and,

and from other foreign materials 760l.

For the rectifying, compounding, or mixing in any part or place in *Scotland*, of any kind of spirits or strong waters for consumption in *Scotland*, the annual sum of one hundred and eight pounds:

and for rectifying any kind of spirits 108l.

For and upon every gallon, *English* wine measure, of spirits of the strength of one to ten over hydrometer proof, (and so in proportion for any higher or lower degree of strength), which shall be made or distilled in any part or place in *Scotland* for consumption herein-after limited, and restricted to be distilled annually by or from each still), the sum of sixpence, to be paid by the distiller of the said spirits, over and above the aforesaid duty on the content of the still, and the herein-after mentioned duty on the worts or

For each gallon of spirits of a cert. strength (not exceeding a limited number) made for consumption in *Scotland*, 6d. above the duty on the still and on the wash.

wash from which such spirits may be or may have been made or distilled :

For each gallon of wash made for consumption in Scotland (except in the highland district) from British materials, 2d. 2q.

For each gallon made in any part of Scotland for consumption in Scotland from foreign materials, 2d. 2q.

For each gallon of spirits made in England and imported into Scotland 3s.

For and upon every gallon, *English* wine measure, of all worts or wash which shall be brewed or made in any part or place in *Scotland*, (other than and except in the highland district aforesaid), for extracting spirits for consumption in *Scotland* from any malt, corn, grain, tit, cyder, or perry, or other worts, wash, or liquor, made or brewed from any sort of *British* materials, or any mixture therewith, the sum of two-pence and one halfpenny, to be paid by the brewer, maker, or distiller thereof :

For and upon every gallon, *English* wine measure, of all worts or wash which shall be brewed or made in any part or place in *Scotland* for extracting spirits for consumption in *Scotland* from melasses or sugar, or any mixture therewith, or from foreign refused wines or foreign cyder, or wash prepared from foreign materials, or any mixture therewith, the sum of two-pence and one halfpenny, to be paid by the brewer, maker, or distiller thereof :

For and upon every gallon, *English* wine measure, of spirits of a strength not exceeding that of one to ten over hydrometer proof, and so in proportion for any higher degree of strength, which shall be made or distilled in *England*, and imported or brought from thence into *Scotland*, there shall be paid by the importer thereof, before the landing thereof, an excise duty of three shillings.

From November 10, 1800, spirits distilled in England for exportation to Scotland according to Geo. 3. c. 49. not to be chargeable with any duty in England.

III. And be it further enacted, That, from and after the said tenth day of *November* one thousand eight hundred, spirits made or distilled in *England* for exportation to *Scotland*, under, subject, and according to the several rules, regulations, and restrictions provided by and contained in an act made in the twenty-eighth year of the reign of his present Majesty, intituled, *An act for discontinuing, for a limited time, the several duties payable in Scotland upon low wines and spirits, and upon worts, wash, and other liquors there used in the distillation of spirits, and for granting to his Majesty other duties in lieu thereof; and for better regulating the exportation of British-made spirits from England to Scotland, and from Scotland to England; and to continue, for a limited time, an act made in the twenty-sixth year of the reign of his present Majesty, to discontinue, for a limited time, the payment of the duties upon low wines and spirits for home consumption; and for granting and securing the due payment of other duties in lieu thereof, and for the better regulation of the making and vending British spirits; and for discontinuing, for a limited time, certain imposts and duties upon rum and spirits imported from the West Indies*, shall not be charged or chargeable in *England*, with any duty whatever, either upon the content or capacity of the still or stills which shall or may be used or employed in making the same, or upon the worts or wash from which such spirits may or shall be made or distilled; any thing in this act, or in any other act or acts of parliament to the contrary in anywise notwithstanding.

Duties to be paid as prescribed by the

IV. And be it further enacted, That the several and respective duties by this act imposed shall (except as is herein-after excepted,

or otherwise directed or provided) be raised, collected, recovered, secured, and paid by such persons, at such times, in such manner, and by such ways and means, and under such management, and under and subject to such rules, regulations, conditions, penalties, and forfeitures, and with such power of adjudging and mitigating penalties and forfeitures, and with and subject to such powers, and to the like rules and directions, and by such methods, and in such manner and form, (except as aforesaid), as by several acts, made, in the twenty-eighth, thirty-third, thirty-fifth, and thirty-seventh years of the reign of his present Majesty, for the regulation of distilleries in *Scotland*, and the exportation of *British-made* spirits from *England* to *Scotland*, and from *Scotland* to *England*, or by any other act or acts of parliament now in force concerning the several matters and things respectively for or in respect whereof any duty is by this act imposed, is directed or prescribed; and that all the provisions, penalties, forfeitures, powers, authorities, rules, and directions, mentioned and contained in the said acts respectively, (except as aforesaid), shall be practised and put in execution, for the raising, receiving, levying, recovering, securing, or paying the several and respective duties by this act imposed, in manner in the said acts directed, as fully and effectually, to all intents and purposes, as if the same were particularly repeated and enacted in this act.

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

VI. And whereas the monies arising from the respective duties hereby repealed, were directed to be entered separate and apart in the books kept at the office of the auditor of the receipt of his Majesty's exchequer for a limited time; be it further enacted, That during the period of ten years, to be computed from the passing of an act passed in the thirty-seventh year of the reign of his present Majesty, intituled, *An act for granting to his Majesty certain additional duties on distilleries in Scotland, and on the exportation of British-made spirits from England to Scotland, and from Scotland to England*, there shall be separately entered in the books provided and kept in the said office of the auditor of the said receipt for the purposes aforesaid, at the end of every quarter of a year, ending on the fifth day of *January*, the fifth day of *April*, the fifth day of *July*, and the tenth day of *October*, yearly, the proportions hereinafter mentioned of the duties hereby granted; that is to say, There shall be reserved in the consolidated fund for the account existing prior to the passing of an act passed in the thirty-third year of the reign of his present Majesty, out of the duties hereby granted, one sixth part thereof; and that after reserving such sixth part as aforesaid, one other sixth part of the said duties shall be entered in the separate account directed to be kept by several

acts passed in the said thirty-fifth year of the reign of his present Majesty, and the remainder of the said duties shall be entered in the separate account, directed to be kept by several acts passed in the thirty-seventh year of the reign of his present Majesty, as the same shall arise at the end of each quarter.

Management of the duties.

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

No person to set up a still in Scotland, without a licence on penalty of 500*l.* and forfeiture of the still, &c.

VIII. And be it further enacted, That no person or persons whatever shall, by him, her, or themselves, or by any other person or persons whatever employed by him, her, or them, or for his, her, or their use or benefit, erect, set up, use, employ, or work, any still or stills for distilling, making, or manufacturing of low wines or spirits from malt, corn, sugar or melasses, or any of the materials aforesaid, or for the rectifying, compound- ing, or mixing of any kind of spirits or strong waters, in any part of *Scotland*, without first taking out a licence for that purpose, in the manner herein-after mentioned and directed, ten days at least before he, she, or they shall so erect, set up, use, employ, or work any such still or stills, on pain to forfeit five hundred pounds, together with all and every such still and stills, with the tubs and utensils thereto belonging, and all worts, wash, low wines, and spirits, and also all materials for brewing or manufacturing worts, wash, low wines, or spirits, or for rectifying or compound- ing spirits in the possession of such person or persons; and all and every such still and stills, tubs, utensils, worts, wash, low wines, spirits, and materials, shall and may be seized by any officer or officers of excise.

Manner of granting licences.

IX. And be it further enacted, That every such licence shall be granted in the manner following; that is to say, If such licence shall be applied for to authorise the distiller or distillers, maker or makers, rectifier or rectifiers, compounder or compounders of spirits to whom the same shall be granted, to make, distil, rectify, or compound spirits within the limits of the chief office of excise in *Edinburgh*, the same shall be granted under the hands and seals of two or more of the commissioners of excise in *Scotland* for the time being, or of such person or persons as they the said commis- sioners of excise, or the major part of them for the time being, shall from time to time appoint for that purpose; but if such li- cence shall be applied for to authorise the distiller or distillers, maker or makers, rectifier or rectifiers, compounder or com- pounders of spirits, to whom the same shall be granted, to make, distil, rectify, or compound spirits in any part of *Scotland* not within the said limits, the same shall be granted under the hands and seals of the collector and supervisor of excise of the collection and district within which the same shall authorise the distiller or distillers, maker or makers, rectifier or rectifiers, compounder or compounders of spirits, to whom the same shall be granted, to make, distil, rectify, or compound spirits; and such commis- sioners of excise, or two or more of them, and the person or persons to be appointed by the said commissioners of excise in *Scotland*, or the

the major part of them, and also all such collectors and supervisors, are hereby respectively authorized and required to grant (without fee or reward) licences to the distiller or distillers, maker or makers, rectifier or rectifiers, compounder or compounders of spirits, applying for and duly qualified to receive the same, on his, her, or their finding the security, and complying with the conditions herein-after mentioned, and first paying into the hands of the proper officer of excise such proportion of the yearly rate or duty hereby imposed as herein-after is directed, according to the content or capacity of the still or stills so to be erected, set up, made use of, employed, or worked as aforesaid.

X. And be it further enacted, That no such licence shall be granted to any distiller or distillers, maker or makers, rectifier or rectifiers, compounder or compounders of spirits for consumption in *Scotland*, until he, she, or they respectively shall have found security by bond to his Majesty in the penal sum of five hundred pounds, with at least one sufficient surety, to the satisfaction of the said commissioners, or the proper collector of excise, that he, she, or they shall make due and regular payment of the whole annual duty by this act imposed on the capacity or content of his, her, or their still or stills so to be licensed as aforesaid, at the time and times, and in the manner herein-after mentioned and directed, without any allowance, abatement, or deduction on account of any loss, accident, or interruption that may happen during the currency or period of such licence, except in or through the destruction of the distillery, and total stoppage of the work by fire, or as is herein-after excepted and provided.

No licence to be granted till security be given for payment of the duty.

XI. And be it further enacted, That every licence for the distilling, making, or manufacturing of low wines or spirits from malt, corn, grain, or *British* materials in the lowlands of *Scotland*, or from melasses, sugar, or other foreign materials, or for the rectifying, compounding, or mixing of any kind of spirits in any part or place in *Scotland*, which shall be granted or renewed upon or after the said tenth day of *November* one thousand eight hundred inclusive, shall be and continue in force from the said tenth day of *November* inclusive to the tenth day of *November* one thousand eight hundred and one exclusive, and for no longer or shorter period; and every such licence to be afterwards granted or renewed shall be and continue in force for one year from the tenth day of *November* yearly, and for no longer or shorter period.

Continuance of licences.

XII. And be it further enacted, That, upon or previous to the granting of any such licence for the distilling, making, or manufacturing of low wines or spirits from malt, corn, grain, or *British* materials in the lowlands of *Scotland*, or from melasses, sugar, or other foreign materials, or for the rectifying, compounding, or mixing of any kind of spirits in any part or place in *Scotland*, the person or persons applying for the same shall, before he, she, or they be entitled to such licence, pay down in advance in ready money to the proper officer of excise, one-twelfth part of the annual duty by this act imposed for or in respect of the capacity or content of his, her, or their still or stills specified in such licence,

Manner of paying the duty for licences.

for one year, computed as aforesaid; and shall afterwards, at or before the end of every month, pay down in ready money in advance as aforesaid, another twelfth part of the said yearly duty payable for or in respect of such still or stills, until the whole thereof shall be fully paid, over and above the sum paid in advance at the time of granting such licence.

Penalty of not paying the licence duty.

XIII. And be it further enacted, That if any person or persons licensed as aforesaid shall neglect, delay, or refuse to pay the licence duty imposed by this act for or in respect of the capacity or content of his, her, or their licensed still or stills, or any part thereof, in advance in the manner, and at the time or times herein-before directed, every such person or persons shall, for every such offence, forfeit and lose his, her, or their still or stills, and also the sum of five hundred pounds; which still or stills shall and may be seized by any officer or officers of excise.

Penalty for erecting any other still than specified in the licence.

XIV. And be it further enacted, That if any person or persons in any part or place in *Scotland* shall erect, work, or make use of any other still or stills except such as shall be specified in his, her, or their licence or licences, whether of the same or of a different description, capacity, or content, either in the body, or in the head, or any other part thereof, than shall have been so specified, such still or stills shall be forfeited and lost, and shall and may be seized by any officer or officers of excise; and every such person or persons shall also forfeit and lose for every such offence the sum of five hundred pounds.

Licences may be granted for erecting stills within the highland district, upon payment of the old duty.

XV. And be it further enacted, That it shall be lawful for the commissioners of excise in *Scotland* to grant licences to all persons applying for the same, and duly recommended and qualified, to erect, keep, and work stills for distilling from barley, beer, or big, in the highlands of *Scotland*, within the respective counties, parts of counties, and limits particularly specified and described, in the before-mentioned acts of the thirty-seventh and thirty-ninth years of the reign of his present Majesty, as the highland district, and as contradistinguished from the intermediate district, herein-after mentioned, and from the lowlands of *Scotland*, for one year, from the said tenth day of *November* one thousand eight hundred inclusive, to the tenth day of *November* one thousand eight hundred and one exclusive, and so from year to year thereafter, upon payment of the same, and no higher yearly rate of duty for or in respect of the capacity or content of the stills specified in such licences, to which distillers in the said highland district were subject and liable under the acts of the thirty-third, thirty-fifth, and thirty-seventh years of the reign of his present Majesty, and also subject to and upon the same terms, conditions, regulations, restrictions, provisions, penalties, and forfeitures, as were contained in the said act of the thirty-seventh year of the reign of his present Majesty, and in the before-mentioned acts of the thirty-eighth and thirty-ninth years of the reign of his present Majesty, or any of them, save and except as is herein-after excepted or altered.

XVI. And

XVI. And whereas by the said act of the thirty-seventh year of the 37 Geo. 3. reign of his present Majesty, intituled, An act for granting to his Majesty additional duties on distilleries in the several parts of the highlands of Scotland, herein particularly described, for a limited time; and for regulating the duties on distilleries in the respective districts in Scotland, it was enacted, That all stills to be licensed to be set up in any other part of the highlands of Scotland, as described in an act of the thirty-third year of the reign of his present Majesty, (except the counties, parts of counties, and places in the said act of the thirty-seventh year of his present Majesty particularly specified and described), should be licensed for the term therein mentioned, on payment of the composition or licence duty, at and after the rate of six pounds and ten shillings, in addition to the duties already imposed thereon by any act or acts in force before the passing of the said act; and certain other provisions and regulations were therein, and in the aforesaid act of the thirty-ninth year of the reign of his present Majesty, made in relation to stills and distillers within the line or boundary betwixt the lowland or southern and the highland or northern districts of Scotland, and commonly called or known by the name of the Intermediate District; and whereas it is now expedient and necessary to discontinue and abolish the distinction thereby introduced and established: be it therefore enacted, That, from and after the said tenth day of November one thousand eight hundred, the duties by the said acts imposed or continued on stills to be licensed and set up or used within the aforesaid intermediate district, and all the regulations, provisions, clauses, matters, and things specially regarding the said district, shall be, and they are hereby repealed, from and after the said tenth day of November one thousand eight hundred; and that, from and after the said day, all and every person and persons who, within the said intermediate district, shall brew or make wort, or wash for distillation, or who shall distil low wines or spirits, or who shall use or employ any still or stills for distilling wash, low wines, or spirits, or for rectifying, compounding, or mixing spirits within the said district, shall be subject and liable to the same duties, regulations, provisions, conditions, restrictions, penalties, and forfeitures, as is or are imposed or provided by this act, or by any former act or acts of parliament, in the case of distillers or stills in the lowlands of Scotland not by this act repealed; any law, custom, or usage, to the contrary in any ways notwithstanding.

From November 10, 1800, the duties on stills imposed by recited act on stills within the intermediate district repealed, and the stills therein subject to the same duties as those in the lowlands.

XVII. And be it further enacted, That when the licence duty, Licence duty to be held the duty for certain quantities of spirits. shall be paid for or upon each gallon of the cubical content or capacity of a still in the lowlands of Scotland, such duty shall be held to be the licence duty on the spirits manufactured in such still for and during one year, from and after the day on which such licence shall commence and take effect, at the rate of two thousand and twenty-five gallons, and no more, English wine measure, of spirits of the strength of one to ten over hydrometer proof for each gallon content of such still; that when the licence duty, at and after the yearly rate of six hundred and seventy

pounds, shall be paid for or upon each gallon of the cubical content or capacity of a still in any part or place of *Scotland*, such duty shall be held to be the licence duty on the spirits manufactured in such still for and during one year, from and after the day on which such licence shall commence and take effect, at the rate of four thousand and fifty gallons, and no more, *English wine measure*, of spirits of the strength of one to ten over hydrometer proof, for each gallon content of such still; that when the licence duty, at and after the yearly rate of seven hundred and sixty pounds, shall be paid for or upon each gallon of the cubical content or capacity of a still in any part or place in *Scotland*, such duty shall be held to be the licence duty on the spirits manufactured in such still for and during one year, from and after the day on which such licence shall commence and take effect, at the rate of three thousand six hundred and forty-five gallons, and no more, *English wine measure*, of spirits of the strength of one to ten over hydrometer proof, for each gallon content of such still; and that when the licence duty, at and after the yearly rate of six pounds and ten shillings, shall be paid for and upon each gallon of the cubical content or capacity of a still in the highland district, such duty shall be held to be the licence duty on the spirits manufactured in such still, for and during one year from and after the day on which such licence shall commence and take effect, at the rate of fifty-two gallons, and no more, *English wine measure*, of spirits of the strength of one to ten over hydrometer proof for each gallon content of such still; and when any such licence duties shall be respectively paid for any shorter period of time than one year, (not being less than one calendar month), the like proportions shall be observed respectively, as to the quantity of spirits for which such licence duty shall be held to have been paid, according to the full content or capacity of each and every such still; and that for and upon all spirits which shall be manufactured from any such licensed stills respectively, during one year as aforesaid, over and above the respective quantities aforesaid, for each gallon content of each such still, and in and according to the same proportions for and during any shorter period, (not being less than one month as aforesaid), there shall be paid on demand, by every such distiller, the sum of three shillings for every gallon of such surplus spirits of the strength aforesaid, which shall be distilled from malt, corn, or *British* materials; of four shillings and nine-pence, for every gallon of such surplus spirits of the strength aforesaid which shall be distilled from melasses or sugar; and of five shillings and nine-pence, for every gallon of such surplus spirits of the strength aforesaid, which shall be distilled from other foreign materials, over and above the said respective licence duties, and all other duties whatsoever.

A duty to be paid for every gallon distilled above the limited quantities.

Officers of excise to take an account of stock of distillers for consumption

XVIII. And be it further enacted, That the officers of excise shall once in every calendar month at the least, and oftener when it shall appear necessary, or when directed by any principal or general officer of excise, or by the surveyor or supervisor of the district, take an account of the stock of spirits in the possession of
all

all distillers for consumption in *Scotland*; and if on taking such account the quantity of spirits found in any such stock, added to the quantity for which permits shall have been granted, shall be found to exceed the quantity of spirits which ought only to have been made and distilled by such distiller from any licensed still according to its size during the said period, and according to the proportions herein-before respectively established and allowed, such excess shall be immediately charged at and after the aforesaid rate of three shillings, four shillings and nine-pence, or five shillings and nine-pence respectively, as the case may require, for every gallon of such surplus spirits of the strength of one to ten over hydrometer proof; and such duty shall be paid on demand by the distiller, over and above all other duties, on pain of forfeiting for every refusal or neglect to make such payment, the sum of ten shillings for each and every gallon of such surplus spirits.

in *Scotland*,
and charge
for the excess.

XIX. And be it further enacted, That if the quantity of spirits computed at the strength of one to ten over hydrometer proof, which shall be produced to the proper officer or officers of excise, by any distiller or distillers of spirits, and actually charged with the duty of sixpence for every gallon thereof, shall at the end of the year for which any such licence as aforesaid shall have been granted, or sooner termination of such licence, be found to fall short of the quantity of spirits which ought to have been produced and charged with the said duty according to the proportions herein-before mentioned, then and in every such case such deficiency shall be immediately charged at and after the rate of sixpence for every gallon of spirits so deficient as aforesaid, to be paid by the distiller for or in respect of such deficient quantity of spirits, on pain of forfeiting the sum of ten shillings for each and every gallon so deficient, in default of making such payment as aforesaid.

If the quantity of spirits for which the duty of 6 d. per gallon shall be charged, shall fall short of what it ought to be, the deficiency shall be charged with the duty.

XX. And be it further enacted, That, from and after the said tenth day of *November* one thousand eight hundred, it shall and may be lawful for any person or persons licensed by the said commissioners of excise to erect, keep, and work any still or stills for the distilling, making, or manufacturing of low wines or spirits from malt, corn, grain, or *British* materials in the lowlands of *Scotland*, or from melasses, sugar, or other foreign materials, or for the rectifying, compounding, or mixing of any kind of spirits in any part or place in *Scotland*, or for any person or persons licensed by the said commissioners of excise to erect, keep, and work stills for distilling from barley, beer, or big in the highlands of *Scotland*, to deliver up his, her, or their licence or licences to the said commissioners, or to the proper supervisor or surveyor of the district, or officer of the division, to be vacated upon the condition herein-after expressed, and at the time herein-after particularly mentioned; that is to say, Every such person or persons intending to deliver up his, her, or their licence or licences to be vacated, shall give to the said commissioners, supervisor, surveyor, or officer, fifteen

Licences may be given up to be vacated under certain conditions.

fifteen days previous notice in writing signed by such person or persons of such intention before he, she, or they shall be entitled to discontinue the working of his, her, or their still or stills licensed as aforesaid; and thereupon the said commissioners, supervisor, surveyor, or officer shall, and they are hereby respectively authorised to vacate the said licence or licences, but not sooner than at and from the end of any one calendar month for which time the licence duty has been actually paid in advance by such person or persons; and in that case the proportion of the licence duty payable for or in respect of such still or stills for the unexpired time of his, her, or their licence or licences, during which the working of the said still or stills shall be discontinued, shall not be charged or chargeable upon, or payable or paid by, such person or persons who shall have given such notice as aforesaid, and have ceased to work such still or stills from and after the time specified in such notice; but the stock of spirits then remaining on hand of such distiller or distillers shall be taken by the proper officer of excise; and if on balancing the account thereof as aforesaid, any excess shall be found above the proportions herein-before mentioned, or any deficiency therefrom shall be discovered, the same shall be immediately chargeable and charged with at and after the rate respectively herein-before mentioned, on the event of a surplus or deficiency, as the case may require, and the same shall be forthwith paid by such distiller or distillers under the penalty aforesaid.

No alteration to be made in any licensed still without previous notice, on penalty of 500l.

XXI. Provided always, and be it further enacted, That after any licensed still has been gauged and measured, and its capacity or content ascertained by the proper officer of excise, no alteration or addition shall be made thereon or thereto, either in the body or in the head, or any part thereof, for and during one calendar month at the least, nor even then or afterwards, but at the beginning of each month, nor without previous notice in writing, signed by the distiller, being given to such officer at least three days before such alteration or addition is attempted to be made, on pain of forfeiting the sum of five hundred pounds.

Officers of excise may enter into still houses, &c. by night or day to examine.

XXII. And be it further enacted, That the officers of excise, and each and every of them, shall be and they are hereby authorised and empowered, and have right, by night or by day, to enter into, and continue in every still house or other place made use of by any distiller, or maker, or rectifier, or compounder of spirits for home consumption in any part of *Scotland*, for making, keeping, brewing, or distilling worts, wash, low wines, or spirits, or for rectifying or compounding spirits, and also to examine every still, and the materials therein, if not at work; and if at work, to stay and continue in such still house or place, until such still shall be wrought off, and then to examine the same, and what materials were wrought therein, and also to re-gauge or re-measure any still or stills, or the head or heads, or any part thereof, so as to discover whether any alteration or addition has been made thereon or thereto, without such notice as aforesaid; and in case any such distiller, rectifier, or compounder,

pounder, shall refuse to permit such officer of excise to enter into or to continue in his or her still house or other place aforesaid, or to make such examination as aforesaid, or to re-guage or re-measure any still or stills for the purpose aforesaid, or shall obstruct or hinder such officer in the due execution of any part of his duty, in every such case such distiller, rectifier, or corn-pounder, shall for every such offence forfeit and lose the sum of two hundred pounds.

XXIII. And be it further enacted, That, from and after the said tenth day of *November* one thousand eight hundred, every distiller of spirits in the lowlands of *Scotland* for home consumption shall, five days at the least before he or she shall begin to brew any corn or grain, or to prepare or mix any other materials for the making of worts or wash to be distilled into low wines or spirits, make a true and particular entry in writing, at the next office of excise within the limits whereof his or her still house is or shall be situated, of all places, coppers, tuns, backs, coolers, stills, casks, vessels, and other utensils, which he or she shall make use of for the brewing, mixing, fermenting, working, distilling, holding, laying, or keeping any malt, corn, grain, cyder, perry, sugar, melasses, or other materials or ingredients for brewing or making worts, wash, low wines, or spirits; and in such entry shall specify the particular use and purpose to and for which each such place, vessel, or utensil is intended to be applied and appropriated; and if any such distiller shall neglect to make such entry, specifying as aforesaid, he or she shall for every such offence forfeit and lose the sum of two hundred pounds.

XXIV. And be it further enacted, That no such distiller who shall have made such entry as aforesaid, shall be permitted to withdraw his or her entry whilst any worts, wash, low wines, or other materials preparing or fit for distillation, are remaining in any of the places, or in any of the utensils so by him or her respectively entered as aforesaid; but in every such case the officers of excise under whose survey such distiller shall then be, shall continue to survey the places and utensils mentioned in each such entry until all the worts, wash, low wines, and other materials shall be worked off, and the duties charged on the said worts or wash, and on the spirits the produce thereof, or until the same shall be removed from and out of the said entered places, and then, and not till then, shall any such entry made as aforesaid, be withdrawn.

XXV. And be it further enacted, That every such distiller shall be, and he or she is hereby required to shew to the officer of excise who surveys his or her distillery, every still, copper, tun, wash back, cooler, cask, or other vessel or utensil so entered as aforesaid; and he the said officer is hereby required to mark the same with a particular, distinct, and durable mark; and every still, copper, tun, wash back, cooler, cask, or other vessel or utensil which shall at any time or times be used by any such distiller without being so shewn or marked, shall be deemed a

Penalty of 200l. for refusal to permit them to enter, &c.

From November 10, 1800, distillers in the lowlands to make previous entry of all places, &c. used for distilling, on penalty of 200l.

No distiller to withdraw his entry whilst any materials for distillation are remaining in any entered place or utensils, but the excise officer shall continue his survey till the materials are worked off or removed.

Distillers shall shew to the excise officer all stills, &c. which he shall mark. Stills, &c. not marked to be deemed unentered.

Penalty of 50*l.* for defacing mark.

vessel or utensil of which no entry has been made; and if any person or persons whatsoever shall at any time or times after such still, copper, tun, wash back, cooler, cask, or other vessel or utensil, shall have been so marked by such officer as aforesaid, rub out or deface any such mark so fixed upon any such still, copper, tun, wash back, cooler, cask, or other vessel or utensil, by such officer as aforesaid, he, she, or they so offending shall for every such offence forfeit and lose the sum of fifty pounds.

From November 10, 1800, distillers in the lowlands to give 12 hours previous notice of their intention to mix materials, &c. on penalty of 50*l.*

XXVI. And be it further enacted, That every such distiller of spirits in the lowlands of *Scotland*, from and after the said tenth day of *November* one thousand eight hundred, shall, twelve hours before he or she shall begin to mix, mash, or brew any malt or grain, melasses or sugar, or other materials, to be fermented or made into worts or wash, or to prepare worts or wash for distillation, give to the proper officer of excise under whose survey he or she shall then be, a notice in writing, specifying therein the particular time and hour when he or she intends to begin to prepare, mix, or mash, and the true quantity or weight of malt, and of unmalted grain, and of melasses, sugar, or foreign materials, intended to be prepared, mixed, or mashed, as the case may require; on pain of forfeiting for every neglect of giving such notice, and specifying as aforesaid, the sum of fifty pounds.

From November 10, 1800, every wash back for distilling in the lowlands for home consumption to have a hole in the top and a brass cock in the middle, and be so placed that the officer may conveniently take his dip and draw off a sample on penalty of 50*l.*

XXVII. And be it further enacted, That every wash back which, from and after the said tenth day of *November* one thousand eight hundred shall be used or kept by any distiller of spirits in the lowlands of *Scotland* for home consumption, shall have a hole or dipping place in the top, and also a brass cock in the middle thereof, and every such wash back shall be so placed and constructed as that the officer of excise may be conveniently enabled to take his dip or gauge at such hole or dipping place at the top thereof, and to draw off a sample of the wash therein; and if any such distiller shall keep or use, any wash back, without such hole or dipping place at the top, or such cock in the middle thereof, or shall have, keep, or use, any wash back so placed or constructed as that the officer of excise cannot conveniently be enabled to take his dip or gauge, or to take such sample as aforesaid, he or she shall for every such offence forfeit and lose the sum of fifty pounds.

No such distiller shall keep any private pipe by which liquors fit for distillation may be conveyed from one vessel to another on penalty of 50*l.*

XXVIII. And be it further enacted, That no such distiller shall have or keep any private pipe, stop cock, or other private conveyance by which any worts, wash, or other liquors fit for distillation may be conveyed from one back or other vessel to another, or from any such back or other vessel to his or her still or stills, or into any other place; nor shall have or keep any hole other than as aforesaid, in any such back or wash back, by which any worts, wash, or any other liquor fit for distillation may be conveyed into or out of such back or wash back, or any of them; on pain to forfeit for every such pipe, stop cock, conveyance, and hole, the sum of two hundred pounds.

XXIX. And for the better discovery of all private pipes, stop cocks,

cocks, and other private conveyances or utensils; be it further enacted, That it shall and may be lawful to and for the officers of excise or any of them, in the day time, and in the presence of a constable or other lawful officer of the peace, (who is hereby required to be aiding and assisting therein), on request first made, and cause declared, to break up the ground in any distilling house, or the ground near adjoining, or any wall, partition, or other place, to search for any such pipe, stop cock, or any other private conveyance or utensil; and upon finding such pipe or other conveyance, to break up the ground, house, wall, or other partition or place through or into which any such pipe or other conveyance shall lead; and to break up or cut any such pipe or other conveyance, and to turn any cock or cocks, to try and examine whether such pipe or other conveyance may or can convey any worts, wash, or other liquors fit for distillation out of one back or vessel, into another, or from any such back or vessel into any still or stills, or into any other place.

Officers of excise in the day time and presence of a peace officer may break up ground to search for any private pipe, &c.

XXX. And be it further enacted, That no such distiller shall erect, set up, have, or keep any trunk, or any other close vessel or utensil, for receiving, keeping, or making worts, wash, or other materials preparing or fit for distillation, on pain to forfeit for every such trunk, or other close vessel or utensil, so erected, set up, had, or kept, the sum of two hundred pounds.

No such distiller shall keep any trunk, &c. for receiving materials for distillation on forfeiture of the same and 200l.

XXXI. And be it further enacted, That, from and after the said tenth day of *November* one thousand eight hundred, no worts, wash, or tilts, or other liquor or preparation for the distilling of spirits for home consumption in the lowlands of *Scotland*, shall be put into the still, or otherwise removed from the back or vessel wherein the same was or were fermented, until the same shall have been gauged, and the duty charged thereon by the proper officer of excise; and if any distiller shall, contrary to the directions of this act, put into any still, or otherwise remove or cause to be removed, any such worts, wash, tilts, or other liquor or preparation, from the back or vessel wherein the same was or were fermenting or fermented, before the same shall have been gauged, and the duty charged thereon, such distiller shall for every such offence forfeit and lose the sum of one hundred pounds.

No wort for distilling for home consumption in the lowlands to be put into the still or removed from where fermented till the duty be charged, on penalty of 100l.

XXXII. And be it further enacted, That, from and after the said tenth day of *November* one thousand eight hundred, no worts, wash, tilts, or low wines, in the possession of any distiller of spirits in any part or place in *Scotland*, shall be removed or taken away from his or her entered and licensed distillery, nor shall any worts, wash, or tilts be deposited, hid, or concealed in any place whatsoever, with intent to defraud the duty; and when and so often as any worts, wash, tilts, or low wines shall be removed or taken away, or any worts, wash, or tilts shall be deposited, hid, or concealed, contrary to the true intent and meaning of this act, such worts, wash, tilts, and low wines respectively, shall be forfeited and lost, and shall and may be seized by any officer of excise; and over and beside such forfeiture,

Worts fraudulently removed or concealed, to be forfeited, and the party to forfeit 100l.

such distiller so removing or taking away any worts, wash, tilts, or low wines, or so depositing, hiding, or concealing any worts, wash, or low wines, or causing the same so to be removed, taken away; or deposited, hid, or concealed, and the person or persons employed so to remove or take away, or so to deposit, hide, or conceal the same, or who shall receive the same, shall severally forfeit and lose the sum of one hundred pounds.

Officers may take samples of wort on paying for the same,

XXXIII. And be it further enacted, That the officers of excise shall, and they are hereby empowered, as often as to them or any of them shall seem expedient, to take a sample or samples, of all worts, wash, or other liquors in the possession of any distiller or distillers, either in the coolers, wash backs, or other vessels or utensils whatsoever, or before the same shall be conveyed into the wash still or stills, not exceeding at any one time one gallon of such worts, wash, or other liquors from each such cooler, wash back, or other vessel or utensil, on paying for the same, if demanded, after the rate of two shillings by the gallon of such worts, wash, or other liquors.

and of spirits in stock.

XXXIV. And be it further enacted, That it shall and may be lawful for any officer or officers of excise to take a sample or samples of low wines or spirits in the stock or possession of any distiller or distillers, not exceeding half a pint out of each cask or vessel, paying for such sample, if demanded, at and after the rate of six shillings by the gallon.

Distillers to produce to the officer certain quantities of spirits for certain quantities of wash, or be chargeable for the deficiencies at certain rates.

XXXV. And be it further enacted, That every distiller in the lowland of *Scotland* shall, for every one hundred gallons of wash prepared from malt, corn, grain, or any sort of *British* materials, or any mixture therewith, for extracting spirits for consumption in *Scotland*, found in his or her custody, produce to the proper officer of excise, at least eleven gallons *English* wine measure, of spirits of the strength of one to ten over hydrometer proof; that every distiller in any part or place in *Scotland* shall, for every one hundred gallons of wash prepared from melasses or sugar, or any mixture therewith, for extracting spirits for consumption in *Scotland*, found in his or her custody, produce to the said officer at least twenty-two gallons *English* wine measure, of such spirits of the strength aforesaid; that every distiller in any part or place in *Scotland* shall, for every one hundred gallons of wash prepared from any other foreign materials, or any mixture therewith, for extracting spirits for consumption in *Scotland*, found in his or her custody, produce to the said officer at least twenty gallons, *English* wine measure, of spirits of the strength aforesaid; and that every distiller in the highland district of *Scotland* shall, for every one hundred gallons of wash prepared from barley, bear, or bigg of the growth of the said highlands, or any mixture therewith, found in his or her custody, produce to the said officer at least six gallons *English* wine measure of spirits of the strength aforesaid; and that in every case where the spirits extracted by any such distiller respectively, and produced to the proper officer of excise, and actually charged with the duty by this act imposed of sixpence for every gallon, shall fall short of the

the respective proportions herein-before mentioned, every such distiller shall, and he or she is hereby made chargeable with and shall pay at and after the rate of one shilling and sixpence for every gallon of spirits in which the deficiency shall be discovered, shall have been made or distilled from malt, corn, or *British* materials; of three shillings and nine-pence, if the spirits in which the deficiency shall be discovered shall have been made or distilled from melasses or fugar; and of four shillings and eight-pence, if the spirits in which the deficiency shall be discovered, shall have been made or distilled from other foreign materials; and if default shall be made in such payment, the distiller making such default shall forfeit ten shillings for every gallon of such spirits so deficient.

XXXVI. And be it further enacted, That, from and after the said tenth day of *November* one thousand eight hundred, all and every person whatsoever, who shall make or distil low wines or spirits in the lowlands of *Scotland* for home consumption, shall be, and he or she is hereby required to make monthly and every month, upon oath before the proper supervisor or surveyor of the district in which his or her distillery is carried on, (and which oath such supervisor or surveyor is hereby authorized and empowered from time to time to administer), a true and particular entry or return in writing, of the quantity of worts, wash, or other materials which he or she shall have distilled or made into spirits, and of the quantity of spirits which he or she shall have made or distilled, within such month respectively; and also of the true and exact number of times which he or she shall have actually charged and worked his or her still or stills in each day of twenty-four hours, within such month respectively, on pain to forfeit for every neglect or refusal to make monthly and every month such true entry or return upon oath, specifying the several particulars aforesaid, the sum of two hundred pounds.

XXXVII. And be it further enacted, That the officers of excise shall monthly and every month make a return to the commissioners of excise or such person as they shall appoint, of all the worts or wash, and of all the distilled spirits taken account of by them, and charged with duty; which return shall be a charge upon the brewer, maker, or distiller thereof respectively.

XXXVIII. And be it further enacted, That every such brewer, maker, or distiller, who shall not pay and clear off the duty by this act imposed upon such worts or wash, and upon distilled spirits, or either of them respectively, within one week after he or she shall have made or ought to have made his or her entry thereof as aforesaid, he or she shall forfeit and lose double the amount of the said duty not so paid.

XXXIX. And be it further enacted, That so much and such parts of two acts of parliament, made in the thirty-eighth and thirty-ninth years of the reign of his present Majesty, and which were to continue in force until the tenth day of *November* one thousand eight hundred, as are not herein-before expressly altered, repealed, or changed, or are not repugnant thereto, shall

Distillers in the lowlands for home consumption to make monthly upon oath a return of the quantity of worts they shall have distilled, &c. on penalty of 200l.

Officers to make a monthly return to the commissioners of the worts and spirits taken an account of, which shall be a charge upon the distiller.

If duty be not paid within a week after entry, double the amount to be paid.

So much of 38 Geo. 3. c. 92. and 39 Geo. 3. c. 78. as is

not hereby al-

tered, shall be continued in force from November 10, 1800.

From November 10, 1800, to July 1, 1801, a duty at the rate of 316l. to be paid for each gallon of the content of stills used in Scotland, for distilling spirits for home consumption from melasses or sugar.

Such duty to be held to be the duty for a certain quantity of spirits, and 3s. per gallon to be paid for the excess.

be, and they are hereby, from and after the said tenth day of *November* one thousand eight hundred, continued in full force and effect.

XL. *And whereas it is expedient to allow for a limited time the distillation of spirits from melasses or sugar at a reduced rate of duty,* be it therefore enacted, That, from and after the said tenth day of *November* one thousand eight hundred, until the first day of *July* one thousand eight hundred and one, there shall be raised, levied, collected, and paid unto his Majesty, his heirs and successors, for and upon each and every gallon *English* wine measure, (and so in proportion for any less quantity or measure), of the cubical content or capacity of each and every still, (including the head and every part thereof, and of any horn, pipe, tube, or other apparatus therewith connected, under whatever name or denomination the same may be called or known, as high as the steam can ascend, and until the top of the head shall turn downwards and form an angle of forty-five degrees) which shall be used or employed for the making or distilling of low wines or spirits for consumption in *Scotland* from melasses or sugar, or any mixture therewith, in any part or place in *Scotland*, a sum at and after the yearly rate of three hundred and sixteen pounds; any thing in this act or in any other act or acts of parliament to the contrary in anyways notwithstanding.

XLI. *And be it further enacted,* That, from and after the said tenth day of *November* one thousand eight hundred, until the said first day of *July* one thousand eight hundred and one, when the before-mentioned licence duty, at and after the yearly rate of three hundred and sixteen pounds shall be paid for or upon each gallon of the content or capacity of a still in any part or place in *Scotland* such duty shall be held to be the licence duty on the spirits manufactured in such still for and during one year, from and after the day on which such licence shall commence and take effect at the rate of four thousand and fifty gallons and no more, *English* wine measure, of spirits of the strength of one to ten over hydrometer proof for each gallon content of such still; and for every gallon of spirits at the strength aforesaid, which during the said period shall be found to exceed the above mentioned proportion, there shall be charged and paid on demand by the distiller who shall make or produce the same, the sum of three shillings over and above all other duties, on pain of forfeiting for every neglect or refusal to make such payment the sum of ten shillings for each and every gallon of such surplus spirits.

XLII. *And whereas contracts may have been made for the sale of British spirits before the same shall have been charged, or become chargeable with the duties by this act imposed;* be it therefore enacted, That in all cases where any spirits whereon the duties by this act imposed shall be charged, shall be after the first day of *November* one thousand eight hundred, delivered in pursuance of such contracts or sales, it shall be lawful for the distillers, rectifiers, or compounders of such spirits, delivering the same, to charge so much

On spirits delivered after November 1, 1800, on contracts made before the du-

much money as shall be equivalent to the duties by this act imposed in respect thereof, in addition to the price of such spirits, and such distiller, rectifier, or compounder, shall be entitled by virtue of this act to demand and be paid the same accordingly.

XLIII. And be it further enacted, That all fines, penalties, and forfeitures by this act imposed, shall be sued for, recovered, levied, or mitigated by such ways, means, and methods, as any fine, penalty, or forfeiture is or may be sued for, recovered, levied, or mitigated by any law or laws of excise, or by action of debt, bill, plaint, or information in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland* respectively; and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him, her, or them who shall discover, inform, or sue for the same.

XLIV. And be it further enacted, That all and every the powers, directions, rules, penalties, forfeitures, clauses, matters, and things, which, in and by an act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights service and purveyance, and for settling a revenue upon his Majesty in lieu thereof*, or by any other law now in force relating to his Majesty's revenue of excise upon beer, ale, and other liquors, are provided and established for managing, raising, levying, collecting, mitigating, recovering, adjudging, or ascertaining the duties thereby granted, or any of them, shall be practised and put in execution in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the duties hereby granted as fully and effectually as if all and every the said powers, rules, directions, penalties, forfeitures, matters, and things, were particularly repeated and re-enacted in this present act.

XLV. And be it further enacted, That nothing in this act contained shall extend, or be deemed or construed to extend, to repeal or alter an act, or any part thereof, made in the present session of parliament, intituled, *An act to continue, until the first day of February one thousand eight hundred and one, an act made in this present session of parliament, to prohibit the making of low wines or spirits from wheat, or other sort of grain, or from meal, flour, or bran, in that part of Great Britain called Scotland*.

C A P. LXXIV.

An act for amending several acts for regulating the price and assize of bread.—[July 9, 1800.]

WHEREAS by an act, made in the thirty-first year of the reign of his late Majesty, and by several subsequent acts, for regulating the price and assize of bread, it is enacted, That the assize and weight of the several sorts of bread shall be set according to the tables in the said acts contained: and whereas fourteen shillings and sixpence is the highest sum mentioned in the said tables as the price of a bushel of bread, recited.

of wheat, together with the baker's allowance for baking the same; and doubts may arise whether the courts, or person or persons now authorised by the said acts to set and ascertain, within their several jurisdictions, the assize and weight of all sorts of bread made for sale or exposed to sale, may continue to do the same when the price of the bushel of wheat, together with the baker's allowance for baking, shall exceed the said sum of fourteen shillings and sixpence: 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 all courts, and person or persons duly authorised, to continue to set and ascertain, within their several jurisdictions, the assize and weight of all sorts of bread made for sale or exposed to sale, whatever the price of the bushel of wheat may be: provided always, That in setting and ascertaining the same, such courts, or person or persons respectively, duly observe the proportions of the several tables contained in the said acts, according to the true intent and meaning of the schedule to this act annexed.

The assize and weight of bread may be set whatever the price of wheat may be, the proportions of the tables in the recited acts being observed according to the intent of the annexed schedule.

37 Geo. 3. c. 98, recited.

II. *And whereas by an act made in the thirty-seventh year of the reign of his present Majesty, relative to the assize and making of bread to be sold in the city of London and the liberties thereof, and within the weekly bills of mortality, and within ten miles of the Royal Exchange, fourteen shillings and nine-pence halfpenny is the highest price mentioned in the table contained in the said act as the price of a bushel of wheat, and one hundred and ten shillings as the highest price of the sack of flour, together with the baker's allowance for baking the same respectively: be it therefore further enacted, That it shall be lawful for the court of mayor and aldermen of the city of London, on every Tuesday if the said court shall then sit, and if such court shall not then sit, for the lord mayor of the said city for the time being, to continue to set and ascertain the assize and weight of all sorts of bread made for sale, or exposed to sale, within the limits of their jurisdiction under the said act, whatever the price of the bushel of wheat or sack of flour may be: provided always, That in setting and ascertaining the same, such court or lord mayor duly observe the proportions contained in the tables in the said act as near as can be.*

The court of mayor and aldermen of London may set the assize and weight of bread, whatever the price of wheat or flour may be.

III. *And be it further enacted, That all and singular the penalties and forfeitures enacted and prescribed by the said several acts, against such persons as shall sell any bread deficient in weight, or at higher prices than according to the assize that shall be set thereon, shall be in full force and effect against all persons who shall act contrary to the provisions of this act, or of the schedule hereunto annexed.*

The penalty for selling bread deficient in weight, or higher than the assize price, to extend to persons acting contrary to this act.

IV. *And whereas it is expedient that all magistrates, justices of the peace, wardmote inquests of the city of London, and master and wardens of the bakers company, or the major part of them, and other persons authorised by any act or acts now in force relating to bread, to search for, try, and weigh any bread, should be authorised to search for,*

for, try, and weigh, any bread made for sale, at any time after the same shall have been baked, and whether the same shall have been exposed to sale or not: and whereas it is expedient that the period of twenty-four hours now by law established, within which any magistrate, justice, wardmote inquest of the city of London, the master and wardens of the bakers company, and other persons authorized as aforesaid, may weigh any bread within the said city of London, or any other city, town corporate, borough, liberty, or franchise, or the jurisdiction thereof, for the purpose of ascertaining whether the same is wanting in the due weight, should be extended to forty-eight hours; be it therefore enacted, That, from and after the passing of this act, it shall be lawful for any magistrate or magistrates, justice or justices of the peace, or for any wardmote inquest of the city of London, or the master or wardens of the bakers company, or the major part of them, or other person authorized as aforesaid, within their respective jurisdictions, to weigh any bread made for sale (although the same shall not have been exposed to sale), for the purpose of ascertaining whether the same is wanting in the due weight thereof, at any time after the same shall have been baked, and within forty-eight hours after the baking thereof, any act or acts to the contrary thereof notwithstanding; and all powers, authorities, and provisions relating to the entering into any house, shop, stall, bakehouse, warehouse, outhouse, or other place of or belonging to any baker or maker of bread, or seller of bread, or to the trying or weighing any loaves of bread; and all penalties or forfeitures now in force, relating to deficiency of weight in bread, shall be and are hereby declared to be in full force in relation to this act, as far as the same are respectively applicable in the several and respective jurisdictions mentioned, in any act or acts relating to the affize of bread, in like manner in every respect as if such powers, authorities, provisions, penalties, and forfeitures had been severally and separately re-enacted in this act: provided always, That every magistrate, justice of the peace, wardmote inquest of the said city of London, the master and wardens of the bakers company, and persons authorized as aforesaid, shall, in weighing any such bread for the purpose of ascertaining whether the same is wanting in the due weight thereof, have regard to the time when such bread was baked, and the period that has elapsed between the baking and weighing thereof, and shall, on due proof made by the baker or maker of bread to whom any such bread shall belong, of the time of baking thereof, make such allowance for loss in weight, not exceeding the proportion of allowances in the said last recited act mentioned, as shall be just and reasonable, so as to best ascertain that such bread was originally made and baked of the due weight required by law.

Magistrates, &c. may weigh bread made for sale at any time within 48 hours after it has been baked, for ascertaining whether it be deficient in weight, &c.

SCHEDULE to which this Act refers.

The courts, person or persons, authorized to set the affize of bread, are to observe, that the respective weights of the several affized loaves will decrease in the same proportion as the price of

Anno regni quadragesimo GEORGII III. c. 75. [1800.
the bushel of wheat, together with the allowance for baking the
same, increases; and that such weights may be deduced from
the present tables, as in the following examples:

Example I. Required the weight of the twelve-penny wheaten
loaf, when the price of the bushel of wheat and baking is sixteen
shillings.

The price in the table of stat. 31 Geo. 2. c. 29. *lb. oz. drs.*
opposite to 8 s. is - - - - - 5 11 8

But the price of the bushel and baking being now
twice as much, the weight of the loaf can be
only half what it then was, and therefore will be 2 13 12

Example II. Required the weight of the twelve-penny
wheaten loaf, when the price of a bushel of wheat and baking is
sixteen shillings and three-pence.

When the given sum has an odd three-pence, its precise half
cannot be found in the tables; in which case proceed thus—
Find, as in the preceding example:

The weight, when the price of the bushel and *lb. oz. drs.*
baking is sixteen shillings - - - 2 13 12
And also the weight, when the price of the bushel
and baking is sixteen shillings and sixpence 2 11 14

5 9 10

One half the weight, at 16 s. 3 d. is - 2 12 13

For the prices of the peck loaf and its subdivisions, observe
that the price increases in the same proportion as the price of the
bushel of wheat, together with the allowance for baking.

Example III. Required the price of the peck loaf, wheaten
bread, when the price of the bushel and baking is sixteen shillings:

The price of such loaf by the table, when the *l. s. d.*
bushel and baking is eight shillings - - 0 3 0 $\frac{1}{2}$
Therefore at sixteen shillings it must be double, or 0 6 1

Example IV. Required the price of the peck loaf, when the
bushel and baking is sixteen shillings and three-pence:

The price of the peck loaf, when the bushel and *l. s. d.*
baking is sixteen shillings - - - 0 6 1
Do. - - - Do. - - is 16 s. 6 d. - 0 6 4

0 12 5

One half, or price, at 16 s. 3 d. - - - 0 6 2 $\frac{1}{2}$

C A P. LXXV.

An act for making allowances in certain cases to subaltern officers of the
militia in time of peace.—[July 9, 1800.]

C A P.

C A P. LXXVI.

An act for indemnifying governors, lieutenant governors, and persons acting as such, in the West India islands, who have permitted the importation and exportation of goods and commodities in foreign bottoms.—[July 9, 1800.]

C A P. LXXVII.

An act for the security of collieries and mines, and for the better regulation of colliers and miners.—[July 9, 1800.]

WHEREAS from the situation of the veins and mines of coal and iron stone in many parts of this kingdom, the same are greatly exposed to the depredations of wicked and evil-disposed persons, and the laws now in being are inadequate to the protection 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 if any person or persons shall, at any time after the first day of September one thousand eight hundred, wilfully and maliciously pull down, fill up, or begin or attempt to pull down or fill up any airway, waterway, drain, pit, level, or shaft, or damage or destroy any railway, tram road, or other road leading to or from, or intended to lead to or from any coal or other mine work, or (if any person or persons, not having or bona fide claiming a right to possess or work the same respectively) shall, from and after the time above mentioned, wilfully and unlawfully cut, dig, raise, take, or carry away any coal, culm, or other mineral, from any bed, band, vein or mine, lying and being in any waste, open, or uninclosed lands, or shall wilfully and unlawfully enter into any level, pit, or shaft, with an intent to dig, cut, raise, take, or carry away therefrom any coal, culm, or other mineral, or shall aid, abet, assist, hire, or command any person or persons to commit any such offence or offences as aforesaid, that then and in every such case all and every such person or persons shall be deemed and adjudged to be guilty of a misdemeanour; and the court or judge before whom any such person or persons shall be tried and convicted, shall have power and authority to cause such person or persons to be imprisoned for any term not exceeding six months.

Preamble.

After Sept. 1, 1800, if any person shall pull down or fill up any airway, &c. or damage any road leading to or from any mine, or, not having a right, shall dig any mineral lying in any waste, &c. he shall be deemed guilty of a misdemeanour, and may be imprisoned fix months.

II. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to any trespass or damage which shall be done or committed underground, by any owner or owners of any adjoining coal or other mine, in working the same, or by any person or persons duly authorized, and employed in such working as aforesaid.

Act not to extend to any damage done underground by owners of adjoining mines in working the same.

III. And whereas it often happens that colliers and miners, disregarding their agreements, wilfully and obstinately work coal and iron stone in a different manner to what they stipulated, or otherwise abandon the agreement they have entered into, to the great and lasting prejudice

If any person shall work any coal, &c. different to his agreement, or contrary to the directions of the owner, or shall refuse to fulfil his engagements, he shall forfeit not exceeding 40s. and for non-payment may be imprisoned.

judice of their employers; be it therefore further enacted, That if any person or persons making any bargain, or entering into any contract or agreement in writing, for raising or getting any coal, culm, iron stone, or iron ore, shall wilfully, and to the prejudice of the owner, raise, get, or work, or cause to be raised, got, or worked, any such coal, culm, iron stone, or iron ore, in a different manner to his or their stipulations in respect thereto, and contrary to the directions, and against the will of the owner, or his agent or agents having the care thereof, or shall desist or refuse to fulfil the engagements they have entered into, every person or persons so offending, and being thereof convicted, either by the confession of the party offending, or upon the oath of one or more credible witness or witnesses, before any one or more of his Majesty's justices of the peace for the county wherein such offence shall have been committed, shall, for every such offence, on complaint of the owner or owners, or his or their agent or agents, and not otherwise, forfeit and pay such sum of money, not exceeding forty shillings, as to such justice or justices shall seem meet, together with the charges previous to and attending such conviction, to be ascertained by such justice or justices who shall convict the offender or offenders; and upon non-payment thereof, such justice or justices shall commit the offender or offenders to the common gaol of the county or place where the offence shall be committed, without bail or mainprize, for any time not exceeding six months, or until the penalty and charges shall be paid; and upon such conviction, every such bargain, contract, or agreement shall become void.

IV. *And whereas the owners and lessees of coal, iron stone, or iron ore, contracting to get the same raised by weight, are often under the necessity of advancing money to the colliers and miners upon the measure thereof in heaps, at or near the colliery or mine work, before the same can be carried to be weighed, and great frauds are practised in the walling and stacking of such coal, iron stone, and iron ore, by which the colliers and miners obtain money beyond what they earn, or are able to repay, and miners often defraud each other by conveying away iron stone from one heap into another*; be it therefore further enacted,

If any person shall stack any coal, &c. in a fraudulent manner, or shall fraudulently remove any iron stone, &c. he may be imprisoned.

That if any person or persons shall wall or stack, or cause to be walled or stacked, any coal, iron stone, or iron ore, in any false or fraudulent manner, with an intent to deceive his or their employer or employers, or if any person or persons shall take or remove any iron stone or iron ore with intent to defraud the person or persons who shall have raised the same, and shall be thereof convicted, either by the confession of the party offending, or upon the oath of one or more credible witness or witnesses, before any one or more justice or justices of the peace for the county wherein such offence shall have been committed, it shall and may be lawful for such justice or justices to commit any such person to the house of correction or common gaol for the same county, for any time not exceeding three months.

V. And

V. And be it further enacted, That if any person shall steal and take away any coal, culm, or coak, wood, iron, ropes, or leather, not exceeding the value of five shillings, from any bank, yard, wharf, or other place, belonging to any manufacturer or coal dealer, or off or out of any boat, barge, waggon, cart, or other carriage, or shall wilfully break, destroy, or damage any waggon, cart, or other carriage, used for carrying coal, culm, coak, iron, or iron stone, or shall steal, break, destroy, damage, or embezzle any tools or implements used for cutting or getting coal, culm, or other minerals, not exceeding the value above mentioned, and shall, on complaint of the owner or his agent, be thereof convicted, either by the confession of the party offending, or by the oath of one or more credible witness or witnesses, before any one or more justice or justices of the peace of the county where the offence shall be committed, every person so offending, and being thereof convicted as aforesaid, shall, for the first offence, forfeit and pay such sum of money, not exceeding ten shillings, as to such justice or justices shall seem meet, over and above the charges previous to and attending such conviction, to be ascertained by such justice or justices who shall convict the offender, and upon non-payment thereof, such justice or justices shall commit the offender to the house of correction, there to be kept to hard labour for one month, or until the penalty and charges shall be paid; and if any person so convicted shall be guilty of the like offence a second time, and shall be thereof convicted in like manner, such person shall forfeit and pay such sum of money, not exceeding twenty shillings, as to such justice or justices shall seem meet, over and above the charges previous to and attending such conviction, to be ascertained by such justice or justices who shall convict the offender, and upon non-payment thereof, such justice or justices shall commit the offender to the house of correction, there to be kept to hard labour for three months, or until the penalty and charges shall be paid; and if any person so convicted shall be guilty of the like offence a third time, or oftener, and shall be thereof convicted in like manner, such person shall forfeit and pay, for every such offence, such sum of money, not exceeding forty shillings, as to such justice or justices shall seem meet, over and above the charges previous to and attending such conviction, to be ascertained by such justice or justices who shall convict the offender, and upon non-payment thereof, such justice or justices shall commit the offender to the house of correction, there to be kept to hard labour for six months, or until the penalty and charges shall be paid; provided always, That no person who shall be convicted of any offence under this act, shall be liable to be prosecuted for the same offence, under any other law.

VI. And be it further enacted, That all and every the forfeitures to be paid in pursuance of this act shall be distributed between the informer and the overseer or overseers of the parish or place where the offence shall be committed, for the use of the poor of such parish or place, in such proportion as the justice

If any person shall steal any coal, &c. not more than 5s. value, from any place belonging to any manufacturer or coal dealer, or out of any boat, &c. or shall damage any carriage used for carrying coals, &c. or steal or damage any tools used for cutting coal, &c. not exceeding 5s. value, he shall be liable to certain penalties.

Application of forfeitures.

or

or justices before whom the offenders shall be convicted shall think fit.

Evidence of inhabitants of the place where the offence is committed shall be good.

VII. And be it further enacted, That in all informations and other proceedings for any of the last-mentioned offences, the evidence of the inhabitants of the parish or place where the offence shall be committed, shall be taken and allowed; any law or usage to the contrary notwithstanding.

Convictions shall be drawn up in the following

VIII. And, for the more easy and speedy conviction of offenders against this act, be it further enacted, That all and every the justice or justices of the peace before whom any person or persons shall be convicted of any offence against this act, shall and may cause the conviction to be drawn up in the following words, or in any form of words to the same effect, as the case shall happen; (videlicet),

form.

BE it remembered, That on the day of in the year of our Lord A. B. having been brought before me [or, having been duly summoned, and not having appeared, as the case may happen] is on his own confession [or on due proof, whichever may be the case] convicted before me, C. D. one of his Majesty's justices of the peace for the county of for that he the said A. B. on the day of at in the said county of did [here specify the offence according to the fact, and following the words of the act, and whether the same is the first, or what other offence] against the form of the statute in that case made; and I do adjudge him to forfeit and pay for the said offence the sum of and also the further sum of for the charges of this conviction. Given under my hand and seal [or, our hands and seals] the day and year first aforesaid.

Prosecutions must be begun within nine months.

IX. Provided always, That no person shall be prosecuted for any offence against this act, unless such prosecution be begun within nine calendar months after the offence committed.

Persons aggrieved may appeal to the quarter sessions.

X. Provided always, and be it further enacted, That any person or persons thinking himself or themselves aggrieved by any order or determination of any justice or justices of the peace in pursuance of this act, save and except any order of commitment, may, within three calendar months after such order or determination shall be made, complain to the justices of the peace at the general quarter sessions to be held in and for the county or place where the cause of appeal shall arise, who shall either hear and determine such complaint at such general quarter sessions of the peace, 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 place, and if they see cause, may quash any conviction, or mitigate any forfeiture or fine, and may award costs to either party, or order any money to be returned which shall have been levied in pursuance of any such order or determination, and shall and may also award such further satisfaction to be made to the party injured as they shall judge reasonable; but no proceedings

Proceedings not to be

proceedings to be had and taken in pursuance of this act shall be quashed for want of form, or be removed by *Certiorari*, or by any other writ or process whatsoever, into any of his Majesty's courts of record at *Westminster* or elsewhere; any law or statute to the contrary notwithstanding.

C A P. LXXVIII.

An act to discharge from a disputed and dormant claim of the publick, several estates belonging to the right honourable William Carr, earl of Erroll, lord high constable of Scotland.—[July 9, 1800.]

C A P. LXXIX.

An act for establishing further regulations for the government of the British territories in India, and the better administration of justice within the same.—[July 28, 1800.]

WHEREAS the territorial possessions of the united company of merchants of England trading to the East Indies, in the peninsula of India, have become so much extended as to require further regulations to be made for the due government of the same: and whereas by an act of parliament, made and passed in the thirty-third year of the reign of his present Majesty, intituled, An act for continuing in the East India company, for a further term, the possession of the British territories in India, together with their exclusive trade, under certain limitations; for establishing further regulations for the government of the said territories, and the better administration of justice within the same; for appropriating to certain uses the revenues and profits of the said company; and for making provision for the good order and government of the towns of *Calcutta*, *Madrass*, and *Bombay*; it is enacted, That the whole civil and military government of the presidency of *Fort Saint George*, on the coast of *Coromandel*, and the ordering, management, and government, of all the territorial acquisitions and revenues on the said coast, and also so much and such parts of the territories and possessions on the coast of *Orissa*, with the revenues of the same, as had been and then were under the administration of the government or presidency of *Fort Saint George*, should be and were thereby vested in a governor and three counsellors of and for the said presidency of *Fort Saint George*, subject to such rules, regulations, and restrictions, as were therein mentioned; and that the whole civil and military government of the presidency and island of *Bombay*, on the coast of *Malabar*, and the ordering, management, and government, of all the territorial acquisitions and revenues on the said coast of *Malabar*, should be and were thereby vested in a governor and three counsellors of and for the said presidency and island of *Bombay*, subject to the provision therein mentioned: 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 for

33 Geo. 3.
c. 52.

The court of directors may appoint what

parts of the territorial acquisitions, revenues, &c. shall be subject to either, and which of their presidencies, subject to the controul of the commissioners for the affairs of India.

for the court of directors of the said company for the time being, to declare and appoint what part or parts of the said territorial acquisitions, or of any other now subject to the government of the said presidency of *Fort Saint George*, or the said presidency of *Bombay*; together with the revenues arising therefrom, and the establishment of civil servants connected therewith respectively, shall from thenceforth hereafter be subject to the government of either and which of the said presidencies, or of the presidency of *Fort William in Bengal*, and from time to time, as occasion may require, to revoke and alter in the whole or in part such appointment, and to make such new distribution of the same as to them shall seem fit and expedient, subject nevertheless, in all cases, to the superintendance, direction, and controul of the commissioners for the affairs of *India*, in like manner as any acts or orders of the said court of directors are now by law subject; and all such territorial acquisitions, and the revenues arising therefrom, and the establishment of civil servants connected therewith, shall, from and after the time, and subject as to such time to the conditions and limitations to be by the said court of directors limited and appointed for such purposes respectively, be to all intents and purposes whatsoever annexed to and made subject to such presidency, and to the court or courts of judicature established or to be established therein respectively.

Letters patent of Geo. 2. dated the 8th of Jan. in the 21st of his reign.

37 Geo. 3. c. 142, recited.

13 Geo. 3. c. 63.

His Majesty may establish a supreme court of judicature at

II. *And whereas his late majesty King George the Second did, by his letters patent, bearing date at Westminster the eighth day of January in the twenty-first year of his reign, grant unto the said united company of merchants of England trading to the East Indies, his royal charter, thereby amongst other things constituting and establishing courts of civil, criminal, and ecclesiastical jurisdiction at the united company's respective settlements at Madras Patnam, Bombay, or the island of Bombay, and Fort William in Bengal: and whereas the said charter, in so far as it respects the administration of justice at Madras, has been altered and changed, by virtue of an act passed in the thirty-seventh year of his present Majesty, intituled, An act for the better administration of justice at Calcutta, Madras, and Bombay; and for preventing British subjects from being concerned in loans to the native princes in India: and whereas the said charter, so far as it respects the administration of justice at Fort William in Bengal, has also been altered and changed, by virtue of an act passed in the thirteenth year of his present Majesty, intituled, An act for establishing certain regulations for the better management of the affairs of the East India company, as well in India as in Europe, and by divers subsequent statutes: and whereas it may be expedient, for the better administration of justice in the said settlement of Madras, that a supreme court of judicature should be established at Madras, in the same form, and with the same powers and authorities, as that now subsisting, by virtue of the several acts before-mentioned, at Fort William in Bengal: be it therefore enacted, That it shall and may be lawful for his Majesty, his heirs and successors, by charter or letters patent under the great seal of Great Britain, to erect and establish a supreme court of judicature at Madras aforesaid,*

to consist of such and the like number of persons, to be named from time to time by his Majesty, his heirs and successors, with full power to exercise such civil, criminal, admiralty, and ecclesiastical jurisdictions, both as to natives and *British* subjects, and to be invested with such power and authorities, privileges and immunities, for the better administration of the same, and subject to the same limitations, restrictions, and controul within the said *Fort Saint George* and town of *Madras*, and the limits thereof, and the factories subordinate thereto, and within the territories which now are or hereafter may be subject to or dependant upon the said government of *Madras*, as the said supreme court of judicature at *Fort William* in *Bengal*, by virtue of any law now in force and unrepealed, or by this present act, doth consist of, is invested with, or subject to, within the said *Fort William*, or the kingdoms or provinces of *Bengal*, *Babar*, and *Orissa*.

Madras, to consist of the like number of persons, &c. as the supreme court at *Fort William*.

III. Provided always, That the governor and council at *Madras*, and the governor general of *Fort William* aforesaid, shall enjoy the same exemption, and no other, from the authority of the said supreme court of judicature to be there erected, as is enjoyed by the said governor general and council at *Fort William* aforesaid, from the jurisdiction of the supreme court of judicature there already by law established.

How far the governor and council at *Madras*, and the governor general of *Fort William*, shall be exempted from the authority of the court to be erected.

IV. And be it further enacted, That if his Majesty, his heirs or successors, shall grant such charter as aforesaid, and erect such supreme court of judicature at *Madras* as aforesaid, all the records, muniments, and proceedings whatsoever, of and belonging to the late mayor's court at *Madras*, or to the late court of oyer and terminer, and gaol delivery, which were, by the said act passed in the thirty-seventh year of his present Majesty, directed to be delivered over, preserved, and deposited in the new courts erected by virtue of the said act; and all the records, muniments, and proceedings whatsoever, of and belonging to any of the said new courts, shall, from and immediately after such supreme court of judicature as his Majesty is hereby empowered to erect, shall be established at *Madras*, be delivered over to be preserved and deposited for safe custody in the said new court of judicature; to which all parties concerned shall and may have resort and recourse upon application to the said court.

If his Majesty shall erect a supreme court at *Madras*, the records directed by recited act of 37 Geo. 3. to be delivered over to the new courts, and those belonging thereto, shall be delivered over to the supreme court.

V. And be it further enacted, That so much of the charter granted by his present Majesty, for erecting the courts of the recorder of *Madras* and *Bombay*, as relates to the appointment of such recorder, and the erecting of such courts of judicature at *Madras*, in case a new charter shall be granted by his Majesty, his heirs or successors, and shall be openly published at *Madras*, from and immediately after such publication, shall cease and determine and be absolutely void to all intents and purposes whatsoever; and all powers and authorities granted by the said act of the thirty-seventh of his present Majesty to the said courts of the recorder at *Madras*, shall cease and determine, and be no longer exercised by the said court, but the same shall and may be exercised by the supreme court of judicature to be erected by

So much of the charter of his present Majesty for erecting the courts of recorder at *Madras*, as relates to the appointment of a recorder, &c. if a new charter be granted, shall be void, and the powers granted by

37 Geo. 3. may be exercised by the supreme court.

The court of directors shall cause to be paid certain salaries to the chief justice and judges of the supreme court as shall be established by the new charter, out of the territorial revenues of Madras.

When salaries shall commence, which shall be in lieu of all perquisites.

If the chief justice, or any of the puisne judges shall return to Europe, his Majesty may direct allowances to be made to them out of the revenues of the British territories in India, not exceeding a certain amount, provided they have resided in India seven years in certain situations.

virtue of this act, in the manner and to the extent herein-before directed.

VI. And be it further enacted, That when the said supreme court of judicature which his Majesty is hereby empowered to erect, shall be erected, the court of directors of the said united company shall, and they are hereby required to direct and cause to be paid certain and established salaries to the chief justice, and each of the judges of such supreme court of judicature at *Madras*, as shall be by the said new charter established; that is to say, To the chief justice six thousand pounds by the year; and to each of the judges at the said supreme court of judicature at *Madras* five thousand pounds by the year; and that such salaries shall be paid and payable to each and every of them respectively out of the territorial revenues of the said settlement of *Madras*, at an exchange of eight shillings for the pagoda of that settlement.

VII. And be it further enacted, That the said salaries shall commence and take place in respect to such persons who shall be resident in *Great Britain* at the time of their appointment, upon and from the day on which such person shall embark from *Great Britain*, and that the salaries of all such persons who shall at the time of their appointment be resident in *India*, shall commence and take place from and after their respectively taking upon them the execution of their office as aforesaid; and that all such salaries shall be in lieu of all fees of office, perquisites, emoluments, and advantages whatsoever, and that no fees of office, perquisites, emoluments, or advantages whatsoever shall be accepted, received, or taken in any manner, or on any account or pretence whatsoever, other than such salaries and allowances as are in and by this act directed to be paid.

VIII. And be it further enacted, That if the chief justice, or any or either of the puisne judges of the supreme court of judicature to be erected at *Madras* by virtue of this act, shall return to *Europe*, from age, infirmity, or other cause to be approved of by his Majesty, it shall and may be lawful for his Majesty, by warrant under the sign manual, to direct and authorize an allowance to be made out of the revenues of the *British* territories in *India*, to such chief justice or judge so returning: provided always, That it shall not be lawful for his Majesty to direct any larger allowance to be made to such chief justice than the sum of one thousand six hundred pounds sterling, nor to either of the said puisne judges so returning, than the sum of one thousand two hundred pounds sterling *per annum*; nor shall it be lawful for his Majesty to direct any allowance to be made to any person who has not resided in *India* for seven years, either as chief justice or one of the puisne judges of the supreme court of judicature of *Fort William*, or of the supreme court of judicature to be erected as aforesaid at *Madras*, nor to authorize the payment of any sum which, with the sums already directed and authorized to be paid at the date of such grant, shall in the whole exceed the amount of the salary to be paid to one of the puisne judges of the said supreme court.

IX. Provided

IX. Provided always, and be it hereby further enacted, That when either of the judges of the supreme court of judicature at *Fort William*, or of the supreme court of judicature which his Majesty is hereby empowered to erect at *Madras*, or the recorder of *Bombay*, shall respectively leave *India*, the salary now payable, or which may become payable under and by virtue of this act, to any such judge or recorder respectively, shall cease and be no longer paid; any thing herein or in any former act or acts contained to the contrary thereof in anywise notwithstanding.

The salaries of the judges of the supreme courts, and of the recorder of *Bombay*, to cease on their leaving *India*.

X. And be it further enacted, That whenever the office of recorder of *Bombay* shall become vacant, and no person shall be upon the spot who shall have been appointed by his Majesty to succeed to such recordership, in such case, and as soon as the same shall be made known to the supreme court of judicature which his Majesty is hereby empowered to erect at *Madras*, the junior puisne judge of the said court shall, and he is hereby directed and authorised to proceed with all convenient speed to the said settlement of *Bombay*, and shall take upon himself the office of recorder of the said settlement, and shall hold and exercise the same in as full and ample a manner, and with the like allowances and exemptions, as if he had been appointed recorder of the said settlement by his Majesty, or provisionally by virtue of the act passed in the thirty-seventh year of his present Majesty's reign, and shall continue to hold and exercise the said office until a recorder shall have been appointed by his Majesty, and until such recorder shall arrive at the said settlement and no longer: provided always, That if at the time of the notification of such vacancy, the establishment of the said supreme court at *Madras* shall not be full, and the establishment of the supreme court at *Fort William* shall be full, then and in such case only the junior puisne judge of the said supreme court of judicature at *Fort William*, as soon as the vacancy in the said office of recorder is made known to the said supreme court, shall in like manner proceed to take upon himself the said office of recorder at *Bombay*, and shall continue to hold and exercise the same in like manner, to all intents and purposes, as is herein-before provided; any thing in the said act, or in any other act or acts, to the contrary thereof in anywise notwithstanding.

How the vacant office of recorder at *Bombay* shall be supplied in case no successor shall be upon the spot.

XI. And be it further enacted, That it shall and may be lawful to and for the governor and council at *Fort Saint George* aforesaid, to frame regulations from time to time for the provincial courts and councils within the territories and provinces which now are, or shall at any time hereafter be (and while the same shall so be) annexed to or made subject to the said presidency, in like manner, and subject to all the regulations, provisions, and confirmations touching the same, as the governor general and council at *Fort William* aforesaid are, by any act now in force, authorised and empowered to do, for the better administration of justice among the native inhabitants and others being within the provinces of *Bengal*, *Bahar*, and *Orissa*.

The governor and council at *Fort St. George* may frame regulations for the provincial courts and councils annexed to that presidency, as the governor general and council at *Fort William* may do for the better administration of justice in *Bengal*, &c.

XII. And be it further enacted, That if the governor general of *Fort William* in *Bengal* for the time being, or the governor of

If the governor general of *Fort William*, or of the gover-

nor of Fort St. George, or of Bombay, shall signify his intended absence from the council, the senior member present shall preside; but no act of such council shall be valid, unless signed by the governor general, or governor respectively, if resident at the presidency, and not prevented by indisposition; and if not so prevented, and he shall refuse to sign, he, and the members who shall have signed, shall mutually communicate the grounds of their opinions as directed by recited act of 33 Geo. 3. where he shall, when present, dissent from the council. The governor general, when absent, may nominate a vice president and deputy governor of Fort William. Persons who have been convicted of offences, for which they would have been liable by the laws of this realm, before the passing of this act, to be transported,

of the said presidency of *Fort Saint George*, and of the said presidency and island of *Bombay* respectively for the time being, shall happen to be absent from any council to be assembled for the said respective presidencies of *Fort William* and *Fort Saint George*, and the said presidency and island of *Bombay*, owing to indisposition or any other cause whatsoever, and shall signify such his intended absence to such council so to be assembled, then and in every such case the senior member for the time being who shall be present at the council so assembled, shall preside at such council, in such manner, and with such full powers and authorities, during the time that such council shall continue to be assembled, as such governor general or governor might or would have had in case such governor general or governor were himself actually present at such council: provided nevertheless, That no act of any council so held shall be valid to any effect whatsoever, unless the same shall be signed by such governor general or governor respectively, if such governor general or governor shall at the time be resident at the presidency at which such council shall be so assembled, and shall not be prevented by such indisposition from signing the same: provided always, That in case such governor general or governor, not being so prevented as aforesaid, shall decline or refuse to sign such act of council, he and the several members of the council who shall have signed the same, shall mutually exchange with and communicate in writing to each other the grounds and reasons of their respective opinions, in like manner, and subject to such regulations and ultimate responsibility of such governor general or governor respectively, as are by the said act, passed in the thirty-third year of the reign of his present Majesty, provided and directed in cases where such governor general or governor respectively shall, when present, dissent from any measure proposed or agitated in such council respectively: provided also, That nothing herein contained shall be taken or construed to prevent such governor general, in case he shall be absent from his own government of *Bengal*, to nominate a vice president and deputy governor of *Fort William*, according to the provision for that purpose in the said act passed in the thirty-third year of his present Majesty.

XIII. And be it further enacted, That where any person or persons shall have been convicted at any session of oyer and terminer or gaol delivery, or any session of the peace which shall have been holden for any of the said presidencies or settlements of *Fort William* and *Fort Saint George*, and the said presidency or island of *Bombay*, of the crime of perjury, or of grand or petit larceny, or of any other offence for which such person or persons would, before the passing of this act, have been liable by the laws of this realm to be transported, it shall and may be lawful for the court before which any such person or persons shall be so convicted as aforesaid, or any subsequent court holden at any of the presidencies above-mentioned respectively, with like authority, to order and adjudge that such person or persons so convicted as aforesaid, shall be transported to the eastern coast of

New

New South Wales, or some one or other of the islands adjacent, or elsewhere, and for such term of years as the said court shall direct; and where any person or persons shall hereafter be convicted of any crimes whatsoever, for which he, she, or they is, are, or shall be by the laws of this realm, as extending to the *British* dominions in *India*, excluded from the benefit of clergy, it shall and may be lawful to and for such court respectively, as they shall see fit, instead of awarding sentence of execution against such offender or offenders, to order such offender or offenders to be in like manner transported, either for life, or for such number of years as such court shall award and order; and the governor and council of such presidency respectively shall, and they are hereby required to take order for the due performance of all such sentences of transportation accordingly: provided always, That it shall not be lawful for any such court to order the transportation of any person or persons, being natives of *India* and not born of *European* parents, to the eastern coast of *New South Wales*, or any of the islands adjacent thereto.

XIV. Provided nevertheless, That no offence whatsoever shall be liable to be punished by such sentence of transportation as aforesaid (except in case the same shall be substituted as aforesaid in the place of a capital punishment) unless such offence shall have been committed three months after this act, and all the clauses and provisions therein contained shall have been openly published in the said presidencies of *Fort William*, *Fort Saint George*, and *Bombay* respectively; any thing herein contained to the contrary thereof in anywise notwithstanding.

XV. And be it further enacted, That if any offender so ordered by any such court to be transported for any term of life or years, or other time or times as aforesaid, shall return into any of the said territories or acquisitions of the said united company, or shall come into any part of *Great Britain* or *Ireland*, before the end of his or her said term, he or she so returning as aforesaid shall be liable to be punished as a person attainted of felony, without the benefit of clergy, and execution may and shall be awarded against such offender accordingly.

piration of his term, he shall be punished as a felon without benefit of

XVI. Provided nevertheless, That nothing herein contained shall be construed or taken to prevent his Majesty, his heirs and successors, from extending his or their royal mercy to any such offender or offenders, and from allowing of the return of any such offender or offenders from such place of transportation.

XVII. And whereas great inconveniencies have resulted from the manner in which the courts of requests for the recovery of small debts in the respective settlements of *Fort William* and *Fort Saint George* are constituted; be it therefore further enacted, That it shall and may be lawful to and for the governor general and council of *Fort William*, and for the governor and council of *Fort Saint George* aforesaid for the time being respectively, to order and appoint in what manner the said courts respectively shall in future be formed, and to what amount in value, not exceeding the sum of four hundred sicca rupees, the jurisdiction

may be transported to *New South Wales*, &c. and persons who shall hereafter be convicted of any crimes, excluding them from benefit of clergy may, instead of sentence of execution, be ordered to be transported.

Natives of *India* not born of *European* parents not to be transported to *New South Wales*.

No offence to be punished by transportation (except substituted for capital punishment) unless committed three months after this act shall have been published at *Fort William*, &c.

If any person transported shall return into the territories of the united company, &c. before the expiration of his term, he shall be punished as a felon without benefit of

His Majesty may extend his mercy to offenders.

The governor general and council of *Fort William*, and the governor and council of *Fort St. George*, may order in what

manner the courts of requests shall in future be formed, and to what amount the jurisdiction shall extend, &c.

of the same shall extend, and to frame and make such new rules and orders, and to establish and declare such new modes and forms of proceeding, as to them shall appear to be necessary and expedient for new-modelling, altering, and reforming the present constitution and practice of the said courts respectively, and by their proclamation, to be made and published in due form of law, to declare and notify to all persons concerned, such new constitution, rules, orders, modes, and forms of proceeding, and the time from whence they are to have force and effect; and from and after such time as shall be so respectively notified for that purpose, the present courts of requests, as well as the rules, orders, modes, and forms of proceeding which are now used and observed therein, shall be abolished and cease, and thenceforth the new court, rules, orders, modes, and forms of proceeding which the said governor general and council are authorized and empowered, under and by virtue of this act, to make and publish, shall be in full force and effect; any former act or acts to the contrary thereof in anywise notwithstanding.

XVIII. *And whereas the powers given by the act of the thirteenth year of his present Majesty to the governor general and council of the said united company's settlement at Fort William aforesaid, to enforce the observance of such rules, ordinances, or regulations, for the good order and civil government of the said settlement, and other factories and places subordinate to or to be subordinate thereto, as they are thereby authorized to make, by setting, imposing, and levying reasonable fines and forfeitures for the breach or non-observance of such rules, ordinances, and regulations, have not been found sufficient for the preservation of good order in the said settlement; be it therefore enacted, That it shall and may be lawful to and for the said governor general and council for the time being, in addition to, or instead of such fines and forfeitures as above-mentioned, to order or appoint such moderate and reasonable corporal punishment, by publick or private whipping, or otherwise, as to them shall seem fit and expedient, for the breach or non-observance of any such rules heretofore made or hereafter to be by them made, by virtue of the authority herein-before recited, subject nevertheless to such registry, publication, approbation, power of appeal, and other regulations, as in and by the said recited act, passed in the thirteenth year of his present Majesty, are prescribed and provided touching the rules, ordinances, regulations, fines, and forfeitures therein and herein-before-mentioned.*

The governor general and council at Fort William may order corporal punishment for breach of rules, made under authority of the recited act of 13 Geo. 3.

No corporal punishment to be ordered except on conviction before two justices.

No conviction to be reviewed.

XIX. Provided always, and be it further enacted, That no such corporal punishment shall in any case be ordered to be inflicted, except only in case of due conviction of the offender before two justices of the peace acting in and for the said settlement, presidencies, and places thereto subordinate, which offence such two justices of the peace are hereby authorized and empowered to hear and determine, and to order such punishment upon conviction as aforesaid: provided also, That no such conviction, judgement, or order, shall be reviewed or brought into any

any superior court by writ of *Certiorari* or appeal, or any other process whatsoever; any thing in any former act or acts to the contrary thereof in anywise notwithstanding.

XX. *And whereas the province or district of Benares has been ceded to the said united company, and been annexed to the said presidency of Fort William in Bengal, since the establishment of the said supreme court of judicature at Fort William aforesaid, and it is expedient that the same should be subject to the jurisdiction of the said court, in like manner as the kingdoms or provinces of Bengal, Bahar, and Orissa; and that the said province or district, and all other provinces or districts, which may hereafter be at any time annexed and made subject to the said presidency, should be subject to such regulations as the governor general and council of Fort William aforesaid have framed or may frame for the better administration of justice among the native inhabitants and others within the same respectively;* be it therefore further enacted, That, from and after the first day of *March* which will be in the year of our Lord one thousand eight hundred and one, the power and authority of the said supreme court of judicature in and for the said presidency of *Fort William* aforesaid, as now and by virtue of this act established, and all such regulations as have been or may be hereafter, according to the powers and authorities, and subject to the provisions and restrictions before enacted, framed, and provided, shall extend to and over the said province or district of *Benares*, and to and over all the factories, districts, and places, which now are or hereafter shall be made subordinate thereto, and to and over all such provinces and districts as may at any time hereafter be annexed and made subject to the said presidency of *Fort William* aforesaid.

From March 1, 1801, the power of the supreme court of judicature of *Fort William* shall extend over the province of *Benares*, and all places subordinate thereto, and all districts hereafter annexed to the presidency.

XXI. *And whereas great inconveniencies have arisen from the practice of granting letters of administration by the said supreme court of judicature at Fort William aforesaid, in cases where the next of kin, or any of the creditors of the deceased, do not apply for the same, to persons calling themselves friends of the deceased;* be it therefore further enacted, That, from and after the first day of *March* which will be in the year of our Lord one thousand eight hundred and one, whenever any *British* subject shall die intestate within either of the presidencies of *Fort William*, *Fort Saint George*, or *Bombay*, or the territories subordinate to either of the said presidencies, or to become subordinate thereto, and on return of the citation to be issued from the proper ecclesiastical court, no next of kin or creditor shall appear and make out their claim to the administration of the effects of the intestate deceased to the satisfaction of the said court, it shall and may be lawful for the register of such court respectively, and he is hereby required to apply for, and such court is hereby required and directed to grant such letters *ad colligenda* or of administration, as to such court shall seem meet, by virtue whereof such register shall collect the assets of the deceased, and shall bring them for safe custody into such court, and account for them regularly, in like manner as is now by law provided in cases where assets are

From March 1, 1801, whenever any *British* subject shall die within either of the presidencies or subordinate territories, and no next of kin or creditor shall appear, the register of the ecclesiastical court shall apply for letters of administration, and shall collect the assets of the deceased, and bring them into court, and account for vested them.

Anno regni quadragesimo GEORGI III. c. 79. [1800.
vested in the hands of any officer of the court, under or by virtue of the equitable jurisdiction of any such court.

When any next of kin or creditor, who shall have been absent, shall make out his claim, the letters of administration to the register shall be recalled, and letters granted to the claimant.

The judge of the supreme court at Fort William, and of the supreme court to be erected at Madras, and the court of the recorder at Bombay, may make rules for extending to insolvent debtors, the relief intended by act 32 Geo. 2. commonly called The Lord's Act.

All rules made previous to the notification of this act in the presidencies, for the relief

XXII. Provided always, and be it further enacted, That when any next of kin or creditor, who, at the time of the return of the above citation, shall have been absent in Europe or elsewhere, shall make and establish their claim to the administration of the assets of such intestate, the letters *ad colligenda* or of administration, granted by virtue of this act to the said register, shall be recalled, and administration in due form granted to such next of kin or creditor respectively.

XXIII. And whereas doubts may have arisen whether any of the courts of judicature established in India by virtue of his Majesty's charter, are competent to administer adequate relief to insolvent debtors, who stand charged in execution for debts under a certain amount, according to the provisions of an act passed in the thirty second year of his late Majesty's reign, commonly called The Lord's Act, be it therefore further enacted, That it shall and may be lawful for the judge of the said supreme court at Fort William, and of the supreme court which his Majesty is empowered by this act to erect at Madras, or for the court of the recorder at Bombay, to make and publish such rules and orders as to them respectively shall seem meet, for extending to such insolvent debtors as shall be in execution under the process of such respective courts, or of any court previously established at such presidency respectively, for sums under the amount to be prescribed by such rules and orders, the relief intended by the said act, and to prescribe and order what weekly sum the creditor or creditors at whose suit such debtor stands charged in execution, shall be obliged to pay and allow, in case such creditor or creditors shall insist on such debtor being detained in custody, and to adopt and proportion the same, as well as the amount of such debt as above mentioned, to the general state and condition of such debtors, whether natives or Europeans, under the jurisdiction of such court respectively; and such courts are hereby authorized and empowered, as soon as such rules and orders shall have been made and established, to proceed to act upon the same accordingly as cases may arise to require the same, and to make such orders in such cases as may be necessary to carry the same fully into effect: provided always, That all such rules and orders as are first above-mentioned, for prescribing the mode in which such relief shall be administered, shall be transmitted to the president of the board of commissioners for the affairs of India, to be laid before his Majesty for his royal approbation, correction, or revision, and such rules and orders shall be observed until the same shall be repealed or varied, and in the last case with such variation as shall be made therein.

XXIV. And be it further enacted, That all rules and orders heretofore made or hereafter to be made, previous to the notification of this present act, in such presidencies respectively, by any of the courts above-mentioned, or any court previously established in either of the said presidencies for the relief and discharge of

of such insolvent debtors, and and all acts by them, or either of them, done or commanded in pursuance thereof, shall be, and they are hereby ratified and confirmed, and all present actions and suits, indictments, informations, and all molestations, prosecutions, and proceedings whatsoever, which may have been, or may be had, commenced, or prosecuted, against any person whomsoever, for acting or having acted under and in obedience to any such rules or orders, are and shall be discharged, annulled, and utterly made void and of no effect, to all intents and purposes, by virtue of this act.

of insolvent debtors, shall be confirmed, and all suits commenced for acting under them shall be void.

XXX. *And whereas it may be expedient for his Majesty, his heirs or successors, to issue a commission from his high court of admiralty in England, for the trial and adjudication of prize causes, and other maritime questions arising in India; be it therefore further enacted, That it shall and may be lawful for his Majesty, his heirs and successors, to nominate and appoint all or any of the judges of the supreme court of judicature at Port William aforesaid, or of the supreme court of judicature to be erected as aforesaid at Madras, or the court of the recorder at Bombay, either alone or jointly with any other persons to be named in such commission, to be commissioners for the purpose of carrying such commission so to be issued as aforesaid into execution; any act or acts to the contrary thereof in anywise notwithstanding.*

His Majesty may appoint commissioners for carrying into execution a commission for the trial and adjudication of prize causes, &c. in India.

C A P. LXXX.

An act for erecting a lazaret on Chetney Hill, in the county of Kent; and for reducing into one act the laws relating to quarantine, and for making further provision therein.—[July 28, 1800.]

WHEREAS by an act, passed in the first session of the thirty-ninth year of his present Majesty's reign, intituled, An act to encourage the trade into the Levant Seas, by providing a more convenient mode of performing quarantine; and for reducing the duty, granted by an act of the last session, on goods the manufacture of Great Britain, exported to any place within the Straights of Gibraltar, it was enacted, That it should and might be lawful to and for his Majesty, his heirs and successors, by and with the advice of his or their privy council, by any order or orders to be issued from time to time, to grant licence and permission for the importation into Great Britain, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, of all goods, wares, and merchandizes, coming from the Levant Seas, without clean bills of health, without such goods, wares, and merchandizes having been opened and aired in any of the lazarets of Malta, Ancona, Venice, Messina, Leghorn, Genoa, or Marseilles, as was before by law required; and that all such goods and merchandizes should and might be admitted to an entry in any of the ports of Great Britain, or the said islands of Guernsey, Jersey, Alderney, Sark, or Man, subject nevertheless to such regulations, rules, orders, and directions, with respect to opening and airing such goods and merchandizes previous to the landing thereof, and to the performance of quarantine by the crews or

Preamble.

39 Geo. 3.
c. 99.

other persons belonging to or being on board of the ships or vessels in which such goods or merchandizes should be imported, as his Majesty, by and with the advice of his privy council, should, by any order or orders to be issued as aforesaid, make, prescribe, or direct: and whereas by the laws of this kingdom, all ships or vessels coming without such clean bill of health from any other place liable to the plague, or any other infectious disorder of the nature of the plague, except from the Levant, were not, previous to the passing of the said act of the thirty-ninth year of his present Majesty's reign, nor are now restrained from entering into any of the ports of this kingdom, in none of which, nevertheless, has sufficient provision been made for the performance of quarantine by ships so coming without such clean bills of health: and whereas certain ships did so arrive from the port of Mogadore, in the course of last Autumn, which, for want of such provision, it was necessary to destroy, and the publick thereby became subject to a great charge: and whereas by an act, passed in the twenty-sixth year of the reign of his Majesty King George the Second, intituled, An act to oblige ships more effectually to perform their quarantine; and for the better preventing the plague being brought from foreign parts into Great Britain or Ireland, or the isles of Guernsey, Jersey, Alderney, Sark, or Man; it was enacted, That whenever his Majesty, his heirs and successors, by and with the advice and consent of parliament, should direct houses or lazarets to be provided for the receiving and entertaining of persons obliged to perform quarantine, or for the depositing, opening, and airing of goods and merchandizes liable to perform quarantine, as therein-mentioned, it should and might be lawful for his Majesty to erect the same in such places, and in such manner as his Majesty should judge necessary for the purposes aforesaid, paying such rate, rent, or other consideration, as should be agreed upon, or assessed and adjudged, in such manner as therein prescribed: and whereas by an act passed in the fifth year of his present Majesty's reign, a certain sum of money was granted by parliament towards building a lazaret: and whereas doubts having arisen whether his Majesty was sufficiently enabled, by the powers arisen in the said last-mentioned act, contained, to contract and agree for the absolute purchase of lands, messuages, tenements, and hereditaments, to be settled unalienably in the crown, for the purpose of making, erecting, and establishing such lazaret; it was, by an act passed in the twelfth year of his present Majesty's reign, intituled, An act to explain and amend so much of an act made in the twenty-sixth year of the reign of his late Majesty King George the Second, as relates to the establishment of lazarets, enacted, That it should be lawful to and for the lords commissioners of his Majesty's treasury, then or for the time being, or any three or more of them, or the lord high treasurer for the time being, on the behalf of his Majesty, his heirs and successors, from time to time, and at all times thereafter, to treat, contract, and agree for the absolute purchase or sale, release or surrender, to or for the use of his Majesty, his heirs and successors, of any estate or estates of inheritance in any lands, messuages, tenements, or hereditaments which they should judge to be, by their situation and in other respects,

26 Geo. 2.
c. 6.

12 Geo. 3.
c. 37.

respects, convenient and fit for the purposes intended by the said act, for such sum or sums of money, or upon such other terms or conditions, as they should think fitting, and to make payment of the same out of the before-mentioned sum of money: and whereas the lords commissioners of his Majesty's treasury have, in pursuance and under the authority of the said last mentioned act, made purchase of certain lands on Chetney Hill, in the county of Kent, for the purpose of erecting a lazaret thereon: and whereas it is expedient that a fund should be provided for enabling his Majesty to defray the charges of erecting a proper lazaret on the said lands on Chetney Hill, and also such charges as shall arise from the necessary establishment and expences incident to such lazaret when completed, as well as from those of a floating lazaret to be made use of in the mean time, until such lazaret shall be so erected and completed: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the lords commissioners of his Majesty's treasury, or any three or more of them, or the lord high treasurer for the time being, from and after the passing of this act, to give directions, and make any contract or contracts for erecting or causing to be erected a lazaret upon the said lands so purchased on Chetney Hill, in the county of Kent, with all necessary and convenient accommodations for the purpose of performing quarantine, according to such plan as his Majesty, by and with the advice of his privy council, may from time to time approve and direct; and for defraying the expences attending the same, to cause any sum of money to be issued out of the consolidated fund, not exceeding in the whole the sum of sixty-five thousand pounds, of which a part, not exceeding thirty thousand pounds, may be issued within the space of twelve months from the passing of this act; and the said lazaret when completed, and all the buildings and accommodations thereto belonging, and until the same shall be completed the said floating lazaret shall be under the management, order, and direction of such officers as shall be appointed by the lords commissioners of his Majesty's treasury, or any three or more of them, or the lord high treasurer for the time being, for keeping the same fit and ready for the reception of persons and goods, and for their due performance of quarantine; and such officers respectively shall have such salaries as shall from time to time be appointed by his Majesty, by and with the advice of his privy council; and the salaries of the said officers, and all contingent expences, shall be defrayed out of the funds, and in the manner in which the charges and expences of performing quarantine are at present defrayed, until such time as a revenue shall be raised sufficient for those purposes, in the manner herein-after mentioned.

The treasury may contract for erecting a lazaret upon Chetney Hill, and may defray the expence out of the consolidated fund.

Lazaret to be under the management of officers appointed by the treasury, &c,

II. And whereas it is reasonable that the owners of ships, vessels, and cargoes, which in future shall have to perform quarantine, should defray the charge incurred thereby; be it further enacted, That, from and after the first day of October one thousand eight

From October 1, 1800, the owners of hundred ships perform-

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Anno regni quadragesimo GEORGI III. c. 80. [1800.
hundred, there shall be raised, levied, collected, and paid to his Majesty, his heirs and successors, the several and respective duties of customs herein-after mentioned; that is to say, For every ton burthen of every ship or vessel, the cargo of which, or any part thereof, shall have performed quarantine in this kingdom, and which shall have arrived from any part of *Turkey*, or from any port or place in *Africa* within the *Streights of Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*, with a clean bill of health, seven shillings and sixpence; for every ton burthen of every such ship or vessel, which shall have so arrived without a clean bill of health, fifteen shillings; for every ton burthen of every ship or vessel, the cargo of which, or any part thereof, shall have performed quarantine in this kingdom, and which shall have arrived from any port or place whatever except from any part of *Turkey*, or from any port or place in *Africa* within the *Streights of Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*, with a clean bill of health, three shillings; for every ton burthen of every such ship or vessel, which shall have so arrived without a clean bill of health, ten shillings; for every ton burthen of every ship or vessel arriving in this kingdom, with a cargo which in whole or in part shall consist of goods, wares, or merchandize, the growth, produce, or manufacture of *Turkey*, or of any port or place in *Africa* within the *Streights of Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*, and which shall have performed quarantine in this kingdom, and which shall have arrived from any port or place in *Holland*, or from any port or place whatever at which there is not a regular establishment for the performance of quarantine, seven shillings and sixpence; for every ton burthen of every ship or vessel which shall have so arrived under such circumstances as shall induce his Majesty, by and with the advice of his privy council, to subject them to the like quarantine as ships arriving from *Turkey* without clean bills of health, fifteen shillings; for every ton burthen of every ship or vessel, the cargo of which, or any part thereof, shall have performed quarantine in this kingdom, and which ship or vessel shall enter inwards in the port of *London*, an additional duty of one shilling; all which several and respective duties shall be raised, levied, collected, and paid, and shall be sued for, recovered, and accounted for, in the same manner, and subject to the same rules, regulations, penalties, and forfeitures, as any duties of customs are now subject to by law, as far as the same are applicable thereto: provided always, That no ship or vessel arriving in this kingdom from any port or place whatever, except from any part of *Turkey*, or from any port or place in *Africa*, within the *Streights of Gibraltar*, or in the *West Barbary* on the *Atlantic Ocean*, with a clean bill of health, in ballast, or whose cargo shall consist wholly of salt, shall be liable to or charged with any duty under this act: provided also, That no ship or vessel which shall, together with its cargo, have duly performed quarantine in the lazarets of *Malta*, *Ancona*, *Venice*, *Massina*, *Leghorn*, or one of them, and shall sail

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from thence, and arrive in this kingdom with proper documents and vouchers attesting the same, to the satisfaction of his Majesty, his heirs or successors, or of his or their privy council, shall be liable to or charged with any duty under this act.

III. Provided always, and be it further enacted, That if after the re-payment (in the manner herein-after mentioned) to the consolidated fund, of the said sum of sixty-five thousand pounds, hereby directed to be issued out of the same, it shall appear to the lord high treasurer or the lords commissioners of his Majesty's treasury for the time being, that the duties hereby granted are more than sufficient to defray the necessary expences of carrying the several purposes of this act into execution, it shall and may be lawful for the said lord high treasurer or lords commissioners for the time being, from time to time, by any warrant or warrants under the hands of the said lord high treasurer or of the said lords commissioners for the time being, or of any three or more of the said lords commissioners, to order and direct that the duties hereby granted shall be reduced in such proportion and manner as they shall think proper; and also by like warrant or warrants (in case the said necessary expences should afterwards require an increase of the said duties) to order and direct that the same shall be again raised and increased to any amount, not exceeding the sums hereby authorized to be raised and levied; and such warrant or warrants shall be sufficient authority to the commissioners and officers of the customs for raising, levying, collecting, and recovering the several and respective duties, specified and contained in such warrant or warrants; any law or usage to the contrary notwithstanding.

IV. And be it further enacted, That no ship or vessel, upon which the tonnage duty by this act imposed shall be due and payable, shall be permitted to be cleared inwards in any port of Great Britain, or the islands of Guernsey, Jersey, Alderney, Sark, or Man, unless the said tonnage duty shall have been first paid to the proper officers of the customs appointed to receive the same, or the commissioners of the customs shall otherwise direct; and that the tonnage of every ship or vessel shall be computed and taken, for the purpose of ascertaining the said duties according to the register thereof, under the provisions of an act, passed in the twenty-sixth year of his present Majesty's reign, intituled, *An act for the further increase and encouragement of shipping and navigation*; and in case of any dispute or doubt relative thereto the same shall be ascertained by admeasurement, in the mode and manner prescribed in the said last-mentioned act.

V. And be it further enacted, That it shall and may be lawful for the owner or owners of any ship and vessel, in respect of which any of the duties imposed by this act shall have been paid, to demand and receive from the respective importers, proprietors, or consignees of any goods or merchandizes brought or imported in any such ship or vessel, such sum or sums of money as shall be equal to the just and reasonable contribution, which the proportion that such goods and merchandize bear to the tonnage burthen.

Treasury may order the duties to be reduced and afterwards raised again.

No vessel upon which the duty is imposed shall be cleared inwards unless it be first paid.

Tonnage to be ascertained according to the register under 26 Geo. 3. c. 60.

Owners of vessels may demand from importers a proportion of duties.

burthen of the ship shall require, and no more, such proportion to be ascertained according to the usage of merchants in like cases.

Duties to be paid into the exchequer, and a separate account to be kept.

VI. And be it further enacted, That the monies arising from the duties hereby granted, shall be paid into the receipt of his Majesty's exchequer, and carried to and made part of the consolidated fund; and that in the office of the auditor of the receipt of his Majesty's exchequer, there shall be provided and kept a book or books, in which all the monies arising from the said duties, and paid into the said receipt, shall be entered separate and apart from all other monies paid or payable to his Majesty, his heirs or successors, upon any account whatsoever.

Application of duties.

VII. And be it further enacted, That the money so raised, levied, collected, and paid, shall be applied in the first place to defray the annual expences of the said floating lazaret and land lazaret, and all other annual expences which shall be incurred in the execution of this act; and in the next place, to make good any money that shall have been issued from the consolidated fund for the first erecting of the said lazaret, and for providing the necessary and convenient accommodations thereto belonging in manner herein-before mentioned, and to no other purpose whatsoever.

From October 1, 1800, the following recited and all other acts, in so far as they relate to the performance of quarantine, repealed.

VIII. *And whereas it is expedient that the several acts of parliament now in force for performing quarantine, should be reduced into one act; and that further provision should be made for obliging ships and persons coming from places infected with or subject to the plague, or any infectious disease or distemper of the nature of the plague, to perform quarantine in such manner as shall be directed by proclamation or by order of his Majesty in council, and for punishing offenders against such orders; be it enacted, That, from and after the first day of October one thousand eight hundred, an act, passed in the twenty-sixth year of the reign of his majesty King George the Second, intituled, An act to oblige ships more effectually to perform their quarantine, and for the better preventing the plague being brought from foreign parts into Great Britain or Ireland, or the isles of Guernsey, Jersey, Alderney, Sark, or Man; another act, passed in the twenty-ninth year of the same reign, intituled, An act to repeal a clause in an act, made in the twenty-sixth year of his present Majesty, intituled, 'An act to oblige ships more effectually to perform their quarantine, and for the better preventing the plague being brought from foreign parts into Great Britain or Ireland, or the isles of Guernsey, Jersey, Alderney, Sark, or Man, whereby the stationing of ships infected with the plague to the northward of Cape Finisterre, is confined to the harbour of New Grimsby, and removable to no other place, and for appointing a more safe and commodious place instead thereof; an act passed in the twelfth year of his present Majesty's reign, intituled, An act to explain and amend so much of an act made in the twenty-sixth year of the reign of his late majesty King George the Second, as relates to the establishment of lazarets; so much of an act passed in the twenty-eighth year of his present Majesty's reign, intituled, An act more effectually to*

26 Geo. 2.
c. 6.

29 Geo. 2.
c. 8.

12 Geo. 3.
c. 57.

28 Geo. 3.
c. 34.

secure

secure the performance of quarantine, and for amending several laws relating to the revenue of customs, as relates to the performance of quarantine; and also so much as relates to the performance of quarantine, of an act passed in the thirty-eighth year of his present Majesty's reign, intituled, *An act to amend two acts, made in the twenty-sixth year of King George the Second, and the twenty-eighth year of the reign of his present Majesty, respecting the performance of quarantine; for punishing persons acting contrary to any order in council, which may be made for laying any embargo on ships or vessels, or for prohibiting or regulating the exportation of any goods, wares, or merchandize; to prevent the fraudulent importation of glass into this kingdom; for permitting the removal of coffee and cocoa coastwise, for the greater convenience of exportation; to authorise the commissioners of the customs to return the duties paid on goods imported, which shall be lost or destroyed before the landing thereof; to prevent vessels licensed by the admiralty from being engaged in any trade or employment not permitted by their licences; for permitting wines put on board any of his Majesty's ships to be removed from one ship to another, without being first landed and warehoused; and for extending the provisions of an act, made in the thirty-third year of the reign of his present Majesty, to wines delivered into the charge of the collector and comptroller of his Majesty's customs at the port of Falmouth; and also so much as relates to the performance of quarantine, of an act, passed in the thirty-ninth year of his present Majesty's reign, intituled, *An act to encourage the trade into the Levant Seas, by providing a more convenient mode of performing quarantine; and for reducing the duty, granted by an act of the last session, on goods the manufacture of Great Britain, exported to any place within the Streights of Gibraltar; and every other act or acts heretofore passed, in so far as the same do or may be deemed or construed to relate to the performance of quarantine, and to be contrary to the provisions of this act, shall be, and the same are hereby repealed.**

IX. *And whereas infectious diseases and distempers which may not be deemed the plague, have raged and may rage in foreign parts, the communication whereof may be highly dangerous to the health of his Majesty's subjects of this kingdom; be it declared and enacted, That it shall be lawful for his Majesty, by and with the advice of his privy council, by his royal proclamation, from time to time to declare any such infectious disease or distemper to be of the nature of the plague.*

X. *And be it further enacted, That, from and after the first day of October one thousand eight hundred, all ships and vessels arriving, and all persons, goods, and merchandizes whatsoever coming or imported into any port or place within Great Britain, or the isles of Guernsey, Jersey, Alderney, Sark, or Man; from any place from whence his Majesty, his heirs or successors, by and with the advice of his or their privy council, shall judge it probable that the plague or other infectious disease or distemper which his Majesty, with the advice of his privy council, shall from time to time declare to be of the nature of the plague, may*

His Majesty by proclamation may declare any infectious disease to be of the nature of the plague.

All vessels, persons, and goods coming into any place in Great Britain, Guernsey, Jersey, &c. from any place from whence his Majesty shall judge the plague may be brought, shall perform qua-

quarantine as shall be directed by his Majesty's orders in council.

shall be brought, shall be liable and obliged to make their quarantine in such place and places, for such time and in such manner as shall from time to time be directed by his Majesty, his heirs or successors, by his or their order or orders in council, and notified by proclamation, or published in the *London Gazette*, and that until such ships, vessels, persons, goods, and merchandizes shall have respectively performed and shall be duly discharged from such quarantine, no such person, goods, or merchandizes, or any of them, shall come or be brought on shore, or go or be put on board any other ship or vessel in any place within his Majesty's dominions, unless in such manner, and in such cases, and by such licence, as shall be directed or permitted by such order or orders made by his Majesty, his heirs or successors, in council as aforesaid; and that all such ships and vessels, and the persons or goods coming or imported in, or going or being put on board the same, and all ships, vessels, boats, and persons receiving any goods or persons out of the same, shall be subject to such orders, rules, and directions concerning quarantine, and the prevention of infection, as shall be made by his Majesty, his heirs and successors, by and with the advice of his privy council, and notified by his royal proclamation, or published in the *London Gazette*.

Rules for vessels on board which the plague shall appear within the Streights of Gibraltar or without, till the land lazaret shall be fit for the performance of quarantine.

XI. And be it further enacted, That if the plague, or other infectious disease or distemper as aforesaid, shall appear on board any ship or vessel within the *Streights of Gibraltar*, the master, commander, or other person having charge thereof, shall immediately proceed to some one of the foreign lazarets, and there perform quarantine, until such time as the land lazaret, to be erected as aforesaid, shall, by his Majesty, his heirs or successors, by and with the advice of his or their privy council, and by order of the same notified by proclamation, or published in the *London Gazette*, have been declared to be fit for the due performance of quarantine therein; but if such plague, or other such infectious disease or distemper as aforesaid, shall appear on board any ship or vessel without the *Streights of Gibraltar*, then the master, commander, or other person having the charge or command thereof, shall (unless such land lazaret shall have been so declared to be fit for the due performance of quarantine therein) immediately proceed to the harbour of *Saint Helens Pool*, between the islands of *Saint Helens Tean* and *North Withel*, being two of the islands commonly called *The Islands of Scilly*, or to such other place as his Majesty, his heirs or successors, by and with the advice of his or their privy council, shall from time to time direct and appoint; where, being arrived, he shall make known his case to some officer of the customs there, who shall immediately acquaint the governor, deputy governor, or other principal magistrate thereof, and also some custom house officer of some port of *England* near thereunto; and the said custom house officer of such near port in *England* shall, with all possible speed, send intelligence thereof to the commissioners of the customs in the port of *London*; and the said governor, deputy governor, or other principal

principal magistrate, shall in like manner, with all possible speed, send intelligence thereof to one of his Majesty's principal secretaries of state, to the end that such measures may be taken for the comfort and support of the crew and passengers on board such ship so infected, and such precautions used to prevent the spreading of the infection, as the case shall require; and the said ship or vessel shall there remain until his Majesty's pleasure be known; nor shall any of the crew or passengers on board thereof go on shore: but in case the said master, commander, or other person having charge of the said ship or vessel so infected, shall not be able to make the said islands of *Scilly* or other place so appointed by his Majesty as aforesaid, or shall be forced by stress of weather, or otherwise, to go up either of the channels, it shall not be lawful for him to enter with such ship or vessel into any port, but he shall remain in some open road till he receives directions by some order of the privy council, and he shall use every necessary means in his power to prevent any of his ship's company or passengers from going out of his ship, and to avoid all intercourse with other ships, vessels, or persons; and such ship's company or passengers shall, until such master, commander, or other person shall have received such directions, remain in such ship, and shall avoid all intercourse with other ships, vessels, or persons; and the said master or any other person on board such ship or vessel as aforesaid, who shall be disobedient herein, shall be adjudged guilty of felony, and shall suffer death as in cases of felony, without benefit of clergy.

Masters of vessels, &c. disobedient herein, shall suffer death.

XII. And be further enacted, That every commander, master, or other person having the charge of any ship or vessel liable to the performance of quarantine, shall be and is hereby required, from and after the first day of *October* one thousand eight hundred, at all times when such ship or vessel shall meet with any other ship or vessel at sea, or shall be within four leagues of the coast of *Great Britain* or *Ireland*, or the isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to hoist a signal to denote that his ship or vessel is liable to the performance of quarantine, which signal shall be in the day time, if the said ship or vessel shall have a clean bill of health, a large yellow flag of six breadths of bunting at the main topmast head; and if such ship or vessel shall not have a clean bill of health, then a like yellow flag, with a circular mark or ball entirely black thereon, whose diameter shall be equal to two breadths of bunting, and in the night time the signal shall, in both cases, be a large signal lantern, such as is commonly used on board his Majesty's ships of war, with a light at the same mast head, and such commander, master, or other person shall keep such signals respectively, as the case shall be, hoisted during such time as the ship or vessel shall continue within sight of such other ship or vessel, or within four leagues of the said coasts or islands, and while so in sight or within such distance, until such ship or vessel shall have arrived at the port or place where it is to perform quarantine, and until it shall have been legally discharged from the performance of quarantine, on failure

Masters of vessels liable to performance of quarantine, meeting other vessels at sea, or being within four miles of the coast of Great Britain, Ireland, Guernsey, &c. to hoist a signal, on penalty of 200*l.*

whereof such commander, master, or other person having charge of such ship or vessel so liable to the performance of quarantine, shall forfeit and pay, for every such offence, the sum of two hundred pounds.

Penalty of 50l. on masters of vessels not liable to quarantine hoisting a yellow flag.

XIII. And be it further enacted, That if any master, commander, or other person having the charge or command of any ship or vessel, not liable to the performance of quarantine, shall hoist such yellow flag, whereby other ships may be put to the inconvenience of changing their course, such master, commander, or other person as aforesaid, shall forfeit and pay the sum of fifty pounds.

Pilots conducting vessels liable to quarantine into places not appointed, to forfeit 100l.

XIV. And be it further enacted, That in case any pilot shall bring or conduct, or cause to be brought and conducted, any ship or vessel liable to the performance of quarantine, into any place which is not, or which shall not be specially appointed for the reception of ships and vessels so liable to the performance of quarantine, unless compelled by stress of weather, adverse winds, or accidents of the seas, such pilot shall, for each and every such offence, forfeit and pay the sum of one hundred pounds.

When any place shall be infected with the plague, or when any order shall be made by his Majesty concerning quarantine, the person authorised to see it performed at the place, shall demand certain questions of the master of every vessel, who, for refusal, shall forfeit 200l.

XV. And, to the end that it may be the better known whether any ship or vessel be actually infected with the plague, or other infectious disease or distemper as aforesaid, or whether such ship or vessel, or the mariners or passengers coming, or the cargo imported in the same, are liable to any orders touching quarantine: be it further enacted, That when any country or place shall be infected with the plague, or other such infectious disease or distemper as aforesaid, or when any order or orders shall be made by his Majesty in council concerning quarantine, and the prevention of infection as aforesaid, then and in such case, as often as any ship or vessel shall attempt to enter into any port or place in Great Britain, or of the isles of Guernsey, Jersey, Alderney, Sark, or Man, whether such port shall have been appointed for the performance of quarantine or not, the principal officer of his Majesty's customs in such port or place, or such person as shall be authorised to see quarantine duly performed, shall go off, or cause some other person to be by him appointed for that purpose to go off, to such ship or vessel, and such officer or other person authorised to see quarantine performed as aforesaid, or the person so by him appointed for that purpose, shall, at a convenient distance from such ship or vessel, demand of the commander, master, or other person having charge of such ship or vessel, and such commander, master, or other person having charge of such ship or vessel shall, upon such demand, give a true answer in writing or otherwise, and upon oath or not upon oath, according as he shall by such officer or other person be required, to all such questions and interrogatories as shall be put to him, by virtue and in pursuance of such regulations and directions as his Majesty, by order in council, shall be pleased to prescribe; and in case such commander, master, or other person having charge of such ship or vessel shall, upon such demand made as aforesaid, refuse to make a true discovery in any of the particulars concerning which he shall be interrogated

gated in manner aforesaid, such commander, master, or other person having charge of such ship or vessel, for every such offence shall forfeit and pay the sum of two hundred pounds.

XVI. And be it further enacted, That in case it shall appear upon such examination or otherwise, that such ship or vessel is under such circumstances as shall render it liable to perform quarantine, and that the port where it arrives is not the port where it ought so to perform quarantine, in such case it shall and may be lawful to and for the officers of any of his Majesty's ships of war, or any of his Majesty's forts or garrisons, and all other his Majesty's officers whom it may concern, upon notice thereof given to them, or any of them respectively, and to and for any other person or persons whom they shall call to their aid and assistance; and such officers and other persons are hereby required to oblige such ship or vessel to go and repair to such place as hath been or shall be appointed for performance of quarantine, and to use all necessary means for that purpose, either by firing of guns upon such ship or vessel, or by any other kind of necessary force whatsoever; and in case any such ship or vessel shall come from any place visited with the plague, or other infectious disease or distemper as aforesaid, or shall have any person on board actually infected, and the commander, master, or other person having charge of such ship or vessel shall conceal the same, such commander, master, or other person having charge of such ship or vessel, shall be adjudged guilty of felony, and shall suffer death as in cases of felony, without benefit of clergy.

If it shall appear that any such vessel is liable to perform quarantine, the officers of any ship of war, &c. shall compel it to go to the appointed place.

Masters of vessels coming from places visited with the plague, or having any infected person on board, and concealing the same, shall suffer death.

XVII. And be it further enacted, That every master, commander, or other person having charge of any ship or vessel which shall be ordered to perform quarantine as aforesaid, shall forthwith, after his arrival at the place appointed for the performance of his quarantine, deliver on demand to the chief officer appointed to see quarantine duty performed there, or person acting for him, and which officer or person is hereby required to make such demand, such bill of health and manifest as he shall have received from any *British* consul during his voyage, together with his log book and journal, under pain of forfeiting the sum of five hundred pounds if he shall wilfully refuse and neglect so to do.

Masters of vessels ordered to perform quarantine, shall deliver to the chief officer appointed to see it performed, their bill of health, &c. on penalty of 500l.

XVIII. And be it further enacted, That every master, commander, or other person having the charge or command of any ship or vessel liable to perform quarantine, shall deliver to the consul or other person acting as such, and where there is none such residing there, then to two known *British* merchants at the port at which he shall take on board any articles, a list, schedule, or manifest, retaining one or more true copies thereof in his own possession, of all such articles of every description, whether brought as baggage, presents, or otherwise, and of all packets, parcels, or letters, which list, schedule, or manifest, shall by him be verified on oath, and subscribed before the *British* consul, or other person or merchants as aforesaid, who shall attest the same by subscribing his or their name or names thereto; and such *British* consul, or other person or merchants as aforesaid, shall transmit

Masters of vessels liable to quarantine, to deliver to the consul at the port where they shall take on board any articles, a manifest, which shall transmit it to the commissioners of the customs, and the master on his arrival shall make oath before the

officers of the customs at the port, that he has not received on board any articles but what are contained in the manifest.

Penalty on masters not producing all such articles.

Penalty on persons landing, or receiving any articles from on board such vessels.

Masters quitting, or suffering persons to quit vessels, or not in due time carrying them into the places appointed for quarantine, to forfeit 500l.

Persons quitting such vessels may be compelled to return on board, and shall be liable to imprisonment, and penalty of 500l.

the said list, schedule, or manifest so signed by him or them, as the case may be, to the commissioners of the customs in the port of *London*, for their information; and the said master, commander, or other person as aforesaid, on his arrival in this kingdom, shall declare upon oath before the collector or principal officer of the customs at the port where he shall arrive, or at the port nearest thereto, that he has not received any goods, packages, or articles whatever on board, either as baggage, presents, or otherwise, nor any letter or packets, or parcels of letters, but such as are specified in such lists, schedules, or manifests; and in case the master, commander, or other person as aforesaid, shall not, on demand by such collector or principal officer of the customs, produce all or any of the articles so specified in such lists, schedules, or manifests as aforesaid, or make it appear that the same have been unavoidably lost, destroyed, or consumed, such master, commander, or other person, shall forfeit and pay, for every such default, a sum not exceeding the sum of five hundred pounds, nor less than the sum of one hundred pounds; and if any person shall land or unship, or shall move, in order to the landing or unshipping thereof, any goods, wares, or merchandize, or any small articles brought as baggage, presents, or otherwise, or any letters or packets, or parcels of letters whatever from on board such ship or vessel, or shall receive the same after they have been so landed or unshipped, he shall forfeit and pay a sum not exceeding the sum of five hundred pounds, nor less than the sum of one hundred pounds.

XIX. And be it further enacted, That if any commander, master, or other person having charge of any ship or vessel liable to perform quarantine, and having notice that such ship or vessel is so liable, shall himself quit, or shall knowingly permit or suffer any seaman or passenger coming in such ship or vessel to quit such ship or vessel, by going on shore, or by going on board any other ship, boat, or vessel, before such quarantine shall be fully performed, unless in such cases, and by such proper licence as shall be directed and granted by and by virtue of such order or orders made or to be made concerning quarantine, and the prevention of infection as aforesaid; or in case any commander, master, or other person having charge of such ship or vessel, shall not, within a convenient time after due notice given for that purpose, cause such ship or vessel, and the lading thereof, to be conveyed into the place or places appointed for such ship, vessel, and lading, to perform their quarantine respectively; then and in every such case every such master, commander, or other person as aforesaid, for every such offence shall forfeit and pay the sum of five hundred pounds; and if any person shall so quit such ship or vessel by going on shore, or by going on board any other ship or vessel contrary to the true meaning of this act, it shall and may be lawful for all persons whatsoever, by any kind of necessary force, to compel such person to return on board such ship or vessel; and every such person so quitting such ship or vessel shall, for every such offence, suffer imprisonment for the space of six months,

months, and shall also forfeit and pay the sum of two hundred pounds.

XX. And be it further enacted, That when any ship or vessel which has performed quarantine in any foreign lazaret, shall arrive in any of the ports of *Great Britain*, or the isles of *Guernsey*, *Fersey*, *Alderney*, *Sark*, or *Man*, with a clean bill of health, no goods or merchandize liable to retain the infection of the plague, or other infectious disease or distemper as aforesaid, shall be permitted to be landed or unshipped, unloaded or moved, in order to be landed out of such ship or vessel, but the master, commander, or other person having the charge or command of such ship or vessel shall immediately upon his arrival, give notice thereof, and of the contents of his lists, schedules, or manifests as aforesaid, and of the foreign port in which such ship or vessel hath performed quarantine, to the principal officer of his Majesty's customs at the port where he shall arrive, or at the port nearest thereto, in order that the same may be forthwith laid before his Majesty's privy council; and if the master, commander, or other person as aforesaid, or any person whatsoever, shall land, or shall unship, unload, or move, in order to land any goods or merchandize out of the said ship or vessel, before an order of his Majesty's privy council shall be made, giving directions therein, or otherwise than shall be directed in the said order, every such person shall, for every such offence, forfeit and pay the sum of two hundred pounds.

XXI. And whereas disobedience or refractory behaviour in persons under quarantine, may be attended with very great danger to his Majesty's subjects; be it further enacted, That all persons liable to perform quarantine, whether in ships or in a lazaret, or elsewhere, shall be subject, during the said quarantine, to such orders as they shall receive from the proper officers authorized to direct and superintend the due performance thereof; and the said officers are hereby empowered and required to enforce all necessary obedience to the said orders; and in case of necessity to call in others to their assistance; and all persons so called in are hereby required to assist accordingly; and such officers shall, and they are hereby empowered and required to compel all persons obliged to perform quarantine as aforesaid, to repair and to cause all goods and merchandizes comprized within any such orders made or to be made as aforesaid, to be conveyed to the said lazaret or other place duly appointed in that behalf, in such manner, and according to such directions as shall be made by order of his Majesty in council as aforesaid; and if any person obliged to perform quarantine as aforesaid shall wilfully refuse, or neglect to repair within convenient time, after due notice for that purpose given to him or her by the proper officer to the said lazaret, or other place duly appointed for him or her, or having been placed in the said lazaret or other place shall escape, or attempt to escape out of the same before quarantine duly performed, it shall and may be lawful to and for the watchmen and other persons appointed to see quarantine performed, and they are hereby required, by such

When a vessel arrives with a clean bill of health, the matter shall give notice thereof, and of the contents of his manifest, and of the port in which he has performed quarantine, to the officer of the customs, that the same may be laid before the privy council. Penalty of 200l. for landing goods before an order of council is made, or contrary thereto.

Persons liable to quarantine to be subject to the orders of the officers authorized to direct the performance thereof, who may enforce obedience thereto, and call in aid.

If any person shall neglect to duly repair to the place appointed for him, or shall escape, he shall be compelled to return, and every person refusing to return, or escaping, shall suffer necessary death.

necessary force as the case shall require, to compel every such person so refusing or neglecting as aforesaid, and every such person so escaping or attempting to escape as aforesaid, to repair or return into such lazaret or other place so appointed for him or her as aforesaid; and every person so refusing or neglecting to repair, within convenient time after such notice as aforesaid, into the said lazaret or other place, and also every person actually escaping as aforesaid, shall be adjudged guilty of felony, and suffer death as in cases of felony, without benefit of clergy.

Officers of the customs, &c. for breach or neglect of duty shall forfeit their office, and tool; and if they shall desert from their duty when employed, or permit any person or vessel, &c. to depart out of the lazaret, &c. or if the persons authorised shall give false certificates, they shall suffer death.

Penalty for wilfully damaging goods performing quarantine.

If any sound person shall enter a lazaret, he shall perform quarantine; and if he escape, shall suffer death.

XXII. And be it further enacted, That if any officer of his Majesty's customs, or any other officer or person whatsoever to whom it doth or shall appertain to execute any order or orders made or to be made concerning quarantine, or the prevention of infection, and notified as aforesaid, or to see the same put in execution, shall be guilty of any wilful breach or neglect of duty in that behalf, every such officer and person so offending shall forfeit such office or employment as he may be possessed of, and shall become from thenceforth incapable to hold or enjoy the same, or to take a new grant thereof, and every such officer and person shall forfeit and pay the sum of one hundred pounds; and if any such officer or person shall desert from his duty when employed as aforesaid, or shall knowingly and willingly permit any person, ship, vessel, goods, or merchandize, to depart or be conveyed out of the said lazaret, ship, or other place as aforesaid, unless by permission under an order of his Majesty, by and with the advice of his privy council, or if any person hereby authorised and directed to give a certificate of a ship having duly performed quarantine or airing, shall knowingly give a false certificate thereof, every such officer and person so offending shall be deemed guilty of felony, and suffer death as in cases of felony without benefit of clergy; and if any such officer or person shall knowingly and wilfully damage any goods performing quarantine under his direction, he shall be liable to pay treble damages and full costs of suit to the owner of the same.

XXIII. And be it further enacted, That if any person not infected with the plague, or other infectious disease or distemper as aforesaid, nor liable to perform quarantine, shall enter the said lazaret or other place so appointed as aforesaid, whilst any person or persons infected with the plague, or being under quarantine, shall be therein, and shall return or attempt to return from thence, unless in such cases and by such licence as shall be directed and granted by virtue of such order or orders of his Majesty in council as aforesaid, it shall and may be lawful to and for the watchmen or other persons appointed to guard or secure the said lazaret or other place so appointed as aforesaid, by such necessary force as the case shall require, to compel such person so returning or attempting to return, to repair into the said lazaret or other place so appointed as aforesaid, there to continue and perform quarantine; and in case such person shall actually escape out of the said lazaret or other place where he or she shall be so placed for performance of quarantine, before he or she shall have fully performed

performed the same, he or she shall be adjudged guilty of felony, and shall suffer death as in cases of felony, without benefit of clergy.

XXIV. And whereas certain sorts of goods and merchandizes are more especially liable to retain infection, and may be brought from places infected into other countries, and from thence imported into his Majesty's dominions in ships not obliged to perform quarantine, be it enacted, That all such goods and merchandizes as shall be particularly specified for that purpose in any order or orders of his Majesty in council, made or to be made concerning quarantine, and the prevention of infection as aforesaid, which shall be imported into any of his Majesty's dominions from any foreign country or place in any ship or vessel whatsoever, shall be subject and liable to such regulations and restrictions as shall be made by order of his Majesty in council respecting the same, for performing quarantine and the prevention of infection as aforesaid.

Goods, when specified in any order in council as liable to retain infection, shall be liable to quarantine.

XXV. And be it further enacted, That after quarantine shall have been duly performed by any ship or vessel, person or persons obliged to perform quarantine as aforesaid, according to this act, and to such order or orders made as aforesaid, and upon proof to be made by the oaths of the master or other person having charge of such ship or vessel, and of two of the persons belonging thereto, or upon proof to be made by the oaths of two or more credible witnesses before the collector, or principal officer of the customs at the port where such quarantine shall be performed, or at the port nearest thereunto, or before any justice of the peace living near to the port or place, or when such quarantine shall have been performed, within any of the said isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, before any two jurats or magistrates of any of the said isles respectively, that such ship or vessel, and all and every such person and persons respectively, have duly performed quarantine as aforesaid, and that the ship or vessel, and all and every person and persons, are free from infection, and after producing a certificate to that purpose, signed by the chief officer who superintended the quarantine of the said ship, or person acting for him, then and in the said respective cases such collector, or principal officer of the customs, or such justice of the peace, or such jurats or magistrates as aforesaid respectively, are hereby required to give a certificate thereof; and thereupon such ship or vessel, and all and every such person and persons so having performed quarantine, shall be liable to no further restraint or detention upon the same account for which such ship or vessel, person or persons, shall have performed quarantine as aforesaid.

After proof of the performance of quarantine, and on certificate to that effect, vessels and persons not liable to farther restraint.

XXVI. And be it further enacted, That all goods, wares, and merchandizes liable to quarantine as aforesaid, shall be opened and aired in such place or places, and for such time and in such manner as shall be directed by his Majesty, his heirs and successors, by such order or orders to be made as aforesaid; and after such orders shall have been duly complied with, a certificate thereof shall be given by the chief officer appointed to superintend the

Goods to be opened and aired; and on certificate of proof of compliance, they shall be discharged from restraint.

quarantine, and airing of such goods, wares, and merchandizes, or by the person acting for him, and proof thereof shall be made by the oaths of two or more credible witnesses before the collector or other principal officer of the customs at the port lying next to such place or places where such goods, wares, or merchandizes shall have been opened and aired as aforesaid, or before any justices of the peace living near the same, or before any two jurats or magistrates of the said isles of *Guernsey, Jersey, Alderney, Sark, or Man* respectively, which collector or other principal officer, or such justice, or two jurats or magistrates respectively, as the case may be, shall also make certificate of such proof having been made; and upon the production of such certificates to his Majesty's commissioners of the customs in *England or Scotland* respectively, or to the governor or lieutenant governor, commander in chief, or chief magistrate of any of the said last-mentioned islands, as the case may be, such goods, wares, and merchandize shall be forthwith discharged from any restraint or detention upon the same account, by order of the said commissioners, or any three or more of them, or of the said governor, lieutenant governor, commander in chief, or chief magistrate respectively.

Persons forging certificates &c. shall suffer death.

XXVII. And be it further enacted, That if any person shall knowingly and wilfully forge or counterfeit, or procure to be forged or counterfeited, any certificate directed and required to be granted by this act, or shall publish as true any such forged or counterfeited certificate, knowing the same to be forged or counterfeited, he shall be adjudged guilty of felony, and shall suffer death as in cases of felony, without benefit of clergy.

Persons concealing, or conveying any articles from any vessel under quarantine, or from the lazarets, shall suffer death.

XXVIII. And be it further enacted, That if any person or persons shall knowingly or wilfully conceal from the officers of quarantine, or shall clandestinely convey any letters, goods, wares, or merchandizes in or from any ship under quarantine, or liable to perform quarantine, or from the said lazaret, or other place where goods shall be performing quarantine, every such person so offending shall be adjudged guilty of felony, and shall suffer death as in cases of felony, without benefit of clergy.

During the plague in certain parts vessels under 20 tons may be prohibited from sailing until security be given with certain conditions,

XXIX. And be it further enacted, That in case it shall at any time happen that any part of *Great Britain, Ireland*, or the isles of *Guernsey, Jersey, Alderney, Sark, or Man*, or *France, Spain, Portugal*, or the low countries, shall be infected with the plague, or any other infectious disease or distemper as aforesaid, it shall and may be lawful to and for his Majesty, his heirs and successors, by his or their proclamation, to prohibit and restrain all small boats and vessels, under the burthen of twenty tons, from sailing or passing out of any port or place of *Great Britain*, or the isles of *Guernsey, Jersey, Alderney, Sark, and Man*, or any of them, until security be first given by the master of every such boat or vessel respectively, to the satisfaction of the principal officer of the customs, or the chief magistrate of the port or place from whence such boat or vessel shall sail, by bond taken by such officer or magistrate, to the King, his heirs or successors, with sufficient sureties in the penalty of three hundred pounds, with condition that

that if such boat or vessel shall not go to or touch at any country, port or place to be mentioned for that purpose in such proclamation; and if neither the master or other person having charge of such boat or vessel, nor any mariner or passenger in such boat or vessel shall, during the time aforesaid, go on board any other ship or vessel at sea; and such master or other person having charge of such boat or vessel shall not permit or suffer any person or persons to come on board such boat or vessel at sea from any other ship or vessel, and shall not, during the time aforesaid, receive any goods and merchandizes whatsoever out of any other ship or vessel, then such bond shall be void, for the making of which bond no fee or reward whatsoever shall be taken; and in case any boat or vessel, for which such security shall be required by such proclamation, shall set sail or pass out of any port or place of *Great Britain*, or the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, and *Man*, or any of them respectively, before such security be given as aforesaid, every such boat or vessel so sailing or passing out of any port or place, contrary to the true intent and meaning of this act, together with her tackle, apparel, and furniture, shall be forfeited to his Majesty, his heirs and successors; and the master of, and every mariner sailing in any such boat or vessel shall severally forfeit and pay the sum of twenty pounds.

XXX. And be it further enacted, That the publication in the *London Gazette* of any order of council made in pursuance of this act, or his Majesty's royal proclamation made in pursuance of the same, shall be deemed and taken to be sufficient notice to all persons concerned, of all matters therein respectively contained.

XXXI. And be it further enacted, That all forfeitures and penalties aforesaid, that shall be incurred by any offence committed against any part of this act, shall and may be recovered by suit in any of his Majesty's courts of record at *Westminster*, in which no *essoign*, *wager of law*, or more than one *imparlance* shall be granted, or in *Scotland* by summary action in the court of session, or by prosecution before the court of *justiciary* there, or by suit in any of his Majesty's courts in the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, by or by information before any two justices of the peace of the county, riding, division, city, or place where the offence was committed, and may be levied of the offender's goods and chattels, and if he shall not have goods and chattels equal in value to the amount of such forfeiture or penalty, then such offender shall be committed to gaol till payment thereof, and every such forfeiture and penalty shall belong and be given, one moiety to the person who shall sue for the same, and the other moiety to his Majesty, his heirs and successors, to be applied towards defraying the expences of erecting and maintaining the lazaret as aforesaid.

XXXII. And be it further enacted, That in all cases wherein by or by virtue and in pursuance of any of the provisions of this act, any examinations or answers shall be directed to be taken or made upon oath, the person who shall by or by virtue of the same be authorized and required to take such examinations and answers,

If any such vessel shall fail before security be given it shall be forfeited, and sol. by the master and each mariner on board.

Publication in the *London Gazette* of any order in council to be sufficient notice.

Recovery and application of penalties.

Persons authorized to take examinations may administer oaths.

shall

Penalty on persons swearing falsely, or procuring others to do so.

shall and shall be deemed to have full power and authority to administer such oath; and if any person who shall be so interrogated or examined, shall wilfully swear falsely to any matter concerning which such person shall depose, or make oath on such examination, or if any person shall procure any other person so to do, he or she shall be deemed to have been guilty of, and shall be liable to be prosecuted for wilful and corrupt perjury, or subordination of wilful and corrupt perjury, as the case may be, and shall suffer the penalties of the law in such cases respectively made and provided.

Offences, not felonious, against this act or any order of council, may be tried before two justices, who may fine or imprison the offender.

XXXIII. And be it further enacted, That all offences committed against any of the provisions of this act (not being felony), and every offence or disobedience to any order of council made for better carrying into execution this act, for which no specifick penalty, forfeiture, or punishment is provided by this act, shall and may be tried, heard, and determined before any two justices of the peace of the county, riding, division, city, or place where such offence or disobedience shall happen; and if any person shall be convicted of any such offence or disobedience, he or she shall be liable to such forfeiture and penalty, not exceeding the sum of fifty pounds for any one offence, or to such imprisonment, not exceeding three months for any one offence, as shall in the discretion of the two justices who shall have heard and determined the same, be judged proper; and such forfeiture and penalty shall be paid, one moiety to the person suing for the same, and the other to his Majesty, to be applied as the moieties of other forfeitures and penalties are herein before directed to be applied.

Application of penalty.

No attainder of felony to work corruption of blood, &c.

XXXIV. Provided always, and it is hereby enacted, That no attainder of felony by virtue of this act shall be extended to work any corruption of blood, or forfeiture of any goods, chattels, lands, tenements, or hereditaments.

Offences committed upon the high seas, may be prosecuted within the nearest county.

XXXV. And be it further enacted, That all offences committed upon the high seas against this act, or against any order of council made for carrying this act into execution, shall be deemed to be done within the body of the county nearest to the place where such offence was committed, and shall and may be prosecuted within such county.

Defendants may plead the general issue.

XXXVI. And be it further enacted, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance and execution of this present act, or of any order of council made by virtue thereof, 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 in the execution of the said act; and if it shall appear so to have been done, then 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 judgement shall have been 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 the defendant

Treble costs.

defendant or defendants hath or have in other cases by law; and that no such action or suit shall be brought against any person for any matter or thing done in pursuance or execution of this act, but within the space of two years after such matter or thing shall have been done. Limitation of actions.

XXXVII. And be it further enacted, That this act shall commence and take effect, except as is herein-before otherwise provided, on the first day of *October* one thousand eight hundred. Commencement of act.

C A P. LXXXI.

An act to repeal an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act to prevent frauds in the buying and selling of hops, and for the better collection of the duty on hops; and to prevent frauds and abuses in the trade of hops.—[July 28, 1800.]

WHEREAS an act, made in the fourteenth year of the reign of his present Majesty, intituled, An act to prevent frauds in the buying and selling of hops, has been found insufficient to answer the purposes thereby intended, and it is therefore expedient to repeal the said act, and in lieu thereof to make such provision as is herein-after directed; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, the said act shall be, and the same is hereby repealed. Preamble. 14 Geo. 3. c. 68, recited.

II. And be it further enacted, That, from and after the passing of this act, every owner, planter, or grower of hops, before he, she, or they shall begin to put any hops into any bag or pocket, shall mark, or cause to be marked on the outside of each and every such bag or pocket, in large, plain, and legible letters or characters, with durable ink or paint, his, her, or their name or names, and place of abode; and if any owner, planter, or grower of hops, shall begin to put any hops into any bag or pocket with out having marked, or caused to be marked in manner herein-before directed, the several matters and things herein-before required and prescribed, every such owner, planter, or grower, or other person or persons so offending, shall, for each and every such offence, forfeit and lose the sum of twenty pounds. Owners shall mark the bags before they put in any hops, on penalty of 20l.

III. And be it further enacted, That no owner, planter, or grower of hops shall bag any hops in any bag, the weight of which bag shall be greater in proportion to the gross weight of such bag and the hops contained therein than ten pounds for every one hundred and twelve pounds of the said gross weight of such bag and the hops contained therein; and if any owner, planter, or grower of hops shall bag any hops in any bag, the weight of which bag shall be greater in proportion to the gross weight of such bag and the hops contained therein than ten pounds for every one hundred and twelve pounds of the gross weight of such bag and the hops contained therein, then and Hops not to be bagged in bags of greater weight than in the proportion of 10lb. for every 112lb. of the gross weight of bag and hops, on penalty of 20l.

in every such case every owner, planter, or grower so offending shall, for each and every such offence, forfeit the sum of twenty pounds.

Officer of excise shall mark on the bags the gross weight with the year of growth, and the progressive number according to the number of bags charged to each owner for the season.

Persons counterfeiting the marks aforesaid shall forfeit 100*l.*; and for defacing marks, shall forfeit 50*l.*

IV. And be it further enacted, That when and as soon as any officer of excise shall have weighed and taken account of any hops for the purpose of ascertaining and charging the duty thereon, such officer shall, and he is hereby authorized and required to mark, or cause to be marked, in large legible figures, with durable ink or paint, on the outside of each and every bag or pocket, containing such hops, the true gross weight of such bag or pocket of hops, together with the date of the year in which such hops were grown; and also with the true progressive number of such bag or pocket, according to the numbers of the bags or pockets of hops weighed and charged to each owner, planter, or grower of hops, during the then current year or hop season; such number to be taken progressively, beginning one, two, and so onwards, according to the number of bags or pockets of hops weighed and charged to each owner, planter, or grower as aforesaid, in each such current year or hop season; and if any person or persons shall counterfeit or alter, or cause, procure, or suffer to be counterfeited or altered, any or either of the matters or things herein-before directed to be marked, or caused to be marked and so marked, or cause to be marked by any such owner, planter, or grower of hops, or so herein-before directed to be marked, and so marked by any such officer as aforesaid, the person or persons so offending shall, for each and every such offence, severally forfeit and lose the sum of one hundred pounds; and if any person or persons shall wilfully deface or obliterate any or either of the matters or things herein-before directed to be marked, or caused to be marked, and so marked, by any such owner, planter, or grower of hops, or herein-before directed to be marked, and so marked by any such officer as aforesaid, or shall cause or procure any such matter or thing to be defaced or obliterated, or shall connive at any such matter or thing being so defaced or obliterated, the person or persons so offending shall, for each and every such offence, severally forfeit and lose the sum of twenty pounds.

V. *And whereas it is expedient that no planter or owner of hops to grow in Great Britain should remove or convey away any hops from his, her, or their oushs, storehouses, or other places where such hops shall have been weighed by any inferior officer of excise until such time as is herein-after prescribed,* be it therefore enacted, That no owner, planter, or grower of hops, growing or to grow in Great Britain, shall remove or convey away, or cause or suffer to be removed or conveyed away, any hops from the oush, storehouse, or other place where the same shall have been weighed, for the purpose of charging the duty before the expiration of twelve hours next after such hops shall have been so weighed, unless the same shall sooner have been weighed or re-weighed by the supervisor of excise, to the end that such supervisor may have an opportunity to re-weigh the same; and if upon the re-weighing of any

Hops not to be removed from the place of weighing before the expiration of 12 hours, unless the same shall have been re-weighed by the supervisor, on penalty of 50*l.*

any such hops, any additional weight shall be found, such hops shall be liable to and chargeable with the duty of excise imposed for or in respect of such hops, according to such last mentioned weight; and if any such owner, planter, or grower, shall remove or convey away, or cause or suffer to be removed or conveyed away, any such hops, contrary to the true intent and meaning of this act, the owner, planter, or grower of such hops so offending shall, for each and every such offence, forfeit the sum of fifty pounds.

VI. And be it further enacted, That no planter or owner of hops to grow in *Great Britain* shall at any time be obliged to give more than twenty-four hours notice of his or her intention to weigh hops: provided always, That the particular time to be specified in any such notice for the weighing of hops, shall be between the hours of four in the morning and five in the evening; any thing in this or any other act of parliament to the contrary in anywise notwithstanding.

VII. Provided always, and be it further enacted, That no officer of excise, inferior to the rank or degree of a supervisor of excise, shall be at liberty to weigh, or shall be permitted to weigh, any hops at any oust, storehouse, or other place of any owner, planter, or grower of hops, between the hours of five in the evening and four in the morning; and if any such owner, planter, or grower shall permit or suffer any such inferior officer to weigh any such hops between the hours aforesaid, contrary to the directions of this act, every such owner, planter, or grower so offending shall, for each and every such offence, forfeit and lose the sum of twenty pounds.

VIII. And be it further enacted, That all and every owner, planter, and grower of hops growing or to grow in *Great Britain* shall, and he, she, and they respectively is and are hereby required to keep sufficient and just scales and weights at his, her, or their ousts, storehouses, or other places, where such hops shall have been so weighed, and also to permit and suffer any supervisor of excise to use the same for the purpose of re-weighing such hops; and if any such owner, planter, or grower shall neglect to keep such scales and weights, or either of them, or shall not permit or suffer any supervisor of excise to use the same for the purpose aforesaid, he, she, or they shall, for each and every such offence, forfeit the sum of fifty pounds; and if any such owner, planter, or grower shall, for the re-weighing of any such hops, provide or make use of, or cause or procure, or suffer to be provided or made use of, any false, unjust, or insufficient scales or weights, or shall practise any act, device, or contrivance by which any such supervisor of excise may be hindered or prevented from taking the just and true weight of any such hops, then and in every such case such owner, planter, or grower shall, for each and every such offence, forfeit the sum of one hundred pounds, together with all such false, unjust, or insufficient scales and weights respectively, and the same shall and may be seized by any supervisor or officer of excise.

Owner of hops to give 24 hours notice of his intention to weigh them.

Time of weighing between four in the morning and five in the evening.

No officer inferior to a supervisor to be suffered to weigh hops between five in the evening and four in the morning, on penalty of 20*l*.

Owners of hops shall keep scales and weights at the place of weighing, and permit any supervisor to use them, on penalty of 50*l*.

If unjust scales or weights, &c. shall be used, they shall be forfeited, and the owner shall forfeit 100*l*.

Owners, when required by supervisor, shall put hops into the scale to be re-weighed, and assist him therein, on penalty of 50*l*.

Persons obstructing officers in the execution of their duty, shall forfeit 100*l*.

Penalties and forfeitures, how to be levied and applied.

IX. And be it further enacted, That all and every owner, planter, and grower of hops growing or to grow in *Great Britain*, shall, when and so often as he, she, or they shall be thereunto required by any supervisor of excise, bring, or cause to be brought to, and be put into and taken out of, the scale, all hops belonging to such owner, planter, or grower, and which such supervisor shall be desirous to re-weigh, and shall also, on the request of such supervisor, by themselves respectively, and with a sufficient number of their servants, aid and assist, to the utmost of their power, such supervisor of excise in re-weighing all such hops of such owner, planter, or grower, on pain of forfeiting, for every neglect or refusal thereof, the sum of fifty pounds.

X. And be it further enacted, That if any person or persons whatsoever shall assault, oppose, molest, obstruct, or hinder, any officer or officers of excise in the due execution of this act, or of any of the powers or authorities given by this act, all and every such person or persons so offending shall, for every such offence, severally forfeit the sum of one hundred pounds.

XI. And be it further enacted, That all fines, penalties, and forfeitures imposed by this act, shall be sued for, recovered, levied, or mitigated by such ways, means, or methods, as any fine, penalty, or forfeiture, may be sued for, recovered, levied, or mitigated, by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer in *Scotland* respectively, and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall inform, discover, or sue for the same.

C A P. LXXXII.

An act for suspending, until the twentieth day of August one thousand eight hundred, the duties on foreign hops imported, and for granting other duties in lieu thereof.—[July 28, 1800.]

Preamble.
27 Geo. 3.
c. 13.

WHEREAS by an act, made in the twenty-seventh year of the reign of his present Majesty, for repealing the several duties of customs and excise, and granting other duties in lieu thereof, and for other purposes, a duty of customs of five pounds eighteen shillings and ten-pence is imposed upon every hundred weight of hops imported into *Great Britain*, and by several subsequent acts certain other duties have been imposed in addition thereto: and whereas it is expedient that so much of the said acts as imposes the duties on hops imported should be suspended for a limited time, and that other duties should be imposed in lieu thereof during such suspension: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, so much of the said acts as imposes the said duties upon the importation of hops shall be, and the same

So much of recited act, and of subsequent acts, as

same are hereby suspended unto and until the twentieth day of August one thousand eight hundred.

II. And be it further enacted, That, until the said twentieth day of August one thousand eight hundred, instead and in lieu of the said duties hereby suspended, there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, a duty of customs upon every pound weight avoirdupois of hops imported into Great Britain, the sum of one penny and twelve twentieth parts of a farthing, and so in proportion for any greater or less quantity; and that so much of the said duties hereby suspended, as became due and payable between the first day of November one thousand seven hundred and ninety-nine and the time of the passing of this act, shall not be paid or payable, but instead and in lieu thereof, the duty by this act granted shall be paid, and upon the payment thereof, any bonds that shall have been entered into for payment of the duties hereby suspended shall be, and the same are hereby declared to be null and void, and shall be cancelled accordingly.

III. And be it further enacted, That the duty by this act granted shall be raised, levied, collected, paid, recovered, and applied in like manner and under such and the same rules, regulations, and restrictions, penalties and forfeitures, as the duties on the importation of hops are now raised, levied, collected, paid, recovered, and applied by virtue and in pursuance of the said act, passed in the twenty-seventh year of the reign of his present Majesty.

imposes duties on the importation of hops shall be suspended till Aug. 28, 1800; and instead of the duties so suspended there shall be paid a custom duty on every lb. of hops imported 1d. and 12-20ths of a farthing, which duty shall also be paid in lieu of those payable between Nov. 1, 1799, and the passing of this act. Duty shall be levied and applied as directed by recited act.

C A P. LXXXIII.

An act for permitting French wines to be imported into this kingdom from the isles of Guernsey, Jersey, or Alderney, in bottles or flasks.—[June 28, 1800.]

WHEREAS by an act, made in the twenty-seventh year of the reign of his present Majesty, intituled, An act for repealing the several duties of customs and excise, and granting other duties in lieu thereof, and for applying the said duties, together with the other duties composing the publick revenue; for permitting the importation of certain goods, wares, and merchandize, the produce or manufacture of the European dominions of the French king, into this kingdom; and for applying certain unclaimed monies, remaining in the exchequer for the payment of annuities on lives, to the reduction of the national debt, amongst other things, provision is made respecting the importation of French wine into Great Britain from the islands of Guernsey, Jersey, or Alderney, for a limited time, (which has expired), on payment of certain duties therein enumerated: and whereas it is expedient that such wine should be permitted to be so imported; 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

Preamble. 27 Geo. 3. c. 13.

of

From May 10, 1800. French wines in bottles or flasks may be imported in British ships from Guernsey, Jersey, or Alderney, on payment of the duties set forth in the table of the recited act marked C. and F. and all other duties payable on wines imported.

French wines imported since the expiration of the time limited by the recited act shall be charged with the duties thereby imposed in the table C. and F.

of the same, That, from and after the tenth day of May one thousand eight hundred, it shall and may be lawful to import into Great Britain from the islands of Guernsey, Jersey, or Alderney, any French wines in bottles or flasks, as well for sale as for private use, on payment of the several and respective duties as the same are respectively inserted, described, and set forth in the table and schedule annexed to the said recited act, marked C. and F., and all other duties, as well customs or excise, as are now due and payable on the importation of such wines by any other act or acts of parliament; provided that such wines shall be imported in British-built ships or vessels, owned, navigated, and registered according to law, and in such manner, and under the like rules, regulations, conditions, and restrictions, and shall be subject and liable to such and the like penalties and forfeitures, as are provided and enacted in the said recited act.

II. And be further enacted, That if any French wines in bottles or flasks shall have been so imported into Great Britain, from Guernsey, Jersey, or Alderney, since the expiration of the time limited in the said recited act as aforesaid, the same shall be subject and liable to the payment of, and shall be charged with the several and respective duties, as the same are respectively inserted, described, and set forth in the said table and schedule annexed to the said recited act, marked C. and F., any law to the contrary thereof notwithstanding.

C A P. LXXXIV.

An act to render valid indentures of apprenticeship of poor children and others, made upon improper stamps, upon certain conditions, and to indemnify all persons who may have incurred penalties thereby; and for allowing attested copies of indentures, leases, or deeds, to be stamped after the ingrossing, writing, or printing thereof.—[July 28, 1800.]

Preamble.

WHEREAS divers indentures of apprenticeship, made for the binding poor children and others, have through mistake and inadvertency, and without any intention to defraud the revenue, been made out and executed upon stamps of a different denomination and value than is required by the several acts relating to the stamp duties charged and payable upon indentures of apprenticeship, and by reason thereof great inconvenience has arisen and may arise to the masters and mistresses of such apprentices, and to such apprentices, by reason that such indentures are not valid or binding upon any of the parties thereto: and whereas it is expedient that the same should be rectified: 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 upon payment, on or before the first day of January one thousand eight hundred and one, of the full rate or duty payable in respect of any such indenture, or on

Indentures of apprenticeship improperly stamped,

the production at the head office of stamps of any such indentures of apprenticeship where the same shall have been stamped with any stamp of a higher value though of a different denomination than is required by law, every such indenture shall, on being tendered at the proper place in the stamp office where such indentures are stamped, during the time of office hours, be stamped with the proper stamp for such indentures, without the payment of any penalty whatever; and every such indenture being so stamped as aforesaid with the proper stamp (whether the same shall be so stamped during the time mentioned in any such indenture, or after the expiration thereof) shall thereupon be good, valid, and available in law and equity, and shall be binding upon all the parties thereto, and shall be deemed to have been in full force from the execution thereof, and shall and may be given in evidence in any court or courts whatsoever, and the several clerks, apprentices, or servants, therein respectively named, shall be capable of following and exercising their respective intended profession, trade, employment, or business, as fully as if the said indenture had been properly stamped at or after the execution thereof; and all and every person and persons who hath or have incurred any penalty or forfeiture by any such neglect or omission as aforesaid, shall be acquitted and discharged of and from, and indemnified against the same, except only in such cases where any prosecution shall be now depending; any thing in any act or acts to the contrary thereof notwithstanding.

II. *And whereas by an act passed in the thirty-seventh year of the reign of his present Majesty, certain stamp duties were granted upon every copy purporting to be a true copy, or attested to be a true copy, of any indenture, lease, or other deed, or any part thereof, for the security or use of any person other than the person having or being entitled to the custody of such indenture, lease, or other deed: and whereas by an act, passed in this session of parliament, intituled, An act to amend several laws relating to the duties on stamped vellum, parchment, and paper, the said stamp duties were repealed as to certain copies in the said act described, and other duties granted in lieu thereof: and whereas it would greatly tend to increase the number of copies of indentures, leases, and other deeds liable to the said duties, if the same were allowed to be stamped after the ingrossing, writing, or printing thereof, to the great increase of the said stamp duties thereon; be it therefore enacted, That in case any copy, purporting to be a true copy, or attested to be a true copy, of any indenture, lease, or other deed, and liable to either of the duties granted by either of the said recited acts, shall, within sixty days after the date of the attestation of such copy, be brought to the head office of the said commissioners of stamps to be stamped with either of the said duties, according to the nature and description of such copy, then and in such case it shall be lawful for the said commissioners, and they are hereby authorized to cause the same to be stamped with the proper stamp, upon payment of the duty only, and without any penalty whatsoever.*

on payment by Jan. 1, 1801, of the full duty payable thereon, or such as have been stamped with a stamp of a higher value, shall be stamped with the proper stamp, without payment of any penalty, and shall then be valid.

Copies of indentures or other deeds liable to the duties granted by 37 Geo. 3. c. 90. and c. 72. of this session, may be stamped within 60 days after date of attestation, on payment of the duty only.

C A P. LXXXV.

An act to continue, until the fifth day of April one thousand eight hundred and one, and amend an act of the last session of parliament, for continuing several acts for the encouragement of the British fisheries.—[July 28, 1800.]

Preamble.

39 Geo. 3.
c. 100.

WHEREAS an act, passed in the last session of parliament, intituled, An act to revive and continue, until the end of the next session of parliament, an act made in the thirty-fifth year of the reign of his present Majesty, to continue and amend an act made in the twenty-sixth year of the reign of his present Majesty, intituled, 'An act for the more effectual encouragement of the British fisheries, and to amend an act made in the twenty-sixth year of the reign of his present Majesty, for extending the fisheries, and improving the sea coast of this kingdom,' will expire at the end of the present session of parliament: and whereas it is expedient that the said act should be further continued; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act passed in the last session of parliament, and all the powers and provisions therein contained, shall continue and be in force until the fifth day of April one thousand eight hundred and one.

Recited act
shall continue
in force till
April 5, 1801.

II. And whereas by an act, passed in the thirty-fifth year of the reign of his present Majesty, intituled, An act to continue and amend an act, made in the twenty-sixth year of the reign of his present Majesty, intituled, 'An act for the more effectual encouragement of the British fisheries,' an additional bounty of one shilling per barrel was directed to be paid for all herrings which should be landed from any boat or vessel not entitled to the bounty of twenty shillings per ton, but entitled to the bounty of one shilling per barrel, granted by an act passed in the twenty-sixth year of his present Majesty's reign, intituled, An act for the more effectual encouragement of the British fisheries: and whereas doubts have arisen whether fishers and curers of fish, residing in the Isle of Man, are entitled to the benefits of the said additional bounty; be it hereby enacted, That, from and after the passing of this act, and during the continuance thereof, the said fishers and curers of fish, residing in the said island, shall have and receive the said last mentioned additional bounty for all herrings landed in the said island, in like manner as fish curers residing in Great Britain are entitled to receive such bounty for herrings landed in Great Britain: provided always, That in every such case the said additional bounty shall be payable and paid out of the surplusage of the annual customs of the said island, in such manner as is prescribed and directed by the said act passed in the twenty-sixth year of the reign of his present Majesty, and not otherwise.

The fishers
and curers of
fish in the Isle
of Man shall
be entitled to
the addition of
bounty of 1s.
granted by 35
Geo. 3. c. 56.
for every bar-
rel of herrings
landed in that
island, to be
paid out of the
surplusage of
the customs
there, in
manner di-
rected by 26
Geo. 3. c. 81.

C A R

C A P. LXXXVI.

An act for the better preservation of timber in the New Forest, in the county of Southampton, and for ascertaining the boundaries of the said forest, and of the lands of the crown, within the same.—[July 28, 1800.]

Act 9 and 10 Gul. 3. c. 36. recited. His Majesty may appoint commissioners to ascertain and distinguish the boundaries of the New Forest, and of the lands of his Majesty's subjects within the same, and to enquire of purprestures, &c. The commissioners may compromise disputes where the value of so much of the matter in dispute, as shall not be proposed to be yielded to his Majesty, shall not exceed 1000*l*. but if it exceed that sum, they shall transmit a report of the matter to the treasury, with their opinion; and if the proposed compromise be approved, they may settle the matter accordingly. If a claimant shall not make any proposal, or a proposal shall not be approved, the commissioners shall ascertain the rights of his Majesty; and if a claimant shall signify his submission to the matter being settled by their award, their decision shall be final; where parties shall not submit to the judgment of the commissioners, the matters may be tried in the court of exchequer, &c. In actions the venue shall be laid in the county of Southampton, and shall be tried at the first or second assizes after the defendants shall have pleaded to issue. If timber, &c. not exceeding the value of 1000*l*. be standing upon any lands in dispute, the commissioners may agree with the claimant for the application thereof, though the same, with the land, shall exceed that value. Bodies politic &c. may compromise disputes with the commissioners. Timber trees cut down and allotted to corporations, &c. not entitled to cut timber, shall be sold under the direction of the commissioners, and the money disposed of as directed by this act. If the commissioners shall find any land belonging to his Majesty which has been for fifteen years inclosed, and enjoyed without interruption, and has been improved, they may grant a lease thereof. But if they shall direct the inclosure to be thrown open, they may direct a compensation to be made for the improvements. The commissioners shall give notice of their meetings in the London Gazette and certain newspapers. Adjourned meetings may be held without public notice. Two commissioners may appoint and hold meetings, and the majority present may do all acts. The proceedings of the commissioners to be entered in books, which shall be returned into the office of the auditor of the land revenue. If boundaries cannot be ascertained by sufficient marks or descriptions in writing, the commissioners shall cause them to be marked with stones placed at proper distances. When the commissioners shall have ascertained the boundaries, they shall cause a map to be made, in which the boundaries of the forest and the lands therein belonging to his Majesty shall be distinguished, as also the lands of other persons, as far as can be ascertained; and one certified copy shall be transmitted to the steward of the forest, and the other to the auditor of the land revenue. The commissioners on request shall certify in what manner disputed boundaries shall have been settled, and return such certificate to the auditor of the land revenue, and also deliver a copy to the party interested, he paying for the same. After one part of the map shall have been deposited amongst the records of the court of attachments of the forest, all unlawful inclosures, &c. shall be inquired of by the verderer in the said court, who may fine offenders, and order the inclosures to be abated. If any question shall arise respecting the boundaries of the forest, &c. they shall be decided by the map, which shall be admitted as conclusive evidence. If any person shall retain possession of any inclosure or building ordered to be thrown open or taken down by the court of attachments, or again inclose such land, or set up such building, or shall obstruct any officer obeying such order, he shall be punished by fine or imprisonment, at the discretion of the court. The verderers at any court of attachments may appoint officers for executing the orders of the court, who shall have the authority of peace officers. Under foresters and groom keepers shall,

before the holding of courts of attachments, survey such parts of the forest as lie within their walks, and take an account of all inclosures, &c. since their last survey, and shall deliver to the verderers at the court presentments of inclosures, &c. and make oath as to certain particulars. His Majesty may cause 400 acres of land within the forest to be inclosed for producing hay for the deer, &c. The under foresters or groom keepers, for three years after passing of this act, shall deliver to the verderers at the first attachment court in each year an account of the number of deer within their respective walks, &c. and the court, if thought expedient, shall assign the quantity, &c. of browse wood to be cut by each for the ensuing season, and after that term no browse wood shall be cut. While browse wood shall be allowed to be cut, every under forester or groom keeper shall, at every court of attachments, deliver to the verderers an account of the browse wood cut and taken by him since the preceding court, &c. If any forester, &c. shall unlawfully cut down, top, browse, &c. any tree, &c. he shall forfeit his offices, but may be restored; and for a second offence shall forfeit not exceeding 20l. and his offices, and be incapable of holding any office within the forest or the courts thereof. The verderers at any court of attachments may enquire into the conduct of the under foresters and groom keepers, and for neglect of duty may fine them 10l. for the first offence; for a second offence they shall forfeit their offices, but may be restored, but if again convicted, shall be incapable of holding any office within the forest. Act not to infringe any right under letters patent. The commissioners may treat for the sale of small parcels of land belonging to or claimed by the crown, which are intermixed with the lands of individuals, and are not valuable for the purpose of the forest. Land to be sold not to exceed in any instance the value of 500l. The treasury before the expiration of ten years after passing this act, may contract for exchanging any waste lands of the crown within the forest for any other lands therein, not more than two miles from such wastes, fit for the growth of timber, or to be enclosed for producing hay for the deer. Deeds for such exchanges with a map of the lands exchanged shall be enrolled in the office of the auditor of the land revenue, &c. Land of the crown to be exchanged, shall not exceed in any instance the value of 500l. Lands to be exchanged shall be valued by able land surveyors on oath, and all other cautionary proceedings shall be had, as required by 34 Geo. 3. c. 75.

C A P. LXXXVII.

An act for the more effectual prevention of depredations on the river Thames, and in its vicinity; and to amend an act, made in the second year of the reign of his present Majesty, to prevent the committing of thefts and frauds by persons navigating bum boats and other boats upon the river Thames.—[July 28, 1800.]

Preamble.

WHĒREAS for the more effectual prevention of depredations on the cargoes, stores, and materials of ships and vessels lying and being in the river Thames, it may be expedient to establish in a convenient place near the said river, a publick office, of the nature of the several offices commonly called Police Offices, instituted under the authority of an act made in the thirty-second year of his present Majesty, intituled, An act for the more effectual administration of the office of a justice of the peace, in such parts of the counties of Middlesex and Surrey as lie in or near the metropolis; and for the more effectual prevention of felonies: 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 be lawful

32 Geo. 3.
c. 53, recited.

His Majesty
may cause a

lawful for his Majesty to cause a publick office to be established at or near *Wapping New Stairs*, in the parish of *Saint John of Wapping*, in the county of *Middlesex*, under the name of *The Thames Police Office*, and to appoint three fit and able persons, being each of them a justice of the peace for the counties of *Middlesex*, *Surrey*, *Kent*, and *Essex*, and for the city and liberty of *Westminster*, and for the liberty of the tower of *London*, to sit and act, by the special appointment of his Majesty, for the purpose of hearing and determining complaints of offences committed on the river *Thames*, within the limits of the aforesaid counties, city, and liberties respectively, or elsewhere within the limits aforesaid, and of executing all other powers appertaining to the office of a justice of the peace, and arising within the said limits.

publick office to be established at or near *Wapping New Stairs*, and appoint three special justices for determining complaints of offences committed on the river *Thames*.

II. And be it further enacted, That one or more of the said special justices to be appointed as aforesaid, shall diligently attend at the said publick office every day, from ten in the morning until eight in the evening, and at such other times and places as shall be found necessary; and that two of the said justices so to be appointed as aforesaid shall in like manner attend together at the said office from eleven in the forenoon until one in the afternoon, and from six in the evening until eight in the evening of every day: provided always, That the attendance of one of the said justices may be supplied during the hours at which the attendance of two is required as aforesaid, by any other justice of the peace for the said counties, city, and liberties respectively.

Justices to attend at certain hours.

III. And be it further enacted, That the said special justices so appointed to attend at the said publick office as aforesaid, and their clerks, shall, in books to be provided for that purpose, keep a full, true, and particular account of all the fees taken and received at the said office, as also of all penalties and forfeitures which shall have been recovered, levied, or received in pursuance of any adjudication, conviction, or order, had or made at the said publick office, or any process or warrant issuing from the same, and also of all other sum and sums of money which shall be at any time received by the said justices, their clerks or officers; under and by virtue of this act, to which said books and accounts, the receiver to be appointed in manner herein-after mentioned, shall at all times have free access, and the said justices shall once in every month deliver unto such receiver such account, verified upon oath by such justices, or one of them, their clerk or clerks, and such other person or persons as shall be employed in keeping such accounts respectively, or any part thereof, before some justice of the peace for one of the said counties of *Middlesex*, *Surrey*, *Kent*, or *Essex*, which oath such justice is hereby authorized and required to administer, and shall pay and cause to be paid the amount of all such fees unto such receiver, to be applied in manner herein-after mentioned; any law, statute, or custom to the contrary notwithstanding.

Account of fees, &c. taken at the office to be delivered monthly to the receiver, and the amount paid to him.

IV. And be it further enacted, That, from and after the establishment of the said publick office, all such penalties and forfeitures, and shares of penalties and forfeitures, as are or shall be

All penalties (except to informers and parties grieved) recovered.

at the office shall be paid to the receiver.

limited and made payable to his Majesty, his heirs and successors, or to any description of persons, other than the informer or informers who shall sue for the same, or any party grieved, and which shall be recoverable in a summary way before a justice or justices of the peace, and which shall be recovered or adjudged before any justice or justices of the peace at the said publick office, shall be accounted for and paid into the hands of the receiver, to be appointed in manner herein-after mentioned, by the justice, clerk, constable, officer, or other person or persons who shall levy or receive the same, to be applied by such receiver in manner herein-after mentioned; any law, statute, or custom to the contrary notwithstanding.

His Majesty, by advice of his privy council, may direct salaries to be paid to the justices, &c.

V. And be it further enacted, That it shall and may be lawful for his Majesty, his heirs and successors, by and with the advice of his or their privy council, to direct salaries to be paid to the justices so appointed to attend the said publick office, for their time and trouble, and such further sums for their expences in the said offices, and for the payment of clerks and others therein employed, in such manner as to his Majesty, his heirs and successors, by and with the advice of his or their privy council, shall seem meet: provided always, That the yearly salary paid to each of the justices shall be four hundred pounds, clear of all taxes and deductions whatever: provided also, That the whole charges attending the said office (the said salaries being included) shall not exceed the annual sum of eight thousand pounds.

Salary to each not to exceed 400l. nor the whole expence of the office 8000l.

His Majesty may appoint a receiver of all fees, &c.

Duty of the receiver.

VI. And be it further enacted, That it shall and may be lawful for his Majesty, his heirs and successors, to appoint any proper person to be the receiver of the said publick office; which said receiver shall receive all fees, penalties, forfeitures, and all and every other sum and sums of money applicable to the purposes of this act; and from the produce of such fees, penalties, forfeitures, sum and sums of money, shall pay, discharge, and disburse all the salaries, expences, and charges attending the said publick office, and the carrying this act into execution, and shall make all such contracts as shall from time to time be necessary for that purpose; and shall every six months, and oftener if required, deliver to his Majesty's principal secretary of state for the home department, but to no other person or persons whomsoever, a full and particular account of all monies by him received and paid as aforesaid, with vouchers for the same, which account shall be verified upon oath before any justice or baron of any of his Majesty's courts of record at *Westminster*; and such receiver so to be appointed under this act, shall have and be entitled to such salary and allowances as his Majesty shall from time to time be pleased to direct and appoint; and shall also possess and exercise the same powers and remedies for recovering all fees and penalties, sum and sums of money whatever, to be due and payable to the said receiver under and by virtue of this act, as are given by the said act of the thirty-second year of his present Majesty to the receiver appointed under that act: provided always, That if it shall appear that the monies applicable by the said receiver to

Receiver to have such salary as his Majesty shall appoint, and to possess the same powers as the receiver under 32 Geo. 3. c. 53.

If the monies applicable by the receiver shall not amount to 8000l. the

be appointed under this act, in discharge of the salaries, expences, and charges attending the said publick office, and the carrying of this act into execution, shall not amount to the annual sum of eight thousand pounds, the deficiency shall be made up and supplied out of the consolidated fund; and if at the end of any year there shall be any surplus beyond the said sum of eight thousand pounds in the hands of such receiver, he shall pay the amount of such surplus into the receipt of his Majesty's exchequer, and the same shall be carried to and made part of the consolidated fund.

deficiency shall be supplied out of the consolidated fund, and if they exceed he shall pay the surplus into the exchequer.

VII. And be it further enacted, That it shall be lawful to and for such special justices so to be appointed under the authority of this act, or any two of them, as soon as conveniently may be after such their appointment, to appoint, retain, and employ a sufficient number of fit and able men as constables, to be employed on land, or on board ships, lighters, or craft, in and upon the said river within the limits aforesaid, or in boats to be hired for the purpose; which said several persons shall respectively take an oath duly to execute their respective offices, and such oath shall be administered by one of the said special justices; and each of such persons being so appointed and sworn, shall have power to act as a constable for the preservation of the peace, and for the security of property against felonious and other unlawful modes of obtaining and receiving the same, as well on the said river within the limits aforesaid, as on land within any and every of the said several counties, city, and liberties aforesaid; and for apprehending offenders against the peace, as well by night as by day, and within the limits aforesaid, every such constable shall have all such powers and authorities, privileges and advantages, as any constable duly appointed now has, or hereafter may have within his constablewick; and shall obey all such lawful commands as he shall from time to time receive from such special justices, or any one of them, or from the *Thames* police surveyors, as herein-after mentioned, for the apprehending of offenders, or otherwise conducting himself in the execution of such office of constable; and two or more of such special justices may at any time suspend or dismiss from his employment every such constable whom they shall think remiss or negligent in the execution of his office, or otherwise unfit for the same, and appoint such other fit person in his stead as to the said justices shall seem meet; and upon every such dismissal, all powers and authorities, allowances, emoluments, privileges, and advantages, vested in the person so dismissed, by virtue of his appointment as aforesaid, shall immediately cease and determine.

Justices may employ a sufficient number of constables, and may suspend or dismiss them;

VIII. And be it further enacted, That the said special justices, or any two of them, shall and may from time to time, at their discretion, appoint, retain, and employ any number of fit and discreet men not exceeding thirty at any one time, who, under the name of *Thames Police Surveyors*, shall each of them (being first duly sworn in manner above mentioned) have the power, authority, and privileges and advantages of a constable as aforesaid, and also any number of men not exceeding thirty under the name of *Thames Police Surveyors*, for inspecting the

conduct of
the constables,
&c.

Anno regni quadragesimo GEORGI III. c. 87. [1800.
said, within the limits aforesaid, for the purpose of directing and inspecting the conduct of the said several constables, and of all persons to be employed in and about ships and vessels lying and being in the said river, or in and on the several wharfs, quays, and landing places thereto adjacent, and within the limits of the aforesaid counties, city, and liberties respectively, under the authority or superintendance of the said special justices, who may, when they think proper, suspend or dismiss any such *Thames* police surveyors, and appoint others in their stead.

The court of
assistants of
the Trinity
House may
dismiss con-
stables or sur-
veyors.

IX. Provided always, and be it further enacted, That if the master, wardens, and assistants of the guild, fraternity, or brotherhood of the most glorious and undivided Trinity, and of *Saint Clement* in the parish of *Depsford Strond*, in the county of *Kent*, shall at any time be dissatisfied with the conduct of any such constable or surveyor, so appointed as aforesaid, it shall and may be lawful to and for the said master, wardens, and assistants, by order of their court of assistants to dismiss from his said employment every such constable or surveyor as aforesaid, with whose conduct they shall respectively be dissatisfied; and every such constable or surveyor so dismissed shall, from and after the time when any such order shall have been produced and made known to him, be incapable of exercising either of the said offices, unless and until such court of assistants, who shall have made such order, shall think fit to revoke the same.

Receiver to
pay the con-
stables and
surveyors
such salaries
as the justices
shall appoint,
with the
approbation
of the secre-
tary of state.

X. And be it further enacted, That the said receiver (out of the monies applicable by virtue of this act in discharge of the salaries, expences, and charges attending the said publick office), shall and may pay to the constables and surveyors, so to be appointed as aforesaid, for their trouble and attendance as aforesaid such salaries and allowances as the said justices shall from time to time direct and appoint, with the approbation and consent of his Majesty's secretary of state for the home department.

Duty of the
surveyors.

XI. And be it further enacted, That it shall and may be lawful to and for every such *Thames* police surveyor, in virtue of such his office, (subject to the orders of the said justices to be appointed as aforesaid), to enter at all times, as well by night as by day, into and upon every ship, hoy, barge, lighter, boat, or other vessel, (not being then actually employed in his Majesty's service,) lying or being in the said river, and within the limits of the aforesaid counties, city, and liberties respectively, and into every part of all such vessels, for the purpose of inspecting, and upon occasion directing the conduct of any constable or constables, who shall or may from time to time be stationed on board such ships or vessels, as also for the purpose of inspecting and observing the conduct of all and every or any other person and persons who shall from time to time be employed on board of any ship or vessel in or about the lading or unlading thereof as the case may be, and for the purpose of taking all such measures as may be necessary for providing against fire and other accidents, as also for the purpose of preserving peace and good order

order on board of any ship or vessel, and for the effectual prevention in all cases of any felonies or misdemeanors being committed on board any ship or vessel, and for the effectual detection of any felonies or misdemeanors whatsoever which may have been committed, or which the said surveyor may have reasonable cause to suspect to have been committed, contrary to the true intent and meaning of this act.

XII. *And whereas divers ill disposed and suspected persons, and reputed thieves, frequent the said river, and the quays and warehouses near and adjoining thereunto, and the avenues to the same quays and warehouses, and the streets and highways leading thereto, with intent to commit felony on the persons and property of his Majesty's subjects there being; and although their evil purposes are sufficiently manifest, the power of his Majesty's justices of the peace to demand of them securities for their good behaviour hath not been of sufficient effect to prevent them from carrying their evil purposes into execution; be it enacted, That, from and after the passing of this act, it shall and may be lawful for any constable or surveyor appointed under the authority of this act within the limits aforesaid, to apprehend every such person, and convey him or them before any of the said special justices to be appointed as aforesaid, or any other justices of the peace; and if it shall appear before the said justice, upon the oath of one or more credible witness or witnesses, that such person or persons is or are a person or persons of evil fame, and a reputed thief or thieves, and such person or persons shall not be able to give a satisfactory account of himself or themselves, and of his or their way of living, and it shall also appear to the satisfaction of the said justice that there is just ground to believe that such person or persons was or were on or in the said river, quays, or warehouses or in such avenue, street, or highway as aforesaid with such intent as aforesaid, every such person shall be deemed a rogue and vagabond, within the intent and meaning of the statute made in the seventeenth year of his late majesty King George the Second, intituled, *An act to amend and make more effectual the laws relating to rogues, vagabonds, and other idle and disorderly persons, and to houses of correction*: provided always, That if any person shall think himself aggrieved by the judgement of such justice as aforesaid, such person may appeal to the justices of the peace at the next general or quarter sessions of the peace to be held for the county or place wherein the cause of complaint shall have arisen, such person at the time of his conviction entering into a recognizance, with two sufficient sureties, conditioned personally to appear at the said sessions to try such appeal, and abide the further judgement of the justices at such sessions assembled; and in case such conviction shall be affirmed at such sessions, the said justices may adjudge such person to be a rogue and vagabond, and proceed against such person in the same manner as they might have done if such rogue and vagabond had been committed to the house of correction until such general or quarter sessions: provided always, That no person convicted under this act shall thereby become*

Suspected persons and reputed thieves frequenting the river, and the quays, and warehouses, &c. adjoining, with a felonious intent, may be apprehended by the constables or surveyors, and conveyed before the special justices, or any other justice; and if it shall appear that there is just ground to suspect such was their intent, they shall be deemed rogues and vagabonds within the meaning of 17 Geo. 2, c. 5. Persons thinking themselves aggrieved, may appeal to the quarter sessions. If the conviction be affirmed, the justices may proceed against the offender as if he had been committed until the sessions. Persons convicted, not

liable to any other punishment than imprisonment for a term not exceeding six months, taking into the computation any actual imprisonment which such person shall have suffered by his commitment until such session.

Penalty for damaging, &c. boats belonging to the justices.

liable to any other punishment than imprisonment to hard labour for a term not exceeding six months, taking into the computation any actual imprisonment which such person shall have suffered by his commitment until such session.

XIII. And be it further enacted, That if any person shall wilfully destroy or damage, or endeavour to destroy or damage, or be wilfully concerned in destroying or damaging, or endeavouring to destroy or damage, any boat or boats then belonging to, hired or employed by or by authority of the said special justices, or any part of the sails, oars, or other tackle, stores, goods, or furniture contained in or belonging to any such boat, every person so offending shall forfeit and pay, for every such boat so destroyed or damaged, or attempted to be destroyed or damaged, or of which any of the tackle or other contents shall have been so destroyed or damaged, or attempted to be destroyed or damaged as aforesaid, any sum not exceeding fifteen pounds, or shall suffer imprisonment for any time not exceeding three months, over and above any such damages as may be recoverable by action at law against any such offender.

Penalty for breaking, &c. packages, with an intent that the contents may be spilled.

XIV. And whereas, for the purpose of increasing the facility of depredation, it hath been a common practice amongst various classes of persons concerned in the landing and warehousing of merchandize from on board ships and vessels in the said river, wilfully to injure and promote the opening and breaking of casks, bags, and other packages, and the spilling of their contents; for remedy thereof, be it further enacted, That if any person employed in the landing or warehousing of any goods and merchandizes, or any person, shall wilfully or through culpable negligence or carelessness, cause or suffer or be concerned in causing or suffering to be broken, bruised, pierced, started, cut, torn, or otherwise injured, any cask, box, chest, bag, or other package containing, or being designed and prepared for containing any such goods or merchandizes, while on board of any barge, lighter, or other craft lying or being in the said river, or any quay, wharf, or landing place adjacent to the same, or in, or in the way to or from any warehouse to or from which such package shall have been removed, removing or about to be removed, with intent that the contents of such package or any part thereof may be spilled or dropped from such package, then and in such case every person so offending shall, for every such offence, forfeit and pay any sum not exceeding forty shillings, nor less than ten shillings, and shall on conviction be committed for any term not exceeding one calendar month, determinable upon the payment of such penalty so imposed; and moreover, it shall and may be lawful to and for the justice or justices before whom such conviction shall have taken place, at his and their discretion, to cause to be published in some newspaper or newspapers an account of such conviction, with the name and description of the offender.

Persons letting fall, &c. any articles for the purpose of pre-

XV. And be it further enacted, That if for the purpose of preventing the seizure or discovery of any materials, furniture, stores, or merchandizes belonging, to or having been part of the cargo

cargo of any ship or vessel lying in the said river, or of any other articles unlawfully obtained from any such ship or vessel, any such, or any other article or articles, shall be wilfully let fall, or thrown into the river, or in any other manner, directly or purposely conveyed away, or endeavoured to be conveyed away, from any ship or vessel, boat, barge, lighter, craft, wharf, quay, or other landing place, every person being party or accessory to such letting fall, throwing or conveyance, or to any previous instructions or premeditated design so to let fall, throw, or convey away, any such article or articles, with any such purpose as aforesaid, shall be deemed and adjudged guilty of a misdemeanor; and if any article or articles whatever of apparent value shall be wilfully let fall, thrown, conveyed away, or endeavoured to be conveyed away, from any ship or vessel, into any boat, barge, lighter, or craft, or from any boat, barge, lighter, or craft, or from any wharf, quay, or other landing place, without the order, assent, or privity of the person or persons being the owner, or having the lawful charge of such article or articles. then and in such case, it shall and may be lawful to and for any such constable or surveyor as aforesaid, or for any constable of the city of *London*, within the jurisdiction of the said city, to seize, apprehend, and secure, any such boat, barge, lighter, or other craft, and every or any person therein, or who, by reason of his or her nearness to the place where such offence shall be committed, shall be reasonably suspected by such constable or surveyor of being party or accessory thereto, and forthwith to convey every such person so apprehended before the said justices, or some other justices in whose jurisdiction such offences shall be committed; and if upon examination it shall not be made appear, to the satisfaction of the said justices, that such letting fall, throwing, or conveying away, or endeavour to convey away, proceeded either from mere accident, or from some lawful cause, and not from any such fraudulent or evasive design as aforesaid, every person so appearing to be party, privy, or accessory, as aforesaid, shall be deemed and adjudged guilty of a misdemeanor, and shall suffer as herein-after mentioned.

XVI. And be it further enacted, That if on information given on oath it shall appear to the said justices that there is reasonable cause for suspecting that any materials, furniture, stores, or any part of the cargo of any such ship or vessel lying or being in the said river, or any stores belonging to his Majesty, or consigned to any person or persons for his Majesty's service, have been stolen, or unlawfully obtained from or out of any such ship or vessel, or from or out of any boat, barge, lighter, or craft, lying or being in the said river, or from any wharf, quay, or other landing place adjacent to the same, and within the limits of the aforesaid counties, city, and liberties, or from or in the way to or from any warehouse, into or from which such articles had been removing or removed, to or from any such wharf, quay, or landing place, and that such articles, after having been so stolen or unlawfully obtained, are concealed or otherwise lodged

If on information on oath it shall appear to the justices that there is reasonable cause for suspecting that any of the cargo of any vessel, or any of his Majesty's stores, &c. have been unlawfully obtained, and are concealed, they or any justices in

their jurisdictions, may cause the place to be searched by day or by night, and by force if necessary, and if any are found, and it be not made appear by what lawful means they came deposited, the person in whose house found, and the persons appearing to have been privy to the depositing, shall be deemed guilty of a misdemeanor.

in any dwelling house, warehouse, yard, garden, or any other place, it shall be lawful for the said justices, or other justices in their respective jurisdictions, or any one of them, by special warrant under their hands and seals, directed to any such *Thames* police constable or surveyor as aforesaid, or other constable within their respective jurisdictions, to cause every such place to be searched, at any time of the day, or by night, if power for that purpose be especially given in and by such warrant; and the said justices, if it should appear to them requisite and necessary, may moreover empower such constable or surveyor, with any such assistance as to them the said justices may appear, or by such constable or surveyor be found necessary (such constable or surveyor having previously made known such his authority) to use force for the effecting of such entry, whether by breaking open doors or otherwise; and if upon search thereupon made, any such suspected article or articles shall accordingly be found, then and in such case to convey the same forthwith to and before the said justices, or to guard the same on the spot while the offenders are taken before the said justices, or otherwise dispose thereof in some place of safety, subject to the orders of the said justices in manner as abovementioned, and moreover to apprehend and convey before the said justices the person or persons in whose house, lodging, or other place as aforesaid the same shall so have been found, as also every such other person so found in such house, lodging, or place, as shall appear to have been privy to the depositing of such articles, or any of them, in such place, knowing or having reasonable cause to suspect the same to have been stolen, or otherwise unlawfully obtained; and if such persons respectively shall not immediately, or within some reasonable time, to be assigned by the said justices, make it appear, to the satisfaction of the said justices, by what lawful means such article or articles came to be deposited or situated in such place as aforesaid, without any default on the part of such persons respectively, or that they respectively did not know that the same were, or by what means the same were deposited or situated in such place, then and in such case the person or persons in whose house, lodging, or other place, such suspected article or articles was or were found, as also every other person so appearing to have been privy to the depositing thereof, knowing, or having cause to suspect the same to have been stolen, or otherwise unlawfully obtained, shall be deemed and adjudged guilty of a misdemeanor, and shall suffer as herein-after mentioned.

Every person who to prevent any articles from being seized on suspicion of being stolen, or being produced as evidence, shall frame, &c.

XVII. And be it further enacted, That every person who, for the purpose of protecting or preventing any goods, wares, merchandizes, or other articles whatsoever from being seized, on suspicion of their being stolen or otherwise unlawfully obtained, or of preventing the same from being produced or made to serve as evidence of or concerning any felony or misdemeanor, shall frame or cause to be framed, or be any ways concerned in framing or causing to be framed, any bill of parcels containing any false statement in regard to the name or abode of any alledged

alleged vendor, the quantity or quality of such goods or valuable, the place from whence, or conveyance by which the same were furnished, the price agreed upon or charged for the same, or any other particular or particulars, knowing such statement to be false, shall be adjudged guilty of a misdemeanor, and shall suffer as herein-after mentioned; and may moreover, at the discretion of the said justices, or such other justices in whose jurisdiction such offences shall be committed, be published and advertised as a fabricator of false bills of parcels, or as a convicted or reputed receiver of goods stolen, or otherwise unlawfully obtained, as the case may be.

XVIII. *And whereas in and by an act passed in the second year of his present Majesty's reign, intituled, An act to prevent the committing of thefts and frauds by persons navigating bum boats and other boats upon the river Thames, it is amongst other things provided, that a person in whose possession goods suspected of having been stolen or otherwise unlawfully come by, are found, shall be adjudged guilty of a misdemeanor, if he do not either give an account, to the satisfaction of such justice or justices as are therein mentioned, how he came by the same, or else produce the party or parties from whom he bought or received the same, under which provision no receiver of stolen goods, who shall produce a person of whom he received the same, can be adjudged guilty, although he shall not give such account to the satisfaction of such justice or justices as aforesaid;* be it further enacted That in every case where the production of the party from whom any goods or things have been bought or received, would at present be sufficient to exempt any person from being adjudged guilty of a misdemeanor under the said act, by reason of any such goods or things being found in any way in his or her possession, such production shall not be deemed sufficient to exempt such person from being adjudged guilty as aforesaid, unless the account so given of the manner of his or her coming by such goods or things shall, upon a full investigation, be satisfactory to such justice or justices; and if any person on being so produced shall declare himself or herself to have bought, received, or otherwise obtained such goods of some other person, such justice or justices are hereby authorized and required to examine every such other person, and also every other prior purchaser or pretended purchaser, and if upon the whole of the evidence it shall appear to the satisfaction of such justice or justices, that the party so informed against or suspected did at the time of his or her receiving such goods or things into his or her possession, believe, or had reasonable cause to believe that the same were at any time and by any person unlawfully come by or obtained, it shall and may be lawful to and for such justice or justices, to adjudge such party to be guilty of a misdemeanor, and such party so convicted shall thereupon suffer as herein-after mentioned.

any false bill of parcels, shall be adjudged guilty of a misdemeanor, and may be advertised.

2 Geo. 3. c. 28, recited,

Where the production of the party from whom any goods have been bought would exempt any person from being adjudged guilty of a misdemeanor under the last recited act, such production shall not be deemed sufficient unless the account given be satisfactory to the justice, who otherwise may adjudge the party guilty of a misdemeanor.

XIX. And be it further enacted, That in case of every offence herein-before declared to be a misdemeanor, or for which no special pecuniary penalty is herein-before appointed, the offender shall

Penalties for misdemeanor, or offences for which no special pecu-

niary penalty is herein appointed.

If penalty be not paid or secured the offender may be committed.

Application of penalties.

No person to be deemed incompetent evidence on account of chance of share of penalty.

Where complaints of offences declared misdemeanors, or for which pecuniary penalties are appointed, shall be heard and determined.

Conviction to be certified, &c. as directed by the last recited act.

shall forfeit and pay, at the discretion of the said justices to be appointed as aforesaid, or of such other justice or justices before whom any conviction shall from time to time take place, within their respective jurisdictions, any sum not exceeding five pounds, nor less than twenty shillings, or shall suffer imprisonment for any time not exceeding eight weeks, nor less than two weeks, or shall forfeit and pay any sum not exceeding forty shillings, nor less than ten shillings, and shall besides suffer imprisonment for any time not exceeding four weeks, nor less than one week; and if the payment of such penalty shall not immediately upon conviction be made or secured to the satisfaction of such justice or justices, it shall and may be lawful to and for such justice or justices forthwith, or at any other time or times within one calendar month after such conviction, to commit the offender to any lawful place of imprisonment within his or their jurisdiction, for any time not exceeding eight weeks in the whole, determinable upon the making or securing such payment as aforesaid; and one moiety of money recovered on account of every such forfeiture or penalty shall be paid to such receiver as aforesaid, for the purposes of this act, and the other moiety thereof under the direction of the justice or justices by whom the same shall have been levied, shall either be paid and applied to the use of the informer alone, or be distributed between or amongst all such persons as shall have contributed to the conviction of the offender, in such shares and proportions as such justice or justices in their discretion shall think fit: provided always, That no informer or other person shall be deemed incompetent to give evidence touching any such offence as aforesaid, by reason of any chance or expectation of any such moiety, share, or proportion as aforesaid.

XX. And be it further enacted, That in every case in which complaint shall be made, or information given of any offence, by this act declared to be a misdemeanor, or for which any pecuniary penalty or forfeiture is herein-before appointed, with or without imprisonment in addition thereto or in lieu thereof, the matter of such complaint or information, if the offence shall have been committed, or the offender apprehended within the limits aforesaid, shall or may be heard and determined either by the said justices to be appointed as aforesaid, or either of them, or by any other justice or justices acting in and for the county or other place of separate jurisdiction within which the offence shall have been committed, or the offender apprehended; and if any such offence shall have been committed, or the offender apprehended, within the jurisdiction of the city of London, then the matter of such complaint or information shall and may be heard and determined by the lord mayor, recorder, or one of the aldermen of the said city, and not elsewhere; and every conviction thereupon had shall be certified, filed, and entered in such manner as is directed in and by the said act of the second year of his Majesty's reign, with respect to convictions under that act, and may also be drawn up in such form and

and manner as is appointed in and by the said act; and neither such conviction, or any proceeding previous thereto shall be removed by *Certiorari* or otherwise into any court of record, but such conviction shall be final and conclusive to all intents and purposes whatsoever.

and may be drawn up in the form appointed thereby, and shall be final.

XXI. *And whereas the punishments for misdemeanors, provided in and by the said act of the second year of his present Majesty's reign, have been found insufficient for the preventing of such offences; be it enacted, That every person who shall be guilty of any of the several offences, respectively made and declared to be misdemeanors in and by the said act, shall and may be punished at the discretion of the justice or justices by or before whom the said offender shall be convicted, either with the punishment appointed in and by the said act, or by such other punishment or punishments as is and are hereby appointed for and in cases of offences declared to be misdemeanors in and by this present act.*

Misdemeanors may be punished as appointed by the last recited act, or by this act.

XXII. *And whereas in and by the said last-mentioned act, persons guilty of certain offences are punishable by transportation for fourteen years, but the said offences not being by the said act declared to be felony, the trial thereof may in all cases be put off, by means of a traverse, to the next sessions after the finding of the bill of indictment for the same, and the offender be in the mean time liberated, on being admitted to bail, whereby justice has been in many instances eluded; for remedy thereof, be it further enacted, That, from and after the passing of this act, whenever any indictment shall be found years, shall against any person or persons for the said offences, or any of them, the person or persons so indicted shall plead to the same indictment without having time to traverse the same, as is usual in cases of misdemeanors.*

Persons guilty of offences punishable by last recited act by transportation for 14 years, shall plead to indictments without having time to traverse.

XXIII. *Provided always, and be it further enacted, That nothing in this act shall extend to deprive the lord mayor, commonalty, and citizens of the city of London, of any right, privilege, or jurisdiction heretofore lawfully claimed, exercised, or enjoyed, within the town and borough of Southwark, or the liberties thereof, or to prevent the said lord mayor for the time being, or the aldermen of the said city for the time being, and the recorder of the said city for the time being, from acting as justices of the peace within the said town and borough of Southwark and the liberties thereof, in such and the like manner as they could or might have done in case this act had not been made; nor to deprive the lord mayor and commonalty and citizens of the said city, of any right, privilege, immunity, or jurisdiction which they have heretofore lawfully claimed, exercised, or enjoyed upon the river Thames, or the lord mayor of the said city for the time being as conservator of the said river; nor to prevent the said lord mayor for the time being, and the aldermen and recorder of the said city, from acting as justices of the peace upon the said river, or taking cognizance of offences committed upon or within the limits of the same, in*

Nothing herein to deprive the lord mayor, &c. of their rights.

such

such manner as they might or would have done in case this act had not been made.

Certain clauses
of recited acts
to extend to
this act.

XXIV. And be it further enacted, That all the clauses and provisoes mentioned, and contained in the said act of the thirty-second year of his present Majesty's reign, touching and concerning the prohibition relative to the taking of fees to the use of individuals, the incapacity of the justices with regard to their sitting in parliament, and the restrictions and penalties imposed on the justices, receiver, and constables, with regard to their interfering in parliamentary elections; and also all the clauses and provisoes mentioned and contained in the said act of the second year of the reign of his present Majesty, respecting the searching and detaining of boats on the said river, or the seizing and detaining of goods suspected to be stolen, and the persons suspected to be guilty of stealing the same, and the mode of proceeding with respect thereto, and respecting the discovery, apprehension, and punishment of offenders, and respecting the obstructing the execution of the said act, and respecting the commencing or prosecuting of actions against justices or their officers, shall be deemed, construed, and taken to be, and the same are hereby declared to extend to and to be parts of this act, as if the same were herein specially repeated and re-enacted; and that all justices to be from time to time appointed under and by virtue of this act, and all constables and surveyors to be from time to time appointed by the said justices, shall have all such powers, privileges, and protections, in all respects whatsoever, in the execution of the said acts and of this act, as any justice, constable, or other officers or persons could or might by law have under the said acts, or either of them, except in as far as the same are varied in and by this present act.

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 the same being specially pleaded.

Continuance
of act.

XXVI. And be it further enacted, That this act shall be and continue in force from the passing thereof until the twenty-fifth day of *March* which shall be in the year of our Lord one thousand eight hundred and seven, and no longer.

C A P. LXXXVIII.

An act concerning the disposition of certain real and personal property of his Majesty, his heirs and successors; and also of the real and personal property of her Majesty, and of the Queen consort for the time being.—[July 28, 1800.]

Preamble.

1 Annæ, c. 7.

WHEREAS in and by an act passed 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 of the honour and dignity of the crown, it was (amongst other things) enacted, That all
and

and every grant, lease, or other assurance, which, from and after the twenty-fifth day of March one thousand seven hundred and two, should be made or granted by her said Majesty, her heirs or successors, Kings or Queens of this realm, under the great seal of England, exchequer seal, seals of the duchy and county palatine of Lancaster, or any of them, or by copy of court roll, or otherwise howsoever, of any manors, messuages, lands, tenements, rents, tythes, woods, or other hereditaments, (advowsons of churches and vicarages only excepted), within the kingdom of England, dominion of Wales, or town of Berwick upon Tweed, or any of them, or any part thereof, then belonging or thereafter to belong to her Majesty, her heirs or successors, or to any other person or persons in trust for her Majesty, her heirs and successors, in possession, reversion, remainder, use, or expectancy, whether the same were or should be in right of the crown of England, or as part of the principality of Wales, or of the duchy or county palatine of Lancaster, or otherwise howsoever, to any person or persons, bodies politic or corporate whatsoever, whereby any estate or interest whatsoever in law or equity should or might pass from her Majesty, her heirs or successors, should be utterly void and of none effect, unless such grant, lease, or other assurance should be made for some term or estate not exceeding thirty-one years or three lives, or for some term of years determinable on one, two, or three lives, and unless such grant, lease, or assurance respectively should be made to commence from the date or making thereof; and if such grant, lease, or assurance should be made to take effect in reversion or expectancy, that then the same, together with the estate or estates in possession of and in the premises therein contained, should not exceed three lives, or the term of thirty-one years in the whole, with various other provisions and restrictions; but in the said act there is a proviso, that the said act should not extend to disable her Majesty, her heirs or successors to make certain leases, copies, or grants of offices, lands, or hereditaments, parcel of the duchy of Cornwall, as therein mentioned, or to disable her Majesty, her heirs or successors, to make any grant or restitution of any estate or estates thereafter to be forfeited for any treason or felony whatsoever, or to disable her Majesty, her heirs or successors, to grant, demise, or assign any lands, tenements, or hereditaments which should be seized or taken into her or their hands upon any outlawry at the suit of her or their subjects, as had been usual, or any estate whatsoever which was or should be seized, extended, or taken in execution for any debt owing or to be due to the crown, as she or they should think fit, or to make any grants or admittances which of right or custom ought to be made of any copyhold lands, tenements, or hereditaments, parcel of any manor or manors of her Majesty, her heirs or successors, or to disable the trustees for sale of fee farm and other rents therein mentioned, from executing the powers vested in them as therein mentioned: and whereas in and by an act made in the first year of the reign of his present Majesty, intituled, An act for the support of his Majesty's household, and

1 Geo. 3.
C. 1.

of the honour and dignity of the crown of Great Britain, it is (amongst other things) enacted, That the revenue arising to his Majesty by rents of lands, or for fines of leases of the same, or any of them,

and 34 Geo.
3. c. 75, re-
cited.

(except the revenue of the duchy of Cornwall), should, from and immediately after the demise of his late majesty King George the Second, be, during his present Majesty's life, carried to and made part of the general aggregate fund established by the act of the first year of the reign of his late majesty King George the First, and be, during the said term, issued and applied, in the manner, therein-after mentioned, to the uses to which the said fund was or should be made applicable: and whereas in and by another act made in the thirty-fourth year of the reign of his present Majesty, intituled, An act for the better management of the land revenue of the crown, and for the sale of fee farm and other improveable rents, further provisions are made touching grants, leases, and other assurances, which should be made or granted by his Majesty, his heirs or successors, under the great seal, or seal of the exchequer, or either of them, of any manors, messuages, lands, tenements, or hereditaments, within the kingdom of England and dominion of Wales, or any of them, or any part thereof, then belonging or then after to belong to his Majesty, his heirs or successors, and being within the ordering and survey of the exchequer in England: and whereas his Majesty has purchased certain freehold, and customary or copyhold and leasehold manors, lands, tenements, and hereditaments, out of the monies issued and applied for the use of his privy purse, or with other monies not appropriated to any particular service, and which said manors, lands, tenements, and hereditaments have been conveyed or surrendered to his Majesty, or to some person or persons in trust for his Majesty, and his Majesty hath hitherto held and enjoyed the same as his sole and exclusive property; but by reason of the general words used in the said act in the first year of her late majesty Queen Anne, the freehold lands, tenements, and hereditaments so purchased by his Majesty, and such as may hereafter be purchased out of such monies as aforesaid, may be deemed subject to the restrictions and provisions contained in the said acts; and it may be doubted whether such copyhold or customary and leasehold purchases, by or in trust for his Majesty as aforesaid, do not also fall within the said recited acts: and whereas it is reasonable that all manors, lands, tenements, or hereditaments of any tenure whatsoever, which have been or shall be purchased by and conveyed to or in trust for his Majesty, or which shall be purchased by and conveyed to or in trust for his Majesty's heirs and successors, out of monies issued and applied for the use of his or their privy purse, or with any monies not appropriated to any publick service, and also all manors, lands, tenements, or hereditaments which have come to his Majesty, or shall or may hereafter come to his Majesty, his heirs or successors, by the gift or devise of, or by descent, or otherwise from any ancestor or other person not being King or Queen of this realm, should be held and enjoyed by his Majesty, his heirs and successors, freed and discharged from all the provisions and restrictions of the said recited acts of the first year of her late majesty Queen Anne, and the first and thirty-fourth years of his present Majesty (except as herein-after provided) and should be saleable and disposeable either by grant or otherwise in his or their lifetime, or by his or their last will and testament in writing, in such manner as he or they shall think fit: be it therefore enacted by the King's most

excel-

excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That none of the provisions or restrictions contained in the said acts of the first year of her said late majesty Queen *Anne*, and the first and thirty-fourth years of the reign of his present Majesty, shall extend to any manors, messuages, lands, tenements, or hereditaments, of whatsoever tenure the same may be, which have at any time heretofore been purchased by his Majesty, or shall at any time hereafter be purchased by his Majesty, his heirs or successors, out of any monies issued and applied for the use of his or their privy purse, or with any other monies not appropriated to any publick service, or to any manors, messuages, lands, tenements, or other hereditaments, of whatsoever tenure the same may be, which have come to his Majesty, or shall or may come to him, or his heirs or successors, by the gift or devise of, or by descent or otherwise, from any of his, her, or their ancestors, or any other person or persons not being Kings or Queens of this realm; and the intent of this enactment is, that the same shall operate, to all intents and purposes, as from the birth of his present Majesty.

II. And be it further enacted, That all and singular the manors, lands, tenements, and hereditaments of copyhold or customary tenure, or of leasehold tenure, which have been purchased by his Majesty as aforesaid, or which have come to his Majesty by the gift or devise of, or by descent or otherwise from any of his ancestors, or any other person not being Kings or Queens of this realm, whether the same have been surrendered or assigned to his Majesty, or to any person or persons in trust for his Majesty shall be, and the same are hereby vested in *James earl of Cardigan*, his heirs, executors, and administrators, according to the tenure of such manors, lands, tenements, and hereditaments respectively in trust nevertheless, for his Majesty; and that all such copyhold or customary, and leasehold lands, tenements, and hereditaments respectively, as shall be purchased in manner aforesaid by his Majesty, his heirs or successors, or shall come to his Majesty, his heirs or successors, by the gift or devise of, or by descent or otherwise from any of his or their ancestors, or any other persons not being Kings or Queens of this realm, shall be veited in some trustee or trustees for his Majesty, his heirs and successors, from time to time, to be respectively named or appointed by instrument in writing under the sign manual of his Majesty, his heirs and successors respectively; and the said *James earl of Cardigan*, and such other trustee or trustees as aforesaid, shall be duly admitted to such copyhold or customary lands, tenements, or hereditaments as aforesaid, by the lords or ladies of the manor or manors of which the same shall be holden according to the nature of the estate therein, on payment of such fines, and subject to such rents, and services, and customs, as of right shall be due and accustomed in respect thereof; and the said *James earl of Cardigan* and such

None of the provisions the recited in act shall extend to manors, &c. purchased by his Majesty, his heirs or successors, out of monies not appropriated to any publick service, nor to manors, &c. which have come to his Majesty, or shall come to him or his heirs or successors from any person not being Kings or Queens of the realm. Enactment to operate as from the birth of his Majesty. Such copyhold or leasehold manors, &c. so purchased, &c. shall be veited in the earl of Cardigan in trust, and such as shall be purchased, &c. shall be veited in such trustees as his Majesty shall appoint.

Trustees to be admitted to the lands according to the nature of the estate therein, and shall be deemed the tenants.

other trustee or trustees as aforesaid shall be deemed, as in respect of the lords or ladies of such manors respectively, and all other persons whatsoever to be the true and only tenants of such copyhold or customary lands, tenements, and hereditaments respectively, so that no lord or lady of any manor, nor any other person or persons, shall be prejudiced thereby.

Grants already made by his Majesty not to be defeated by this act.

III. Provided always, That nothing herein contained shall extend to defeat or impeach any grant or disposition which hath been already made by his Majesty, or by his direction, of any manors, messuages, lands, tenements, or hereditaments so purchased by his Majesty as aforesaid, and conveyed, surrendered, or assured to or in trust for his Majesty, but all such grants and dispositions respectively shall be valid and effectual to all intents and purposes, as the same would have been if they had been made after the passing of, or were conformable to the provisions in this act contained.

His Majesty, his heirs and successors, may sell or devise such estates as his Majesty's subjects may like estates belonging to them.

IV. And be it further enacted That notwithstanding anything in the said recited acts contained, or any other statute, law, custom, or usage to the contrary, it shall be lawful for his Majesty, his heirs and successors, from time to time, by any instrument under his and their royal sign manual, attested by two or more witnesses, or by his and their last will and testament in writing, or any writing in the nature of a last will or testament, to be signed and published by his Majesty, his heirs and successors respectively, in the presence of and to be attested by three or more witnesses, at his and their free will and pleasure, to grant, sell, give, or devise all and every or any of the manors, messuages, lands, tenements, and hereditaments so purchased or to be purchased by, or which have or shall so come to his Majesty, his heirs or successors as aforesaid, whether of freehold or copyhold or customary or leasehold tenure, and whether conveyed or assured to, or otherwise vested in his Majesty, his heirs or successors, or to or in any person or persons in trust for his Majesty, his heirs or successors as aforesaid, unto any person or persons, for any estate or estates, or for any intents or purposes, his Majesty, his heirs or successors respectively shall think fit, as any of his Majesty's subjects may grant, sell, give or devise any the like manors, messuages, lands, tenements, and hereditaments respectively, belonging to such subjects respectively, by their respective deeds or other instruments, or last wills and testaments respectively; and all and every person and persons who shall be seized or possessed of, or entitled to any such manors, messuages, lands, tenements, or hereditaments respectively, or any estate or interest therein respectively, in trust for his Majesty, his heirs or successors respectively shall convey, surrender, assign, or otherwise assure the same, in such manner, as his Majesty, his heirs or successors, under his or their royal sign manual respectively to be attested as aforesaid, shall direct; and all and every of the provisions made by law for the conveyance of trust estates by infants, idiots, and lunatics, shall extend to such persons as are or shall be a trustee or trustees for his Majesty, his heirs and suc-

Trustees shall convey such estates as his Majesty, &c. shall direct.

Provisions for conveyance of trust estates by infants shall extend to trustees for his Majesty.

successors respectively, and such trust estates shall be conveyed, surrendered, and assured by such infants, idiots, and lunatics, or the committees of such idiots or lunatics accordingly.

V. And be it further enacted, That if no disposition by grant, will, or otherwise, shall be made in pursuance of this act by his Majesty, his heirs or successors, of any such manors, messuages, lands, tenements, and hereditaments as aforesaid, or if any disposition which shall be so made shall not exhaust the whole estate or interest of his Majesty, his heirs or successors respectively in the same, then and in every such case, all such manors, messuages, lands, tenements, and hereditaments, whereof no such disposition shall be made as aforesaid, or so much of the estate and interest therein respectively as shall not have been so disposed of, shall descend and go in such and the same manner, on the demise of his Majesty, his heirs and successors respectively, as the same would have descended and gone if this act had not been made, subject nevertheless to the provisions herein-after contained, as to so much thereof as shall be personal estate of his Majesty and his successors; and all and every of such manors, messuages, lands, tenements, and hereditaments, being of freehold tenure in fee simple, which shall so descend on the demise of his Majesty, or any King or Queen of this realm, shall be subject to all the restrictions in the said recited acts contained, in the same manner as the same would have been subject thereto if this act had not been made.

VI. And be it further enacted, That all and every of such manors, messuages, lands, tenements, and hereditaments, whether of freehold, or copyhold or customary, or leasehold tenure, which shall be so as aforesaid from time to time vested in his Majesty, his heirs or successors, or in any person or persons in trust for his Majesty, his heirs and successors respectively, shall from time to time be subject and liable to all such taxes, rates, duties, assessments, and other impositions, parliamentary and parochial, as the same would have been subject and liable to if the same had been the property of any subject of this realm; and all such rates, taxes, assessments, and impositions shall, so long as the said manors, messuages, lands, tenements, and hereditaments shall be vested in his Majesty, his heirs or successors, or in any person or persons in trust for his Majesty, his heirs or successors as aforesaid, be ascertained, rated, assessed, or imposed thereon, in the same manner and form, in all respects, as if the same manors, messuages, lands, tenements, and hereditaments respectively were the absolute and beneficial estate of any of his Majesty's subjects; but nevertheless such rates, taxes, assessments, and impositions, shall be paid and payable in the manner herein-after directed, and not otherwise.

VII. And be it further enacted, That so long as any such manors, messuages, lands, tenements, or hereditaments shall be or remain vested in his Majesty, his heirs and successors, or in any trustee or trustees for his Majesty, his heirs or successors as aforesaid, freed and discharged from the provisions and re-

If no disposition of such estates be made by his Majesty, or a disposition be made which shall not exhaust the whole estate undispensed of shall descend as if this act had not been made, subject to certain provisions.

Freeholds which shall so descend shall be subject to the restrictions of the recited acts.

Estates so vested in his Majesty or in trustees shall be subject to all taxes.

Taxes, &c. charged upon such estates to be paid out of the privy

restrictions in the said recited acts respectively, all taxes, rates, duties, assessments, impositions, rents, and other annual payments, fines, and other outgoings, which shall from time to time be charged and chargeable upon, or be or become due and payable in respect to all such manors, messuages, lands, tenements, and hereditaments respectively, shall be paid and discharged out of the privy purse of his Majesty, his heirs and successors respectively, and accounts thereof shall from time to time be returned to the person or persons for the time being executing the office of his Majesty's privy purse, or his or their deputy, who shall, by and out of any monies in his or their hands applicable for the use of his Majesty, pay and discharge the same.

VIII. *And whereas by the law of England the Queen consort, wife of the King, is capable of taking, granting, or disposing of property as if she were a feme sole; but doubts may arise how far this capacity of granting or disposing of property extends, and especially whether, during the life of the King her husband, it includes the power of devising and bequeathing by last will and testament: and whereas his Majesty is desirous that her Majesty Queen Charlott, his Majesty's royal consort, during his Majesty's life, should have full and complete power, as well by her last will and testament as by deed, to grant, alien, and dispose of any manors, messuages, lands, tenements, rents, tythes, and hereditaments, which have been purchased by or in trust for or otherwise vested in her Majesty, or which shall hereafter be purchased by or in trust for or shall be otherwise vested in or in trust for her Majesty, under and by virtue of any deed, gift, will, or otherwise, except as herein-after is mentioned, and of any goods and chattels, whether real or personal, and personal estate of what kind soever, belonging to her Majesty, in the same manner as her Majesty might dispose thereof if she were sole and unmarried: and it may be convenient that the like power should be secured to every Queen consort of this realm for the time being: now therefore be it further enacted, That it shall be*

Her Majesty, during the joint lives of their Majesties, by deed, or by will, may dispose of manors, &c. purchased by or in trust for, or that may vest in her Majesty or in trust for her, and may bequeath all such chattels and personal estate, as if she were sole;

lawful for her Majesty, at any time or times during the joint lives of their Majesties, by deed under her hand and seal, to be executed in the presence of and attested by two or more witnesses, or by her last will and testament in writing, or any writing in the nature of a last will and testament, to be signed and published by her in the presence of and attested by three or more witnesses, to grant, give, alien, dispose of, convey, or devise any manors, messuages, lands, tenements, and hereditaments, which have at any time heretofore been purchased, or which shall at any time hereafter be purchased by or in trust for her Majesty, or which shall hereafter come to or devolve upon or vest in her Majesty, or any person or persons in trust for her, for any estate of inheritance or freehold, or for any copyhold or customary estate under or by virtue of any deed, gift, will, or otherwise, for all or any part of such estate, right, and interest, as her Majesty, or such person or persons in trust for her, now hath or have, or shall or may have in any such manors, messuages, lands, tenements, and hereditaments, and also by her last will and testament

testament in writing to give and bequeath all such chattels and personal estate whatsoever as aforesaid, unto any person or persons, and for any intents and purposes, and in any manner she shall think fit, as fully and effectually, in all respects, as she could or might grant, convey, alien, dispose of, give, devise, or bequeath the same if she were sole and unmarried.

XI. And be it further enacted, That it shall be lawful for any Queen for the time being of this realm, being the consort of his Majesty, or any of his successors, in like manner, at any time or times during the joint lives of the King and such Queen consort for the time being, by deed under her hand and seal, or by her last will and testament in writing to be respectively executed, signed, published, and attested as aforesaid, to grant, convey, alien, dispose of, give or devise, any manors, messuages, lands, tenements, and hereditaments, which shall be purchased by or in trust for her, or which shall come to or devolve upon or vest in her, or any person or persons in trust for her, for any estate of inheritance or freehold, or any copyhold or customary estate, under and by virtue of any deed, gift, will, or otherwise, for all or any part of such estate, right, and interest as she, or such person or persons in trust for her, shall have in any such manors, messuages, lands, tenements, or hereditaments; and also by her last will and testament in writing to give and bequeath all such her chattels, whether real or personal, and personal estate whatsoever, to any person or persons, and for any intents and purposes she shall think fit, as fully and effectually, in all respects, as if she were sole and unmarried: provided always, That nothing in this act contained shall extend to enable her Majesty, or any Queen consort of this realm, to make any grant, conveyance, or disposition of any palace, or capital mansion house, gardens, lands, or hereditaments belonging to his Majesty, or any of his successors, in right of the crown, which now are or hereafter shall be vested in her Majesty, or in any such Queen consort, for her life, as and for her jointure or otherwise, under any letters patent of his Majesty, or any of his successors, or by act of parliament, or to make any grant, conveyance, or disposition, which her Majesty and such Queen consort could not make if sole and unmarried.

X. And whereas it is his Majesty's most gracious desire that all such personal estate and effects as his Majesty shall be possessed of or entitled to at the time of his demise, and over which he shall have the full and absolute power of disposition by his last will and testament, should be subject and liable to the payment of all such debts of his Majesty as shall, during his lifetime, be properly payable out of his privy purse: and whereas it is reasonable that all such personal estate and effects as any of his Majesty's successors, Kings or Queens of this realm, shall be possessed or entitled to in like manner, should also be subject and liable to the like charge; and it is expedient to fix and regulate what personal estate and effects of his Majesty and his successors are subject to such testamentary disposition, and in what form such disposition shall be made: now therefore be it further enacted

as also any Queen of this realm during the joint lives of the King and such Queen, consort.

And not to enable her Majesty or any Queen consort to dispose of any palace, &c. belonging to the King in right of the crown, vested in her for life.

Monies for the privy purse, or not appropriated to any publick service, or effects which shall not come to his Majesty, or to his successors, in right of the crown, shall be deemed personalestate, and subject to disposition by will in writing, and shall be liable to all debts payable out of the privy purse.

and declared, That all such personal estate of his Majesty and his successors respectively, as shall consist of monies which may be issued or applied for the use of his or their privy purse, or monies not appropriated to any publick service, or goods, chattels, or effects which have not or shall not come to his Majesty, or shall not come to his successors respectively, with or in right of the crown of this realm, shall be deemed and taken to be personal estate and effects of his Majesty and his successors respectively, subject to disposition by last will and testament; and that such last will and testament shall be in writing, under the sign manual of his Majesty and his successors respectively, or otherwise shall not be valid; and that all and singular the personal estate and effects whereof or whereto his Majesty or any of his successors shall be possessed or entitled at the time of his and their respective demises, subject to such testamentary disposition as aforesaid, shall be liable to the payment of all such debts as shall be properly payable out of his or their privy purse, and that, subject thereto, the same personal estate and effects of his Majesty and his successors respectively, or so much thereof respectively as shall not be given or bequeathed, or disposed of as aforesaid, shall go in such and the same manner on the demise of his Majesty and his successors respectively, as the same would have gone if this act had not been made.

Any will made by his Majesty before the passing of this act, to be valid.

XI. And be it further enacted, That any instrument in writing made and executed by his Majesty before the passing of this act, as and for his last will and testament, or a codicil thereto in manner and form herein-before provided, shall be as effectual to dispose of the property real or personal intended to be disposed of thereby, as if the same had been made after the passing of this act.

XII. *And whereas divers lands, tenements, and hereditaments have become and may hereafter become vested in his Majesty, his heirs and successors, by escheat or otherwise, in right of the crown, which in the hands of any of his Majesty's subjects would be chargeable with certain trusts, or applicable to certain purposes, and his Majesty, his heirs or successors, may be desirous that the same should be applied accordingly, notwithstanding any right which he or they may have to hold the same discharged from such trusts, or without applying the same to such purposes; but by reason of the provisions contained in the said acts of the first year of her said late Majesty Queen Anne, and the thirty fourth year of his Majesty's reign, doubts may be raised whether his Majesty, his heirs or successors, can direct such application thereof: and whereas divers lands, tenements, and hereditaments, as well freehold as copyhold, have escheated and may escheat to his Majesty, his heirs or successors, for want of heirs of the persons last seized thereof or entitled thereto, or by reason of some forfeiture, or otherwise, although not forfeited for treason or felony; and it is expedient to enable his Majesty to direct the execution of any such trusts or purposes as aforesaid, and to make any grants of any such manors, lands, tenements, or hereditaments as aforesaid, notwithstanding the provisions contained in the said recited acts; be it enacted That it shall be lawful for his*

his Majesty, his heirs and successors, by warrant under his or their sign manual, to direct the execution of any trusts or purposes to which any manors, messuages, lands, tenements, or hereditaments, which have escheated or shall escheat to his Majesty, his heirs or successors, shall have been liable at the time the same so escheated respectively, or would have been liable in the hands of any of his Majesty's subjects, and to make any grants of such manors, lands, tenements, and hereditaments respectively to any trustee or trustees, or otherwise, for the execution of such trusts, and to make any grants of any lands, tenements, or hereditaments which have escheated or shall escheat as aforesaid, to any person or persons, either for the purpose of restoring the same to any of the family of the person or persons whose estates the same had been, or of rewarding any persons or person making discovery of any such escheat, as to his Majesty, his heirs or successors respectively, shall seem fit; any thing in the said acts, or any of them, to the contrary notwithstanding.

His Majesty, his heirs and successors, may direct the execution of any trusts, to which lands becoming vested in them in right of the crown would have been liable in the hands of subjects, &c.

C A P. LXXXIX.

An act for the better preventing the embezzlement of his Majesty's naval, ordnance, and victualling stores.—[July 28, 1800.]

WHEREAS by an act of parliament made and passed in the Preamble. twenty-second year of the reign of King Charles the Second, ^{22 Car. 2.} intituled, An act for taking away the benefit of clergy from such ^{c. 5.} as steal cloth from the rack, and from such as shall steal or embezzle his Majesty's ammunition and stores, it is amongst other things enacted, That no person or persons who shall feloniously steal or embezzle any of his Majesty's sails, cordage, or any other his Majesty's naval stores, to the value of twenty shillings, and be thereupon found guilty in manner therein mentioned, shall be admitted to have the benefit of his or their clergy, but utterly be excluded thereof, and shall suffer death in such manner and form as they should if they were no clerks: and whereas by an act of parliament made and passed in the ninth and tenth years of the reign of King William the Third, intituled, An act ^{9 and 10 Gul.} for the better preventing the embezzlement of his Majesty's stores ^{c. 41.} of war, and preventing cheats, frauds, and abuses in paying seamen's wages, a penalty of two hundred pounds, with costs of prosecution, is inflicted upon persons in whose custody, possession, or keeping, shall be found, or who shall conceal contrary to the said act any warlike, naval, or ordnance stores, marked in such manner as therein mentioned: and whereas by an other act of parliament made and passed in the ninth year of the reign of King George the ^{9 Geo. 1.} First, intituled, An act for continuing some laws and reviving ^{c. 8. and} others therein mentioned, for exempting apothecaries from serving parish and ward offices and upon juries, and relating to jurors, and to the payment of seamen's wages, and the preservation of naval stores and stores of war, and concerning the militia and trophy money, and against clandestine running of uncustomed goods, and for more effectual preventing frauds relating

to the customs, and frauds in mixing silks with stuffs to be exported, it is enacted, That if any person or persons shall be lawfully convicted of having in his, her, or their custody, or of concealing, any timber, thick stuff, or plank, marked with the broad arrow, by stamp, brand, or otherwise, every such person shall suffer, forfeit, and pay as for having, keeping, or concealing any other warlike, naval, or ordnance stores, contrary to the said act of the ninth and tenth years of King William the Third; and by the said last-recited act power is given to the judge, justice or justices before whom any offender shall be convicted of any of the crimes or offences before recited, to mitigate the penalty for the same as he or they shall see cause, or to punish such offender corporally, by causing him, her, or them to be publicly whipt or committed to some publick workhouse, there to be kept to hard labour for the space of six months, or a less time, as to such judge, justice or justices, in his or their discretion shall seem meet: and whereas by an another act of parliament, made and passed in the seventeenth year of the reign of King George the Second, intituled, An act to continue the severall laws therein mentioned, for preventing theft and rapine on the northern borders of England, 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; for 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, and for the more effectual punishment of persons maliciously setting on fire any mine, pit, or delph 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 the keepers or other officers in forests, chaces, or parks; and for granting a liberty to carry sugars of the growth, produce, or manufacture of any of his Majesty's sugar colonies in America, from the said colonies directly to foreign parts in ships built in Great Britain, and navigated according to law; and to explain two acts relating to the prosecution of offenders for embezzling naval stores or stores of war; and to prevent the retailing of wine within either of the universities in that part of Great Britain called England, without licence; it is amongst other things declared and enacted, That it shall and may be lawfull to and for any judge, justice or justices at the assizes, or justices of the peace at the general quarter sessions to be holden as therein mentioned, to hear, try, and determine, by indictment or otherwise, all or any of the crimes or offences mentioned in the therein and herein recited acts of the ninth and tenth years of the reign of King William the Third, and the ninth year of the reign of King George the First; and that the said judge, justice or justices of assize, or justices of the peace, may impose any fine not exceeding the sum of two hundred pounds on such offender or offenders, and may mitigate the said penalty and forfeitures inflicted by the said recited acts or either of them, or in lieu thereof punish such offender or offenders in the premises corporally, by causing him, her, or them to be publicly whipt and committed to some house of correction or publick workhouse, there to be kept to hard labour for the

17 Geo. 2.
c. 40, recited.

space

space of three months, or less time, as to such judge, justice, or justices of assize, or justices of the peace, shall in his or their discretion seem meet: and whereas notwithstanding the penalties and punishments inflicted by the said recited acts, the stealers, embezzlers, and receivers of his Majesty's warlike and naval ordnance and victualling stores have greatly increased, so that it is become necessary to make some further and more effectual provision for preventing their wicked practices in future: 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, every person or persons, (such person or persons not being a contractor or contractors, or employed as in the said recited act of the ninth and tenth years of the reign of King William the Third is mentioned), who shall willingly or knowingly sell or deliver, or cause or procure to be sold or delivered, to any person or persons whomsoever, or who shall willingly or knowingly receive or have in his, her, or their custody, possession, or keeping, any stores of war, or naval, ordnance, or victualling stores, or any goods whatsoever marked as in the said recited acts are expressed, or any canvas marked either with a blue streak in the middle, or with a blue streak in a serpentine form, or any bewper, otherwise called *Buntin*, wrought with one or more streaks of raised tape, (the said stores of war, or naval, ordnance, or victualling stores or goods above mentioned, or any of them, being in a raw or unconverted state, or being new or not more than one-third worn), and such person or persons who shall conceal such stores or goods, or any of them, marked as aforesaid, shall be deemed receivers of stolen goods knowing them to have been stolen, and shall, on being convicted thereof in due form of law, be transported beyond the seas for the term of fourteen years, in like manner as other receivers of stolen goods are directed to be transported by the laws and statutes of this realm, unless such person or persons shall upon his, her, or their trial, produce a certificate under the hands of three or more of his Majesty's principal officers or commissioners of the navy, ordnance, or victualling, expressing the numbers, quantities, or weights of such stores or goods, as he, she, or they shall then be indicted for, and the occasion and reason of such stores or goods coming to his, her, or their hands or possession.

Every person (not being a contractor, &c.) who shall sell or receive any stores of war, &c. or who shall conceal them, shall be transported for 14 years, unless he produces on the trial a certificate from the navy board, &c.

II. And be it further enacted by the authority aforesaid, That such person or persons (not being a contractor or contractors, or employed as aforesaid), in whose custody, possession, or keeping any of the said stores called *Canvas*, marked with a blue streak in a serpentine form, or bewper, otherwise called *Buntin*, wrought as above-mentioned, shall be found, (such canvas or bewper, otherwise called *Buntin*, not being charged to be new, or not more than one-third worn), and all and every person and persons who shall be convicted of any offence contrary to so much of the said recited act of the ninth and tenth years of the reign of King

Persons in whose custody shall be found canvas or bunting marked as herein mentioned (not being charged to be new, or not more than one-third worn), and

persons who shall be convicted of any offence contrary to so much of the recited act of 9 and 10 Gul. 3. as relates to warlike stores, shall, besides the forfeiture thereby imposed, suffer corporal punishment.

Penalty may be mitigated.

Nothing herein or in recited act of 9 and 10 Gul. 3. to exempt contractors, &c. except so far as concern stores which shall not have been before delivered into his Majesty's store, unless they have been sold or returned by the commissioners.

If any person shall deface any mark denoting the property of his Majesty in any stores, or shall employ any person so to do, he shall be transported for 14 years.

If any person convicted of any offence contrary to this act, for which he shall not have been transported, or contrary to

William the Third, as relates to the making, or the having in possession or concealing any of his Majesty's warlike, or naval, or ordnance stores, marked as therein specified, shall, besides forfeiting such stores and the sum of two hundred pounds, together with costs of suit as therein mentioned, be corporally punished by pillory, whipping, and imprisonment, or by any or either of the said ways and means in such manner and for such space of time as to the judge or justices before whom such offender or offenders shall be convicted, shall seem meet; any thing in the said last-mentioned act, or in the before-recited acts of the ninth year of King *George* the First, and the seventeenth year of King *George* the Second, to the contrary thereof in anywise notwithstanding: provided always, That it shall and may be lawful to and for such judge or justices to mitigate the said penalty of two hundred pounds, as he or they shall see cause.

III. Provided always, and be it enacted, That nothing in this act, or in the said recited act of the ninth and tenth years of the reign of King *William* the Third, contained, shall extend, or be deemed; taken, or construed to extend to exempt from the operation of this act, or the said recited act respectively, any person or persons being a contractor or contractors, or employed as in the said last-mentioned act is mentioned, except only so far as concerns stores or goods marked as aforesaid, which shall be *bona fide* provided, made up, or manufactured by such person or persons, or by their order, and which shall not have been before delivered into his Majesty's store, unless having been so delivered, they shall have been sold or returned to such person or persons by the commissioners of his Majesty's navy, ordnance, or victualling respectively.

IV. And be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the passing of this act, wilfully and fraudulently destroy, beat out, take out, cut out, deface, obliterate, or erase, wholly or in part, any of the marks in the said act of the ninth and tenth years of the reign of King *William* the Third, or in this act mentioned, or any other mark whatsoever, denoting the property of his Majesty, his heirs or successors, in or to any warlike or naval, ordnance or victualling stores, or cause, procure, employ, or direct any other person or persons so to do, for the purpose of concealing his Majesty's property in such stores, such person or persons shall be deemed guilty of felony, and shall, on being convicted thereof, be transported to parts beyond the seas for the term of fourteen years, in like manner as other felons are directed to be transported by the laws and statutes of this realm.

V. And be it further enacted by the authority aforesaid, That if any person or persons who shall hereafter be convicted of any offence contrary to this act, for which he shall not have been transported beyond the seas, or contrary to the said recited act of the ninth and tenth years of King *William* the Third, shall be guilty of a second offence, either contrary to that act or to this present act, which would not otherwise, as the first offence, sub-

ject him, her, or them, to transportation, and shall be thereof the recited act
legally convicted, such person or persons shall, by judgement of of 9 and 10
the court wherein he, she, or they shall be so convicted, be Gul. 3. shall
transported to parts beyond the seas for the term of fourteen be convicted
years, in like manner as other offenders may be transported by of a second
the laws and statutes of this realm now in force. offence, which
would not, as

VI. And be it further enacted by the authority aforesaid, That the first, sub-
if any person or persons transported in pursuance of this act shall ject him to
return into any part of *Great Britain or Ireland* before the end of transporta-
expiration of the term for which he or she shall have been so tion. he shall
transported, every such person or persons so returning shall suffer be transported
as felons, and shall have execution awarded against him, her, or for 14 years.
them, as persons attainted of felony without benefit of clergy. If any person
transported
shall return

VII. Provided always, and be it further enacted by the au- before the ex-
thority aforesaid, That it shall and may be lawful to and for the piration of his
court before whom any offender or offenders shall be indicted term, he shall
and convicted of all or any of the crimes or offences herein-before suffer as a
mentioned to be punishable with transportation, to mitigate or felon without
commute such punishment, by causing the offender or offenders benefit of
to be set on the pillory, publicly whipt, fined or imprisoned, or clergy.
by all or any one or more of the said ways and means, as such The court
court in its discretion shall think fit; one moiety of which fine, may mitigate
(if any imposed), shall be to his Majesty, his heirs and successors, the punish-
and the other moiety thereof to the informer, and also to order ment of trans-
such offender or offenders to be imprisoned until such fine be portation, by
paid; any thing herein-before contained to the contrary thereof pillory, whip-
in anywise notwithstanding. ping, fine, or
imprison-
ment;

VIII. *And whereas the establishing by law a certain reward to the application of
discoverers of persons guilty of stealing or embezzling any of his fines.
Majesty's naval, ordnance, or victualling stores, or of any of the crimes
or offences mentioned in the said recited act of the ninth and tenth years
of King William the Third, or in this act, might tend greatly to the
detection of such offenders;* be it therefore enacted by the authority
aforesaid, That, from and after the passing of this act, if any If any person
person or persons shall discover to his Majesty's principal officers shall discover
or commissioners of the navy, ordnance, or victualling, for the to the navy
time being, or apprehend, or first inform against any offender or board, &c. or
offenders who shall have been guilty of stealing or embezzling apprehend any
his Majesty's stores of war, or naval, ordnance, or victualling offender guilty
stores, or of any of the offences mentioned in the said recited act of stealing or
of the ninth and tenth years of the reign of King *William the embezzling
Third, or in this present act herein-before mentioned, which his Majesty's
shall not be prosecuted in the summary way herein-after pre- stores, or of
scribed, so as such offender or offenders be convicted thereof any offence
such discoverer or discoverers, apprehenders or informers, shall against recited
have and receive a reward for such his, her, or their discovery, act of 9 and
or for so apprehending or first informing as aforesaid, be 10 Gul. 3. or
twenty pounds for every such offence so discovered, over and of this act,
above any share of penalty or fine which he, she, or they may be which shall not
entitled to as the informer or informers; so as such share of be prosecuted
penalty or fine do not amount to more than the sum of twenty in a summary
pounds, over and above any share of penalty or fine which he, she, or they may be way, he shall,
receive a re-
ward of acl-
over his share*

of penalty, if not more than that sum.

pounds, or (if amounting to more than that sum) shall fail to be paid by the offender or offenders upon whom the same shall be inflicted for the space of three calendar months next after his, her, or their conviction; provided such offender or offenders shall not be detained in pursuance of any sentence of imprisonment, and if so detained, such share of penalty or fine shall fail to be paid within three calendar months next after the expiration of such sentence of imprisonment.

If any dispute shall arise respecting the title to such reward, it shall be determined by any of the commissioners of the navy, &c.

IX. Provided always, and be it further enacted, That if any dispute shall arise between or among any persons who shall have discovered, apprehended, or informed against any offender or offenders as to their title to the said reward of twenty pounds, such dispute shall be determined by any one or more of the commissioners either of his Majesty's navy, ordnance, or victualling, as the offence may have related to their departments respectively, upon the oaths of the claimants, to be taken in writing either before such commissioner or before one of his Majesty's justices of the peace, (which oaths the said commissioner or justice is hereby authorized to administer), and whatsoever decision or adjudication shall be made by such commissioner, touching the premises, shall be final between the parties.

Reward shall be paid on certificate from the officer of the court where the offender shall be tried, for which he may charge 5s.

X. And be it further enacted by the authority aforesaid, That the principal officers and commissioners of his Majesty's navy, ordnance, or victualling, as the case may require, shall cause the said reward of twenty pounds to be paid by the treasurer of the navy or ordnance respectively for the time being, out of any public money in his hands, upon producing to them a certificate, under the hand of the clerk of assize, or his deputy, or other proper officer of the court before whom such offender or offenders shall be tried, certifying the conviction of the offender or offenders, and that the informer's share of any penalty or fine inflicted upon such offender or offenders doth not amount to more than the sum of twenty pounds, or if amounting to more, hath failed to be paid by such offender or offenders for the space of three months next after his or their conviction; unless such offender or offenders shall then be detained in pursuance of any sentence of imprisonment, and then for the space of three months next after the expiration of such sentence; which certificate the said clerk of assize or other proper officer is hereby required to give, and for which he shall charge the sum of five shillings, and no more; and the money paid by any such treasurer on account of such rewards, shall be allowed in his accounts, and he shall be discharged thereof accordingly; any law, custom, or usage, to the contrary thereof in anywise notwithstanding.

Any commissioner of the navy, &c. or any justice of the peace may grant warrants for

XI. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any commissioner of the navy, ordnance, or victualling, for the time being, (who, for the purposes herein-after mentioned, is hereby authorized to act in every respect as if he had been named as a justice of the peace in the commission of the peace for the county, division, city, town corporate, liberty, or place in which he shall be resident,

dent, or into which his warrant shall be issued), or any justice of the peace for any county, division, city, town corporate, liberty, or place, within this kingdom, upon the oath of one or more credible person or persons, that there is reason or cause to suspect that any navy, ordnance, or victualling stores, or goods belonging to his Majesty, his heirs or successors, are concealed in any dwelling house, warehouse, workshop, outhouse, yard, garden or other place, or on board any ship, vessel, barge, boat, or other craft, by warrant under his hand and seal, to cause every such dwelling house, warehouse, workshop, outhouse, yard, garden, or place, ship, vessel, barge, boat, or other craft, in whatsoever county, division, city, town corporate, liberty, or place, the same or any of them shall be, (in case such warrant shall be granted by a commissioner as aforesaid), to be searched, in the day-time, by any police officer, constable, headborough, or other peace officer, either of the county, division, city, town corporate, liberty, or place, in which the premises, ship, vessel, barge, boat, or other craft shall be, or in which the commissioner granting such warrant (if granted by a commissioner) shall then reside; and in case any stores or goods marked as herein-before, or in the said recited act of the ninth and tenth years of King *William* the Third is mentioned, shall upon such search be found, to cause the same, and the offender or offenders, to be brought before such commissioner or justice of the peace, who is hereby required to commit or bind over, or otherwise to deal with such offender or offenders according to law, for such his or their offence; and that in case, upon any such search, or upon any seizure whatsoever of stores, or goods, marked as aforesaid, any naval, ordnance, or victualling stores, not so marked as aforesaid, shall be found, which may reasonably be suspected to belong to his Majesty, the party or parties in whose possession or keeping the same shall be found, shall be required to give to the commissioner, or justice of the peace respectively before whom the said stores or goods shall and may be brought, an account, to the satisfaction of such commissioner or justice, that the same were not embezzled or stolen from any of his Majesty's ships or vessels, yards, storehouses, or other places, or that if the same were embezzled or stolen, the same had come to the possession of the said party or parties honestly, and without any knowledge or suspicion that the same had been embezzled or stolen, on failure whereof by a reasonable time to be set by such commissioner or justice of the peace, the said stores or goods shall thereupon become forfeited, and such party or parties shall be deemed and adjudged guilty of a misdemeanor.

XII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons deputed or appointed by the principal officers or commissioners of the navy, ordnance, or victualling, or any three of them respectively, at any time or times from and after the passing of this act, to stop, search, and detain in some place of safety, any barge, boat, or other craft, which there shall be reason to suspect doth contain

searching houses, &c. where oath is made that there is reason to suspect stores belonging to his Majesty are concealed.

If any stores or goods marked as herein-before, or in the recited act of 9 and 10 Gul. 3. are mentioned, shall be found, the offender shall be dealt with according to law; and if upon such search, or any seizure of stores or goods marked as aforesaid, any not marked shall be found, suspected to belong to his Majesty, and the party shall not give a satisfactory account thereof, they shall be forfeited, and he shall be deemed guilty of a misdemeanor.

Persons deputed by the commissioners of the navy, &c. may detain any craft in which may be suspected to be contained

any articles stolen from his Majesty's vessels, &c. and the parties, who shall be dealt with according to law respecting marked stores, and those not marked, suspected to belong to his Majesty, and not satisfactorily accounted for, shall be forfeited, and the party deemed guilty of a misdemeanour.

If the persons be convicted of stealing marked articles, or adjudged guilty of a misdemeanour with respect to unmarked ones, the craft in which found shall be forfeited.

Persons so deputed, or any police or peace officer, may apprehend persons suspected of having articles stolen from

tain any naval, ordnance, or victualling stores, ropes, tackle, apparel, furniture, arms, ammunition, materials, and things stolen, embezzled, or unlawfully procured from or out of any of his Majesty's ships or vessels, yards, storhouses, or other places, and also to apprehend and detain, or cause to be apprehended and detained, any person or persons who may be reasonably suspected of having or conveying any such stores or other things in such barge, boat, or craft; and such person or persons so apprehended shall be (as soon as conveniently may be) conveyed before any commissioner of the navy, ordnance, or victualling for the time being, or before one or more justice or justices of the peace for the county, division, city, town corporate, liberty, or place in which such seizure shall be made, together with the stores, ropes, tackle, apparel, furniture, arms, ammunition, materials, and things so found in such boat or other craft; which said commissioner or justice is hereby required to commit or bind over, or otherwise to deal with such person or persons according to law, in respect to any of the said last mentioned stores and things which shall be so marked as aforesaid; and in respect to any of such stores or things which shall not be so marked, but which shall nevertheless be reasonably suspected to be the property of his Majesty, the said person or persons on whom the same shall be found shall be required to give an account, to the satisfaction of such commissioner or justice, that the same were not embezzled or stolen as aforesaid, or that if they were embezzled or stolen, the same had come to his or their possession honestly, and without any knowledge or suspicion that the same had been embezzled or stolen, on failure whereof, by a reasonable time to be set as aforesaid, the said last-mentioned stores or things shall thereupon become forfeited, and the said person or persons so apprehended shall be deemed and adjudged guilty of a misdemeanour; and in case the said person or persons shall be convicted of stealing, embezzling, or unlawfully having in his, her, or their possession any of the said stores or things which shall be so marked as aforesaid, or shall be adjudged guilty of a misdemeanour for not giving a satisfactory account as aforesaid, with respect to such of the said stores or things as shall not be so marked as aforesaid, such barge, boat or other craft in which such stores or things, or any of them shall be found, with its tackle, apparel, and furniture, shall, upon such conviction or adjudication, become and be adjudged by such commissioner or justice forfeited, and shall be disposed of in manner hereinafter mentioned.

XIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons deputed or appointed as aforesaid, or any police officer, constable, headborough, or other peace officer, or any beadle or watchman, (during such time as he shall be on duty), of every parish and place where he shall be an officer, to apprehend and detain, or cause to be apprehended and detained, all and every person and persons who may reasonably be suspected of having or carrying,

or anyways conveying any naval, ordnance, or victualling stores, ropes, tackle, apparel, furniture, arms, ammunition, materials, and things stolen or unlawfully procured from or out of any of his Majesty's ships or vessels, yards, storehouses, or other places, and also to seize and detain in some place of safety, such stores, materials, or things as last aforesaid, and as soon as conveniently may be to convey, or cause the person or persons so apprehended to be conveyed before any commissioner of the navy, ordnance, or victualling, or before any one or more justice or justices of the peace for any county, division, city, town corporate, liberty, or place in or near to the place of seizure, together with the said stores and other things; and such and the like proceedings shall and may be had and taken against the said person or persons, in respect of such last mentioned stores or things, whether marked or not marked, and such forfeiture be incurred, and adjudication made, as are above directed with respect to stores found in any barge, boat, or other craft as aforesaid.

his Majesty's vessels, &c. and may seize the articles, and convey them and the parties before a justice, and the like proceedings shall be had as with respect to stores found in any craft.

XIV. And be it further enacted by the authority aforesaid, That all and every the stores, ropes, tackle, apparel, furniture, arms, ammunition, materials, and things, which are hereinbefore declared to be forfeited on the party or parties not giving to the commissioner or justice a satisfactory account that the same were not embezzled or stolen as aforesaid, shall be forthwith returned into his Majesty's store, and shall be applied for the use and benefit of his Majesty, his heirs and successors, unless proof shall be made within three calendar months next following such seizure, to the satisfaction of such commissioner or justice of the peace, that the same stores and other things are the property of any other person or persons; in which case the said commissioner or justice shall cause the same to be forthwith delivered up to such person or persons, on his or their giving a proper receipt or discharge for the same, and paying the reasonable costs and charges, (to be set by such commissioner or justice), attending the conveyance thereof to and from his Majesty's store, and the warehousing or safe custody thereof from the time of the seizure.

Articles hereinafore declared to be forfeited, on the parties not giving a satisfactory account of them, shall be returned into his Majesty's stores, and applied for his use, unless proof be made within three months to the contrary.

XV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for such commissioner or justice of the peace respectively by whom any barge, boat, or other craft shall be adjudged to be forfeited in pursuance of this act, and he is hereby authorized and required, forthwith after such adjudication, to issue his warrant to the collector or other chief officer of the customs at the port at or nearest to the place where such seizure shall be made, for the sale of such barge, boat, or other craft; which said collector or other chief officer, by virtue thereof shall, and is hereby authorized and required, within one month then next following, to cause such barge, boat, or other craft, together with its tackle, apparel, and furniture, to be publicly sold to the highest bidder, notice of which sale shall be given in some or one of the publick papers in circulation in the city, town corporate, or place where such sale shall be made; and the money arising from such sale, after payment of the reasonable

The commissioner or justice by whom any craft shall be adjudged to be forfeited, shall issue his warrant to the officer of the customs for the sale thereof, who shall cause it and the furniture to be publicly sold, and the produce shall be paid to the

commissioner or justice, and disposed of as herein directed.

sonable expences and charges attending the same, and of securing such barge, boat, or other craft from the time of the seizure thereof (to be ascertained by such commissioner or justice of the peace) shall thereupon be forthwith paid by such collector or other officer of the customs into the hands of such commissioner or justice of the peace respectively, and be by such commissioner or justice within one calendar month then next following paid and disposed of in the manner following; (that is to say), One moiety thereof to the person or persons (or his or their representatives, if dead) who shall have made seizure of such barge, boat, or other craft, and the other moiety thereof to the treasurer of his Majesty's navy for the time being (in case the stores seized shall be naval or victualling stores) to be by him applied in such and the same manner as the monies arising from the sale of old stores in his Majesty's dock yards now are, or for the time being shall be applicable; and in case the stores seized shall be ordnance stores, then the said other moiety shall be paid to the treasurer of his Majesty's ordnance for the time being, to be by him applied in such manner, for the use of his Majesty, as the master general and principal officers of his Majesty's ordnance for the time being shall order and direct.

Persons guilty of misdemeanors shall forfeit certain sums which may be levied by distress, to be applied as herein directed, and if distress cannot be found, the offender shall be committed for three months.

XVI. And be it further enacted by the authority aforesaid, That every person deemed and adjudged guilty of any of the misdemeanors aforesaid, before any commissioner or justice of the peace as aforesaid, shall for every such misdemeanor forfeit for the first offence the sum of forty shillings; for the second offence the sum of five pounds, and for the third and every subsequent offence the sum of ten pounds, over and above the other forfeitures above mentioned; all which said respective forfeitures shall and may be levied by distress and sale of the goods and chattels of every such offender, (rendering to him or them the overplus, after the charges of the said distress and sale deducted), by warrant under the hand and seal of such commissioner or justice of the peace, before whom such offender was convicted, directed to any constable or other peace officer of the county, division, city, town corporate, liberty or place, and shall be disposed of in manner following; (that is to say), One moiety to the person or persons apprehending such offender or offenders, or giving information, as the case shall be, and the other moiety thereof to the treasurer of the navy or ordnance for the time being, as the case may require, to be applied as aforesaid mentioned; and in case the constable or other peace officer to whom such warrant shall be directed, shall return to such commissioner or justice of the peace that the offenders or offender named therein have not or hath not any goods or chattels in his county or constablewick, whereby he can levy the said penalty, (which return the said constable or other peace officer is hereby required in that case to make within a reasonable time, to be set by the said commissioner or justice of the peace, and during which time the said offenders or offender shall be kept in safe custody by the order of such commissioner or justice of the peace), then and in such

such case the said commissioner or justice shall, and he is hereby required by warrant under his hand and seal directed, as aforesaid, to cause such offenders or offender to be committed to the common gaol of the county, division, city, town corporate, liberty or place, in which such seizure shall have been made, there to remain without bail or mainprize for the space of three calendar months, unless such penalty shall be sooner paid.

XVII. And be it further enacted, That every adjudication in any of the said misdemeanors shall be certified by the commissioner or justice of the peace making the same, to the next general or quarter sessions of the peace for the county, division, city, town corporate or place in which such seizure shall be made, to be filed and entered amongst the records of the said session; and such conviction shall not be set aside or quashed for want of form, nor be liable to be removed by certiorari, advocacy, or suspension into any other court, but shall be deemed and taken to be final to all intents and purposes whatsoever.

Adjudications in misdemeanors to be certified to the next general or quarter sessions, and shall be final.

XVIII. And whereas it might tend to prevent the commission of offences if power were given to the commissioners of his Majesty's navy, ordnance, and victualling, and his Majesty's justices of the peace out of sessions, to hear and determine offences in a summary way in cases where the stores found are of small value, and to fine or otherwise punish the offenders accordingly; be it therefore enacted by the authority aforesaid, That, from and after the passing of this act, it shall and may be lawful to and for any principal officer or commissioner of the navy, ordnance, or victualling, for the time being, or any justice of the peace for any county, division, city, town corporate, liberty, or place, within this kingdom, to hear and determine any complaint against any person or persons (not being a contractor or contractors, or employed as aforesaid) for unlawfully selling or delivering, or causing or procuring to be sold or delivered, or for receiving or having in his, her, or their custody, possession, or keeping, or for concealing any stores of war, or naval, ordnance, or victualling stores or goods marked with such marks respectively as are herein-before mentioned, of any value in the whole not exceeding twenty shillings, which said commissioner or justice respectively is hereby authorised and required upon any information exhibited or complaint made in that behalf, at any time within three calendar months next after any such offence shall have been committed, to cause the party or parties accused to be apprehended and brought before him; or if he, she, or they shall have absconded, or cannot be found, then to be summoned to appear before such commissioner or justice, by a notice or summons left at his, her, or their last or usual place of abode; and also cause the witnesses on either side to be summoned, and such commissioner or justice shall examine into the matter of fact, and upon due proof made thereof, either by the voluntary confession of the party or parties, or by the oath of one or more credible witness or witnesses, (which oath the said commissioner or justice respectively is hereby authorised to administer), give judgement or sentence accordingly; and in case the party or

Any commissioner of the navy, &c. or justice of the peace, may determine any complaint for unlawfully selling or receiving stores not exceeding 20 shillings value, and may fine the offender 10s.

Application of
fine, which
may be levied
by distress.

If sufficient
distress can-
not be found,
the offender
may be com-
mitted to the
common gaol,
or in lieu of
the fine may
be kept to
hard labour in
the house of
correction.

Fines may be
mitigated.

parties accused shall be convicted of such offence, then it shall and may be lawful to and for such commissioner or justice of the peace respectively to inflict a fine of ten pounds upon him, her, or them, for such his, her, or their offence; which said fine so inflicted shall be divided and distributed, one moiety thereof to the informer or discoverer of the offence, and the other moiety thereof (the necessary charges for the recovery thereof being first deducted) to the treasurer of his Majesty's navy or ordnance, as the case may be, to be by him applied in such manner as hereinbefore mentioned with respect to the produce of barges, boats, or other craft seized and sold under the authority of this act, and to award and issue out his warrant under his hand and seal for levying such fine so adjudged on the goods of the offender or offenders, and to cause sale to be made thereof for payment of such fine and the reasonable charges of distress, (to be judged of by such commissioner or justice respectively), in case they shall not be redeemed within six days, rendering to the party the overplus, if any; and where sufficient goods of the party cannot be found to answer the said fine, to commit the said offender or offenders to the common gaol of the county, division, city, town corporate, liberty, or place, for the space of three calendar months, unless such fine shall be sooner paid, or in lieu of such fine, to cause such offender or offenders to be imprisoned and kept to hard labour in the house of correction for the space of three calendar months, as to such commissioner or justice of the peace respectively shall be thought fit; and every such commissioner or justice shall cause the amount of every such last mentioned moiety of fine which he shall so receive, and also the moiety of every sum arising from the sale of any barge, boat, or other craft sold under the authority of this act and paid into his hands as aforesaid, to be paid into the hands of the said treasurer of the navy or ordnance within thirty days after the expiration of the year in which such fines shall be received by him, or in default thereof such commissioner or justice respectively shall forfeit the sum of fifty pounds, to be recovered with double costs of suit, by 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 at *Westminster*, or court of exchequer in *Scotland*, wherein no essoign, protection, or wager of law, nor more than one imparlance shall be allowed; one moiety of which last mentioned fine shall go to his Majesty, his heirs and successors, and the other moiety thereof, to him or them who shall sue for the same as aforesaid.

XIX. Provided always nevertheless, That it shall and may be lawful to and for the said commissioner or justice before whom any person shall be convicted in a summary way as aforesaid (if he shall see cause), to mitigate and lessen any such before-mentioned fine of ten pounds, to be inflicted in that behalf as he shall think fit, (the reasonable costs of the officers and informers, as well in making the discovery as in prosecuting the same, being always allowed over and above such mitigation), and so as such mitiga-

tion do not reduce the fine to less than one moiety of the said sum of ten pounds, over and above the said costs and charges; any thing contained in this act to the contrary thereof in anywise notwithstanding.

XX. Provided also, and be it enacted, That in case such commissioner or justice of the peace shall, upon the hearing and determining of such complaint as aforesaid, adjudge the offender or offenders, in lieu of a fine, to be imprisoned and kept to hard labour as aforesaid, that then the informer, or person or persons who shall have discovered such offender or offenders, shall have and receive, as a reward for such his, her, or their discovery, the sum of five pounds for every such offence so discovered; and the principal officers and commissioners of his Majesty's navy, ordnance, or victualling, as the case may require, shall cause the said reward of five pounds to be paid by the treasurer of the navy or ordnance respectively for the time being, out of any publick money, in his hands, upon such informer or other person producing to them a certificate under the hand and seal of the commissioner or justice of the peace who shall have convicted such offender or offenders as aforesaid, certifying such conviction, and the punishment which he hath inflicted upon the offender or offenders; and the name or names of the person or persons who in his judgement is entitled, and in what proportion or proportions to such reward; which certificate the said commissioner or justice of the peace respectively is hereby required to give without fee or reward; and the money paid by any such treasurer on account of such last mentioned rewards shall be allowed in his accounts, and he shall be discharged thereof accordingly; any law, custom, or usage to the contrary thereof in anywise notwithstanding: provided also, That no such summary proceeding as before mentioned shall be had before any justice of the peace under the authority of this act, without the consent in writing of the principal officers or commissioners of his Majesty's navy, ordnance, or victualling for the time being, or one of them, for that purpose first had and obtained; and that every adjudication or sentence to be had or given without such consent as aforesaid, shall be null and void to all intents and purposes whatsoever.

If in lieu of a fine the offender be imprisoned, the informer shall receive s^l. reward upon production of a certificate from the commissioners or justice who convicted him.

XXI. And be it further enacted by the authority aforesaid,

That if any person or persons shall find himself, herself, or them, Persons thinking themselves aggrieved by the judgement of any such commissioner or justice, touching or concerning any such stores as last aforesaid, aggrieved by any judgement touching stores under the value of twenty shillings; then he, she, or they, shall or may, upon entering into a recognizance to his Majesty, with one or more surety or sureties, to the satisfaction of such commissioner or justice, to the amount of treble the value of such fine, appeal to the justices of the peace at their next general quarter sessions of the peace for the county, division, city, town, corporate, liberty, or place wherein the offence was committed, who are hereby empowered to summon and examine witnesses upon oath, and finally to hear and determine the same; and in case the judgement shall be affirmed, it shall may be lawful for

No summary proceeding to be had before any justice without the consent of the commissioners of the navy, &c.

Persons thinking themselves aggrieved by any judgement touching stores under the value of 20s. may appeal to the quarter sessions.

such justices of the peace to award the person or persons so appealing to pay such costs occasioned by such appeal as to them the said justices shall seem meet, and to enforce payment thereof, according to the course and practice of such court.

Convictions shall be made out in the following form, or to the like effect.

XXII. *And in order to avoid frivolous and vexatious appeals, be it further enacted, That the commissioner or justice of the peace before whom any offender shall be convicted as aforesaid, shall cause the said conviction to be made out in the manner and form following, or in any other form of words to the like effect mutatis mutandis; which conviction shall be good and effectual to all intents and purposes, without stating the case, or the facts or evidence, in any more particular manner; (that is to say),*

Form of conviction,

BE it remembered, That on the _____ day of _____ in the year of our Lord _____ *A. B.* of _____ in the _____ of _____ was convicted before me *C. D.* one of the commissioners of his Majesty's [or, one of his Majesty's justices of the peace for the _____ of _____ as the case may be] for that the said *A. B.* on the _____ day of _____ now last past, at the _____ of _____ in the said _____ of _____ did [here state the offence against the act] contrary to the statute in such case made and provided.

Given under my hand and seal the _____ day of _____ in the year of our Lord _____

Convictions to be returned to the next general quarter sessions to be filed, and shall not be removed into any other court.

Which conviction the said commissioner or justice shall cause to be written fairly upon parchment or paper, and returned to the next general quarter sessions of the peace for the county, division, city, town corporate, liberty, or place where such conviction was made, to be filed by the clerk of the peace, and there to remain and be kept among the records of the same county, division, city, town corporate, liberty, or place, and the same shall not be removed by certiorari, advocacy, or suspension, into any court whatsoever.

Witnesses neglecting to attend to forfeit 10*l.*

XXIII. And be it further enacted, That if any person or persons shall be summoned as a witness or witnesses, to give evidence before such commissioner, or justice or justices of the peace, touching any of the matters relative to this act, either on the part of the prosecutor or of the party or parties accused, and shall neglect or refuse to appear at the time and place to be for that purpose appointed, without a reasonable excuse for such his, her, or their neglect or refusal, to be allowed by such commissioner or justice or justices of the peace before whom the seizure, complaint, or prosecution shall be depending, that then every such person shall forfeit for every such offence the sum of ten pounds, to be recovered, levied, and paid and applied, in such manner and by such means as is above directed with respect to fines on summary convictions.

XXIV. Provided always, and it is hereby enacted and declared,

clared, That nothing herein-before contained which gives to any commissioner or justice of the peace power or authority to hear and determine offences in a summary way, shall extend or be deemed, construed, or taken to extend, to prevent the party or parties accused of selling or delivering, or of having in his, her, or their custody, possession, or keeping, or of receiving or concealing any of the stores marked as above mentioned, under the value of twenty shillings, from being prosecuted as receivers of stolen goods under this act, or for unlawfully having the same in his, her, or their custody, or concealing the same under the said recited acts of the ninth and tenth years of the reign of King William the Third, the ninth year of the reign of King George the First, or the seventeenth year of the reign of King George the Second, in any court of record, oyer and terminer, or otherwise, as they might have been if no such power or authority had been given; or to take away from any person or court whatsoever any power, right, jurisdiction, pre-eminence, or authority, which he or they, or any of them, ought lawfully to have had and enjoyed for the hearing and determining of such offences, in case no such power or authority to hear and determine the same in a summary way had been given, so as that the same person shall not be punished twice for the same offence.

Nothing herein shall prevent parties accused of selling or receiving stores under the value of 20 shillings from being prosecuted as receivers of stolen goods.

XXV. And be it further enacted, That the said commissioners of the navy, ordnance, or victualling, for the time being, may sell and dispose of any of the stores aforesaid so marked as aforesaid, as they did or might have done before the making of this act; and that such person or persons as heretofore have or shall hereafter buy any such stores or other stores so marked as aforesaid, of the said respective commissioners, may keep and enjoy the same, without incurring the penalty of this act, or any law to the contrary whatsoever, upon producing a certificate or certificates, under the hand and seal of three or more of the said commissioners, that they bought such goods or stores from them at any time before they sold or delivered the same, or before the same were found in their custody, or a certificate from such person or persons as shall appear to have bought the said stores from them the said commissioners, that the stores so sold or delivered by them, or so found in their custody, were the stores or part of the stores so bought of the said commissioners as aforesaid; in which certificate or certificates, the quantities of such stores shall be expressed, and the time when and where bought of the said commissioners, who, or any three or more of them for the time being, and also the person or persons afterwards selling the same, are hereby empowered and directed from time to time to give such certificate to such person or persons as shall desire the same, and have bought and shall hereafter buy any of the aforesaid stores within thirty days after the sale and delivery thereof.

The commissioners of the navy, &c. may sell marked stores, and the buyers may keep them, without incurring any penalty, on producing a certificate of their having bought them.

XXVI. And be it further enacted by the authority aforesaid, That if any person or persons shall make, sign, or give any false certificate, bill of parcels, or other instrument, purporting the identity or the sale or disposal of any goods or stores as goods or stores so purchased

Penalty for giving or publishing false certificates.

purchased of the said commissioners as aforesaid, or if any person or persons shall utter or publish any such false certificate, bill of parcels, or other instrument purporting as aforesaid, knowing the same to be false, every such offender, upon conviction thereof in due form of law, shall forfeit the sum of two hundred pounds, and be further corporally punished, as by this act is directed with respect to persons having in their possession or concealing his Majesty's warlike, naval, or ordnance stores, contrary to the said act of the ninth and tenth years of King *William the Third*; one moiety of which penalty shall be to his Majesty, his heirs and successors, and the other moiety thereof, with full costs of suit, to the informer, to be recovered in such manner as the penalty of two hundred pounds, inflicted by the said last mentioned act, is by that act or any law now in force, made recoverable.

Application of penalty.

If any person shall be sued for any seizure, and shall prove on the trial that the stores were marked, or if not marked might be suspected to belong to his Majesty, or if the plaintiff shall not prove that he had a certificate, &c. the defendant shall be acquitted.

XXVII. And be it further enacted, That in case any person or persons shall be sued or prosecuted for or by reason of their seizing any such stores or goods as aforesaid, or any barge, boat, or other craft in which the same shall have been deposited, and upon the trial of the issue shall make proof, that such goods or stores so seized by him or them, or any part thereof, were so marked as aforesaid, or if not so marked, might reasonably be suspected to belong to his Majesty, or in case the plaintiff or plaintiffs, in such action or suit, shall not at such trial make good proof that he or they was or were so employed, or had such certificate as aforesaid, and that he or they did shew such certificate to the defendant or defendants before the action or suit was commenced or brought, and that such defendant or defendants did not thereupon deliver or offer to deliver back unto the plaintiff or plaintiffs, at their request, all such goods and stores as aforesaid, and the barge, boat, or other craft (if any) in which the same had been deposited, in as good plight and condition as they were at the time of the seizure thereof, such defendant or defendants shall be acquitted and found not guilty thereupon.

The commissioners shall have the benefit given to justices of the peace by 7 Jac. I. c. 5.

21 Jac. I. c. 12. and

24 Geo. 2. c. 44.

XXVIII. And be it further enacted by the authority aforesaid, That every commissioner of the navy, ordnance, or victualling, acting in the execution of this act, shall have and be entitled to the benefit and protection given to the justices of the peace in and by an act of parliament made in the seventh year of the reign of the late King *James the First*, intituled, *An act for ease in pleading troublesome and contentious suits prosecuted against justices of the peace, mayors, constables, and certain other his Majesty's officers, for the lawful execution of their office*; and also in and by one other act of parliament, made in the twenty-first year of the reign of the said late King *James*, intituled, *An act to enlarge and make perpetual the act, made for ease in pleading against troublesome and contentious suits prosecuted against justices of the peace, mayors, constables, and certain other his Majesty's officers, for the lawful execution of their office, made in the seventh year of his Majesty's most happy reign*; and also in and by one other act of parliament, made in the twenty-fourth year of the reign of his late Majesty King *George the Second*, intituled, *An act for the rendering justices* of

of the peace more safe in the execution of their office, and for indemnifying constables and others acting in obedience to their warrants, in as full and ample manner and form as if such commissioner had been a justice of the peace within the true intent and meaning of the said acts of parliament, or any of them; and that all and every constable, headborough, or other peace officer, or person acting under the warrant or authority of such commissioner in pursuance of this act, shall, besides the protection given to persons making seizures as above-mentioned, have and be entitled to the full benefit and protection of the said several last-mentioned acts of parliament, in the same manner to all intents and purposes, as if he or they had acted under the warrant or authority of a justice of the peace within the meaning of the same acts.

and the peace officers acting under them shall have the protection of the said acts.

XXIX. And be it enacted by the authority aforesaid, That this present act shall extend to that part of the kingdom of *Great Britain* called *Scotland*; and it is hereby declared and enacted by the authority aforesaid, that all persons who shall commit within that part of *Great Britain* called *Scotland* any of the offences against this act herein-before expressed, and shall be lawfully convicted thereof, shall be liable to the same pains, penalties, forfeitures, and disabilities which by this present act are declared to be applicable to similar offences committed within that part of *Great Britain* called *England*.

Act to extend to Scotland.

XXX. And it is hereby further enacted by the authority aforesaid, That all persons accused of having committed any of the offences against this act, herein-before described, within that part of *Great Britain* called *Scotland*, shall be tried according to the forms used and observed by the law of *Scotland* in trials for theft or reset of theft.

Offenders in Scotland to be tried according to the forms in trials for theft or reset of theft.

XXXI. Provided always, and be it enacted by the authority aforesaid, That all persons accused of offences and misdemeanors against this act within that part of *Great Britain* called *Scotland*, and for which, when committed in *England*, a summary mode of trial and conviction is herein-before established, may be tried in the same summary manner within that part of *Great Britain* called *Scotland*, before the judge ordinary of the bounds, or before two or more justices of the peace in or out of sessions, and being lawfully convicted thereof, by their own confession, or by the oath of one or more credible witnesses, shall be punished in the manner herein-before directed in cases of such summary trial and conviction in *England*.

Persons accused of offences in Scotland, for which in England a summary mode of trial is established, may be so tried there.

XXXII. And be it further enacted by the authority aforesaid, That all such summary prosecutions within that part of *Great Britain* called *Scotland*, shall proceed, either at the instance of the procurator fiscal of the court before which the party is to be tried, or at the instance of his Majesty's naval storekeeper at *Leith* for the time being, with concurrence of such procurator fiscal.

At whose instance summary prosecutions in Scotland shall proceed.

XXXIII. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures to be imposed on any person by virtue of this act, within that part of *Great Britain*

Penalties in Scotland to be applied as in England.

called *Scotland*, shall be applied in the manner herein-before directed with regard to similar fines, penalties, and forfeitures to be imposed by virtue of this act in that part of *Great Britain* called *England*.

In cases where in England suits may be instituted in any court of record at Westminster, in similar cases in Scotland they may be instituted in the court of exchequer there.

XXXIV. And be it enacted by the authority aforesaid, That in all cases in which by this present act or otherwise it is necessary or lawful to institute any suit, plaint, bill, or action, before any of his Majesty's courts of record at *Westminster*, for any thing done contrary to or in pursuance of this act within that part of *Great Britain* called *England*, it shall be lawful in all similar cases occurring within that part of *Great Britain* called *Scotland*, for the party to bring his action before the court of exchequer there, according to the forms and usages observed in that court: provided always, That such action or suit be brought within the time above specified for bringing such actions in *England*.

In questions in Scotland upon matters not herein provided for, the laws there to be observed.

XXXV. And be it further enacted by the authority aforesaid, That in all questions whatsoever occurring within that part of *Great Britain* called *Scotland* upon all matters and things done contrary to or in pursuance of this act, and which are not herein-before expressly provided for, regard shall be had to the laws and usages observed in *Scotland* in like cases; any thing herein expressed to the contrary notwithstanding.

If any person shall forswear himself he shall be liable to the penalties of wilful perjury.

XXXVI. And be it further enacted, That if any person upon examination on oath or affirmation before any commissioner of the navy, ordnance, or victualling respectively, or before any justice of the peace in *Great Britain*, in any matter relating to the execution of this act, shall wilfully and corruptly give false evidence; or shall, in any information or deposition sworn, or affirmation taken in writing before any such commissioner or justice, wilfully and corruptly swear or affirm any matter or thing which shall be false or untrue, every such person so offending, and being thereof lawfully convicted, shall be and is hereby declared to be subject and liable to the like pains and penalties as any persons convicted of wilful and corrupt perjury are by any law now in force subject and liable to.

C A P. XC.

An act for settling disputes that may arise between masters and workmen engaged in the cotton manufacture in that part of Great Britain called England.—[July 28, 1800.]

Preamble.

WHEREAS considerable abuses have for several years last past subsisted in the trade or manufacture of cotton weaving, in that part of *Great Britain* called *England*, to the great oppression of the persons employed in the manufacture thereof and concern therein, and manifest hindrance and injury of the trade: and whereas it will be a great convenience and advantage to all parties concerned in such trade, and an encouragement to the manufacture, that a cheap and summary mode be established for settling all disputes that may arise in respect thereof, between the masters and workmen engaged in the said trade: may it please your Majesty that it may be enacted; and be

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* From Aug. 1, 1800, in cases of difference between masters and workmen in the cotton manufacture in England, which cannot be mutually adjusted, the matter in dispute may be referred to arbitration.

in the year of our Lord one thousand eight hundred, in all cases that shall or may arise within that part of *Great Britain* called *England*, where the masters and workmen cannot agree respecting the price or prices to be paid for work done, or to be done, in the said manufacture, whether such dispute shall happen or arise between them respecting the reduction or advance of wages or any injury or damage done, or alledged to have been done by the workmen to the work, or respecting any delay, or supposed delay, on the part of the workmen in finishing the work or the not finishing such work in a good and workmanlike manner; and also in all cases where the workmen are to be employed to work any new pattern which shall require them to purchase any new implements of manufacture for the working thereof, and the masters and workmen cannot agree upon the compensation to be made to such workmen for or in respect thereof, and also respecting the length of all pieces of cotton goods, or the wages or compensation to be paid for all pieces of cotton goods that are made of any great or extraordinary length, and respecting the manufacture of cravats, shawls, polycat, romall, and other handkerchiefs, and the number to be contained in one piece of such handkerchiefs, and the wages to be paid in respect thereof, and in all cases of dispute or difference arising or happening by and between the masters and workmen employed in such manufacture, out of, for, or touching such trade or manufacture, which cannot be otherwise mutually adjusted and settled by and between them; it shall and may be lawful, and it is hereby declared to be lawful, for such masters and workmen, between whom such dispute or difference shall arise as aforesaid, or either of them, to demand and have an arbitration or reference of such matter or matters in dispute, and each of them is hereby authorized and empowered forthwith to nominate and appoint an arbitrator for and on his respective part and behalf, to arbitrate and determine such matter or matters in dispute as aforesaid, and such arbitrators so appointed as aforesaid, after they shall have accepted and taken upon them the business of the said arbitration, are hereby authorized and required to summon before them, and examine upon oath the parties and their witnesses, (which oath the said arbitrators are hereby authorized and required to administer according to the form set forth in the schedule to this act), and forthwith to proceed to hear and determine the complaints of the parties and the matter or matters in dispute between them, and the award to be made by such arbitrators shall in all cases be final and conclusive between the parties; but in case such arbitrators so appointed cannot agree to decide such matter or matters in dispute so to be referred to them as aforesaid, and do not make and sign their award within the space of three days after the signing of the said submission, that then they shall forthwith, If they do not agree and sign the award within three days after submission, they shall state

The points in difference to a justice, who shall finally decide therein.

Parties or witnesses refusing to attend arbitrators, and after being brought before a justice, refusing to give evidence, may be committed to the house of correction.

Time of making award may be extended by the parties.

Submission and award may be drawn on unstamped paper agreeably to schedule annexed;

forthwith, and without delay, go before and attend upon one of his Majesty's justices of the peace acting in and for the county, riding, city, liberty, division, township, or place, and residing nearest to the place where such dispute shall happen and be referred, and state to such justice the points in difference between them the said arbitrators, which points in difference the said justice shall and he is hereby authorized and required to hear and determine, which determination of such justice shall be made and signed within the space of three days after the expiration of the time hereby allowed the arbitrators to make and sign their award, and shall be final and conclusive between the parties so differing as aforesaid; and if either of the said parties, or their respective witnesses, having been duly summoned, shall neglect or refuse to attend such arbitrators at the time and place by them for that purpose appointed, it shall and may be lawful for any one or more of his Majesty's justices of the peace acting in and for the county, riding, city, liberty, division, township, or place, where such dispute shall happen, and he or they is or are hereby required, upon proof on oath being made before him or them of the service of such summons, either personally or by leaving the same at the last or usual place of abode of such person summoned, and also upon the like proof of the neglect or refusal of such person to attend the said arbitrators in pursuance of such summons, (unless a reasonable excuse be made for such non-attendance to the satisfaction of such justice or justices), to issue his or their warrant under his or their hand or hands for the apprehending and bringing such person before him or them, and if any such person so being brought before such justice or justices shall still refuse to be examined, or to give his or their testimony before such arbitrators touching the premises, such person so refusing shall be by the said justice or justices committed to the house of correction within his or their jurisdiction, there to remain without bail or mainprize until he, she, or they, shall submit to be examined and give evidence before the arbitrators touching the premises aforesaid.

II. Provided always, and be it further enacted, That if the parties who shall have signed any submission to arbitration shall think it expedient, or be minded and desirous to extend the time hereby limited for the making of the award or umpirage, it shall and may be lawful for them to extend the same accordingly by indorsement on the back of such submission, to be signed by both of them in the presence of one or more credible witness or witnesses; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

III. Provided also, and be it further enacted, That the submission to such arbitration, and the award or umpirage to be made thereon, shall and may be drawn up, and written at the foot of such submission, upon unstamped paper, in the respective forms set forth in the schedule to this act; any law, usage, or custom, to the contrary thereof in anywise notwithstanding.

IV. Provided

IV. Provided also, and be it further enacted, That there shall, ^{and each party to have a copy.} in all cases, be written or engrossed two parts of the submission to arbitration, one for each of the parties subscribing the same.

V. And be it further enacted by the authority aforesaid, That ^{If any party refuse to sign the submission or to appoint an arbitrator, or to submit to the award, he shall forfeit to the other party 10l., &c.} in every case of dispute or difference between any such master and workman in such trade or manufacture as aforesaid, if an arbitration shall be demanded, and the submission thereto signed, and an arbitrator therein named by either of the said parties, and the other of them shall refuse or neglect to sign the said submission, and appoint his arbitrator; or if, after the making of the said award or umpirage, either party shall refuse to submit thereto for the time or term of two days next after the signing of such submission in manner aforesaid, or refusing to submit to such award or umpirage respectively as aforesaid, the party so neglecting, or refusing to sign the said submission, or to appoint his arbitrator, or refusing to submit to such award or umpirage as aforesaid, shall forfeit and pay to the party who shall have demanded such arbitration, signed his submission thereto, and named his arbitrator therein as aforesaid, or in whose favour such award or umpirage shall be made and signed as aforesaid, the sum of ten pounds, to be recovered in a summary way before one or more justice or justices of the peace for the county, riding, city, liberty, division, township, or place, where such offence shall be committed; and the conviction for the same may be had and made upon the oath or oaths of one or more credible witness or witnesses; and in case any such forfeiture or penalty shall not be forthwith paid pursuant to such conviction, such justice or justices shall, by warrant under his or their hand or hands, 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; and in case no sufficient distress can be had, such justice or justices shall, by warrant under his or their hand or hands, commit the offender to the common gaol, or some house of correction, within his or their jurisdiction, there to remain without bail or mainprize for any time not exceeding three calendar months, nor less than two calendar months.

VI. And be it further enacted by the authority aforesaid, That the justice or justices, before whom any person or persons shall be convicted of any offence against this act, shall cause all such convictions to be drawn up according to the form, or to the effect set forth in the schedule to this act; and the said justice or justices shall cause the same to be fairly written on parchment, and transmitted to the next general sessions, or general quarter sessions of the peace, to be holden for the county, riding, division, city, liberty, township, or place, wherein such conviction was had, to be filed and kept amongst the records of the said general or general quarter sessions. ^{Convictions to be drawn up agreeably to the form set forth in the schedule.}

VII. Provided always, and be it further enacted, That it shall and may be lawful for any person convicted before any one or more justice or justices of the peace, of any offence against this act, ^{Appeal may be made to quarter sessions.}

act, to appeal to the justices of the peace assembled at the next general sessions or general quarter sessions of the peace, to be holden for the county, riding, division, city, liberty, township, or place, wherein such conviction shall be made, such person so appealing giving immediate notice of such appeal, and finding two sufficient sureties in the sum of five pounds each, and entering into his or her own recognizance before such justice or justices so convicting as aforesaid, in the sum of ten pounds, to appear and prosecute every such appeal with effect; and the justices of the peace at such general or general quarter sessions of the peace, are hereby authorised and required on every such appeal being made, and on reasonable notice thereof given to the other party, finally to hear and determine the matter of every such appeal, and to make such order, and to award such costs therein, as they in their discretion shall see meet; and which said order and determination shall be final and conclusive to all parties; and no *Certiorari* shall be allowed to remove any such proceedings or determination.

Limitation of actions.

VIII. Provided also, and be it further enacted by the authority aforesaid, That no action shall be brought against any arbitrator, justice of the peace, constable, headborough, or other officer, or against any other person or persons whomsoever, for any matter or thing whatsoever done or committed under or by virtue or in the execution of this act, unless such action shall be brought within six calendar months next after the doing or committing of such matter or thing.

General issue may be pleaded.

IX. Provided also, That if any action or suit shall hereafter be commenced or prosecuted against any person or persons, for any thing done under, by virtue, or in the execution of this act, such person or persons may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff shall become nonsuited, or suffer discontinuance, or forbear further prosecution, or if judgement shall be given for the defendant or defendants, such defendant or defendants shall recover his, her, or their full costs, for which he, she, or they shall have like remedy as in cases where costs by law are given to defendants.

Justices who are cotton manufacturers not to act.

X. Provided also, and be it further enacted by the authority aforesaid, That no justice of the peace, being also a master cotton weaver or manufacturer, shall act as such justice under this act; any thing herein contained, or any former statute, law, usage, or custom, to the contrary thereof in anywise notwithstanding.

Nothing herein to repeal any provisions of the acts of 1 Anne, 13 and 23 Geo. 2. and 17 Geo. 3. or of any other act, so far as they pro-

XI. Provided also, and be it further enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to repeal, abridge, annul, or make void any of the clauses, provisions, remedies, or powers contained in the several acts made and passed in the first year of the reign of her late majesty Queen *Anne*, and in the thirteenth and twenty-third years of the reign of his late majesty King *George* the Second, and in the seventeenth year of the reign of his present Majesty, or in any or either of them, or in any other act or acts relating

relating to the said trade heretofore made and passed, so far as the same enact, provide, or inflict any pains, penalties, and punishments upon or against such workmen, and so far as the same enact, provide, or afford any remedy or remedies to the masters against the workmen engaged in the said trade or manufacture (save and except where such remedy and remedies relate to wages); any thing in this act contained to the contrary thereof in anywise notwithstanding.

vide penalties on workmen, or afford remedies to masters (except where they relate to wages).

XII. And be it further enacted, That this act shall be taken Publick act. 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.

SCHEDULE to which this Act refers.

FORM of the OATH to be administered by the arbitrators to the parties and witnesses under this act.

THE evidence that you shall give before us the arbitrators appointed by *A. B.* and *C. D.* (*the parties to the submission*), to determine the matters in difference between them, under and by virtue of an act, passed in the fortieth year of the reign of his present Majesty, intituled, *An act*, (*state the title of the act*), shall be the truth, the whole truth, and nothing but the truth.

So help you GOD.

FORM of the SUBMISSION to ARBITRATION, and of the award to be made in pursuance of this act.

I *A. B.* of, &c. (*set forth the name, residence, and description of the party*) do hereby nominate and appoint *C. D.* of, &c. my arbitrator under and by virtue of an act, passed in the fortieth year of the reign of his present Majesty intituled, *An act*, (*set forth the title of the act*), to hear and determine the matters in difference between me and *E. F.* of, &c.

I, *E. F.* of, &c. do appoint *G. H.* of, &c. to be my arbitrator under the said act for the purposes aforesaid.

FORM of the AWARD or UMPIRAGE to be made by the arbitrators or umpire, and to be written at the foot of the submission.

WE, *I. K.* and *L. M.* of, &c. the arbitrators above-appointed, [*or I, N. O.* of, &c. *the justice, as the case may be*], do hereby adjudge and determine that, &c. (*here set forth the determination to which the arbitrators or justice, as the case may be, shall subscribe their names*).

Witness,

P. Q.

FORM

FORM of CONVICTION in a pecuniary penalty.

BE it remembered, That on the _____ day of _____ in the _____ year of his Majesty's reign, and in the year of our Lord *A. B.* is convicted before me, (or us, meaning the justices) one (or, two) of his Majesty's justices of the peace for the county (or, riding, city, liberty, township, division, or place) of _____ for that the said *A. B.* (*state the offence, as for neglecting to sign the submission, or refusing to submit to the award within the time limited, as the case may be*), contrary to the statute made in the fortieth year of his present Majesty, intituled, *An act, (here set forth the title of the act)*; and I (or we) the said justice (or justices) do hereby adjudge and determine the said *A. B.* for the said offence, to forfeit and lose the sum of _____ of lawful money of *Great Britain*, and do order the same to be forthwith paid by him, (her, or them, *as the case may be*) to *C. D.*

FORM of COMMITMENT of a person summoned as a witness.

WHEREAS proof on oath hath been made before me (or us, *naming the justice or justices signing the commitment*) one (or two) of his Majesty's justices of the peace for the county (or riding, city, liberty, township, division, or place) of _____ on this _____ day of _____ That *A. B.* hath been duly summoned, and hath neglected to appear and give evidence before *C. D.* and *E. F.* the arbitrators appointed by and between *G. H.* and *I. K.* to determine the matters in dispute between them at _____ in the county (or, riding, city, liberty, township, division, or place) of _____ on the _____ day of _____ under and by virtue of an act, made in the fortieth year of the reign of his present Majesty, intituled, *An act, (here set forth the title of the act)*; and the said *A. B.* being required by me, the said justice, to give evidence before the said arbitrators, and still refusing so to do, therefore I (or we) the said justice (or justices) do hereby, in pursuance of the said act, commit the said *A. B.* to the (*describing the prison, or house of correction*) there to remain without bail or mainprize for his (or her) offence aforesaid, until he (or she) shall submit himself (or herself) to be examined, and give his (or her) evidence before the said arbitrators, touching the matters referred to them as aforesaid, or shall otherwise be discharged by due course of law. And you the (constable or other peace officer or officers to whom the warrant is directed) are hereby authorized and required to take into your custody the body of the said *A. B.* and him (or her) safely to convey to the said prison (or house of correction) and him (or her) there to deliver to the gaoler (or keeper) thereof, who is hereby authorized and required

required to receive into his custody the body of the said *A. B.* and him or her safely to detain and keep pursuant to this commitment.

Given under my (or our) hand (or hands) this day of _____ in the year of our Lord

This commitment to be directed to the proper peace officer and the gaoler (or keeper) of the prison (or house of correction).

C A P. XCI.

An act to prohibit, until the fifteenth day of October one thousand eight hundred, the exportation of rice.—[July 23, 1800]

C A P. XCII.

An act for establishing certain regulations in the offices of the house of commons.—[July 28, 1800.]

WHEREAS it is expedient that after the interests, which the persons herein-after mentioned enjoy, by virtue of letters patent granted by his Majesty, in the office of clerk of the house of commons, shall have expired, a different distribution should be made of the fees and emoluments now belonging thereto; and that for this purpose further regulations should be established in other offices of the said house: and whereas by letters patent under the great seal of Great Britain, bearing date at Westminster the third day of June, in the eighth year of the reign of his present Majesty, the office of clerk of the house of commons, with an annuity of ten pounds, and all other rewards, dues, rights, profits, commodities, advantages, and emoluments whatsoever to the said office, after what manner soever or howsoever then or thenceforth anciently appertaining, incident, accustomed or belonging, was granted to John Hatfell esquire for and during his natural life: and whereas also by certain other letters patent, bearing date at Westminster the fourth day of July, in the thirty-seventh year of the reign of his present Majesty, the said office was granted to John Ley esquire for and during his natural life, to take effect from and after the decease of the said John Hatfell, in as full, ample, and beneficial a manner as the same had been granted to the said John Hatfell as aforesaid: and whereas by certain other letters patent, under the great seal of Great Britain, bearing date at Westminster the sixteenth day of November, in the sixteenth year of the reign of his present Majesty, the office of serjeant at arms attending the house of commons, with a salary and all other fees, perquisites, and emoluments to the said office belonging, was granted to Edward Coleman esquire: 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 speaker of the house of commons for the time being, and the secretary or secretaries of state, the chancellor of the exchequer, the master of the rolls, and the attorney and solicitor general for the time being, being also members of the house

Preamble.

Recital of letters patent to John Hatfell esquire, and John Ley esquire, clerks of the house of commons, and to Edward Coleman esquire, serjeant at arms.

The speaker, the secretaries of state, the chancellor of the exchequer, the

master of the rolls, and the attorney and solicitor general, being also members of the house of commons, shall be commissioners.

After expiration of recited letters patent, the fees and emoluments of the clerk and serjeant of the house of commons shall be paid to the commissioners, to be by them applied in manner herein directed, in payment of salaries to the clerk and clerk assistant.

house of commons, shall be, and they are hereby nominated, constituted, and appointed commissioners for the purposes of this act; any three of the said commissioners, whereof the speaker of the house of commons for the time being shall be one, shall be, and they are hereby authorized to carry this act into execution.

II. And be it further enacted, That, from and after the expiration of the said letters patent so granted to the said *John Hatfield*, *John Ley*, and *Edward Coleman* as aforesaid, all fees, perquisites, and emoluments which would have been due and payable to any future clerk or clerk assistant of the house of commons, or serjeant at arms attending the house of commons for the time being, in case this act had not been made, shall be paid into the hands of the said commissioners, to be by them applied and distributed in the manner herein-after directed; that is to say, The said commissioners shall, and they are hereby directed to pay to the clerk of the house of commons for the time being, the nett annual sum of three thousand pounds, for and during the first five years which the said clerk of the house of commons shall hold his said office; and from and after the expiration of the said term of five years, to pay to such clerk of the house of commons, the further nett sum of five hundred pounds annually, making together the sum of three thousand five hundred pounds; and to pay to the clerk assistant of the said house for the time being, the nett annual sum of one thousand five hundred pounds, for and during the first five years which the said clerk assistant shall hold his said office; and from and after the expiration of the said term of five years, to pay to such clerk assistant, the further nett annual sum of five hundred pounds, making together the sum of two thousand pounds; and which sums so paid by the said commissioners to the clerk and clerk assistant of the house of commons respectively, shall be taken and accepted by them in full satisfaction and discharge of all fees, perquisites, and emoluments to which he or they might or could have been entitled, or which he or they may have been accustomed to receive, by virtue or in respect of his or their said office or offices, previous to the passing of this act, any form, practice, or usage to the contrary notwithstanding: provided always, That in case a vacancy shall happen in the office of clerk of the house of commons, after the expiration of the said letters patent, and the clerk assistant for the time being shall succeed thereto, and shall then have held the office of clerk assistant more than five years, the excess beyond five years shall be reckoned as part or the whole, as the case may be, of the five years which the clerk of the house of commons is herein required to have held his office, before he shall be entitled to have and receive of the said commissioners the said sum of three thousand five hundred pounds; any thing herein contained to the contrary thereof in anywise notwithstanding.

If the clerk assistant shall

III. Provided always, and be it enacted, That if the clerk assistant who shall be in possession of that office at the expiration

of the said letters patent, shall continue in such office after the expiration of the said letters patent, or shall then or at any time thereafter be appointed clerk of the house of commons, the amount of his salary or allowance agreeably to the provisions herein-before contained, shall be estimated according to the whole number of years, as well before as after the expiration of the said letters patent, during which he shall in any of the said cases have held the said office; any thing herein contained to the contrary in anywise notwithstanding.

IV. And be it further enacted, That the said commissioners shall, and they are also hereby further authorised and directed from and after the expiration of the interest of the said *Edward Coleman* in the said office of serjeant at arms, to pay to the serjeant at arms attending the house of commons for the time being, the nett annual sum of two thousand three hundred pounds, which said sum of two thousand three hundred pounds shall be taken and accepted by the said serjeant at arms for the time being, in full satisfaction and discharge of all fees, perquisites, and emoluments to which he might or could have been entitled, or which he may have been accustomed to receive, by virtue or in respect of his said office, previous to the passing of this act; any form, practice, or usage to the contrary notwithstanding: provided always, That in case the said serjeant at arms for the time being shall have or employ any deputy, he shall make an allowance to such deputy, at the rate of not less than three hundred pounds *per annum*, out of the said sum of two thousand three hundred pounds; but if he shall not have or employ any such deputy, he shall account to the said commissioners for the said sum of three hundred pounds *per annum*, or such part thereof as shall not have been paid to such deputy in any one year.

V. And be it further enacted, That the said commissioners shall, and they are hereby authorised and required to prepare and lay before the house of commons, within the first twenty sitting days after the expiration of the said letters patent, and so within twenty sitting days after the commencement of every subsequent session of parliament, a plan of the manner in which the residue (if any, or so much thereof as to them shall seem sufficient for the purposes herein-after mentioned) of the monies so to be by them received, or which it shall appear to them, from an average of the three preceding years, will probably be received by them, shall be applied and disposed of towards making a more certain and regular provision for the support of such officers in the departments of the speaker of the house of commons, and of the clerk of the said house, and serjeant at arms, as may from casual circumstances appear to require the same, and for affording relief to such persons belonging to, or who may have belonged to the said departments, and who may have been disabled by age or infirmity from the discharge of their respective duties, which said plan shall be binding and conclusive on the said commissioners, and they are hereby authorised and directed to carry the same into effect, unless the said house, within twenty sitting days after the said plan shall have been so laid

continue in office after expiration of letters patent, the amount of his salary to be estimated according to the number of years he had held the office.

Salary to be paid the serjeant at arms and his deputy, &c.

A plan of the manner of applying the residue of the money received by the commissioners, for the support of such officers as appear to require the same, to be laid before parliament.

before them, shall have otherwise ordered and directed; and then and in such case, with such variations as shall have been so made therein, and so from time to time as often as such plan shall as above required be laid before the house.

An account of the money received and disbursed under this act, to be laid before the house of commons annually, who may direct the application of the balance.

VI. And be it further enacted, That the said commissioners shall prepare and lay before the house of commons, within twenty sitting days after the commencement of every session of parliament, an account of the monies so received by them, by virtue of this act, and of the manner in which the same shall have been applied and disposed of; and that in case it shall appear from the said account that there is in the hands of the said commissioners a surplus remaining, after carrying into effect the plan or orders herein-before mentioned, it shall and may be lawful for the said house to direct such a disposition to be made thereof, as to them shall appear most proper towards providing, in case the house shall see fit, a remuneration for the person or persons by whom the duties of chairman of the committee of ways and means shall have been discharged during the then session of parliament, and for the better support of persons belonging to any of the departments herein-before mentioned, those persons belonging thereto excepted, whose salaries may have been or may be fixed by the authority of parliament, and so in such case, from time to time, in every subsequent session of parliament, as circumstances shall admit of and require.

On expiration of either of the recited letters patent, the commissioners may carry this act into execution, &c.

VII. Provided always, and be it further enacted, That nothing herein contained shall be taken or construed to prevent the said commissioners, upon the expiration either of the said letters patent granted to the said *John Haifell* and *John Ley* esquires, or of the said letters patent granted to the said *Edward Coleman* esquire, whichever may first happen, from carrying the purposes of this act into execution, as far as the nature of the respective cases will admit; and that thereupon, all fees, perquisites, and emoluments which would have been due and payable to such of the said officers, whose patents or patent shall have so expired, shall be paid into the hands of the said commissioners in the manner herein-before directed.

C A P. XCIII.

An act for regulating trials for high treason and misprison of high treason, in certain cases.—[July 28, 1800.]

Preamble.

WHEREAS it is expedient that in cases of high treason in compassing or imagining the death of the King, and of misprison of such treason, where the overt act or overt acts of such treason alledged in the indictment for such offence shall be the assassination or killing of the King, or any direct attempt against his life, or any direct attempt against his person whereby his life may be endangered, or his person may suffer bodily harm, the trial for such offence should not be different from trials for murder or wilful and malicious shooting; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and

and commons, in this present parliament assembled, and by the authority of the same, That in all cases of high treason in compassing or imagining the death of the King, and of misprision of such treason, where the overt act or overt acts of such treason which shall be alledged in the indictment for such offence shall be assassination or killing of the King, or any direct attempt against his life, or any direct attempt against his person whereby his life may be endangered or his person may suffer bodily harm, the person or persons charged with such offence shall and may be indicted, arraigned, tried, and attainted, in the same manner and according to the same course and order of trial, in every respect, and upon the like evidence, as if such person or persons stood charged with murder; and none of the provisions contained in the several acts of the seventh year of King *William* the Third and the seventh year of Queen *Anne* respectively, touching trials in cases of treason and misprision of treason respectively, shall extend to any indictment for high treason in compassing and imagining the death of the King, or for misprision of such treason, where the overt act or overt acts of such treason alledged in the indictment shall be such as aforesaid, but upon conviction on such indictment, judgement shall be nevertheless given and execution done as in other cases of high treason, any law, statute, or usage, to the contrary notwithstanding.

In cases of high treason, where the overt act alledged in the indictment shall be assassination of the King, or any direct attempt against his life, &c. the offender shall be tried in the same manner as if charged with murder, &c.

C A P. XCIV.

An act for the safe custody of insane persons charged with offences.—
[July 28, 1800.]

WHEREAS persons charged with high treason, murder, or felony, may have been or may be of unsound mind at the time of committing the offence wherewith they may have been or shall be charged, and by reason of such insanity may have been or may be found not guilty of such offence, and it may be dangerous to permit persons so acquitted to go at large: 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 all cases where it shall be given in evidence upon the trial of any person charged with treason, murder, or felony, that such person was insane at the time of the commission of such offence, and such person shall be acquitted, the jury shall be required to find specially whether such person was insane at the time of the commission of such offence, and to declare whether such person was acquitted by them on account of such insanity; and if they shall find that such person was insane at the time of the committing such offence, the court before whom such trial shall be had, shall order such person to be kept in strict custody, in such place and in such manner as to the court shall seem fit, until his Majesty's pleasure shall be known; and it shall thereupon be lawful for his Majesty to give such order for the safe

Preamble.

The jury, in case of any person charged with treason, &c. proving to be insane, to declare whether he was acquitted by them on account of insanity, and the court shall order him to be kept in custody till his Majesty's pleasure be known, &c.

custody of such person, during his pleasure, in such place and in such manner as to his Majesty shall seem fit; and in all cases where any person, before the passing of this act, has been acquitted of any such offences on the ground of insanity at the time of the commission thereof, and has been detained in custody as a dangerous person by order of the court before whom such person has been tried, and still remains in custody, it shall be lawful for his Majesty to give the like order for the safe custody of such person, during his pleasure, as his Majesty is hereby enabled to give in the cases of persons who shall hereafter be acquitted on the ground of insanity.

Persons indicted for any offence, and upon arraignment found to be insane, or if upon trial they shall be so found, &c. the court shall order them to be kept in custody till his Majesty's pleasure be known.

II. And be it further enacted, That if any person indicted for any offence shall be insane, and shall upon arraignment be found so to be by a jury lawfully impannelled for that purpose, so that such person cannot be tried upon such indictment, or if upon the trial of any person so indicted such person shall appear to the jury charged with such indictment to be insane, it shall be lawful for the court before whom any such person shall be brought to be arraigned or tried as aforesaid, to direct such finding to be recorded, and thereupon to order such person to be kept in strict custody until his Majesty's pleasure shall be known; and if any person charged with any offence shall be brought before any court to be discharged for want of prosecution, and such person shall appear to be insane, it shall be lawful for such court to order a jury to be impannelled to try the sanity of such person; and if the jury so impannelled shall find such person to be insane, it shall be lawful for such court to order such person to be kept in strict custody, in such place and in such manner as to such court shall seem fit, until his Majesty's pleasure shall be known; and in all cases of insanity so found, it shall be lawful for his Majesty to give such order for the safe custody of such person so found to be insane, during his pleasure, in such place and in such manner as to his Majesty shall seem fit.

Persons committed by any justice on account of being dangerous and insane shall not be bailed except by two justices, &c.

III. And, for the better prevention of crimes being committed by persons insane, be it further enacted, That if any person shall be discovered and apprehended under circumstances that denote a derangement of mind, and a purpose of committing some crime, for which, if committed, such person would be liable to be indicted, and any of his Majesty's justices of the peace before whom such person may be brought shall think fit to issue a warrant for committing him or her as a dangerous person suspected to be insane, such cause of commitment being plainly expressed in the warrant, the person so committed shall not be bailed except by two justices of the peace, one whereof shall be the justice who has issued such warrant, or by the court of general quarter sessions, or by one of the judges of his Majesty's courts in *Westminster Hall*, or by the lord chancellor, lord keeper, or commissioners of the great seal.

IV. And whereas insane persons have, at different times, endeavoured to gain admittance to his Majesty's presence, by intrusion on his Majesty's palaces and places of residence and otherwise, and his Majesty's

Majesty's person may be endangered by reason of the insanity of such persons: be it therefore enacted, That if any person who shall appear to be insane shall endeavour to gain admittance to his Majesty's presence, by intrusion on any of his Majesty's palaces or places of residence, or otherwise, so that there may be reason to apprehend that his Majesty's person may be endangered, it shall be lawful for his Majesty's privy council, or one of his Majesty's principal secretaries of state, to cause such person to be brought before them or him; and if upon examination it shall appear that there is reason to apprehend such person to be insane, and that the person of his Majesty may be endangered by reason of the insanity of such person, it shall be lawful for his Majesty's privy council, or one of his Majesty's principal secretaries of state, to order such person to be kept in safe custody in such place, and in such manner, as according to circumstances shall be ascertained; and for such purpose, it shall be lawful for the lord chancellor, lord keeper, or lords commissioners for the custody of the great seal of *Great Britain*, to award a commission under the said great seal, directed to certain commissioners to be therein named, to enquire into the sanity of such person, and whether the person of his Majesty may be endangered by reason of the insanity of such person, and for such purpose, to direct the sheriff of the county where such person shall be, to summon a jury to try the sanity of such person, and whether his Majesty's person may be endangered by reason of the insanity of such person, in the same manner as juries are summoned to try the sanity of persons on a commission in the nature of a writ *de lunatico inquirendo*; and if upon the inquisition so taken it shall be found that such person is so far insane that the person of his Majesty may be endangered by reason of the insanity of such person, it shall be lawful for the lord chancellor, lord keeper, or lords commissioners for the custody of the great seal for the time being, to take order for the safe custody of such person so long as there shall be reason to apprehend that the person of his Majesty may be endangered by reason of the insanity of such person; and if it shall afterwards appear that such person shall have recovered the use of his or her reason, so that there shall be no longer any reason to apprehend any danger to his Majesty's person from the insanity of such person, it shall be lawful for the lord chancellor, lord keeper, or lords commissioners for the custody of the great seal for the time being, to enquire into the fact by such means as to him or them shall seem proper; and if it shall appear to his or their satisfaction, that such person has so far recovered the use of his or her reason, that there is no ground for apprehending any danger to his Majesty's person from the insanity of such person, it shall be lawful for the said lord chancellor, lord keeper, and lords commissioners respectively, to direct such person to be discharged from custody, either absolutely or conditionally, or under restrictions, as to him or them shall seem meet.

The privy council or one of the secretaries of state may cause persons appearing to be insane and endeavouring to gain admittance to his Majesty to be kept in custody till the insanity of such persons be enquired into in the manner herein directed, &c.

C. A. P. XCV.

An act to indemnify all persons who have printed, published, or dispersed, or who shall publish or disperse, any papers printed under the authority of the commissioners or head officers of any publick boards, from all penalties incurred by reason of the name and place of abode of the printer of such papers not being printed thereon.—
[July 28, 1800.]

Preamble.

39 Geo. 3.
c. 79.

Persons who have printed any papers under the authority of commissioners of publick boards, or who have published them, or shall hereafter publish any paper so printed before the passing of this act, shall be indemnified from any penalties incurred by reason of any offence against the recited act.

WHEREAS in an act passed in the thirty-ninth year of the reign of his present Majesty, intituled, An act for the more effectual suppression of societies established for seditious and treasonable purposes, and for the better preventing seditious and treasonable practices; certain provisions are contained to restrain the printing or publishing of any papers or books whatsoever, which should be meant or intended to be published or dispersed without the name and place of abode of the printer thereof being printed thereon, with a certain penalty on the person printing, publishing, or dispersing, or assisting in publishing or dispersing the same, contrary to the said act: and whereas divers papers printed by order or under the authority of the commissioners of his Majesty's customs, the commissioners of excise, the commissioners for the affairs of taxes, and the commissioners and head officers of divers other publick offices and boards, have, through inadvertency and mistake, and on the supposition that such papers were not within the provisions of the said act, been printed without the name and place of abode of the printer thereof being printed thereon, as required by 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 every person who shall, before the passing of this act, have printed any paper whatsoever, by order or under the authority of any such commissioners or head officers as aforesaid, or shall have published or dispersed, or assisted in publishing or dispersing, or shall hereafter publish or disperse, or assist in publishing or dispersing any paper whatsoever that shall have been printed before the passing of this act, by order or under the authority of any such commissioners or head officers as aforesaid, shall be and is hereby declared to be freed and discharged of and from all suits, informations, prosecutions, judgements, fines, and penalties whatsoever, commenced, prosecuted, adjudged, or incurred, or which may be commenced, prosecuted, adjudged, or incurred, for or by reason of any offence alledged to have been committed against the said recited act, by occasion of such printing, publishing, or dispersing, or of assisting in publishing or dispersing any such paper as aforesaid, as fully, freely, and effectually, as if the same had been printed according to the provisions of the said act.

C. A. P.

C A P. XCVI.

An act for explaining and amending so much of an act, passed in the present session of parliament, relating to the duties on income, as respects the delivery of the statements to the commercial commissioners of London, under the amount of twenty pounds.—[July 28, 1800.]

WHEREAS by an act, passed in the present session of parliament, intituled, An act for the better ascertaining and collecting the duties granted by several acts passed in the last session of parliament relating to the duties on income, and to explain and amend the said acts, **Preamble.**
C. 49.

the commercial commissioners for the city of London and its vicinity are restrained from assessing persons whose contribution, in respect of income arising from trade or manufacture, shall not amount to the sum of twenty pounds: and whereas it is expedient to allow persons whose contributions in the preceding year shall have amounted to twenty pounds to be assessed by the said commissioners, although the contribution returned in the statement delivered or to be delivered by them respectively for the succeeding year may not amount to that sum: 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 any person carrying on trade or manufacture within the district of the said commissioners, or any number of persons carrying on trade or manufacture there in partnership together, whose contribution in respect of income arising from such trade or manufacture, whether separate or joint, returned in the statement delivered in by him, her, or them in any preceding year to the said commissioners, shall have amounted to the said sum of twenty pounds or upwards, shall be entitled to be assessed in every subsequent year by the said commissioners, although in such subsequent year the contribution of any such person or persons, whether separate or joint, as arising from such partnership, returned in his, her, or their statement, may not amount to the said sum of twenty pounds; any thing contained in the said recited act, or any other act relating to the said duties on income, to the contrary notwithstanding.

Any person or partners in trade, whose statement of income delivered in any preceding year to the commercial commissioners for London shall have amounted to 20l. or upwards, shall be entitled to be assessed by them, although in any subsequent year it may not amount to that sum.

C A P. XCVII.

An act to incorporate certain persons by the name of The London Company for the Manufacture of Flour, Meal, and Bread, for a limited time.—[July 28, 1800.]

WHEREAS the establishment of a manufactory for flour, meal, and bread, in London, or its neighbourhood, would be of considerable benefit and utility, and would greatly tend to insure to the metropolis, and its neighbourhood, a more regular supply of flour, meal, **Preamble.**

*meal, and bread at reasonable prices: and whereas such manufactory cannot be advantageously established and carried on, unless a considerable joint stock is raised for that purpose; and whereas the several persons herein-after named, and very many other persons, have already agreed to become subscribers thereto: and whereas it is expedient, for the more easily carrying on the said manufactory, that the said several persons, and such others as shall hereafter become subscribers thereto, should be incorporated: 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 Richard Neave, sir John Call, sir Robert Preston, sir Frederick Eden, baronets, John Hatfield, William Devanes, Robert Biddulph, John Julius Angerstein, John Frere, Thomas William Coke, John Fene, Samuel Bosanquet, Magens Dorrien Magens, Edward Forster, George Hibbert, Job Mathew, Brook Watson, William Robinson, William Mackintosh, Thomas Boddington, Thomas King, esquires, and Robert Sberfson doctor of physick, and every other person and persons who shall hereafter either in their own right, as original subscribers to the same, or as executors, administrators, successors, or assigns, in right of any such original subscriber or subscribers, become proprietors of or interested in any part or share of the joint capital stock or fund herein-after mentioned, shall be one distinct and separate body politic and corporate, in deed and in name, by the name and style of *The London Company for the Manufacture of Flour, Meal, and Bread*, and that by the same name they shall have succession, and a common seal, and that they and their successors may from time to time break, alter, make new, or change such common seal, as shall be found expedient; and that such corporation shall be able and capable in law to have, purchase, receive, take, and enjoy lands, tenements, and hereditaments, of what kind, nature, or quality soever, not exceeding the annual value of two thousand pounds, above all charges and reprises, for the use of the said manufactory, without licence to hold or enjoy the same in mortmain, and that such corporation may grant, sell, demise, alien, or dispose of such lands, tenements, or hereditaments, or any part thereof, at their free will and pleasure; and in their corporate name shall and may sue and implead, and be sued and impleaded, answer and be answered, in all or any courts of record, and places of judicature within this kingdom, in all causes and actions whatsoever, for, touching, or concerning the said corporation, or the manufactory to be by them carried on as aforesaid.*

Subscribers
incorporated.

Their style
and powers.

Company may
raise 120,000l.
to be divided
into 4800
shares, which
shall be deemed
personal
estate.

II. And be it further enacted, That it shall be lawful for the several persons herein-before named, and for such other persons as shall be willing and desirous to join with them in forming the said company, to raise and contribute among themselves a capital or joint stock, to be applied and used in establishing and carrying on the said manufactory, not exceeding the sum of one hundred

hundred and twenty thousand pounds, and such capital or joint stock shall be divided into four thousand eight hundred parts or shares, or such part of such capital or joint stock, as shall be contributed as aforesaid, shall be divided into shares of twenty-five pounds each; and all such shares shall be deemed personal estate, and be transmissible as such, and not of the nature of real estate; and that the said shares shall be, and they are hereby accordingly vested in the several subscribers thereto, and their respective executors, administrators, and assigns, to and for their own respective use and benefit, proportionably to the sums they shall respectively subscribe and pay thereunto: provided always, That no proprietor or joint proprietors of any such share as aforesaid shall have or hold, either in his, her, or their own name or names, or in the name or names of any other person or persons to or for his or her use or benefit, more than forty such shares; and every assignment of any such share or shares to any person or persons who shall already be the holder or holders of forty such shares, or to any other person or persons for his or their use or benefit, shall be absolutely void: provided also, That when by reason of any partnership, death, marriage, or otherwise, any such proprietor or joint proprietors as aforesaid, shall be possessed of or entitled to more than forty such shares, and shall not absolutely assign or dispose of the same within six calendar months after becoming so possessed or entitled as aforesaid, then and in every such case it shall be lawful for the managers of the said company, and they are hereby required, to sell all such shares exceeding forty, by publick auction, and to receive the produce of such sale, which shall be paid to the person or persons who shall have become entitled to the said shares as aforesaid.

No proprietor or joint proprietors to hold more than 40 shares; and if persons becoming possessed of more do not dispose of the same, the managers may sell them by publick auction.

III. *And, to the intent that all matters and things touching the concerns of the said company may be managed and conducted in the most beneficial manner,* be it further enacted, That all and every person or persons who shall by virtue of this act have subscribed for, or shall become entitled to, and be in the actual possession of four or more shares in the said undertaking, shall have a vote or votes in respect of such shares in the general and special meetings of the said company, to be held as herein-after directed, for carrying on the said undertaking, or relative thereto, in proportion to the number of shares following; that is to say, For four shares and less than ten shares one vote; for ten shares and less than twenty shares two votes; for twenty shares and less than forty shares three votes; and for forty shares four votes; but no person shall be entitled to give any vote who shall not be possessed of four shares.

Proprietors to have votes in proportion to certain number of shares.

IV. And be it further enacted, That all elections of officers, and every other question, matter, or thing whatsoever, which shall be proposed, discussed, or considered at any meeting of the said company to be held in pursuance of this act, shall be finally determined by the majority of votes then present, and in case of

All matters to be determined by majority of votes: chairman to have the casting an vote.

an equal division, the chairman for the time being shall have the casting vote.

The joint proprietor whose name shall stand first in the books of the company shall be entitled to vote.

No person to vote on any matter in which he is interested.

A general meeting to be held, at which 12 managers shall be chosen, to continue in office 4 years, and then one third to quit by ballot;

no person, so quitting, to be eligible again till a year afterwards.

An annual general meeting to be held, who may adjourn themselves, and shall elect managers, &c.

V. And be it further enacted, That whenever two or more persons shall be jointly possessed of four or more shares in the capital or joint stock of the said company, they shall be entitled to give their vote or votes in respect thereof by the person whose name shall stand first in the books of the said company as joint proprietor of such shares.

VI. Provided always, That no person or persons shall vote at any of the meetings of the said company, or of the said managers, to be held pursuant to this act, upon any question relating to the concerns of the said company, in which such person or persons shall be in any manner interested, otherwise than as a proprietor of the said undertaking.

VII. And be it further enacted, That there shall be a general meeting of the said company within one month after the passing of this act, of which meeting eight days previous notice shall be given in the *London Gazette*, and in one or more of the publick *London* newspapers; and at such meeting one of the proprietors present shall be appointed chairman; and in case two or more persons shall be proposed to fill that office, and shall have an equal number of votes, then the persons so proposed shall draw lots for the same; and that after the appointment of a chairman, such meeting shall proceed to the election of twelve persons, respectively proprietors of twenty shares in the said undertaking, to be managers for conducting, managing, and ordering the affairs and business of the said company, according to the powers and regulations herein contained, and subject to such orders and directions, consistent therewith, as shall be prescribed to them by such general meeting as aforesaid, or by any other meeting of the said company to be held in pursuance of this act; and such managers shall continue in their said offices for four years after the passing of this act, and at the expiration of the said four years one-third of the said managers, to be determined among themselves by ballot, shall quit the said office; and no person quitting the office of manager by such rotation as aforesaid, shall be eligible into the said office, until the expiration of one whole year from the time of his retiring therefrom.

VIII. And be it further enacted, That there shall be a general meeting of the said company some time in the months of *April* or *May* in every year, of which meeting eight days notice at least shall be given by advertisement in the *London Gazette*, and in one or more of the *London* newspapers, or in such other manner as any preceding general meeting shall in that behalf direct; and that at all such general meetings one of the managers of the company, to be elected as aforesaid, for the time being shall be the chairman; and all such meetings shall have power to adjourn themselves from time to time, and from place to place, as they shall think expedient; and such general meetings shall elect persons qualified as aforesaid to replace the managers who shall quit the said office by such rotation as aforesaid,

said, and to supply any vacancies which shall have arisen by death, resignation, or otherwise, and shall do, transact, superintend, or controul all other the affairs and concerns of the said company.

IX. And be it further enacted, That if at any time it shall appear to any meeting of the managers for the time being, hereby authorized to proceed to business, or to any nine or more of the other proprietors, who shall together be holders of two hundred shares at the least, to be necessary or expedient to call a special meeting of the proprietors at large, for the purpose of taking their opinion and determination upon any matter or thing relating to the said company, then and in every such case it shall be lawful for such meeting of the managers, of their own authority, or at the requisition in writing, to be signed by such nine or more other proprietors, being holders of at least two hundred shares, and which requisition shall specify the object of such meeting, and in case any meeting of managers shall refuse or neglect for the space of fourteen days to comply with such requisition, then and in such case it shall be lawful for the proprietors who shall have signed the same, to call a special meeting of the proprietors at large, by advertisement in the *London Gazette*, and in one or more of the *London newspapers*, specifying the place where and the time when such meeting is to be held, the time not being less than fourteen days after such notice, and the place somewhere in *London* or *Westminster*, and likewise specifying in such notice the reason for, and intention of calling such special meeting; and the proprietors are hereby authorized to meet pursuant to such notice, and take into consideration the matter or matters to be submitted to them by the persons calling such special meeting, and specified in such notice; and the decision and determination of the proprietors present at such meeting, or the major part of them, according to the number of votes they shall have a right to give respecting such matter or matters, shall be as valid, to all intents and purposes, as if the same had been made at a general meeting of the said company, held in the manner herein-before appointed.

X. And be it further enacted, That any three or more of the said managers, but not less, shall be a sufficient number to constitute a meeting, for the purpose of executing all such powers and authorities as the whole of the managers might have executed if assembled together; and that one of the managers shall in the first place be elected chairman; and that all questions, matters, and things, which shall be proposed, discussed, or considered by them, shall be decided and determined by the majority in number of the managers then present; and in case of an equal division, the chairman shall have the casting vote: provided always, That if on the day appointed for any meeting of the said managers there shall not attend three or more of them, that then and in every such case the meeting shall be adjourned to that day seven-night by the members or member then present, or if

Special meetings may be called and held.

Three managers shall constitute a meeting.

All matters to be determined by the majority.

Chairman to have the casting vote.

If three shall not attend, the meeting shall be adjourned to that day none, seven-night.

none, by the principal or chief clerk to the said company, or such other person as shall attend in his place.

Powers of the managers.

XI. And be it further enacted, That the managers of the said company so to be chosen as aforesaid, shall from time to time have full power and authority to direct and manage all and singular the affairs and business of the said company, as well in contracting for and purchasing lands and materials for the use of the said undertaking, as in the ordering, directing, and employing the works and workmen, and in placing and displacing officers, clerks, agents, and servants, and in making all contracts and bargains touching or in anywise concerning the said undertaking: provided always, That the treasurer or treasurers of the said company shall not issue any sum or sums of money on account of the said company, without an order signed by the chairman and one other at least of the managers present at some such meeting.

Treasurer not to issue money, without a signed order by the chairman and one manager.

General meetings may remove managers, and make bye laws.

XII. And be it further enacted, That every meeting of the said proprietors shall have full power and authority to remove or displace any person chosen to be such manager as aforesaid, and to elect others, qualified as aforesaid, to be managers in the room of those who shall be so removed or displaced, and of those who may happen to die; and shall also have full power and authority to make such rules, orders, bye laws, and regulations, for the good government of the said company, and for the well and orderly carrying on the said undertaking, and from time to time to alter or repeal such rules, orders, bye laws, and regulations, or any of them, and to make others, and to enforce the observance of the same by such means as they shall see fit; which rules, orders, bye laws, and regulations, being reduced into writing under the common seal of the said company, and afterwards printed and put up in some conspicuous part or parts of the said manufactory, shall be binding upon, and be 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 they be not repugnant to the laws of this realm, or any of the express directions of this act.

General meeting, or the managers, may make calls for money.

XIII. And be it further enacted, That every such general meeting as aforesaid, or the managers of the said company, shall have full power and authority from time to time to make such call or calls for money from the several proprietors of the said undertaking, to establish and carry on the same, as they shall from time to time find wanting and necessary for those purposes, so that no such call do exceed the sum of five pounds for or in respect of any one share of twenty-five pounds, and so that no such calls be made but at the distance of three calendar months at least from each other; which money so to be called for shall be paid into the hands of the treasurers to the said company, to be issued, paid, and applied as the managers respectively shall from time to time appoint and direct, for the use of the said undertaking.

XIV. And be it further enacted, That every proprietor of any share

share or shares in the said undertaking shall from time to time pay his or her proportion of the money so to be called for as aforesaid, at such time and place as shall be appointed for that purpose by the meeting of proprietors or managers making such call, of which one calendar month's notice at least shall be given in some daily newspaper or newspapers published in London, or in such other manner as the said company of proprietors shall at any meeting direct and appoint in that behalf; and in case any such person shall neglect or refuse to pay his or her proportion of the money so to be called for as aforesaid, for the space of three calendar months after the time appointed for payment thereof as aforesaid, then and in such case the person so neglecting or refusing shall absolutely forfeit all his or her share, part, and interest in the said undertaking, and all profit and advantage thereof, and all money theretofore advanced by him or her on account thereof, to and for the use and benefit of the other proprietors of the said undertaking; and all shares which shall or may be so forfeited shall or may be sold at a publick sale by the said managers, for the most money that can be gotten for the same, and the produce thereof shall go to and make part of the capital or joint stock of the said company: provided always, That no advantage shall be taken of such forfeiture of any share in the said undertaking as aforesaid, until after personal notice shall be given by the treasurer or clerk to the said company of proprietors to the owner thereof, nor unless the same shall be declared to be forfeited at the first meeting of the said company of proprietors which shall be held next after such forfeiture shall happen: provided also, That every such forfeiture, after the same shall be taken advantage of by the rest of the said company of proprietors as aforesaid, shall be an absolute indemnification and discharge to and for the proprietors so forfeiting against all actions, suits, and prosecutions for any breach of contract or other agreement between such proprietor and the rest of the said company, with regard to the future carrying on and management of the said undertaking.

Proprietors neglecting to pay calls for three months, to forfeit their shares.

No advantage to be taken of such forfeiture, until after personal notice to the owner, nor unless declared to be forfeited at the next meeting afterwards.

XV. And be it further enacted, That if a proprietor of any share or shares in the said undertaking shall die before payment shall have been made by him or her of the full sum to be called for in respect thereof as aforesaid, without having made any sufficient provision by will or otherwise how such share or shares shall be disposed of, and how the future calls in respect thereof shall be answered, then and in such case the executors or administrators of such proprietor, and the trustee or trustees, guardian or guardians of any infant, or other person entitled to the estate and effects of such proprietor, shall be indemnified against such infant, and all other persons whomsoever, for paying any money which shall be called for as aforesaid, in respect of the share or shares of such deceased proprietor.

Executors, &c. may pay calls.

XVI. Provided always, and be it further enacted, That no dividend or dividends of the profits of the said undertaking shall be made or taken by the said proprietors exceeding in the whole Not more than 10l. per cent. to be made by the proprietors.

Surplus to be applied as parliament shall direct.

Managers shall yearly lay before parliament certain accounts.

The company may manufacture and sell a certain quantity of flour or meal yearly, and a certain quantity of bread weekly.

The company not to make finer than standard wheaten bread.

37 Geo. 3. c. 98.

ten pounds *per centum per annum* on the amount of the sums which shall have been contributed for raising the capital or joint stock of the said company, hereby authorised to be raised; and in case any profits shall be made by means of the said manufacture beyond the amount of ten pounds *per centum per annum* on the said capital or joint stock, the same shall be applied to such purposes and in such manner as parliament shall direct.

XVII. Provided always, and be it further enacted, That the managers of the said company shall yearly, within ten days after the twenty-fifth day of *March*, if parliament shall be then sitting, or as soon after as parliament shall sit, lay or cause to be laid before each house of parliament a true account of the receipt and application of all monies received and applied by the said company, and of the quantities of wheat or other grain bought on each day when purchases shall have been made, and the prices paid for the same, shewing also the quantities in store, both of grain and of flour and meal, on the first day of each month throughout the year, ending the thirty-first day of *December* preceding; and also the quantities of flour and bread manufactured by the said company in each month within the said preceding year, and of the debts and credits of the said company on the said thirty-first day of *December* preceding, and the names of the members of the said company, and the number of shares held by each.

XVIII. And be it further enacted, That it shall be lawful for the said company to manufacture and sell in every year, commencing from the first day of *January*, any quantity of flour or meal not exceeding one hundred and twenty thousand sacks of two hundred and eighty pounds weight avoirdupois each; and it shall be lawful for them to make weekly, any quantity of flour or meal into bread, not exceeding two hundred sacks of the like weight, and to sell the same: provided always, That it shall not be lawful for the said company, by themselves or their agents, to sell any quantity or quantities of wheat, exceeding in the whole the quantity of one thousand quarters in any one week.

XIX. And be it further enacted, That it shall not be lawful for the said company to make for sale, any bread of a finer quality than the bread usually called *Standard Wheaten Bread*, or bread made of the whole meal with the bran and pollards only taken out.

XX. And whereas, by an act of parliament, passed in the thirty-seventh year of the reign of his present Majesty, intituled, An act to amend and render more effectual an act made in the thirty-first year of the reign of his late majesty King *George the Second*, intituled, 'An act for the due making of bread, and to regulate the price and assize thereof, and to punish persons who shall adulterate meal, flour, or bread, so far as the same relates to the assize and making of bread to be sold in the city of *London*, and the liberties thereof, and within the weekly bills of mortality, and within ten miles of the *Royal Exchange*, the court of mayor and aldermen of *London* are empowered to set the assize of bread in *London*,

London, and within the bills of mortality, on every Tuesday: and whereas, in the tables of assize forming a part of the said act, there is no provision or direction with respect to the price of standard wheaten bread: and whereas there is no other provision or direction in any table of assize respecting the price of standard wheaten bread, than a certain table of assize contained in an act passed in the thirteenth year of his present Majesty, intituled, An act for better regulating the assize and making of bread: and whereas, the bakers of London, and within the bills of mortality, are unable to manufacture and sell standard wheaten bread, by reason of the said act last mentioned not making a due allowance to the baker; and the said assize table not being suited to the present price of flour: be it enacted, That all the provisions, regulations, and directions contained in the said act of the thirty-seventh year of his present Majesty, concerning wheaten bread and household bread, shall extend to the making and selling of standard wheaten bread; and the said court of mayor and aldermen shall be empowered, and they are hereby empowered to fix an assize or price of standard wheaten bread, upon such principles as they now fix the assize or price of wheaten and household bread, and that they shall be enabled to make a due allowance to the bakers for making and selling the same, according to their opinion of what ought fairly to be allowed them for their trouble and expence in making and selling the said standard wheaten bread.

13 Geo. 3.
c. 62.Provisions of
37 Geo. 3.
c. 98. concern-
ing wheaten
and household
bread, shall
extend to
standard
wheaten
bread, and
the assize
upon the lat-
ter to be fixed
upon the same
principles as
the former.

XXI. And be it further enacted, That no manager of the said company, or officer or servant employed in the said manufactory, or in any business relating thereto, shall, during the time of his remaining such manager, or being employed as aforesaid, act as a dealer in wheat or other grain, or flour or meal, or as a factor or agent in the buying or selling thereof, or shall buy any wheat or other grain, flour, or meal, for the purpose of selling the same for profit or gain, or make for sale, or sell any bread; and if any such manager or officer, or other person aforesaid, shall, during such time as aforesaid, act as a dealer in wheat or other grain, or flour or meal, or buy or sell any wheat or other grain, flour, or meal, as a factor or agent, for any other person or persons, or buy any wheat or other grain, or flour or meal, on his own account, for the purpose of selling the same for profit or gain, or make for sale, or sell any bread, he or she shall forfeit, for every quarter of wheat or other grain, or sack of flour or meal, so bought or sold, and for every sack of flour or meal so made into bread as aforesaid, the sum of forty shillings, to be recovered with costs of suit, in any of his Majesty's courts of record, by action of debt, bill, plaint, or information; wherein no essoin, protection, or wager of law, or more than one imparlance shall be allowed, and to be applied, one half thereof to the poor of the parish where such offence was committed, and the other half to the person or persons who shall sue for the same.

No manager
or officer
shall act as a
dealer in
wheat, &c. on
penalty of
40s. per quar-
ter.

XXII. And be it further enacted, That it shall be lawful for the several proprietors of the said undertaking, or any of them, to sell and transfer any share or shares which they shall respec-

Shares may be
transferred in
the following

Anno regni quadragesimo GEORGII III. c. 97. [1800.
tively be entitled to therein, and every such transfer shall be in
the form or to the effect following; (*videlicet*),

form.

I [*the vendor*] do hereby assign and transfer to [*the vendee*],
his executors, administrators, and assigns, all those my
shares in the capital or joint stock of the London com-
pany for the manufacture of flour, meal, and bread, and all my
right and interest therein. Witness my hand this
day of

Transfer to
be registered
in the books
of the com-
pany, or the
purchasers
shall not be
entitled to any
dividends, or
to vote.

And every such transfer shall be registered in the books of the
said company, and a copy of such register, signed by their clerk
or other officer duly authorized thereto, shall be sufficient evi-
dence of every such sale and transfer: provided always, That
until such transfer shall be so registered in the books of the said
company as aforesaid, no purchaser or purchasers of any share
or shares in the said company shall have any part or share of the
profits of the said undertaking, nor any interest or dividend paid
to him, her, or them for or in respect of such share or shares so
purchased, nor be entitled to vote as a proprietor or proprietors
of the said undertaking.

If 120,000l.
shall not be
sufficient
30,000l. more
may be raised.

XXIII. And be it further enacted, That if the said sum of one
hundred and twenty thousand pounds herein-before authorized to
be raised shall be found insufficient for the carrying on, or com-
pleting and maintaining of the said undertaking, then and in
such case it shall be lawful for the said company, after a resolu-
tion for that purpose shall have been passed at any general or
special meeting of the said company, to raise for the purposes
aforesaid any further sum or sums of money not exceeding in the
whole the sum of thirty thousand pounds, and that such further
sum or sums may be raised by further subscriptions to the amount
of the said thirty thousand pounds, or any part thereof, under
and subject to such and the same rules, orders, and regulations,
as in and by this act are mentioned, expressed, declared, and
contained with respect to the said one hundred and twenty thou-
sand pounds, as fully and effectually, to all intents and purposes,
as if such further sum or sums hereby allowed to be raised had
originally constituted part of the said one hundred and twenty
thousand pounds; and the subscribers of such further sum or
sums shall be members of the said company, and entitled to the
same advantages and privileges, and subject to the same rules,
orders, and regulations as are hereby given and provided in re-
spect of the subscribers to the said one hundred and twenty thou-
sand pounds.

The addi-
tional sum
may be raised
by mortgage
or bond.

XXIV. Provided always, and be it further enacted, That if
the said company shall be desirous of raising the said additional
sum of thirty thousand pounds, or any part thereof, by mortgage
or bond, then and in such case it shall be lawful for the said com-
pany, pursuant to a resolution to be passed in that behalf at a
meeting of the said company, to borrow and take up at in-
terest the said sum of thirty thousand pounds, or any part thereof,

upon the credit of the said undertaking, as to them shall seem meet and convenient; and the said company of proprietors are hereby accordingly fully authorised and empowered to grant, assign, and make over all their lands, buildings, and appurtenances, property and effects, or any part thereof, as a security for the sum or sums of money so to be borrowed, with legal interest, unto the person or persons who shall lend and advance the same, or as he or they shall direct; all which assignments shall be made under the common seal of the said company, and may be according to the form following; (that is to say),

Assignments may be made in the following

BY virtue of an act of parliament made in the fortieth year of the reign of King George the Third, intituled, [*set forth the title of the act*], we, the London company for the manufacture of flour, meal, and bread, incorporated by virtue of the said act, in consideration of the sum of _____ to us paid by *A. B.* do hereby bargain, sell, and assign, unto the said *A. B.* his executors, administrators, and assigns, all [*describe the property to be comprized in the security*] and all the estate, right, title, and interest, of us the said company, of, in, to, or out of the same respectively, to hold unto the said *A. B.* his executors, administrators, and assigns, until the sum of _____ together with interest for the same after the rate of _____ per centum per annum, shall be fully paid and satisfied. Given under our common seal the _____ day of _____

And the money so to be borrowed as aforesaid shall be applied and disposed of for completing, carrying on, and maintaining the said undertaking, and for carrying the several powers and authorities hereby given into execution.

XXV. And be it further enacted, That an entry or memorial of every such assignment or mortgage as aforesaid, containing the date, names of the parties, and the sum thereby secured, with the rate of interest to be paid for the same, shall be made or entered in a book to be kept for that purpose by the clerk to the said company, and that such book shall and may be perused *gratis* at all reasonable times, by any of the proprietors of the said undertaking; and that all and every person and persons to whom any such assignment or mortgage shall be made as aforesaid, or who shall be entitled to the money thereby secured, shall and may from time to time assign or transfer, his, her, or their right and interest therein unto any person or persons whomsoever, either by indorsement thereon or otherwise, which transfer shall and may be made according to the form following; (*videlicet*),

An entry of every assignment to be entered by the clerk to the company in a book which may be perused gratis by the proprietors. Assignments may be transferred.

I *A. B.* do hereby transfer the within mortgage [*or, a certain* Form of mortgage made to me by the London company for the manufacture of flour, meal, and bread, bearing date the _____ day of _____] and the principal sum of _____ thereby secured, and the interest now due and hereafter to grow due for

Anno regni quadragesimo GEORGI III. c. 97. [1800.
the same, and all my right and property therein, unto C. D. of
his executors, administrators and assigns. Dated
this day of

Transfers to
be entered.

And every such transfer shall, within twenty-eight days after the date thereof, be produced to the clerk, or one of the clerks to the said company, who shall cause an entry or memorial thereof to the same purport and effect as herein-before directed with respect to the original assignment or mortgage, to be made or entered in the book to be kept for entering such original assignments or mortgages; and that after such entry shall be made, but not before, such transfer shall entitle such assignee or assignees, his, her, or their executors, administrators, and assigns, to the full benefit of the original mortgage.

Interest of mortgages to be paid half yearly in preference to dividends.

XXVI. Provided always, and be it further enacted, That the interest of the money which shall be borrowed by mortgage as aforesaid, shall be paid half-yearly, to the person or persons entitled thereto, in preference to any interest or dividend which shall become due and payable by virtue of this act to the said company of proprietors, or any of them, and shall from time to time be fully paid and discharged, or provided for, before any such interest or dividends due to the said proprietors shall be paid or made; and such interest when due shall and may be sued for and recovered, with costs of suit, by an action of debt, or on the case, in any of his Majesty's courts of record at *Westminster*.

No member or officer of the company disabled from sitting in parliament, or shall in respect of his share be liable to be a bankrupt.

XXVII. And be it further enacted, That no person who shall be a member, or a manager or other officer of the said company, shall for that cause only be disabled from being a member of parliament, or shall, in respect of his share or shares therein, be or be adjudged liable to be a bankrupt within the intent and meaning of all or any of the statutes made of or concerning bankrupts.

Limitation of actions.

XXVIII. And be it further enacted, That if any action, suit, or information shall be brought against any person or persons for any thing done by him or them 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 or commenced within six calendar months next after the fact committed, and not afterwards, and shall be brought, laid, and tried in the county where the matter in dispute shall arise, and not elsewhere; and that the defendant or defendants in all such actions or suits may plead the

General issue.

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 such 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, then and in every such case the jury shall find for the defendant or defendants; and if a verdict shall be found for the defendant or defendants, or if the plaintiff or plaintiffs

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 judgement 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. Treble costs.

XXIX. Provided always, That it shall and may be lawful for his Majesty, if he shall so think fit, by his order in council, to dissolve the said company, or to suspend all or any of the proceedings of the same; such dissolution or suspension being to take effect not sooner than six months from and after the date of such order in council. His Majesty may dissolve the company or suspend their proceedings.

XXX. 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. Publick act.

C A P. XCVIII.

An act to restrain all trusts and directions in deeds or wills, whereby the profits or produce of real or personal estate shall be accumulated, and the beneficial enjoyment thereof postponed beyond the time therein limited.—[July 28, 1800.]

WHEREAS it is expedient that all dispositions of real or personal estates, whereby the profits and produce thereof are directed to be accumulated, and the beneficial enjoyment thereof is postponed, should be made subject to the restrictions herein-after contained: 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 parliament assembled, and by the authority of the same, Preamble.

That no person or persons shall, after the passing of this act, by any deed or deeds, surrender or surrenders, will, codicil, or otherwise howsoever, settle or dispose of any real or personal property, so and in such manner that the rents, issues, profits, or produce thereof, shall be wholly or partially accumulated for any longer term than the life or lives of any such grantor or grantors, settler or settlers, or the term of twenty-one years from the death of any such grantor, settler, devisor, or testator, or during the minority or respective minorities of any person or persons who shall be living, or in *ventre sa mere* at the time of the death of such grantor, devisor, or testator; or during the minority or respective minorities only of any person or persons who, under the uses or trusts of the deed, surrender, will, or other assurances, directing such accumulations, would, for the time being, if of full age, be entitled unto the rents, issues, and profits, or the interest, dividends, or annual produce, so directed to be accumulated; and in every case where any accumulation shall be directed otherwise than as aforesaid, such direction shall be null and void, and the rents, issues, profits, and produce of such property so directed

No person, by deed, or will, &c. shall settle or dispose of any real or personal property, in such manner that the rents or produce shall be accumulated for a longer term than herein mentioned, and any other direction shall be void, and the rents go to the persons entitled thereto.

directed to be accumulated, shall, so long as the same shall be directed to be accumulated contrary to the provisions of this act, go to and be received by such person or persons as would have been entitled thereto if such accumulation had not been directed.

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Scotland.

When restric-
tions shall take
effect with
respect to
wills made
before the pas-
sing of this
act.

II. Provided always, and be it enacted, That nothing in this act contained shall extend to any provision for payment of debts of any grantor, settler, or deviser, or other person or persons, or to any provision for raising portions for any child or children of any grantor, settler, or deviser, or any child or children of any person taking any interest under any such conveyance, settlement, or devise, or to any direction touching the produce of timber or wood upon any lands or tenements, but that all such provisions and directions shall and may be made and given as if this act had not passed.

III. Provided also, and be it enacted, That nothing in this act contained shall extend to any disposition respecting heretable property within that part of *Great Britain* called *Scotland*.

IV. Provided also, and be it enacted, That the restrictions in this act contained shall take effect and be in force with respect to wills and testaments made and executed before the passing of this act, in such cases only where the deviser or testator shall be living, and of sound and disposing mind, after the expiration of twelve calendar months from the passing of this act.

C A P. XCIX.

An act for better regulating the business of pawnbrokers — [July 28, 1800.]

Preamble.
36 Geo. 3,
recited.

WHEREAS an act was passed in the thirty-sixth year of the reign of his present Majesty, intituled, An act for regulating the trade or business of pawnbrokers, which was to be in force for three whole years, and from thence until the end of the then next session of parliament, and no longer: and whereas it is expedient that provision should be made for more effectually regulating the trade or business of pawnbrokers, from the time when the said act will expire: 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 passed in the thirty-sixth year of the reign of his present Majesty, for regulating the trade or business of pawnbrokers, shall be, and the same is hereby declared to be in full force and effect until the expiration of the present session of parliament, and from and after such expiration this act shall commence and take effect, and be put in execution, instead of the said recited act.

Pawnbrokers
allowed to
take certain
rates.

II. And be it further enacted, That upon and from the commencement of this act, it shall be lawful for all persons using and exercising the trade or business of a pawnbroker, to demand, receive, and take, of and from all and every person and persons applying

applying or offering to redeem any goods or chattels pawned or pledged with such pawnbroker, a profit, after the following rates, over and above the principal sum and sums which shall have been lent and advanced upon the respective pledge or pledges, before any such pawnbroker shall be obliged to redeliver the same; (*videlicet*),

For every pledge upon which there shall have been lent any sum not exceeding two shillings and sixpence, the sum of one halfpenny for any time during which the said pledge shall remain in pawn not exceeding one calendar month, and the same for every calendar month afterwards, including the current month in which such pledge shall be redeemed, although such month shall not be expired:

For every pledge upon which there shall have been lent the sum of five shillings, one penny:

For every pledge upon which there shall have been lent seven shillings and sixpence, one penny halfpenny:

For every pledge upon which there shall have been lent ten shillings, two-pence:

For every pledge upon which there shall have been lent twelve shillings and sixpence, two-pence halfpenny:

For every pledge upon which there shall have been lent fifteen shillings, three-pence:

For every pledge upon which there shall have been lent seventeen shillings and sixpence, three-pence halfpenny:

For every pledge upon which there shall have been lent one pound, four-pence, and so on progressively and in proportion for any sum not exceeding forty shillings:

For every pledge upon which there shall have been lent any sum of money exceeding forty shillings and not exceeding forty-two shillings, eight-pence:

And for every pledge upon which there shall have been lent any sum exceeding forty-two shillings and not exceeding ten pounds, at and after the rate of three-pence, and no more, for the loan of every twenty shillings for all such money so lent, by the calendar month, including the current month; and so in proportion for any fractional sum:

Which said several sums shall be taken in lieu of and as a full satisfaction for all interest due, and charges for warehouse room.

III. And be it further enacted by the authority aforesaid, That in all cases where any intermediate sum lent upon any pawn or pledge shall exceed the sum of two shillings and sixpence and not exceed the sum of forty shillings, the person lending the same shall and may take, by way of profit as aforesaid, at and after the rate of four-pence and no more, for the loan of twenty shillings by the calendar month, including the current month as aforesaid.

IV. Provided always, and be it further enacted, That in all cases where the sum to be demanded, received, and taken by any pawnbroker or pawnbrokers, his, her, or their servant or agent, of and from any person or persons applying or offering to redeem any

When the intermediate sum lent exceeds 2s. 6d. but does not exceed 40s. the rate of 4d. for the loan of 20s. by the month to be paid. Pawnbrokers to give farthings in any change.

any goods or chattels pawned or pledged with such pawnbroker or pawnbrokers, either as profit upon any sum lent, or as part principal and part profit, shall amount to a total sum of which the piece of money of the lowest denomination shall be one farthing; and where the person or persons so applying or offering to redeem such goods or chattels shall have paid down the sum due for such principal and profit, or for such profit only (as the case may be) except the last remaining farthing, and shall not be able to produce and pay to such pawnbroker or pawnbrokers, his, her, or their servant or agent, a current farthing, and which shall be to the satisfaction and liking of such person or persons to receive the same, but shall in lieu thereof tender to such person or persons to receive the same one halfpenny, in order to discharge the said remaining farthing so due as aforesaid, the said pawnbroker or pawnbrokers, his, her, or their servant or agent, to whom such tender of a halfpenny for such purpose as aforesaid shall be made, shall, in exchange thereof, deliver unto such person or persons so redeeming goods as aforesaid, one good and lawful farthing, of the current coin of this kingdom, or in default thereof shall wholly abate the said remaining farthing from the total sum to be received by him or them of such person or persons so redeeming goods or chattels as aforesaid.

Limiting the profits for part of a month.

V. Provided always, and be it further enacted, That in all cases where the party or parties entitled to and applying for the redemption of goods pawned within the space of seven days after the expiration of the first calendar month after the same shall have been pledged, he, she, or they shall and may be at liberty to redeem the same without paying any thing by way of profit to the pawnbroker for the said seven days, or such part thereof as shall then have elapsed; and that in all cases where the party or parties so entitled, and applying as aforesaid after the expiration of the said first seven days, and before the expiration of the first fourteen days of the second calendar month, he, she, or they shall and may be at liberty to redeem such goods, upon paying the profit payable for one calendar month and the half of another calendar month to the pawnbroker; but that in all cases where the party or parties so entitled and applying as aforesaid, after the expiration of the said first fourteen days, and before the expiration of the said second calendar month, it shall be lawful for the pawnbroker to demand and take the profit of the whole second month; and that the like regulation and restriction shall take place and be in force in every subsequent calendar month, wherein application shall be made for redeeming goods pawned.

Pawns to be entered in books.

VI. And be it further enacted, That all and every person and persons who, from and after the commencement of this act, shall take by way of pawn or pledge, of or from any person or persons whomsoever, any goods or chattels, of what kind soever the same shall be, and whereon shall be lent any sum of money exceeding five shillings, shall forthwith, and before he, she, or they shall or may advance or lend any money upon such pawn or pledge, enter or cause to be entered, in a fair and regular manner, in a book or

books

books to be kept by him, her, or them for that purpose, a description of the goods or chattels which he, she, or they shall receive in pawn, pledge, or exchange, and also the sum of money to be advanced or lent thereon, with the day of the month and year on which, and the name of the person or persons by whom such goods or chattels are so pawned, pledged, or exchanged, and the name of the street and number of the house, if the same shall be said to be numbered, where such person shall abide, and whether such person or persons is or are a lodger in, or the keeper of such house, by using the letter "L" if a lodger, and the letter "H" if a housekeeper, and also the name and place of abode of the owner or owners of such goods and chattels, according to the information of the person pawning, pledging, or exchanging the same, into all which circumstances the pawnbroker is hereby required to enquire of the party pawning, before any money shall be lent or advanced, and in all cases where the money lent on any such goods or chattels shall not exceed the sum of five shillings, such entry shall be made in such book or books, by all and every such person and persons so taking the same by way of pawn, pledge, or exchange as aforesaid, within four hours next after the said goods and chattels shall have been so pawned, pledged, or exchanged as aforesaid; and every pledge upon which shall be lent any sum of money above ten shillings, shall be entered in the manner aforesaid in a book or books to be kept for that purpose, separate and apart from all other pledges whatever; and every such entry of such pledge whereon shall be lent any sum of money exceeding ten shillings, shall be numbered in such book or books progressively as they are received in pawn, in the manner following; (*videlicet*), the first pledge that is received in pawn in the month of *September* next, shall be numbered N^o 1, the second N^o 2, and so on progressively until the end of the month; and the first pledge that is received in the next month, shall be numbered N^o 1, and the second N^o 2, and so on progressively and in like manner until the end of the month; and the like regulation with respect to the numbers of all pledges above ten shillings, shall be observed in every succeeding month throughout the year; and upon every note or memorandum respecting any such pledge whereon shall be lent any sum exceeding ten shillings as aforesaid, shall be fairly and legibly written or printed the number of the entry of such pledge so entered in such book or books as aforesaid; and every such person shall, at the time of the taking of every pawn, pledge, or exchange whatsoever, give to the person or persons so pawning, pledging, or exchanging the same, a note or memorandum, fairly and legibly written or printed, or in part written and in part printed, containing therein in like manner a description of the goods and chattels which he, she or they have received in pawn, pledge, or exchange, and also the sum of money advanced thereon, with the day of the month and year on which, and the name and place of abode, and number of the house, if said to be numbered, of the person or persons by whom such goods or

Pawnbrokers
to give a note
describing
things
pawned.

chattels are so pawned, pledged, or exchanged, and whether such person is a lodger or housekeeper as aforesaid, by using the letter "L" if a lodger, and the letter "H" if a housekeeper, and also the name and place of abode of the owner or owners thereof, according to the information aforesaid, and upon which said note or memorandum, or on the back whereof, shall be moreover fairly written or printed, the name and place of abode of the pawnbroker giving the same, which said note or memorandum the party and parties pawning, pledging, or exchanging the said goods or chattels shall, and he, she, or they is and are hereby required to accept and take in all cases, and the pawnbroker shall not receive and retain such pledge unless the party pledging or offering to pledge the same shall accept and take such note or memorandum; and every such note, where the sum lent shall be less than five shillings, shall be delivered *gratis*; and where the sum lent shall be five shillings or upwards, and less than ten shillings, such pawnbroker shall and may take one halfpenny for the same; and where the sum lent shall be ten shillings or upwards, and less than twenty shillings, such pawnbroker shall and may take one penny for the same; and where the sum lent shall be twenty shillings or upwards, and less than five pounds, the sum of two-pence for the same; and where the sum lent shall be five pounds or upwards, the sum of four-pence and no more; and which note shall be produced to the pawnbroker before he or she shall be obliged to re-deliver the respective goods or chattels, except as herein-after is excepted.

The amount of profits on duplicates indorsed on pledges redeemed.

VII. And be it further enacted, That in all cases where any goods or chattels pawned or pledged shall be redeemed, the pawnbroker of whom the same shall be redeemed shall, at the time of such redemption, fairly and legibly write or indorse, or cause to be written or indorsed, upon every duplicate respecting such pawn or pledge, the amount of the profit taken by him, or on his account, on the money lent upon such goods or chattels so redeemed, and shall keep such duplicate in his custody for the space of one year then next following.

Penalty against unlawfully pawning goods the property of others.

VIII. And be it further enacted, That, from and after the commencement of this act, if any person or persons shall knowingly and designedly pawn, pledge, or exchange, or unlawfully dispose of the goods or chattels of any other person or persons, not being employed or authorized by the owner or owners thereof so to do, it shall be lawful for any justice to grant his warrant to apprehend any person so offending, and if he, she, or they shall be thereof convicted, by the oath of any credible witness or witnesses, or by the confession of the person or persons charged with such offence, before any justice or justices of the peace for the county, riding, division, city, liberty, town, or place where the offence shall be committed, (which oath every such justice or justices as aforesaid is and are hereby empowered and required to administer), every such offender shall, for every such offence, forfeit any sum not exceeding five pounds nor less than twenty shillings, and also the full value of the goods or chattels so pawned, pledged,

pledged, exchanged, or disposed of, such value to be ascertained by such justice or justices; and in case the said forfeitures shall not be forthwith paid, the justice or justices of the peace as aforesaid before whom such conviction shall be had, shall commit the party or parties so convicted to the house of correction or some other publick prison of the county, riding, division, city, liberty, town, or place wherein the offender or offenders shall reside, or be convicted, there to remain and be kept to hard labour for a space not exceeding three calendar months, unless the said forfeitures shall be sooner paid; and if within three days before the expiration of the said term of commitment the said forfeitures shall not be paid, the said justice or justices, at his and their discretion, may order the person or persons so convicted to be publickly whipped in the house of correction or prison to which the offender or offenders shall have been committed, or in some other publick place of the county, riding, division, city, liberty, town, or place where the offence shall have been committed, as to such justice or justices shall seem proper; and the said respective forfeitures, when recovered, shall be applied towards making satisfaction thereout to the party or parties injured, and defraying the costs of the prosecution, as shall be adjudged reasonable by the justice or justices before whom such conviction shall be had; but if the party or parties injured shall decline to accept of such satisfaction and costs, or if there shall be any overplus of the said respective forfeitures, after making such satisfaction and paying such costs as aforesaid, then such respective forfeitures, or the overplus thereof (as the case shall happen) shall be paid and applied to and for the use of the poor of the parish or place where such offence shall have been committed, and shall be paid to the overseers of the poor of such parish or place for that purpose.

IX. And be it further enacted, That if any person or persons whomsoever shall counterfeit, forge, or alter, or cause or procure to be counterfeited, forged, or altered, any such note or memorandum as aforesaid, or shall utter, vend, or sell any such note as aforesaid, knowing the same to be counterfeited, forged, or altered, with intent to defraud any person or persons whomsoever, in all or any or either of the said cases, such person or persons shall be punished in manner herein-after mentioned; and it shall be lawful for any person or persons, his, her, or their servants or agents to whom any note shall be uttered or produced, shewn or offered, which he, she, or they shall have reason to suspect to have been counterfeited, forged, or altered, to seize and detain such person or persons uttering, producing, shewing, or offering the same, and to deliver him, her, or them, as soon as conveniently may be, into the custody of a constable, or other peace officer, who shall and is hereby required, as soon as conveniently may be, to convey such person or persons before some justice or justices of the peace for the county, riding, division, city, liberty, town, or place, wherein the offence shall be supposed to have been committed; and if upon examination it shall

Person forging or counterfeiting notes.

shall appear to the satisfaction of such justice or justices, that the person or persons charged with having committed any such offence is or are guilty thereof, then, and in every such case, the said justice or justices is and are hereby authorised and required to commit the party or parties offending to the common gaol or house of correction of the county, riding, division, city, liberty, town, or place wherein the offence shall be committed, there to be imprisoned for any time not exceeding the space of three calendar months, at the discretion of such justice or justices.

Persons not giving a good account of themselves on offering to pawn goods, liable to punishment.

X. And be it further enacted, That in case any person or persons who shall offer by way of pawn, pledge, exchange, or sale, any goods or chattels, shall not be able, or shall refuse to give a satisfactory account of himself, herself, or themselves, or of the means by which he, she, or they became possessed of such goods or chattels, or shall wilfully give any false information to the pawnbroker, or to his or her servant or servants, as to whether such goods or chattels are his, her, or their own property, or not, or of his or her name and place of abode, or of the name and place of abode of the owner or owners of the said goods or chattels, or if there shall be any other reason to suspect that such goods or chattels are stolen, or otherwise illegally or clandestinely obtained, or if any person or persons not entitled, nor having any colour of title by law to redeem goods or chattels in pledge or pawn, shall attempt or endeavour to redeem the same, it shall be lawful for any person or persons, his, her, or their servants or agents, to whom such goods or chattels shall be so offered, or with whom such goods or chattels are in pledge, to seize and detain such person or persons and the said goods or chattels, and to deliver such person or persons immediately into the custody of a constable or other peace officer, who shall and is hereby required, as soon as may be, to convey such person or persons, and the said goods or chattels so offered, before some justice or justices of the peace for the county, riding, division, city, liberty, town, or place wherein the offence shall be supposed to have been committed; and if such justice or justices shall, upon examination and enquiry, have cause to suspect that the said goods or chattels were stolen, or illegally or clandestinely obtained, or that the person or persons offering and endeavouring to redeem the same, shall not have any pretence or colour of right to redeem the same, it shall be lawful for such justice or justices to commit such person or persons into safe custody, for such reasonable time as shall be necessary for the obtaining proper information on the subject, in order to be further examined; and if upon either of the said examinations it shall appear to the satisfaction of such justice or justices that the said goods or chattels were stolen, or illegally or clandestinely obtained, or that the person or persons offering or endeavouring to redeem the same, hath or have not any pretence or colour of right so to do, the said justice or justices is and are hereby authorised and required to commit the party or parties offending to the common gaol or house of correction of the county, riding, division, city, liberty,

TOWN,

town, or place wherein the offence shall be committed, there to be dealt with according to law, where the nature of the offence shall authorise such commitment by any other law, and where the nature of the offence shall not authorise such commitment by any other law, then such commitment shall be for any time not exceeding three calendar months, at the discretion of such justice or justices.

XI. And be it further enacted, That, from and after the commencement of this act, if any person or persons shall knowingly buy or take in as a pledge or pawn, or in exchange, any goods of any manufacture, or of any part or branch of any manufacture, either mixed or separate, or any materials whatsoever plainly intended for the composing or manufacturing of any goods, after such goods or materials respectively are put into a state or course of manufacture, or into a state for any process or operation to be thereupon or therewith performed, and before such goods or materials are completed or finished for the purposes of wear or consumption, or any linen or apparel, which goods, materials, linen, or apparel, are or shall be entrusted to any person or persons to wash, scour, iron, mend, manufacture, work up, finish, or make up, and shall be convicted of the same on the oath of one credible witness, or on confession of the party or parties, before one or more justice or justices, every such person or persons shall forfeit double the sum given for or lent on the same, to be paid to the poor of the parish where the offence is committed, to be recovered in the same manner as any other forfeitures are by this act directed to be recovered, and shall likewise be obliged to restore the said goods and materials to the owner or owners thereof, in the presence of the said justice or justices.

Persons buying or taking in pledge unfinished goods, linen, or apparel entrusted to others to wash or mend, to forfeit double the sum lent, and restore the goods.

XII. And be it further enacted, That if the owner or owners of any goods of any manufacture, or of any part or branch of any manufacture, either mixed or separate, or any materials whatsoever, plainly intended for the composing or manufacturing of any goods, after such goods or materials respectively are put into a state or course of manufacture, or into a state for any process or operation to be thereupon or therewith performed, and before such goods or materials are completed or finished for the purposes of wear or consumption, or any linen or apparel, which goods, materials, linen, or apparel are or shall be so intrusted as aforesaid, unlawfully pawned, pledged, or exchanged, shall make out either on his, her, or their oath, or by the oath of any credible witness, or, being one of the people called *Quakers*, by solemn affirmation, before any justice or justices of the peace within his or their jurisdiction, that there is just cause to suspect that any person or persons within the jurisdiction of any such justice or justices hath or have taken to pawn, or by way of pledge or in exchange, any such goods or materials, linen or apparel, so intrusted as aforesaid, of such owner or owners, and without the privity or authority of such owner or owners thereof, and shall make appear, to the satisfaction of any such justice or justices,

Empowering peace officers to search for unfinished goods unlawfully come by.

justices, probable grounds for such the suspicion of the owner or owners thereof, then and in any such case any justice or justices of the peace, within his or their jurisdiction, may issue his or their warrant for searching, within the hours of business, the house, warehouse, or other place of any such person or persons who shall be charged, on oath or affirmation as aforesaid, as suspected to have received or taken in pawn or by way of pledge, or in exchange, any such goods or materials, linen or apparel, without the privity of or authority from the owner or owners thereof; and if the occupier or occupiers of any house, warehouse, or other place wherein any such goods, materials, linen, or apparel, shall on oath or affirmation as aforesaid be charged or suspected to be, shall, after the commencement of this act, on request made to him, her, or them, to open the same, by any peace officer authorised to search there by warrant from any justice or justices of the peace for the county, riding, division, city, liberty, town, or place, in which such house, warehouse, or other place shall be situate, refuse to open the same and permit the same to be searched, it shall be lawful for any peace officer to break open any such house, warehouse, or other place, within the hours of business, and to search as he shall think fit therein for the goods, materials, linen, or apparel suspected to be there, doing no wilful damage; and no pawnbroker or other person or persons shall oppose or hinder any such search; and if upon the search of the house, warehouse, or other place of any such suspected person or persons as aforesaid, any of the goods, materials, linen, or apparel, which shall have been so pawned, pledged, or exchanged as aforesaid shall be found, and the property of the owner or owners thereof shall be made out to the satisfaction of any such justice or justices, by the oath of one or more credible witness or witnesses, or if any such witness or witnesses shall be of the people called *Quakers*, by solemn affirmation, or by the confession of the person or persons charged with any such offence, any such justice or justices shall thereupon cause the goods, materials, linen, or apparel, found on any such search, and pawned, pledged, or exchanged as aforesaid, to be forthwith restored to the owner or owners thereof.

Where goods are unlawfully pawned, the pawnbroker to restore them.

XIII. And be it further enacted, That if the owner or owners of any goods or chattels unlawfully pawned, pledged, or exchanged, shall make out, either on his, her, or their oath, or by the oath of any credible witness, or, being one of the people called *Quakers*, by solemn affirmation, before any justice or justices of the peace within his or their jurisdiction, that such owner or owners hath or have had his, her, or their goods or chattels unlawfully obtained or taken from him, her, or them, and that there is just cause to suspect that any person or persons within the jurisdiction of any such justice or justices hath or have taken to pawn, or by way of pledge, or in exchange, any goods or chattels of such owner or owners, and without the privity or authority of such owner or owners thereof, and shall make appear, to the satisfaction of any such justice or justices, probable grounds for such

such the suspicion of the owner or owners thereof, then and in any such case any justice or justices of the peace within his or their jurisdiction may issue his or their warrant for searching, within the hours of business, the house, warehouse, or other place of any such person or persons who shall be charged on oath or affirmation as aforesaid as suspected to have received or taken in pawn, or by way of pledge or in exchange, any such goods or chattels, without the privity of, or authority from the owner or owners thereof; and if the occupier or occupiers of any house, warehouse, or other place wherein any such goods or chattels shall on oath or affirmation as aforesaid be charged or suspected to be, shall, after the commencement of this act, on request made to him, her, or them to open the same by any peace officer authorised to search there, by warrant from a justice or justices of the peace for the county, riding, division, city, liberty, town, or place, in which such house, warehouse, or other place shall be situate, refuse to open the same, and permit the same to be searched, it shall be lawful for any peace officer to break open any such house, warehouse, or other place, within the hours of business, and to search as he shall think fit therein, for the goods or chattels suspected to be there, doing no wilful damage; and no pawnbroker or other person or persons shall oppose or hinder any such search; and if upon the search of the house, warehouse, or other place of any such suspected person or persons as aforesaid, any of the goods or chattels which shall have been so pawned, pledged, or exchanged as aforesaid shall be found, and the property of the owner or owners from whom the same shall have been unlawfully obtained or taken, shall be made out to the satisfaction of any such justice or justices by the oath of one or more credible witness or witnesses, or if any such witness or witnesses shall be of the people called *Quakers*, by solemn affirmation, or by the confession of the person or persons charged with any such offence, any such justice or justices shall thereupon cause the goods and chattels found on any such search, and pawned, pledged, or exchanged as aforesaid, to be forthwith restored to the owner or owners thereof.

XIV. And be it further enacted, That, from and after the commencement of this act, if any goods or chattels shall be pawned or pledged for securing any money lent thereon, not exceeding in the whole the principal sum of ten pounds, and the profit thereof, and if within one year after the pawning or pledging thereof, (proof having been made on oath or affirmation as aforesaid by one or more credible witness or witnesses, and by producing the note or memorandum directed to be given by this act as aforesaid, before any justice or justices, to the satisfaction of any such justice or justices, of the pawning or pledging of any such goods or chattels within the said space of one year, or one year and three months, as the case may be), any such pawner or pawners who was or were the real owner or owners of such goods or chattels at the time of the pawning or pledging thereof, his, her, or their executors, administrators, or assigns, shall

Punishing the pawnbroker who will not deliver up goods to the pawner.

shall tender unto the person or persons who lent, on the security of the goods or chattels pawned, his executors, administrators, or assigns, the principal money borrowed thereon, and profit, according to the table of rates by this act established, and the person who took such goods or chattels in pawn, his or her executors, administrators, or assigns, shall thereupon, without shewing reasonable cause for so doing to the satisfaction of such justice or justices, neglect or refuse to deliver back the goods or chattels so pawned for any sum or sums of money not exceeding the said principal sum of ten pounds, to the person or persons who borrowed the money thereon, his, her, or their executors, administrators, or assigns, then and in any such case, on oath or affirmation as aforesaid thereof made by the pawner or pawners thereof, his, her, or their executors, administrators, or assigns, or some other credible person, any justice or justices of the peace for the county, riding, division, city, liberty, town, or place where the person or persons who took such pawn as aforesaid, his executors, administrators, or assigns, shall dwell, on the application of the borrower or borrowers, his, her, or their executors, administrators, or assigns, is and are hereby required to cause such person or persons who took such pawn, his, her, or their executors, administrators, or assigns, within the jurisdiction of the justice or justices, to come before such justice or justices; and such justice or justices is and are hereby authorized and required to examine on oath or solemn affirmation, as the case may require, the parties themselves, and such other credible person or persons as shall appear before him or them touching the premises; and if tender of the principal money due, and all profit thereon as aforesaid, shall be proved by oath or affirmation as aforesaid to have been made (such principal money not exceeding the said sum of ten pounds) to the lender or lenders thereof, his, her, or their executors, administrators, or assigns, by the borrower or borrowers of such principal money, his, her, or their executors, administrators, or assigns, within the said space of one year, or one year and three months, as the case may be, after the said pawning or pledging of the goods or chattels, then on payment by the borrower or borrowers, his, her, or their executors, administrators, or assigns, of such principal money, and the profit due thereon as aforesaid, to the lender or lenders, his, her, or their executors, administrators, or assigns, and in case the lender or lenders, his, her, or their executors, administrators, or assigns, shall refuse to accept thereof, on tender thereof to him, her, or them made by the borrower or borrowers thereof, his, her, or their executors, administrators, or assigns, before any such justice or justices, such justice or justices shall thereupon, by order under his or their hand or hands, direct the goods or chattels so pawned forthwith to be delivered up to the pawner or pawners thereof, his, her, or their executors, administrators, or assigns; and if the person or persons who shall have lent any principal sum or sums of money, not exceeding in the whole the said sum of ten pounds on any goods or chattels pawned, his, her,

or

or their executors, administrators, or assigns, shall neglect or refuse to deliver up or make satisfaction for the goods or chattels which shall be so proved to the satisfaction of such justice or justices as aforesaid to have been so pawned, as any such justice or justices of the peace as aforesaid shall order and direct, then any such justice or justices shall, and is and are hereby authorised and required to commit the party or parties so refusing to deliver up or make satisfaction for the same, to the house of correction or some other publick prison for the county, riding, division, city, liberty, town, or place wherein the offender or offenders shall reside or be convicted, there to remain, without bail or mainprize, until he, she, or they shall deliver up the goods or chattels so pawned, and continuing redeemable as aforesaid, according to the order of such justice or justices as aforesaid, or make such satisfaction or compensation as such justice or justices shall adjudge reasonable for the value thereof, to the party or parties entitled to the redemption of such goods or chattels so pawned, and continuing redeemable as aforesaid.

XV. And, to prevent any inconvenience to persons carrying on the trade and business of a pawnbroker, from several different persons claiming a property in the same goods or chattels, be it further enacted, That, from and after the commencement of this act, any person or persons who shall at any time produce any such note or memorandum as aforesaid, to the person or persons with whom the goods therein specified were pawned or pledged, as the owner thereof, or as authorised by the owner thereof to redeem the same, and require a delivery of the goods or chattels mentioned therein, to him, her, or them, such person or persons shall be, and is and are hereby deemed and taken to be, so far as respects the person or persons having such goods and chattels in pledge, the real owner or owners, proprietor and proprietors of such goods and chattels, and the person or persons so using the said trade and business of a pawnbroker shall be, and is and are hereby directed and required, after receiving satisfaction pursuant to the provisions of this act, respecting principal and profit, to deliver such goods and chattels to the person or persons who shall so produce the said note or memorandum to him, her, or them, and shall be, and is and are hereby indemnified for so doing, unless he, she, or they shall have had previous notice from the real owner or owners thereof not to deliver the same to the person or persons producing such note, or unless notice shall have been given to him, her, or them, that the goods or chattels pawned have been or are suspected to have been fraudulently or feloniously taken or obtained, and unless the real owner or owners thereof proceeds or proceed, in manner herein-after provided and directed for the redeeming of goods and chattels pledged, where such note hath been lost, mislaid, destroyed, or fraudulently obtained from the owner or owners thereof.

Persons producing notes or memorandums deemed the owners.

XVI. And be it further enacted, That in case any pawnbroker shall have had such previous notice, as aforesaid, or in case any such note or memorandum as aforesaid shall be lost, mislaid, destroyed, or fraudulently obtained from the owner or owners thereof, Where notes or memorandums lost, the pawnbroker to deliver a copy,

stroyed, or fraudulently obtained from the owner or owners thereof, and the goods and chattels mentioned therein shall remain unredeemed, that then and in every such case the pawnbroker or pawnbrokers with whom the said goods and chattels were so pledged shall, at the request and application of any person or persons who shall represent himself, herself, or themselves to the pawnbroker as the owner or owners of the goods and chattels in pledge as aforesaid, deliver to such person or persons so requesting and applying for the same, a copy of the note or memorandum so lost, mislaid, destroyed, or fraudulently obtained as aforesaid, with the form of an affidavit of the particular circumstances attending the case, printed or written, or in part printed and in part written on the said copy, as the same shall be stated to him or her by the party applying as aforesaid, for which copy of such note or memorandum, and form of affidavit, in case the money lent shall not exceed the sum of five shillings, the pawnbroker shall receive the sum of one halfpenny; and in case the money lent shall exceed the sum of five shillings and not exceed the sum of ten shillings, the pawnbroker shall receive the sum of one penny; and in case the money lent shall exceed the sum of ten shillings, the pawnbroker shall receive the like sum of money as he is entitled to receive and take on giving the original note or memorandum, such money to be paid by the party applying for the same at the time of making the said application; and the person or persons having so obtained such copy of the note or memorandum, and form of affidavit as aforesaid, shall thereupon prove his, her, or their property in, or right to such goods and chattels, to the satisfaction of some justice of the peace for the county, riding, division, city, town, liberty, or place, where the said goods or chattels shall have been pledged, pawned, or exchanged, and shall also verify on oath or affirmation, as the case may be, before the said justice the truth of the particular circumstances attending the case mentioned in such affidavit or affirmation to be made as aforesaid, the caption of such oath or affirmation to be authenticated by the hand writing thereto of the justice before whom the same shall be made, and who shall, and is hereby required so to authenticate the same, whereupon the pawnbroker shall suffer the person or persons proving such property to the satisfaction of such justice as aforesaid, and making such affidavit or affirmation as aforesaid, on leaving such copy of the said note or memorandum, and the said affidavit or affirmation, with the said pawnbroker, to redeem such goods or chattels.

Pawned goods deemed forfeited at the end of a year.

XVII. And be it further enacted, That all goods and chattels which shall be pawned or pledged, shall be deemed forfeited, and may be sold at the expiration of one whole year, exclusive of the day whereon the goods and chattels were so pawned as aforesaid; and that all goods and chattels so forfeited on which any sum above ten shillings and not exceeding ten pounds shall have been lent, shall be sold by publick auction, and not otherwise, by the order of the person having the same in pawn, at and after the expiration

expiration of the said year, but the person employed to sell such goods and chattels by auction shall, and he is hereby required to cause the same to be exposed to publick view, and catalogues thereof to be published, containing the name and place of abode of the pawnbroker, and also the month such goods were received in pawn; and the number of every such pledge as entered in the book or books kept for that purpose at the time the same were pawned, and an advertisement giving notice of such sale, and containing the name or names, and place of abode of the pawnbroker or pawnbrokers with whom the said goods or chattels were in pledge, and also the month such goods were received in pawn, to be inserted on two several days in some publick newspaper, two days at least before the first day of sale; and the goods and chattels pledged with every pawnbroker, shall be inserted in every catalogue, separate and apart from each other, upon pain of forfeiting to the owner or owners of the said goods or chattels, for every offence in the premises, any sum not exceeding ten pounds nor less than forty shillings.

XVIII. Provided always, and be it further enacted, That all pictures, prints, books, bronzes, statues, busts, carvings in ivory and marble, cameos, intaglios, musical, mathematical, and philosophical instruments, and china, which shall be sold by publick auction as aforesaid, shall be sold by themselves, and without other goods being sold at such sale, four times only in every year, (that is to say), On the first *Monday* in the months of *January*, *April*, *July*, and *October*, in every year, and on the following day and days if the sale shall exceed one day, and at no other time; and the person who shall be employed to sell the same by auction shall, and he is hereby required to cause the same to be exposed to publick view, and catalogues thereof to be published, and an advertisement giving notice of such sale, and containing the name or names of the pawnbroker or pawnbrokers with whom the said goods were in pledge, to be inserted two several days in some publick newspaper three days at the least before the first day of sale, upon pain of forfeiting to the owner or owners of the said goods for every offence in the premises, any sum not exceeding five pounds nor less than forty shillings.

Directing certain goods to be sold separate from other goods.

XIX. Provided always, and be it further enacted, That in case any person or persons entitled to redeem goods or chattels in pledge, shall, before or upon the expiration of the said one year from the time of pawning the same, give notice in writing, or in the presence of one witness, to the person or persons having the same in pledge, or leave the same at his, her, or their usual place of abode, not to sell the same at the end of the said one year, then and in every such case, such goods or chattels shall not be sold or disposed of by the person or persons having the same in pledge until after the expiration of three calendar months, to be computed from the expiration of the said year, during which said term of three calendar months, the owner or owners of the said goods and chattels shall have liberty to redeem the same, upon the terms stipulated and provided by this act.

On notice from persons having goods in pledge not to sell, three months further allowed beyond the year for redemption.

Account of
sales to be
entered by
the pawn-
brokers in a
book;

and overplus
paid to the
owner of the
goods pawned
or sold, &c.

Anno regni quadragesimo GEORGE III. c. 99. [1800.

XX. And be it further enacted, That all and every person or persons with whom any goods or chattels shall have been pawned or pledged, shall from time to time enter in a book or books, to be kept by him, her, or them for that purpose, a true and just account of the sale of all goods and chattels pawned with him, her, or them for upwards of ten shillings, which shall be sold as aforesaid, expressing the day of the month when such goods were pledged, and the name of the person pledging the same, according to the entry made at the time of receiving the same in pawn; and also the day when, and the money for which such goods or chattels pawned were sold, together with the name and place of abode of the auctioneer by whom the same were sold, according to the information thereof from the auctioneer; and in case any such goods or chattels shall be sold for more than the principal money and profit aforesaid due thereon at the time of such sale, the overplus shall, by every such pawnbroker, be paid, on demand, to the person by whom or on whose account such goods or chattels were pawned, his, her, or their executors, administrators, or assigns, in case such demand shall be made within three years after such sale, the necessary costs and charges of such sale being first deducted; and such person or persons who pawned or pledged such goods or chattels, or for whom such goods or chattels were so pawned or pledged, his, her, or their executors, administrators, or assigns, shall, for his, her, or their satisfaction in this matter, be permitted to inspect the entry to be made as aforesaid of every such sale, paying for such inspection the sum of one penny and no more; and in case any person or persons shall refuse to permit any such person or persons who pawned or pledged such goods or chattels, or who is or are entitled to such overplus money, to inspect such entry as aforesaid in any such book or books, (such person or persons, if an executor or executors, administrator or administrators, or assignee or assignees, at such time producing his, her, or their letters testamentary, letters of administration or assignment), or in case the goods or chattels were sold for more than the sum entered in any such book or books, or if any such person or persons shall not make such entry as aforesaid, or shall not have *bonâ fide*, according to the directions of this act, sold the same, or shall refuse to pay such overplus, upon demand, to the pawnor or pawners, owner or owners, his, her, or their executors, administrators, or assigns, (he, she, or they producing such their letters testamentary, letters of administration or assignment), every such person or persons so offending shall, for every such offence, forfeit the sum of ten pounds, and treble the sum such goods and chattels shall originally have been pawned for, to the person or persons by whom or on whose account such goods or chattels were pawned, his, her, or their executors, administrators, or assigns, to be levied 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 county, riding, division, city, town, liberty, or place where the offence shall be committed.

XXI. And

XXI. And be it further enacted, That, from and after the commencement of this act, no person or persons having any goods or chattels in pledge shall, under any pretence whatsoever, either by himself or herself, or by any other person for him or her, purchase any such goods or chattels so being in pledge with him or her, during the time the same shall remain in his or her custody as such pledge, save and except at such publick auction as aforesaid, nor shall suffer the same to be redeemed with a view or intention to purchase the same; nor shall any such person taking or having any goods or chattels in pledge, make or cause to be made any contract or agreement with any person or persons offering to pledge or pledging the same with the owner or owners of the pledge, for the purchase, sale, or disposition of the said goods and chattels before the expiration of one whole year from the time of pawning or pledging the same; nor shall any pawnbroker purchase or receive or take any goods or chattels in pledge of or from any person or persons who shall appear to be under the age of twelve years, or to be intoxicated with liquor; or purchase or take in pawn, pledge, or exchange the note or memorandum aforesaid of any other pawnbroker; nor buy any goods or chattels in the course of his, her, or their trade or business before the hour of eight of the clock in the forenoon or after the hour of seven of the clock in the evening throughout the year; nor employ any servant or apprentice, or any other person under the age of sixteen years, to take in any pledge or pledges; nor receive or take in any goods or chattels by way of pawn, pledge, or in exchange, before eight of the clock in the forenoon or after eight of the clock in the evening between *Michaelmas Day* and *Lady Day* following, or before seven of the clock in the forenoon or after nine of the clock in the evening during the remainder of the year, excepting only until eleven of the clock on the evenings of *Saturday* throughout the whole year, and the evenings preceding *Good Friday* and *Christmas Day*, and every fast or thanksgiving day to be appointed by his Majesty; nor shall any person or persons exercise or carry on the trade or business of a pawnbroker on any *Sunday*, *Good Friday*, *Christmas Day*, or on any fast day or thanksgiving day to be appointed as aforesaid.

Pawnbroker not to purchase goods while in his custody.

Pledges not to be taken from persons under 12 years of age, or intoxicated.

Time to buying goods or taking in pawns limited.

XXII. And be it further enacted, That, upon and from and after the commencement of this act, all and every person and persons who shall follow and carry on the trade and business of a pawnbroker, shall cause to be painted or printed, in large legible characters, the rate of profit allowed by this act to be taken by him, her, or them, and also the various prices of the notes or memorandums to be given by him, her, or them, according to the rates aforesaid, and an account of what notes or memorandums are to be delivered *gratis*, and of the expence of obtaining a second note or memorandum where the former one has been lost, mislaid, destroyed; or fraudulently obtained, and place the same in a conspicuous part or parts of the shop or other place wherein he, she, or they shall carry on such trade or business, to as to be visible to and legible by the persons pledging goods and

Pawnbrokers to place in view the table of profits, &c.

chattels standing in the several boxes or places provided for such persons coming to pawn or redeem goods and chattels at such shop.

Pawnbrokers names and business to be placed over his door, on penalty of 10l., &c.

XXIII. *And, for the better manifesting by whom the trade or business of a pawnbroker shall hereafter be carried on,* be it further enacted, That, from and after the commencement of this act, all and every person or persons who shall follow or carry on the trade or business of a pawnbroker, shall cause to be painted or written, in large legible characters, over the door of each shop or other place by him, her, or them respectively made use of for carrying on that trade or business, the christian and surname or names of the person or persons so carrying on the said trade or business, and the word "Pawnbroker," or "Pawnbrokers," as the case may be, following the same, upon pain of forfeiting the sum of ten pounds for every shop or place which shall be so made use of for the space of one week without having such name or names, and the said word, so painted or written as aforesaid, to be 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 acting within the respective county, riding, division, city, town, liberty, or place, (which warrant such justices are hereby authorized and required to grant), upon the confession of the party or parties, or upon the information of any credible witness or witnesses upon oath or affirmation, as the case may be; and in case sufficient distress shall not be found, or such penalty shall not be forthwith paid, it shall be lawful for such justices, and they are hereby required, by warrant under their hands and seals, to cause the offender or offenders to be committed to the county gaol or house of correction, there to remain, without bail or mainprize, for any time not exceeding three calendar months nor less than fourteen days, unless the said penalty, and all reasonable charges, shall be sooner paid and satisfied.

Penalty on pawnbrokers selling goods before limited time, or injuring them, &c.

XXIV. And be it further enacted, That if in the course of any proceedings before any justice or justices of the peace, in pursuance of or under this act, it shall appear, or be proved to the satisfaction of the justice or justices upon oath or solemn affirmation, that any of the goods and chattels pawned as aforesaid have been sold before the time allowed by this act, or otherwise than according to the directions of this act, or have been embezzled or lost, or are become or have been rendered of less value than the same were at the time of pawning or pledging thereof, by or through the default, neglect, or wilful misbehaviour of the person or persons with whom the same were so pledged or pawned, his, her, or their executors, administrators, or assigns, agents or servants, then and in any such case it shall be lawful for every such justice and justices, and he and they is and are hereby required to allow and award a reasonable satisfaction to the owner or owners of such goods or chattels in respect thereof, or of such damage, and the sum or sums of money so allowed or awarded, in case the same shall not amount to the principal

principal and profit aforesaid which shall appear to be due to any person or persons with whom the same were so pledged or pawned, his, her, or their executors, administrators, or assigns, shall be deducted out of the said principal and profit; and in all cases where the goods and chattels pawned as aforesaid shall have been damaged as aforesaid, it shall be sufficient for the pawner or pawners, his, her, or their executors, administrators, or assigns, to pay or tender the money due upon the balance, after deducting, out of the principal and profit as aforesaid, for the goods or chattels pawned, such reasonable satisfaction in respect to such damage as any such justice or justices shall order or award, and upon so doing the justice or justices shall proceed as if the pawner or pawners, his, her, or their executors, administrators, or assigns, had paid or tendered the whole money due for the principal and profit aforesaid; and if the satisfaction to be allowed and awarded to the owner or owners of such goods or chattels shall be equal to or exceed the principal and profit aforesaid, then and in such case the person or persons to whom the same were so pledged or pawned, his, her, or their executors, administrators, or assigns, shall deliver the goods and chattels so pledged to the owner or owners thereof, without being paid any thing for principal or profit in respect thereof, and shall also pay such excess (if any) to the person or persons entitled thereto, under the penalty of ten pounds, to be recovered and applied in manner herein-after mentioned.

XXV. And be it further enacted, That it shall be lawful for any justice of the peace, upon complaint made to him on the oath or affirmation of one or more credible witness or witnesses, wherein any information shall be laid against any pawnbroker for having offended against this act, or respecting any dispute between any pawnbroker and person having pawned goods, or the owner or owners of goods pawned, or respecting any felony or other matter, or on any other occasion whatsoever, which in the judgement of any justice or justices shall make the production of any book, note, voucher, memorandum, duplicate, or other paper necessary, which shall or ought to be in the hands, custody, or power of any pawnbroker, to summon such pawnbroker before him to attend, with all and every or any book, note, voucher, memorandum, duplicate, or paper, which he or she may or ought to have in his or her custody or power relating to the same, which he or she is hereby required to produce before such justice or justices in the state the same was or were made at the time the pawn or pledge was received, without any alteration, erasure, or obliteration whatsoever; and in case such pawnbroker shall neglect or refuse to attend, or to produce the same in its true and perfect state, such pawnbroker shall, in case he or she doth not shew good cause for such neglect or refusal, to the satisfaction of such justice or justices, forfeit any sum not exceeding ten pounds nor less than five pounds, to be levied and applied in the manner herein-after mentioned.

Pawnbrokers
to produce
their books
when neces-
sary.

Penalty on pawnbrokers offending against this act.

XXVI. And be it further enacted, That in case any pawnbroker shall, from and after the commencement of this act, in anywise offend against this act, every such pawnbroker shall, for every such offence in neglecting to make or cause to be made, in a fair and regular manner, in such book or books as aforesaid, any such entry as is required to be made by him, her, or them by this act, forfeit such sum of money as to the justice or justices before and by whom any information thereon shall be heard and determined in his or their discretion shall seem reasonable and fit, not exceeding the sum of ten pounds, and for every other offence against this act, where no forfeiture or penalty is provided or imposed on any particular or specific offence against any part of this act, not less than forty shillings nor more than ten pounds, and that all forfeitures incurred by any offence committed against this act, shall and may be levied by distress and sale of the goods and chattels of the offender or offenders, by warrant under the hand and seal or hands and seals of any justice or justices of the peace for the county, riding, division, city, liberty, town, or place where the offence shall be committed; and the justices shall award one moiety of the said penalties to the party complaining, and the remainder of the aforesaid penalty or penalties not otherwise disposed of and applied by this act, is to be paid and applied to and for the use of the poor of the parish or place where the offence shall have been committed, and shall be paid to the overseers of the poor of such parish or place for that purpose.

Limiting the time of prosecuting by information.

XXVII. Provided always, and be it further enacted, That no person or persons using or exercising the trade or business of a pawnbroker, shall be subject or liable to any prosecution or information before any justice or justices of the peace by virtue of this act, for any offence or offences against this act, unless information shall be given of such offence or offences within twelve calendar months next after the offence or offences committed, and that all and every such information and informations shall be given and prosecuted before such justice or justices of the peace as shall act as such justice or justices near to the place where such offence or offences shall have been committed, unless the same shall have been committed within the city or liberties of London.

Churchwardens, &c. to prosecute, &c.

XXVIII. And be it further enacted, That the churchwardens and overseers of the poor of any parish or place where any offence shall be supposed to have been committed by any pawnbroker against this act, or some or one of such officers, at the discretion or direction of any justice of the peace, on having notice from such justice of the peace of such offence being supposed to have been committed, shall, and they or some or one of them, to be nominated by such justice as aforesaid, are and is hereby required to prosecute every offender for every offence so to be suggested by such justice to have been committed against this act, at the expence of the respective parish whereof they or he are, is, or shall be for the time being such officers or officer.

XXIX. And

XXIX. And be it further enacted, That no person who has been convicted of any fraud, or of obtaining money under false pretences, or of any felony whatsoever, shall be allowed to prosecute or inform against any person or persons, for any offence or offences committed against this act.

Convicted persons, &c. not to prosecute or inform against any person, &c.

XXX. Provided always, That nothing in this act contained shall extend, or be construed to extend, to any person or persons whomsoever who shall lend money to any person or persons whomsoever upon pawn or pledge, at the rate of five pounds *per centum per annum* interest, without taking any further or greater profit for the loan or forbearance of such money lent, on any pretence whatsoever.

Act not to extend to persons lending money at 5l. per cent. without further profit.

XXXI. And be it further enacted, That all and every the provisions, regulations, and clauses contained in this present act, shall, from and after the end of this present session of parliament, extend to and include the executors, administrators, and assigns of all and every deceased pawnbroker, in the same manner as the same extend to and include the pawnbroker when living, save and except that no such executor or administrator of any such deceased pawnbroker shall be answerable for any penalty or forfeiture personally, or to be paid out of his, her, or their own monies or estate, unless the same shall be incurred and forfeited by his, her, or their own act or neglect.

The act to extend to executors, &c. of pawn-brokers.

XXXII. And be it further enacted, That if any person or persons shall at any time or times be sued, molested, or prosecuted for any thing by him, her, or them done or executed in pursuance of this act, or of any clause, matter, or thing herein contained, such person or persons may plead the general issue, and give the special matter in evidence for his, her, or their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become non-sued, then such defendant or defendants shall have double costs awarded to him, her, or them against such plaintiff or plaintiffs.

Persons sued may plead the general issue.

XXXIII. Provided always, and be it enacted, That in all actions, suits, informations, trials, and other proceedings in pursuance of this act, or in relation to any matter or thing herein contained, any inhabitant of the parish, town, or place in which any offence or offences shall be committed contrary to the true intent and meaning of this act, shall be admitted to give evidence, and shall be deemed a competent witness, notwithstanding his or her being an inhabitant of the parish, town, or place wherein any such offence or offences shall be supposed to have been committed.

Inhabitants of any place where offences committed deemed competent witnesses.

XXXIV. And be it further enacted, That the justice or justices before whom any person shall be convicted in manner prescribed by this act, shall cause such respective conviction to be drawn up in the form, or to the effect following; (that is to say),

to wit. **BE** it remembered, That on this _____ day of _____ in the _____ year of his Majesty's reign, *A. B.* is convicted before _____ of his Majesty's justices _____ conviction.

Anno regni quadragesimo GEORGI III. c. 99. [1800.
 justices of the peace for the said county of
 [or, for the riding or division of the said county of
 or, for the city, liberty, or town of
 as the case shall happen to be] for and the said
 do adjudge him [or, her] to pay and forfeit for
 the same the sum of Given under
 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 the form or to the effect aforesaid, to be fairly written upon parchment, and transmitted to the next general or general quarter session of the peace to be held for the county, riding, division, city, town, liberty, or place wherein such conviction was had, to be filed and kept amongst the records of the said general or quarter session; and in case any person or persons so convicted shall appeal from the judgement of the said justice or justices to the said general or quarter session, the justices in such general or quarter session are hereby required, upon receiving the said conviction drawn up in the form or to the effect aforesaid, to proceed to the hearing and determination of the matter of the said appeal at such next session, and not afterwards, according to the directions of this act, any law, custom, or usage to the contrary notwithstanding; and no *Certiorari* shall be granted to remove any conviction or other proceedings had thereon in pursuance of this act.

Appeal.

XXXV. Provided always, and it is hereby further enacted, That if any person convicted of any offence or offences punishable by this act, shall think himself or herself aggrieved by the judgement of the justice or justices before whom he or she shall have been convicted, such person shall have liberty to appeal to the justices at the next general or quarter session of the peace which shall be held for the county, riding, division, city, liberty, town, or place where such judgement shall have been given, and that the execution of the said judgement shall in such case be suspended, the person so convicted entering into a recognizance at the time of such conviction, with two sufficient sureties, in double the sum which such person shall have been adjudged to pay or forfeit, upon condition to prosecute such appeal with effect, and to be forthcoming to abide the judgement and determination of the justices in their said next general or quarter session, and to pay such costs as the said justices in such session shall award on such occasion, which recognizance the said justice or justices before whom such conviction shall be had is and are hereby empowered and required to take; and the justices in the said general or quarter session are hereby authorized and required to hear and finally determine the matter of the said appeal, and to award such costs as to them shall appear just and reasonable to be paid by either party; and if, upon the hearing of the said appeal, the judgement of the justice or justices before whom the appellant shall have been convicted shall be affirmed, such appellant shall immediately

immediately pay the sum which he or she shall have been adjudged to forfeit, together with such costs as the justices in the said general or quarter session shall award to be paid for defraying the expences sustained by the defendant or defendants in such appeal, or in default of making such payment, shall suffer the respective pains and penalties by this act inflicted upon persons respectively who shall neglect to pay, or shall not pay the respective sums or forfeitures by this act to be paid by or imposed upon persons respectively who shall be convicted by virtue of this act.

XXXVI. And be it further enacted, That this act shall be deemed a publick act, and be judicially taken notice of as such, by all judges, justices, and other persons whomsoever, without the same being specially pleaded.

C A P. C.

An act to authorise his Majesty to grant commissions to natives of the seven united provinces, or of the hereditary states of the prince of Orange, to serve on board certain Dutch ships of war, surrendered to his Majesty's fleet, and in regiments in the pay of his Majesty; and to enable any such natives to enlist as soldiers in such regiments, under certain restrictions.—[July 28, 1800.]

WHEREAS his serene highness the prince of Orange hath engaged to furnish to his Majesty, one ship of sixty guns, one ship of forty-four guns, one ship of thirty-six guns, and one sloop of eighteen guns, being four of the ships or vessels of war which surrendered to his Majesty's fleet, under the command of vice-admiral Mitchell in the *Vlieter*, on the thirtieth day of August one thousand seven hundred and ninety-nine, to be employed under his Majesty's orders, in such manner and for such time as hath been agreed upon between his Majesty and his serene highness in that behalf: and whereas it is expedient that the Dutch officers to be employed on board the said four ships or vessels, should be commissioned by his Majesty, and that such officers and also the crews of the said ships, should have and be entitled to the full benefit of all captures made by them, in the same manner as the officers and crews of his Majesty's ships: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall be lawful to and for all such and so many officers, being natives of the seven united provinces, or of the hereditary states of his serene highness the prince of Orange, as shall be willing to serve his Majesty, to accept commissions or letters of service from his Majesty, his heirs and successors, or from persons duly authorised by his Majesty, to grant such commissions or letters of service (which said commissions or letters of service, it shall be lawful for his said Majesty or any person duly authorised in that behalf to grant) to serve as officers on board the said four Dutch ships or vessels in the same manner as is used in respect to officers in his Majesty's naval service; any law or statute to the contrary thereof notwithstanding: provided always,

Officers, being natives of the seven united states, may accept commissions from his Majesty to serve on board four Dutch ships which surrendered to his Majesty's fleet on Aug. 30, 1799;

but no such officer when reduced shall receive half pay, &c.

always, That no such officer when he shall be reduced, shall be entitled to receive half-pay; and that no such officer shall be liable to any pain, penalty, or forfeiture whatever, for having accepted a commission in his Majesty's service, by reason of his having professed the popish religion, and not having declared the same at the time of his accepting such commission; any thing in any act or acts to the contrary thereof notwithstanding.

The officers and others on board such ships shall be entitled to prize money, &c.

II. And be it further enacted, That the officers, seamen, soldiers, and others on board the said four ships or vessels, shall have and be entitled to prize money, head money, salvage, and all other benefit and advantage to accrue from prize, in all and every the same cases, and under the same regulations, restrictions, penalties, and forfeitures, as are or may be established for the officers, seamen, marines, and soldiers in and on board his Majesty's ships of war, whether such prize money, head money, salvage, or other benefit or advantage shall accrue from captures made solely by the said four ships or vessels or any of them, or by them or any of them in conjunction with any of his Majesty's sea or land forces, or with any private ship of war or letter of marque; and that all such captures shall be proceeded against, and in case of condemnation, be entitled to the like privileges, and subject to the like rules and regulations, and also be appraised and sold in like manner as if they had been made by any of his Majesty's ships; and that the shares of prize money, head money, and salvage shall become due and payable to the treasurer of the royal hospital at *Greenwich*, in the like cases and under the like circumstances, in which shares of prize money, head money, and salvage become due and payable to the same, when the captures or recaptures have been effected by any of his Majesty's ships of war; and that the agents for appraisements and sales shall be subject and liable to all such rules, regulations, penalties, and forfeitures, as if they had been agents to any of his Majesty's ships; and that all the penalties and forfeitures above mentioned shall be applied in like manner as if the subject matter had related to the ship's officers or seamen of his Majesty, or to the captures made by any such ship's officers or seamen; any law or usage to the contrary thereof notwithstanding.

Offences to be tried, as if committed by any person belonging to his Majesty's fleet.

III. And be it further enacted, That all offences committed by any officer, seaman, or soldier belonging to any of the said four *Dutch* ships or vessels, shall be tried and punished in such manner as the like offences are or ought to be tried and punished, when committed by any person belonging to his Majesty's fleet.

Admiralty shall cause the articles of war to be printed in the Dutch language; and the captain of each ship shall affix

IV. Provided nevertheless, and be it further enacted, That the lord high admiral of *Great Britain*, or the commissioners for executing the office of the lord high admiral of *Great Britain* for the time being, shall cause the articles of war mentioned and contained 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 amending, explaining, and reducing into one act of parliament, the laws relating to the government of his*

his Majesty's ships, vessels, and forces by sea, to be translated into a copy on the the Dutch language and printed, and a competent number of most publick copies thereof to be delivered to the captain or commander of place therein, each of the said Dutch ships or vessels, which captain or commander, as soon as the ship or vessel by him commanded, shall and cause the be put into sea pay, shall cause one of the said printed copies to same to be be hung up and affixed to the most publick place of such ship or vessel, and the same to be constantly kept up and renewed, and from time to time read over in the presence of the officers and seamen of such ship or vessel, in the same manner as is used on board his Majesty's ships.

V. Provided also, and be it further enacted, That on every court martial for the trial of any Dutch officer, seaman, or soldier belonging to any of the said four Dutch ships or vessels, three Dutch officers of the rank or denomination of a captain or commander belonging to the said ships, if so many of such officers shall then be present at the port or place where such court martial shall be held, and can attend on such court martial, shall sit, and in every respect act as members at such court martial; and if so many of such Dutch officers of such rank as aforesaid, shall not be present, or cannot attend on such court martial, then so many (less than three) as shall be present and can attend as aforesaid, shall sit and act as members of such court martial: provided always, That the whole number of the members of any such court martial, including such Dutch officers as aforesaid, who shall so sit and act, shall not, in any case, exceed thirteen; and that the like excuses shall be allowed to any of such Dutch officers for not sitting at such court martial, as is allowed to officers in his Majesty's service; and in case no such Dutch officer shall be present as aforesaid, or can attend on such court martial, then such court martial shall consist of such number of British officers, as by the law and usage of the British navy would constitute or be entitled to sit at any court martial held for the trial of any persons serving in the British navy.

VI. And whereas an agreement has been signed, by his Majesty's commands, between his serene highness the prince stadtholder and the right honourable lord Grenville, one of his Majesty's principal secretaries of state, for receiving into his Majesty's pay and service a body of troops not exceeding six thousand men, consisting of natives of the seven united provinces, or of subjects of the hereditary states of his serene highness the prince of Orange as aforesaid: and whereas it is expedient to enable his Majesty to fulfil the terms of the said agreement, and to make provision for the due regulation and government of the said troops; be it therefore enacted, That it shall be lawful for such persons who are natives of the seven united provinces, or are subjects of the hereditary states of his serene highness the prince of Orange, as shall be willing to serve his Majesty, to enlist as soldiers, and to accept commissions or letters of service, to serve as officers or engineers, from his Majesty, his heirs and successors, or from any persons duly authorised by his Majesty, to grant such commissions or letters of service, which commissions and letters shall fulfil the of agreement

for receiving 6,000 Dutch troops into his Majesty's service.

No such officer, when reduced shall be entitled to half pay; but if rendered incapable of service while discharging his duty, his Majesty may provide for him, &c.

His Majesty may bring such troops to Great Britain for rendezvous, &c.

Officers and soldiers shall be subject to the articles of war established by his Majesty, &c.

of service, it shall be lawful for his said Majesty, or for any person duly authorized in that behalf as aforesaid to grant: provided also, That no such officer when he shall be reduced, shall be entitled to receive half pay: provided nevertheless, That when any such officer shall be rendered incapable of military service, by wounds or infirmities, contracted while he shall be discharging his military duty during the period of his continuing to serve as such officer under the provisions of this act; then and in such case, it shall be lawful for his Majesty to make such provision for such officer as he shall think proper and necessary, so that such provision shall in no case exceed the half pay of the rank in the *British* service, similar to what such officer shall have held at the time of becoming so incapable as aforesaid: provided also, That no such person as aforesaid shall be liable to any pain, penalty, or forfeiture whatever, for having accepted any such commission, or enlisted as a soldier in any such regiment as aforesaid, by reason of his having professed the popish religion, and not having declared the same at the time of his enlisting.

VII. Provided always, and be it further enacted, That it shall be lawful for his Majesty, in every case where he shall deem it necessary or expedient, to bring any such troops as aforesaid, to any port or place in *Great Britain* for the purpose of rendezvous, or with a view to operations abroad, and also to land such troops in any part of *Great Britain* for health or exercise, so that there shall not be, within this kingdom, more in the whole than six thousand men at any one time; any thing herein contained to the contrary notwithstanding: provided nevertheless, That such troops shall not, excepting during their march from one part of *Great Britain* to another, be stationed at any greater distance from the sea coast than twenty miles: provided also, That such troops shall in no case be billeted or quartered, either during their march or otherwise, but shall be encamped or stationed in barracks, as may be most expedient.

VIII. And be it further enacted, That all such officers and soldiers aforesaid respectively shall, whilst in his Majesty's service as aforesaid, be subject and liable to such articles of war as his Majesty shall think fit to establish for the better government of such forces, and for bringing offenders against the same to justice; and for constituting courts martial, with power to try, hear, and determine any crimes or offences by such articles of war, and inflict penalties by sentence or judgement of the same: provided always, That no officer shall, by such articles of war, be subject to any punishment extending to life or limb, for any crime which is not expressed to be so punishable by an act of this session of parliament, (intituled, *An act for punishing mutiny and desertion, and for the better payment of the army and their quarters*), nor for such crimes as are expressed to be so punishable in the said act, in any manner, or under any regulations which shall not accord with the provisions of the said act: provided also, That every person who shall be enlisted as a soldier under the authority of this act, shall be attested in such manner as his Majesty

Majesty shall direct by such articles of war, and not otherwise; and that such officers and soldiers respectively shall take such oath for their fidelity, during their continuance in his Majesty's service, as his Majesty shall in like manner direct, and no other.

IX. And be it further enacted, That this act shall be in force, Continuance and have continuance during the term of the said agreements of act. respectively signed by his Majesty's commands between his serene highness the prince stadtholder and the right honourable lord Grenville, and from the end thereof to the end of the then next session of parliament.

C A P. CI.

An act to give further time for the payment, on the conditions therein mentioned, of instalments, on certain loans advanced to the house of Alexander Houston and company, to Charles Ashweil esq; and to William Johnstone esq; being persons connected with and trading to the islands of Grenada and Saint Vincent.—[July 28, 1800.]

C A P. CII.

An act for raising the sum of three millions five hundred thousand pounds, by loans or exchequer bills for the service of the year one thousand eight hundred.—[July 28, 1800.]

C A P. CIII.

An act for raising the sum of three millions, by loans or exchequer bills, for the service of the year one thousand eight hundred.—[July 28, 1800.]

C A P. CIV.

An act for raising the further sum of three millions, by loans or exchequer bills, for the service for the year one thousand eight hundred.—[July 28, 1800.]

C A P. CV.

An act for the better regulating the practice, and for preventing delays in the proceedings of the court of common pleas at Lancaster.—[July 28, 1800.]

WHEREAS many delays and difficulties exist in the practice of Preamble. the court of common pleas at Lancaster, in and for the county palatine of Lancaster, by reason that the commencement and continuance of suits and proceedings in the said court have relation to the times of the teste of the original writs whereupon such suits and proceedings are grounded, and to the assizes at which such writs are returnable, and at or of which such suits and proceedings are inrolled or recorded, and also by reason of the want of more frequent days of return of writs of inquiry of damages and Scire facias, and of judicial process, issuing out of the same court; 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,

Plaintiffs or defendants may plead and give evidence of any cause of action, or any thing in bar of any suit, provided the same shall happen prior to the issuing of the writ of *Capias ad respondendum*, &c. or prior to the day of actual service of any declaration, notwithstanding the cause of action shall have accrued prior to the return of the original writ, &c.

No advantage shall be taken by reason of any action having accrued subsequent to the return of such original writ, &c.

Process issuing out of court may be returnable according to the present practice, or on any of the return days in Easter and Michaelmas terms, according to the court of common pleas at Westminster, &c.

No final judgement to be entered or execution issued within 10 days after

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 any plaintiff or plaintiffs, defendant or defendants respectively, in any personal suit or action, or any action of trespass and ejectment hereafter to be depending in the said court, to declare upon, plead, and give evidence of any cause or causes of action, or any matter or thing, matters or things, in bar or preclusion of any such suit or action, or any other matters or things whatsoever, provided the same shall have accrued or happened, or shall hereafter accrue or happen, prior to the day of the actual signing and issuing of the writ of *Capias ad respondendum*, or other process, first actually issued forth in such personal suit or action, or prior to the day of the actual serving of any declaration or declarations in any such action of trespass and ejectment, notwithstanding such cause or causes of action, matters or things, shall or may not have accrued prior to the teste and return of the original writ or writs whereupon or whereby such suit or action is or shall be, either really or by fiction of law, grounded or warranted, or prior to the assizes or time wherein or whereof such declaration or declarations is or are, or shall or may be filed and recorded; and that no advantage shall be taken by reason of any such cause or causes of action, matters or things as aforesaid, having accrued or being stated to have accrued subsequent to the teste and return of such original writ or writs, or subsequent to the assizes or other the time last above mentioned, or any of them, by or upon demand of oyer of any original writ, plea in abatement, demurrer to any pleading or pleadings, demurrer to evidence, bill of exceptions, writ of error, or any other process or proceedings whatsoever.

II. And be it further enacted, That, from and after the passing of this act, any writ or writs of inquiry of damages, *Scire facias*, and any judicial or other process whatsoever hereafter to be issued forth and out of the same court in any action or suit hereafter to be depending in the said court, (except such process as may, according to the present course and practice of the said court, be made returnable on the first *Wednesday* of any month, shall and may be awarded, made, and issued forth returnable either upon or at the several days and times whereupon the same may now be made returnable respectively, according to the present course and practice of the said court, or returnable on any of the return days in *Easter* and *Michaelmas* terms respectively, according to the course of his Majesty's court of common pleas at *Westminster*; and that such writs may be proceeded upon, and judgement entered, and execution issued thereon, tested on the returns of such writs of inquiry, or *Scire facias*, or judicial process, in such and the like manner as if the same had been made returnable at the preceding session of assizes of the said county palatine.

III. Provided always, That no final judgement be entered, or execution issued, within the space of ten days next after

the day of the return of any such writ of inquiry of damages or *Scire facias*, made returnable under the authority of this act, exclusive of the day of such return and the day of entering such final judgement, or issuing forth of such execution.

the day of the return of the writ of inquiry or *Scire facias*, &c.

IV. And provided always, That nothing herein contained shall be construed to debar any party or parties from moving in arrest of judgement, or bringing a writ of error, in the same manner as he or they might have done before the making of this act.

Parties not debarred from moving arrest of judgement.

V. Provided always, and be it enacted, That nothing in this act contained shall alter, vary, or affect any proceedings in any action already commenced, and now depending in the said court of common pleas at *Lancaster*.

Proceedings commenced not to be affected.

VI. 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. CVI.

An act to repeal an act, passed in the last session of parliament, intituled, An act to prevent unlawful combinations of workmen; and to substitute other provisions in lieu thereof.—[July 29, 1800.]

WHEREAS it is expedient to explain and amend an act, passed in the thirty-ninth year of the reign of his present Majesty, intituled, An act to prevent unlawful combinations of workmen; and with the 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 act shall be repealed; and that all contracts, covenants, and agreements whatsoever, in writing or not in writing, at any time or times heretofore made or entered into by or between any journeymen manufacturers or other persons within this kingdom, for obtaining an advance of wages of them or any of them, or any other journeymen manufacturers or workmen, or other persons in any manufacture, trade, or business, or for lessening or altering their or any of their usual hours or time of working, or for decreasing the quantity of work, (save and except any contract made or to be made between any master and his journeyman or manufacturer, for or on account of the work or service of such journeyman or manufacturer with whom such contract may be made), or for preventing or hindering any person or persons from employing whomsoever he, she, or they shall think proper to employ in his her, or their manufacture, trade, or business, or for controlling or anyway affecting any person or persons carrying on any manufacture, trade, or business, in the conduct or management thereof, shall be and

Preamble.

39 Geo. 3. c. 81, repealed.

All contracts heretofore entered into for obtaining an advance of wages, altering the usual time of working, decreasing the quantity of work, &c. (except contracts between masters and men) shall be void.

the same are hereby declared to be illegal, null, and void, to all intents and purposes whatsoever.

Every workman, after passing this act, who shall be guilty of any such offence, shall be committed to the common gaol, or the house of correction;

II. And be it further enacted, That no journeyman, workman, or other person shall at any time after the passing of this act make or enter into, or be concerned in the making of or entering into any such contract, covenant, or agreement, in writing or not in writing, as is herein-before declared to be an illegal covenant, contract, or agreement; and every journeyman and workman or other person who, after the passing of this act, shall be guilty of any of the said offences, being thereof lawfully convicted, upon his own confession, or the oath or oaths of one or more credible witness or witnesses, before any two justices of the peace for the county, riding, division, city, liberty, town, or place where such offence shall be committed, (which oath either of such justices is hereby authorized and empowered to administer in such case, and in all other cases where an oath is to be taken before any justices of the peace in pursuance of this act), within three calendar months next after the offence shall have been committed, shall, by order of such justices, be committed to and confined in the common gaol within his or their jurisdiction, for any time not exceeding three calendar months, or at the discretion of such justices shall be committed to some house of correction within the same jurisdiction, there to remain and to be kept to hard labour for any time not exceeding two calendar months.

as also any workman entering into any combination for advancing wages, &c. or who shall endeavour to prevent any workman from hiring himself, or prevail on him to quit his employ, or who shall hinder any master from employing any person, or without reasonable cause shall refuse to work with any other workman;

III. And be it further enacted, That every journeyman or workman, or other person, who shall at any time after the passing of this act enter into any combination to obtain an advance of wages, or to lessen or alter the hours or duration of the time of working, or to decrease the quantity of work, or for any other purpose contrary to this act, or who shall, by giving money, or by persuasion, solicitation, or intimidation, or any other means, wilfully and maliciously endeavour to prevent any unhired or unemployed journeyman or workman, or other person, in any manufacture, trade, or business, or any other person wanting employment in such manufacture, trade, or business, from hiring himself to any manufacturer, or tradesman, or person conducting any manufacture, trade, or business, or who shall, for the purpose of obtaining an advance of wages, or for any other purpose contrary to the provisions of this act, wilfully and maliciously decoy, persuade, solicit, intimidate, influence, or prevail, or attempt or endeavour to prevail, on any journeyman or workman, or other person hired or employed, or to be hired or employed in any such manufacture, trade, or business, to quit or leave his work, service, or employment, or who shall wilfully and maliciously hinder or prevent any manufacturer or tradesman, or other person, from employing in his or her manufacture, trade, or business, such journeymen, workmen, and other persons as he or she shall think proper, or who, being hired or employed, shall, without any just or reasonable cause, refuse to

work

work with any other journeyman or workman employed or hired to work therein, and who shall be lawfully convicted of any of the said offences, upon his own confession, or the oath or oaths of one or more credible witness or witnesses, before any two justices of the peace for the county, riding, division, city, liberty, town, or place, where such offence shall be committed, within three calendar months next after the offence shall have been committed, shall, by order of such justices, be committed to and be confined in the common gaol within his or their jurisdiction, for any time not exceeding three calendar months; or otherwise be committed to some house of correction within the same jurisdiction, there to remain and to be kept to hard labour for any time not exceeding two calendar months.

IV. *And for the more effectual suppression of all combinations amongst journeymen, workmen, and other persons employed in any manufacture, trade or business,* be it further enacted, That all and every persons and person whomsoever, (whether employed in any such manufacture, trade, or business, or not), who shall attend any meeting had or held for the purpose of making or entering into any contract, covenant, or agreement, by this act declared to be illegal, or of entering into, supporting, maintaining, continuing, or carrying on any combination for any purpose by this act declared to be illegal, or who shall summons, give notice to, call upon, persuade, entice, solicit, or by intimidation, or any other means, endeavour to induce any journeyman, workman, or other person employed in any manufacture, trade, or business, to attend any such meeting, or who shall collect, demand, ask, or receive any sum of money from any such journeyman, workman, or other person, for any of the purposes aforesaid, or who shall persuade, entice, solicit, or by intimidation, or any other means, endeavour to induce any such journeyman, workman, or other person to enter into or be concerned in any such combination, or who shall pay any sum of money, or make or enter into any subscription or contribution, for or towards the support or encouragement of any such illegal meeting or combination, and who shall be lawfully convicted of any of the said offences, upon his own confession, or the oath or oaths of one or more credible witness or witnesses, before any two justices of the peace for the county, riding, division, city, liberty, town, or place where such offence shall be committed, within three calendar months next after the offence shall have been committed, shall, by order of such justices, be committed to and confined in the common gaol within his or their jurisdiction, for any time not exceeding three calendar months, or otherwise be committed to some house of correction within the same jurisdiction, there to remain and be kept to hard labour for any time not exceeding two calendar months.

V. And be it further enacted, That no person (whether employed as a journeyman or workman in any manufacture, trade, or business, or not) shall at any time after the passing of this act wilfully pay or give any sum of money as a subscription or acting contrary

to this act, or towards the support of any person to induce him not to work, on penalty not exceeding 10*l.* and any person collecting money for such purposes, shall forfeit, not exceeding 5*l.* one moiety to his Majesty, and the other to the informer and the poor of the parish. Offences shall be determined in a summary way before two justices who shall fix the penalty, and if not paid, shall cause it to be levied by distress, and if not to be had, shall commit the offender to the common gaol or house of correction.

Contributions not divided for three months after passing this act, shall be forfeited, as also all future contribution for the like purposes, one moiety to his Majesty, and the other to the person who shall sue for the same.

or contribution for the purpose of paying expences incurred or to be incurred by any person or persons acting contrary to the provisions of this act, by payment of money, or other means, support or maintain any journeyman, workman, or other person, or contribute towards his support or maintenance, for the purpose of inducing him to refuse to work, or to be hired or employed in any manufacture, trade, or business; and every person, who shall be guilty of any such offence shall forfeit and lose any sum not exceeding the sum of ten pounds; and every journeyman, workman, and other person, who shall collect or receive any money or valuable thing for any of the purposes aforesaid, shall forfeit and lose any sum not exceeding the sum of five pounds; such penalties of ten pounds and five pounds respectively to be forfeited, one moiety to his Majesty, and the other moiety to the informer and the poor of the parish where such offence has been committed, to be equally divided between them; and all and every of the said offences shall be heard and determined in a summary way, before two justices of the peace for the county, riding, division, city, liberty, town, or place, where such offence shall be committed, and the conviction for the same may be had and made upon the oath or oaths of one or more credible witnesses or witnesses; and the amount of the forfeiture or penalty for every such offence shall be fixed and determined by such justices, but not exceeding the several sums herein-before mentioned; and in case any such forfeiture or penalty shall not be forthwith paid pursuant to such conviction, such justices shall, by warrant under their hands, 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; and in case no sufficient distress can be had, such justices shall, by warrant under their hands, commit the offender to the common gaol within his or their jurisdiction, there to remain, without bail or mainprize, for any time not exceeding three calendar months nor less than two calendar months; or otherwise, at the discretion of such justices, to some house of correction within their jurisdiction, there to remain and be kept to hard labour for any time not exceeding two calendar months.

VI. And be it further enacted, That all sums of money which at any time heretofore have been paid or given as a subscription or contribution for or towards any of the purposes prohibited by this act, and shall, for the space of three calendar months next after the passing of this act, remain undivided in the hands of any treasurer, collector, receiver, trustee, agent, or other person, or placed out at interest, and all sums of money which shall at any time after the passing of this act, be paid or given as a subscription or contribution for or towards any of the purposes prohibited by this act, shall be forfeited, one moiety thereof to his Majesty, and the other moiety to such person as will sue for the same in any of his Majesty's courts of record at *Westminster*; and any treasurer, collector, receiver, trustee, agent, or other person in whose hands or in whose name any such sum

of money shall be, or shall be placed out, or unto whom the same shall have been paid or given, shall and may be sued for the same as forfeited as aforesaid.

VII. *And, for the better discovery of all sums of money which have been or shall be paid or given by way of subscription or contribution for any purpose prohibited by this act,* be it further enacted,

That all and every the persons and person who shall or may be liable by virtue of this act to be sued for the same, shall be obliged and compellable to answer upon oath to any information which shall or may be preferred against them or him in any court of equity, by or in the name of his Majesty's attorney general on the part of his Majesty, or at the relation of any informer, for discovering the sum and sums of money so paid or given for any of the prohibited purposes aforesaid, and such court shall and may make such orders and decrees therein as to such court shall seem just, and no person shall demur to or refuse to answer such information by reason of any penalty or forfeiture to which such person may be liable in consequence of any discovery which may be sought thereby.

Persons liable to be sued for contribution money, shall be obliged to answer on oath to any information preferred against them.

VIII. Provided always, and be it enacted, That upon payment into the court in which such information shall be filed of all the money paid or given unto any such treasurer, collector, receiver, trustee, agent, or other person for any of the prohibited purposes aforesaid, and remaining in his hands at the time of filing such informations, and upon making a full discovery of all the securities in or upon which all such money which shall not be so remaining in his hands shall have been placed out or invested, the person or persons paying such money into court and making such discovery shall be acquitted and discharged from all forfeitures and penalties which shall or may have been incurred by him or them by reason of having collected or received such money, or otherwise acted concerning the same, and from all actions and other suits respecting the same by any person or persons whomsoever, any statute, law, or usage, or any thing in this act contained to the contrary thereof in anywise notwithstanding; nor shall any person be liable to any forfeiture or penalty or to any prosecution whatsoever, for or in respect of any sum of money which such person shall discover to have been paid, received, or given by any answer to any such information as aforesaid.

Upon payment into court of the money remaining in the hands of any person at the time of filing information and making discovery of the securities upon which other monies shall have been placed, the party shall be discharged from penalty.

IX. And be further enacted, That all and every persons and person who shall or may offend against this act, shall and may, equally with all other persons, be called upon and compelled to give his or her testimony and evidence, as a witness or witnesses on behalf of his Majesty, or of the prosecutor or informer, upon any information to be made or exhibited under this act against any other person or persons, not being such witness or witnesses as aforesaid; and that in all such cases, every person having given his or her testimony or evidence as aforesaid shall be and hereby is indemnified of, from, and against any information to be laid, or prosecution to be commenced against him or her

No person liable to penalty for any money discovered to have been paid, by any answer to an information.

Offenders may be compelled to give evidence, and shall be indemnified from prosecution, for any matter relative to their testimony.

for having offended in the matter wherein or relative to which he, she, or they shall have given testimony or evidence as aforesaid.

Justices may summons offenders, and on their not appearing, or in the first instance, may issue warrants for their apprehension, and on their appearing, or on proof of their absconding, may convict or acquit the parties.

X. And, for the more effectually enforcing and carrying into execution the provisions of this act, be it further enacted, That on complaint and information on oath before any one or more justice or justices of the peace, of any offence having been committed against this act, within his or their respective jurisdictions, such justice or justices are hereby authorized and required to summon the person or persons charged with being an offender or offenders against this act, to appear before any two such justices, at a certain time or place to be specified, and if any person or persons so summoned shall not appear according to such summons, then such justices (proof on oath having been first made before them or him of the due service of such summons upon such person or persons, by delivering the same to him or them personally, or leaving the same at his or their usual place of abode, provided the same shall be so left twenty-four hours at the least before the time which shall be appointed to attend the said justices upon such summons) shall make and issue their or his warrant or warrants for apprehending the person or persons so summoned and not appearing as aforesaid, and bringing him or them before such justices, or it shall be lawful for such justices, if they shall think fit, without issuing any previous summons, and instead of issuing the same, upon such complaint and information on oath as aforesaid, to make and issue their warrant or warrants for apprehending the person or persons by such information charged to have offended against this act, and bringing him or them before such justices; and upon the person or persons complained against appearing upon such summons, or being brought by virtue of such warrant or warrants before such justices, or upon proof on oath of such person or persons absconding, so that such warrant or warrants cannot be executed, then such justices shall, and they are hereby authorized and required forthwith to make enquiry touching the matters complained of, and to examine into the same, by the oath or oaths of any credible persons, as shall be requisite, and to hear and determine the matter of every such complaint, and upon confession by the party, or proof by one or more credible witness or witnesses, upon oath, to convict or acquit the party or parties against whom complaint shall have been made as aforesaid.

Justices may summon witnesses, and for non-appearance or refusal to give evidence, may commit them.

XI. And be it further enacted, That it shall be lawful for the justices of the peace before whom any such complaint and information shall be made as aforesaid, and they are hereby authorized and required, at the request in writing of any of the parties, to issue his or their summons to any witness or witnesses to appear and give evidence before such justices at the time and place appointed for hearing and determining such complaint, and which time and place shall be specified in such summons; and if any person or persons so summoned to appear as a witness

or witnesses as aforesaid, shall not appear before such justices at the time and place specified in such summons, or offer some reasonable excuse for the default, or appearing according to such summons, shall not submit to be examined as a witness or witnesses, and give his or their evidence before such justices touching the matter of such complaint, then and in every such case it shall be lawful for such justices, and they are hereby authorized, (proof on oath in the case of any person not appearing according to such summons having been first made before such justice or justices of the due service of such summons on every such person, by delivering the same to him or her, or by leaving the same twenty-four hours before the time appointed for such person to appear before such justices, at the usual place of abode of such person), by warrant under the hands of such justices, to commit such person or persons so making default in appearing, or appearing and refusing to give evidence, to some prison within the jurisdiction of such justices, there to remain without bail or mainprize, until such person or persons shall submit himself, herself, or themselves to be examined, and give his, her, or their evidence before such justices as aforesaid.

XII. And be it further enacted, That the justices before whom any person or persons shall be convicted of any offence against this act, or by whom any person shall be committed to prison for not appearing as a witness, or not submitting to be examined, shall cause all such convictions, and the warrants or orders for such commitment to be drawn up in the form, or to the effect set forth in the first schedule to this act. Convictions and commitments to be drawn up in the form in the first schedule.

XIII. And be it further enacted, That the justices before whom any such conviction shall be had, shall cause the same (drawn up in the form or to the effect herein-before directed) to be fairly written on parchment, and transmitted to the next general sessions or general quarter sessions of the peace to be holden for the county, riding, division, city, liberty, town, or place wherein such conviction was had, to be filed and kept amongst the records of the said general sessions or general quarter sessions; and in case any person or persons shall appeal, in manner herein-after mentioned, from the judgement of the said justices to the said general sessions or general quarter sessions, the justices in such general sessions or general quarter sessions, are hereby required, upon receiving such conviction, to proceed to the hearing and determination of the matter of the said appeal, according to the directions of this act. Convictions to be transmitted to the next general or quarter sessions to be filed, and if appeal be made the justices shall then proceed to hear it.

XIV. Provided always, and be it enacted, That nothing in this act contained shall extend, or be construed to extend, to repeal, take away, or abridge the powers and authorities given to any justice or justices of the peace in and by any act or acts of parliament heretofore made and now in force touching any combinations of manufacturers, journeymen, or workmen, or for settling and adjusting disputes or differences between masters and their journeymen, workmen, or other persons employed Act not to abridge powers now given by law to justices touching combinations of manufacturers, &c.;

by them in any manufacture, trade, or business, or the rate or amount of wages to be paid to such journeymen, workmen, or other persons, or the mode or time of their working or being employed, or the quantity of work to be done, or touching any matter whatsoever also provided for by this act; but that all justices of the peace shall continue to use, exercise, and execute all the powers and authorities given to them in and by such acts of parliament, or any of them, in such and the same manner as they could or might have done if this act had not been made; any thing herein contained to the contrary in anywise notwithstanding.

nor to empower manufacturers to employ workmen contrary to the provisions now in force for regulating the conduct of any particular manufacture, without licence from a justice, who may grant the same, whenever the ordinary course of the manufacture is obstructed.

XV. Provided always, That this act shall not extend to authorise or empower any person or persons carrying on any manufacture, trade, or business, to employ therein any journeyman or workman contrary to the regulations and provisions contained in any act or acts of parliament which hath or have been heretofore made, and is and are now in force, for settling, regulating, or directing the manner or method of conducting, managing or carrying on any particular manufacture, trade, or business, or the work or service of the persons employed therein, without the previous licence and consent in writing, of one justice of the peace for the county, riding, division, city, liberty, town, or place in which such manufacture, trade, or business shall be carried on, expressing the cause or reason of giving or granting the same; which licence it shall be lawful for one such justice to grant whenever the qualified journeymen or workmen usually employed in any manufacture, trade, or business, shall refuse to work therein for reasonable wages, or to work for any particular person or persons, or to work with any particular persons, or shall, by refusing to work, for any cause whatsoever, or by misconducting themselves when employed to work, in any manner impede or obstruct the ordinary course of any manufacture, trade, or business, or endeavour to injure the person or persons carrying on the same.

XVI. Provided also, and be it further enacted by the authority aforesaid, That no justice of the peace, being also a master in the particular trade or manufacture in or concerning which any offence is charged to have been committed under this act, shall act as such justice under this act; any thing herein contained, or any former statute, law, usage, or custom to the contrary thereof in anywise notwithstanding.

XVII. And be it further enacted, by the authority aforesaid, That all contracts, covenants, and agreements whatsoever, in writing or not in writing, made or to be made by or between any masters or other persons, for reducing the wages of workmen, or for adding to or altering the usual hours or time of working, or for increasing the quantity of work, shall be, and the same are hereby declared to be illegal, null, and void, to all intents and purposes whatsoever; and all and every such masters, being thereof lawfully convicted by the oath or oaths of one or more credible witnesses or witnesses, before any two justices

No master in the trade in which any offence is charged to have been committed shall act as a justice under this act.

All contracts between masters or other persons, for reducing the wages of workmen or for altering the usual hours of working, or increasing the

justices of the peace for the county, riding, division, city, quantity of liberty, town or place, where such offence shall have been committed, within three calendar months next after the offence shall have been committed, shall forfeit and lose the sum of twenty pounds, one moiety thereof to his Majesty, and the other moiety in equal shares to the informer and the poor of the parish where such offence has been committed; and in case any such forfeiture or penalty shall not be forthwith paid pursuant to such conviction, such justices shall, by warrant under their hands 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; and in case no sufficient distress can be had, such justices shall, by warrant under their hands, commit the offender to the common gaol or some house of correction within their jurisdiction, for any time not exceeding three calendar months nor less than two calendar months.

XVIII. *And whereas it will be a great convenience and advantage to masters and workmen engaged in manufactures, that a cheap and summary mode be established for settling all disputes that may arise between them respecting wages and work; be it further enacted by the authority aforesaid, That, from and after the first day of August in the year of our Lord one thousand eight hundred, in all cases that shall or may arise within that part of Great Britain called England, where the masters and workmen cannot agree respecting the price or prices to be paid for work actually done in any manufacture, or any injury or damage done or alleged to have been done by the workmen to the work, or respecting any delay or supposed delay on the part of the workmen in finishing the work, or the not finishing such work in a good and workman-like manner, or according to any contract; and in all cases of dispute or difference, touching any contract or agreement for work or wages between masters and workmen in any trade or manufacture, which cannot be otherwise mutually adjusted and settled by and between them, it shall and may be, and it is hereby declared to be lawful for such masters and workmen between whom such dispute or difference shall arise as aforesaid, or either of them, to demand and have an arbitration or reference of such matter or matters in dispute; and each of them is hereby authorized and empowered forthwith to nominate and appoint an arbitrator for and on his respective part and behalf, to arbitrate and determine such matter or matters in dispute as aforesaid by writing, subscribed by him in the presence of and attested by one witness, in the form expressed in the second schedule to this act, and to deliver the same personally to the other party, or to leave the same for him at his usual place of abode, and to require the other party to name an arbitrator in like manner within two days after such reference to arbitration shall have been so demanded; and such arbitrators so appointed as aforesaid, after they shall have accepted and taken upon them the business of the said arbitration, are*

Disputes between masters and workmen may be settled by arbitration.

hereby

If arbitrators shall not decide the matter within three days after submission to their award, either party may require them to go before and state to a justice the points in difference, who shall finally determine the same.

Persons summoned, neglecting to attend the arbitrators or refusing to be examined, may be committed by a justice ;

hereby authorized and required to summon before them, and examine upon oath the parties and their witnesses, (which oath the said arbitrators are hereby authorized and required to administer according to the form set forth in the second schedule to this act), and forthwith to proceed to hear and determine the complaints of the parties, and the matter or matters in dispute between them; and the award to be made by such arbitrators within the time herein-after limited, shall in all cases be final and conclusive between the parties; but in case such arbitrators so appointed shall not agree to decide such matter or matters in dispute, so to be referred to them as aforesaid, and shall not make and sign their award within the space of three days after the signing of the submission to their award by both parties, that then it shall be lawful for the parties or either of them to require such arbitrators forthwith and without delay to go before and attend upon one of his Majesty's justices of the peace acting in and for the county, riding, city, liberty, division, or place where such dispute shall happen and be referred, and state to such justice the points in difference between them the said arbitrators, which points in difference the said justice shall and is hereby authorized and required to hear and determine, and for that purpose to examine the parties and their witnesses upon oath, if he shall think fit; which determination of such justice shall be made and signed within the space of three days after the expiration of the time hereby allowed the arbitrators to make and sign their award, and shall be final and conclusive between the parties so differing as aforesaid; and if either of the said parties or their respective witnesses, having been duly summoned, shall neglect or refuse to attend such arbitrators at the time and place by them for that purpose appointed, it shall and may be lawful for any one or more of his Majesty's justices of the peace acting in and for the county, riding, city, liberty, division, township, or place, where such dispute shall happen, and he or they are hereby required, upon proof on oath being made before him or them of the service of such summons personally, and also upon the like proof of the neglect or refusal of such person to attend the said arbitrators in pursuance of such summons, (unless a reasonable excuse be made for such non-attendance to the satisfaction of such justice or justices), to issue his or their warrant under his or their hand or hands for the apprehending and bringing such person before him or them; and if any such person so being brought before such justice or justices shall still refuse to be examined, or to give his or their testimony before such arbitrators touching the premises, such person so refusing shall be by the said justice or justices committed to the house of correction within his or their jurisdiction, there to remain, without bail or mainprize, until he or she shall submit to be examined before the arbitrators touching the premises aforesaid, or until the time for making an award by such arbitrators shall be expired.

XIX. Provided

XIX. Provided always, and be it further enacted, That if the parties who shall have signed any submission to arbitration, shall think it expedient; or be minded and desirous, to extend the time hereby limited for the making the award or umpirage, it shall and may be lawful for them to extend the same accordingly, by indorsement on the back of such submission, to be signed by both of them in the presence of one or more credible witness or witnesses; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

XX. Provided also, and be it further enacted, That the submission to such arbitration, and the award or umpirage to be made thereon, shall and may be drawn up and written at the foot of such submission, upon unstamped paper, in the respective forms or to the effect set forth in the second schedule to this act; any law, usage, or custom, to the contrary thereof in anywise notwithstanding.

XXI. Provided also, and be it further enacted, That there shall in all cases be written or engrossed two parts of the submission to arbitration, one for each of the parties subscribing the same.

XXII. And be it further enacted by the authority aforesaid, That in every case of dispute or difference between any such masters and workmen in such trade or manufacture as aforesaid, if an arbitration shall be demanded, and the submission thereto signed, and an arbitrator therein named by either of the said parties, and the other or others of them shall refuse or neglect to sign the said submission, and appoint his or their arbitrator within the time herein-before limited for that purpose, the party or parties so neglecting or refusing to sign the said submission, or to appoint his or their arbitrator as aforesaid, shall, each and every of them, if more than one, on conviction of every such offence before two or more of his Majesty's justices of the peace for the county, riding, division, city, town, or place where such offence shall have been committed; forfeit and lose the sum of ten pounds, one moiety to his Majesty, and the other moiety to the poor of the parish wherein such offence shall be committed; and in case any such forfeiture or penalty shall not be forthwith paid pursuant to such conviction, such justices shall, by warrant under their hands, 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; and in case no sufficient distress can be had, such justices shall, by warrant under their hands, commit the offenders to the common gaol or some house of correction within his or their jurisdiction, there to remain, without bail or mainprize, or any time not exceeding three calendar months nor less than two calendar months; and if either party shall refuse to do and perform what by any such award or umpirage he shall be directed to do and perform, and shall be thereof convicted before two or more justices of the peace for the county, riding, division, city,

but the parties may extend the time limited for making the award.

The submission to arbitration and the award, may be on unstamped paper in the form in the second schedule.

Each party to have a copy of the submission.

If an arbitration be demanded, and the submission signed and an arbitrator named by either party, and the other shall refuse to sign the submission and appoint his arbitrator, he shall, on conviction, forfeit one moiety to his Majesty and the other to the poor of the parish, which may be levied by distress, and if not to be had the offender may be committed.

No person guilty in not attending at more than one arbitration at a time, or more than two in one day.

Non-resident masters may appoint persons to act for them.

Appeal may be made to the general sessions, or general quarter sessions, whose decision shall be final.

city, liberty, or place where such offence shall be committed; it shall be lawful for such justices, by warrant under their hands, to commit the offender or offenders to the common gaol or house of correction within his or their jurisdiction, there to remain without bail or mainprize, until he shall fully perform such award or umpirage: provided always, That nothing in this act contained shall extend to make any person guilty of any offence in not attending at more than one arbitration at the same time, or more than two arbitrations in one day; and that it shall be lawful, in all cases, for any master who shall not be actually resident at the time at any place where his trade or manufacture shall be carried on, to authorise any person to act for him in signing submissions to arbitration, and attending arbitrators or justices touching the matter of any arbitration.

XXIII. Provided always, and be it further enacted, That if any person convicted of any offence or offences punishable by this act, shall think himself or herself aggrieved by the judgement of such justice or justices before whom he or she shall have been convicted, such person shall have liberty to appeal from every such conviction to the next court of general sessions, or general quarter sessions of the peace which shall be held for the county, riding, division, city, liberty, town, or place wherein such offence was committed; and that the execution of every judgement so appealed from shall be suspended in case the person so convicted shall immediately enter into recognizance before such justices, (which they are hereby authorised and required to take), himself in the penalty of ten pounds, with two sufficient sureties in the penalty of five pounds each, of lawful money of *Great Britain*, upon condition to prosecute such appeal with effect, and to be forthcoming to abide the judgement and determination of the said next general sessions, or general quarter sessions, and to pay such costs as the said court shall award on such occasion; and the justices in the said next court of general sessions, or general quarter sessions, are hereby authorised and required to hear and determine the matter of the said appeal, and to award such costs as to them shall appear just and reasonable to be paid by either party, which decision shall be final; and if, upon hearing the said appeal, the judgement of the justice or justices before whom the appellant shall have been convicted shall be affirmed, such appellant shall forthwith pay the forfeiture or penalty (if any) mentioned in such conviction, and the costs awarded to be paid by such appellant; and in default of payment thereof, or in case such conviction shall contain a judgement of imprisonment, such appellant shall immediately be committed by the said court to the common gaol or house of correction according to such conviction, and for the space of time therein mentioned, without bail or mainprize, and also until the payment of such costs as shall be awarded by the same court to be paid by such appellant.

XXIV. Provided

XXIV. Provided always, and be it enacted, That nothing in this act contained shall extend, or be construed, deemed, or taken to extend, to repeal the said recited act, as to any offence committed, or any penalty or forfeiture incurred, or any act, matter, or thing done or happened before the passing of this act; but that the said recited act shall, as to every such offence, penalty, forfeiture, act, matter, and thing, be and remain in full force and effect, notwithstanding any thing in this act contained to the contrary; and every such offence shall and may be prosecuted and punished, and every such penalty and forfeiture shall and may be awarded, levied, and recovered, and all proceedings touching any such offence, penalty, forfeiture, act, matter, and thing, shall and may be had under and by virtue of the said recited act, to all intents and purposes, in such and the same manner, and with the like force and effect after the passing of this act, as if the said recited act had remained wholly unrepealed, and in full force and effect, and as if this act had not been made; any thing herein contained to the contrary notwithstanding.

Act not to repeal recited act as to any offence committed, or any penalty incurred before passing this act.

XXV. And be it further enacted, That if any action or suit shall be brought or commenced against any person or persons for any thing by him, her, or them done or executed in pursuance of this act, or for any cause, matter, or thing herein contained, such action or suit shall be commenced within three calendar months next after the matter or thing done, and shall be laid in the proper county, and the defendant or defendants in such action or suit may plead the general issue, and give the special matter in evidence for his or their defence; and if upon trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs become nonsuited, or discontinue his, her, or their action or prosecution, or judgement shall be given against him, her, or them, upon demurrer or otherwise, then such defendant or defendants shall have full costs awarded to him or them against such plaintiff or plaintiffs.

Limitation of actions.

General issue.

FIRST SCHEDULE to which this Act refers.

FORM of CONVICTION and COMMITMENT.

BE it remembered, That on the _____ day of _____ in the _____ year of his Majesty's reign, and in the year of our Lord _____ A. B. is convicted before us [naming the justices] two of his Majesty's justices of the peace for the county [or, riding, division, city, liberty, town, or place] of _____ of having [stating the offence] contrary to the statute made in the thirty-ninth year of the reign of his present Majesty, intituled, *An act*, [here set forth the title of the act], and we, the said justices, do hereby order and adjudge the said A. B. for the said offence to be committed to and confined in the common gaol for the said county

Anno regni quadragesimo GEORGI III. c. 106. [1800.

[or, riding, division, city, liberty, town, or place] for the space of [or, to be committed to the house of correction at within the said county [or, riding, division, city, liberty, town, or place] there to be kept to hard labour for the space of

Given under our hands the day and year above written.

FORM of CONVICTION in a PECUNIARY PENALTY.

BE it remembered, That on [pursuing the same form as far as the title of this act], and we, the said justices, do hereby adjudge and determine the said *A. B.* for the said offence to forfeit and lose the sum of _____ of lawful money of Great Britain, and do order the same to be forthwith paid by him, [or, her] into our hands, for the use of his Majesty.

Given under [as before].

FORM of COMMITMENT of a person summoned as a WITNESS.

WHEREAS *C. D.* hath been duly summoned to appear and give evidence before us [naming the justices who issued the summons], two of his Majesty's justices of the peace for the county [or riding, division, city, liberty, town, or place] of _____ on this _____ day of _____ at _____ being the time and place appointed for hearing and determining the complaint made on the oath of [the informer or prosecutor] before us, against *A. B.* of having [stating the offence, as laid in the information] contrary to the statute made in the thirty-ninth year of the reign of his present Majesty, intituled, *An act*, [here insert the title of the act]: and whereas the said *C. D.* hath not appeared before us at the time and place aforesaid specified for that purpose, or offered any reasonable excuse for his [or her] default, [or, and whereas the said *C. D.* having appeared before us at the time and place aforesaid specified for that purpose, hath not submitted to be examined as a witness, and give his [or her] evidence before us, touching the matter of the said complaint, but hath refused so to do]: therefore we the said justices do hereby, in pursuance of the said statute, commit the said *C. D.* to the [describing the prison], there to remain, without bail or mainprize for his [or her] contempt aforesaid, until he [or she] shall submit himself [or herself] to be examined and give his [or her] evidence before us touching the matter of the said complaint, or shall otherwise be discharged by due course of law: and you the [constable, or other peace officer or officers to whom the warrant is directed] are hereby authorized and required to take into your custody the body of the said *C. D.* and him [or her] safely to convey to the said prison, and him [or her] there to deliver to the gaoler or keeper thereof, who is hereby authorized and required to receive into his custody the body of the said *C. D.*

G. D. and him [or her] safely to detain and keep, pursuant to this commitment. Given under our hands this day of _____ in the year of our Lord

[This commitment to be directed to the proper peace officer, and the gaoler or keeper of the prison.]

SECOND SCHEDULE to which this Act refers.

FORM of the OATH to be administered by the arbitrators to the parties and witnesses under this act.

THE evidence that you shall give before us the arbitrators appointed by *A. B.* and *C. D.* [the parties to the submission], to determine the matters in difference between them, under and by virtue of an act, passed in the fortieth year of the reign of King George the Third, intituled, *An act*, [state the title of the act], shall be the truth, the whole truth, and nothing but the truth.

So help you GOD.

FORM of the SUBMISSION to arbitration, and of the award to be made in pursuance of this act.

I *A. B.* of, &c. [set forth the name, residence, and description of the party] do hereby nominate and appoint *C. D.* of, &c. an arbitrator under and by virtue of an act, passed in the fortieth year of the reign of King George the Third, intituled, *An act*, [set forth the title of the act], to hear and determine the matters in difference between me and *E. F.* of, &c.

I, E. F. of, &c. do appoint *G. H.* of, &c. to be an arbitrator under the said act for the purposes aforesaid.

FORM of the AWARD or UMPIRAGE to be made by the arbitrators or umpire, and to be written at the foot of the submission.

WE, *J. K.* and *L. M.* of, &c. the arbitrators above named, [or *I, N. O.* the justice, as the case may be], do hereby adjudge and determine that, &c. [here set forth the determination to which the arbitrators or justice, as the case may be, shall subscribe their names.]

Witness,

P. Q.

FORM of CONVICTION in a PECUNIARY PENALTY.

BE it remembered, That on the _____ day of _____ in the _____ year of the reign of _____ and in the year of our Lord _____ *A. B.* is convicted before us,

[naming

[naming the justices], two of his Majesty's justices of the peace for the county [or, riding, city, liberty, division or place] of for that the said *A. B.* [state the offence, as for neglecting to sign the submission, or refusing to submit to the award within the time limited, as the case may be], contrary to the statute made in the fortieth year of the reign of King George the Third, intituled, *An act*, [here set forth the title of the act], and we the said justices do hereby adjudge and determine the said *A. B.* for the said offence to forfeit and lose the sum of of lawful money of Great Britain, and do order the same to be forthwith paid by him [her, or them, as the case may be], *C. D.*

FORM of COMMITMENT of a person summoned as a witness before the arbitrators.

WHEREAS proof on oath hath been made before us, [naming the justices signing the commitment] two of his Majesty's justices of the peace for the county [or riding, city, liberty, division, or place] of on this day of That *A. B.* hath been duly summoned, and hath neglected to appear and give evidence before *C. D.* and *E. F.* the arbitrators appointed by and between *G. H.* and *I. K.* to determine the matters in dispute between them at in the county [or, riding, city, liberty, division, or place] of on the day of under and by virtue of an act, made in the fortieth year of the reign of King George the Third, intituled, *An act*, [here set forth the title of the act]; and the said *A. B.* being required by us the said justices to give evidence before the said arbitrators, and still refusing so to do, therefore we the said justices do hereby, in pursuance of the said act, commit the said *A. B.* to the [describing the prison, or house of correction] there to remain without bail or mainprize for his [or her] offence aforesaid, until he [or she] shall submit himself [or herself] to be examined, and give his [or her] evidence before the said arbitrators, touching the matters referred to them as aforesaid, or shall otherwise be discharged by due course of law: and you the [constable or other peace officer or officers to whom the warrant is directed] are hereby authorized and required to take into your custody the body of the said *A. B.* and him [or her] safely to convey to the said prison [or house of correction] and him [or her] there to deliver to the gaoler [or keeper] thereof, who is hereby authorized and required to receive into his custody the body of the said *A. B.* and him [or her] safely to detain and keep pursuant to this commitment.

Given under our hands this day of in the year of our Lord

This commitment to be directed to the proper peace officer, and the gaoler [or keeper] of the prison [or house of correction.]

C. P.

C A P. CVII.

An act to permit, until six weeks after the commencement of the next session of parliament, the importation of Swedish herrings into Great Britain.—[July 29, 1800.]

WHEREAS it is expedient under the present circumstances to Preamble.
 permit, for a limited time, the importation of Swedish herrings into Great Britain in British ships, or in ships belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, without payment of duty; 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 *May* From May 1, one thousand eight hundred, and until six weeks after the commencement of the next session of parliament, it shall and may be lawful, to and for any person or persons whatever, to import into Great Britain from any port or place in Sweden in any British ship or vessel, or in any other ship or vessel belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, any herrings caught and cured on any of the coasts of Sweden, without the payment of any duty whatever; any thing in any act or acts of parliament to the contrary thereof in anywise notwithstanding. 1800, until six weeks after the commencement of the next session, herrings caught on the coasts of Sweden may be imported without payment of duty.

II. Provided always, and be it further enacted, That a due entry shall be made of all such herrings that shall be imported by virtue of this act, with the proper officers of the customs at the port into which the same shall be imported, and in default thereof the same shall be forfeited, and shall and may be seized by any officer or officers of his Majesty's customs. Herrings to be entered at the port of importation, on forfeiture thereof.

III. Provided always, That it shall not be lawful to export Swedish herrings to any of his Majesty's colonies in the *West Indies*. Swedish herrings not to be exported to the British West Indies.

C A P. CVIII.

An act for indemnifying the governor of Surinam, or the person acting as such, for having permitted the importation and exportation of goods and commodities in foreign bottoms; and for making void all seizures of ships, vessels, or goods, for any thing done in pursuance of such permission.—[July 29, 1800.]

WHEREAS by an act passed in the twelfth year of the reign of his late majesty King Charles the Second, intituled; An act for the encouraging and increasing of shipping and navigation, and by other acts of parliament now in force, no goods or commodities whatsoever can be imported into or exported out of any lands, islands, plantations, or territories to his Majesty belonging, or in his possession, or which may hereafter belong unto, or be in the possession of his Majesty, his heirs and successors, in Asia, Africa, Preamble.
 12 Car. 2. c. 13.
 VOL. XLII. K K K or

or America, in any other ship or ships, vessel or vessels whatsoever, but in such ships or vessels as do truly, and without fraud, belong only to the people of Great Britain, or of any of the territories thereof, in the manner, and under the penalties, and subject to the exceptions and regulations in the said acts respectively contained: and whereas the settlement of Surinam and its dependencies, on the continent of South America, hath been surrendered to his Majesty's arms, and is now in his Majesty's possession, and at the time of such surrender such settlement was in great want of various necessaries, and great quantities of the produce remained in the said settlement, by reason of the interruption of the commerce to and from the same previous to such surrender, and under such circumstances his Majesty's governor, or the person acting as such, thought fit to permit the importation into the said settlement of certain articles of provisions, lumber, and other stores for the supply of the said settlement, in neutral and foreign bottoms, and also to permit the exportation of certain articles, the produce of the said settlement, in neutral and foreign bottoms, under certain regulations and restrictions: and whereas under such permission, some ships cleared at the said colony with cargoes for this country, but were detained by ships, in the service of his Majesty, although they had received sailing instructions in order to proceed to Great Britain, under the convoy about to proceed from the leeward islands: and whereas such importation and exportation as aforesaid were rendered necessary by the peculiar situation of the said settlement, and having been permitted from the necessity of the occasion, the parties who were interested in the same should be protected against loss; and all persons issuing, advising, or acting under or in obedience to any order or permission of the said governor, or of any person acting as governor of the said settlement; and all persons concerned in any importation or exportation as aforesaid, shall be respectively justified and indemnified therein, and released from all penalties and forfeitures in respect thereof: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all seizures made of any ships or vessels navigating under any such order or permission, or importing or exporting any such articles as aforesaid, under the regulations and restrictions contained therein, at any time subsequent to the twenty-sixth day of February one thousand eight hundred, and all seizures of any goods, merchandizes, or effects imported or exported in any such ship or vessel, shall be and are hereby declared to be null and void to all intents and purposes whatsoever; and all personal actions and suits, indictments, informations, and all prosecutions and proceedings whatsoever, which have been or shall be hereafter commenced or prosecuted against any person or persons for having issued or advised any such order or permission, or for any act done by reason or under the authority of any such order or permission, or relating to any exportation or importation in consequence of any such order or permission, and also all proceedings whatsoever, which have been or shall be hereafter commenced

Seizures made subsequent to Feb. 26, 1800, of vessels navigated by order of the governor of Surinam, and of goods imported or exported under the regulations therein contained, shall be void; and all actions brought against persons for having issued or advised such order, shall be discharged.

or prosecuted for or in respect of any forfeiture, or for the condemnation under the said acts, or any of them, of any goods, merchandize, or effects imported or exported under the authority of any such order or permission, or of any ship, boat, vessel, or other thing employed in such importation or exportation at any time subsequent to the twenty-sixth day of *February* one thousand eight hundred, shall be and the same are discharged and made void to all intents and purposes by virtue of this act; and that if any action or suit, or other proceeding whatsoever, shall be commenced or prosecuted against any person or persons, for or by reason of any such act, matter, or thing so advised, commanded, appointed, or done, or forborne to be done, he, she, or they may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff or plaintiffs in any action or suit so to be prosecuted or commenced, in that part of *Great Britain* called *England*, or in the *West India* islands, or any of his Majesty's dominions in *America*, shall become nonsuit, or forbear further prosecution, or suffer discontinuance, or if a verdict shall pass against such plaintiff or plaintiffs, the defendant or defendants shall recover his, her, or their double costs, for which he, she, or they shall have the like remedy as in cases where the costs by law are given to defendants; and if any such action or suit as aforesaid, shall be commenced or prosecuted in that part of *Great Britain* called *Scotland*, or in any other part of his Majesty's dominions, the court before which such action or suit shall be commenced or prosecuted shall allow to the defender the benefit of the discharge and indemnity hereby provided, and shall further allow him his double costs of suit in all such cases as aforesaid.

General issue may be pleaded to actions, and defendants shall recover double costs, &c.

II. And be it further enacted, That if any seizures have been made or shall be made of any ship or vessel, or of any goods or merchandize as forfeited, or as prize, under or by virtue of the said act or acts, or if any process or proceeding hath been, or shall be commenced for the purpose of procuring the condemnation of any such ship or vessel, goods, merchandize, or effects as forfeited, or as prize, under the said acts, or any of them, or otherwise, by reason of the importation or exportation of any such goods, merchandize, or effects, in any ship or vessel not owned and navigated according to law, or if any such ship or vessel, goods, merchandize, or effects hath been sold or disposed of by the direction or under the authority of any court or courts, in pursuance of any such seizure as aforesaid, or if any action or suit hath been already commenced against any person or persons for any such act, matter, or thing so advised, commanded, appointed, or done, or forborne to be done, it shall and may be lawful for the owner or owners, or any other person acting as an agent on his, her, or their behalf, or for the defendant or defendants, in such process, proceeding, action, or suit respectively, in whatever court in *Great Britain*, or any other part of his Majesty's dominions, such process, proceeding, action, or

Where seizures have been made, or proceedings commenced for condemnation, or if disposed of under the direction of any court, the owner or defendant may apply to such court to stay proceedings, and to obtain restoration of the vessels and goods, &c.

suit shall have been commenced, to apply to such court or courts respectively, to stay all proceedings thereon respectively, by motion in a summary way, and to obtain restoration of any such ship, vessel, goods, or merchandize, or where the same shall have been so sold or disposed of as aforesaid, of the produce of such sale or sales; and such court or courts is and are hereby required to make order for that purpose accordingly.

Nothing herein to prevent owners of vessels, &c. from bringing actions for damages against persons making seizures.

III. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to prevent any owner or owners of any ship or vessel, goods, merchandizes, or effects, so seized as aforesaid, or any other person acting as an agent on his, her, or their behalf, from commencing or prosecuting any action, suit, or claim, against any person or persons who shall have made any such seizure, for any damages for or on account of such seizure, or any act, matter, or thing relating thereto, having been illegal, and not authorised by the said act or acts, or for or on account of any act, matter, or thing for which such person or persons would have been liable to any such action, suit, or claim, if this act had not been passed.

But no such actions authorised, except in cases where they might have been prosecuted, if this act had not passed.

IV. Provided also, That nothing in this act contained shall extend or be construed to extend to authorise or warrant any such action, suit, or claim, for or by reason of any such seizure, or of any act, matter, or thing done relating thereto, except in such cases, or for such causes in or for which such action, suit, or claim might have been prosecuted if this act had not passed.

C A P. CIX.

An act for granting to his Majesty a certain sum of money out of the consolidated fund, for applying certain sums of money therein mentioned, for the service of the year one thousand eight hundred; for further appropriating the supplies granted in this session of parliament, and for making forth duplicates of exchequer bills, lottery tickets, certificates, receipts, annuity orders, or other orders, lost, burnt, or otherwise destroyed.—[July 29, 1800.]

5,200,000*l.* out of the consolidated fund, may be applied towards the supply for 1800, and raised by loans or exchequer bills. 5,300,000*l.* out of the duties upon income; and also 1,250,000*l.* out of the duties granted by 38 Geo. 3. c. 76. may be applied towards the supply for 1800. Monies raised by the duties on malt, &c. Pensions, &c. Exchequer bills, annuities, by agreement with the bank, 5,300,000*l.* out of the duties upon income. 1,250,000*l.* out of duties granted by 38 Geo. 3. c. 76. Lottery, exchequer bills, and 5,200,000*l.* out of the consolidated fund may be applied as follows: 13,619,079*l.* 13*s.* 11*d.* for naval services, viz. 444,000*l.* for wages of 120,000 men, including 22,696 marines, for two lunar months, commencing January 1, 1800. 456,000*l.* for their victualling. 720,000*l.* for wear and tear of ships. 60,000*l.* for ordnance for sea service. 121,510*l.* for ordinary of the navy. 115,625*l.* for extraordinary of the navy. 2,238,500*l.* for wages of 120,000 men, including 22,696 marines, for eleven lunar months, commencing February 26, 1800. 2,299,000*l.* for their victualling. 3,630,000*l.* for wear and tear of ships. 302,500*l.* for ordnance for sea service. 685,429*l.* 13*s.* 11*d.* for the ordinary of the navy, including half pay. 656,515*l.* for buildings and repairs of ships and extra works. 1,300,000*l.* for transport service for 1800. 500,000*l.* for prisoners of war in health, and 90,000*l.* for sick ditto. 350,000*l.* for ordnance for land service, for January and February 1800, and 1,127,960*l.* 13*s.* 3*d.* for ditto, from March 1, to December 31, 1800.

31, 1800. 33,671l. 11s. 5d. for ordnance for land service in 1798, and 184,344l. 13s. 3d. for ditto in 1799. 2,000,000l. to be remitted to Ireland. 1,400,000l. to fulfil his Majesty's engagements. 500,000l. for the emperor of Germany, &c. 1,500,000l. for the emperor of Germany. 545,494l. for the emperor of Germany. 11,916,768l. 18. 10d. for land service, viz. 510,596l. for 90,047 effective men in Great Britain, Jersey, Guernsey, Alderney and Holland, from December 25, 1799, to February 24, 1800. 166,480l. for forces in the plantations, &c. for ditto. 92,635l. for fencible cavalry, and embodied provisional cavalry for ditto. 232,998l. for the militia, the miners of Cornwall and Devon, and fencible infantry for ditto. 40,000l. for quartering soldiers for ditto. 120,000l. for the barrack department for ditto. 2,337,159l. 8s. 8d. for 80,275 effective men, officers, &c. in Great Britain, Jersey, Guernsey and Alderney, from February 25, to December 24, 1800. 1,004,480l. 13s. 6d. for forces in the plantations, &c. for ditto. 42,901l. 19s. for difference between British and Irish pay, for six regiments abroad for 1800. 24,558l. 3s. 8d. for recruiting the regiments in East India, for ditto. 530,000l. for recruiting and contingencies and for extra feed of cavalry for ditto. 105,054l. 7s. 11d. for general, staff, and hospital officers in Great Britain, Jersey and Guernsey, for ditto. 1,306,121l. 16s. 5d. for militia, the miners of Cornwall and Devon, two regiments of Irish militia and fencible infantry, from February 25, to December 24, 1800. 50,000l. for contingencies of the militia and fencible infantry for 1800. 127,061l. 13s. 2d. for cloathing the militia, the miners of Cornwall and Devon, and two regiments of Irish militia for ditto. 26,280l. 14s. 6d. for full pay to supernumerary officers for ditto. 105,747l. 3s. 6d. for the paymaster general, commissary general, &c. for ditto. 140,000l. for quartering soldiers, from February 25, to December 24, 1800. 120,000l. for allowance in lieu of small beer, from March 25, to December 24, 1800. 138,979l. 7s. 1d. for reduced officers of the land forces and marines for 1800. 20l. 12s. 11d. for private and superannuated gentlemen of the horse guards. 1,000l. for officers late in the service of the states general. 52,500l. for reduced officers of the British American forces, and 7,500l. for allowances to them. 143,310l. 7s. 3d. for Chelsea hospital. 20,231l. 12s. for widows' pensions. 574,000l. for volunteer corps. 359,334l. for the barrack department, from February 25, to December 24, 1800. 471,128l. 12s. 3d. for foreign corps. 566,688l. 10s. for troops of the elector of Bavaria. 2,500,000l. for extraordinaries of the army for 1800. 3,000,000l. for discharging exchequer bills made out under 39 Geo. 3. c. 70. 2,506,250l. for discharging do. made out under the income duty act. 1,079,740l. for discharging do. made out under 38 Geo. 3. c. 16. and 76. 3,500,000l. for discharging do. made out under 39 Geo. 3. c. 69. 1,914,000l. for discharging do. made out under 39 Geo. 3. c. 68. 26,203l. 3s. issued pursuant to addresses of the house of commons. 7,950l. for the civil establishment of Upper Canada. 5,540l. for the civil establishment of Nova Scotia. 4,650l. for the civil establishment of New Brunswick, in America. 1,900l. for the civil establishment of the island of Saint John, in America. 1,840l. for the civil establishment of the island of Cape Breton, in America. 1,640l. for the civil establishment of the island of Newfoundland. 4,100l. for the civil establishment of the Bahama Islands. 580l. for the civil establishment of the Bermudas or Somers Islands. 600l. for the civil establishment of the island of Dominica. 6,309l. 16s. 8d. for the civil establishment of New South Wales. 20,000l. for forts in Africa. 4,000l. for the civil establishment of Sierra Leone. 150,000l. for foreign secret service. 242,798l. 5s. 1d. for refugees of France, Toulon and Corsica, Saint Domingo sufferers, and American loyalists, for 1800. 7,574l. 6s. 3d. for refugees of France, &c. for 1799. 24,074. for New South Wales. 6,369l. for superintendance of aliens. 32,353l. 16s. 11d. for expences of convicts at home. 200,000l. towards the reduction of the national debt. 633,176l. 15s. 6d. 2q. for interest on exchequer bills. 163,368l. 13s. 10d. for discount on loans and lottery. 39,675l. 13s. 10d. for interest due to the bank of England. 15,907l. 2s. 11d. to the bank of England, for receiving contributions to the loan and lottery for 1799. 2,338l. 19s. 4d. for prosecutions relating to the coin for 1799. 12,000l.

for the lottery. 1,805l. 9s. to the secretary to the commissioners for reducing the national debt. 13,779l. for secret service abroad. 7,000l. for repairs at the king's bench prison. 3,000l. for the police office at Wapping. 8,000l. for printing for the house of commons. 1,697l. for purchase of a house in Abingdon street, for depositing the journals of the house of commons. 3,573l. for the office of the commissioners for American awards. 5,000l. for repairs at the marshalsea prison. 900l. to officers of the exchequer, for extra trouble in making out exchequer bills. 16,000l. for relief of Saint Domingo claimants. 177l. 6s. 6d. for impressions of the plan of proposed wet docks in the port of London. 348l. 3s. 9d. for expences of the parliament office. 2,482l. 16s. for additional clerks in the office for auditing the publick accounts. 2,646l. 9s. 6d. for expences of the police office in Wapping. 110l. 17s. 9d. for completing the thirty-fourth volume of the manuscript journals of the house of lords. 9,760l. 13s. 10d. to pay bills drawn from New South Wales. 255l. 9s. to complete the pier at Douglas harbour. 900l. for relief of Toulouise emigrants, not included in estimate for 1799. 447l. 13s. for publishing weekly returns of the average price of Muscovado sugar. 697l. 7s. for copper coin for New South Wales. 797l. 17s. 6d. for expences of a police office at Wapping. 680l. 18s. for surveying roads in North Britain. 827l. 12s. for an additional allowance to clerks in the office for auditing the publick accounts. 177l. 15s. 0l. 3q. on account of the expences of New South Wales, &c. 370l. 9s. 6d. to the clerks of the house of commons, for attendance on publick committees. 41,400l. for losses sustained by the destruction of the ships, the Aurora, the Mentor and the Lark, and their cargoes, referred to in his Majesty's message to the house of commons, of February 11, 1800. 25,000l. for a royal military asylum. 2,550l. for works done at Somerset house. 1,048l. 18s. 6d. for fees on compensation money, for losses in consequence of the destruction of ships and cargoes from Mozador. 30,000l. to discharge bills from New South Wales. 50,000l. for demands of Saint Domingo claimants. 1,000l. for surveys, by order of the commissioners for enquiring into the state of the woods and forests. 1,024l. 4s. 3d. for printing the journals of the house of lords. 3,000l. for the British museum. 3,000l. for the board of agriculture. 5,000l. for the Levant company. 1,500l. for the Veterinary College. 1,000l. to Mr. Davis, for a discovery of his method of cleaning wheat damaged by smut. 4,500l. for roads and bridges in North Britain. 447,039l. 4s. 0d. 1q. for deficiency of grants in 1799. Supplies not to be issued for any other than the authorized purposes. Rules to be observed in the application of the sum appropriated for half pay. Officers employed on the staff or in garrisons, may receive half pay, on taking an oath specified in this act. By 39 Geo. 3. c. 114. a certain sum was appropriated to be paid to reduced officers, the overplus of which may be disposed of as his Majesty shall judge proper. Duplicates of exchequer bills, lottery tickets, &c. lost or destroyed, may be made out on affidavit of the fact, &c.

PUBLIC LOCAL AND PERSONAL ACTS,
Anno tricesimo nono et quadagesimo GEORGI II.
Regis.

* * * It being thought unnecessary to print in this place the whole of the titles of the Public Local and Personal Acts; which are all inserted in the Table; the Editor has selected those Acts which he thought would be found of most general utility, either at length, or made copious abstracts of them.

Cap. 10.

An act for the appointment and regulation of pilots for the conducting of ships and vessels into and out of the port of Kingston-upon-Hull; and for ascertaining the salvage for anchors, cables, and other ships materials, found in the river Humber; and for the better ascertaining the tonnage of ballast lighters employed at the said port. — [April 4, 1800.]

WHEREAS the corporation of wardens, elder brethren, and assistants of the guild or brotherhood of the Trinity House of Kingston upon Hull, have for a long period of years, by usage, as well as by virtue of letters patent or charters granted to them by the crown, exercised the power of appointing pilots to conduct ships and vessels from the river Humber to cross the seas, or to pass from the said river Humber beyond Flamborough Head northward, and Wintertonness southward; but they are not invested with sufficient powers to prevent other persons from acting as pilots within the said limits: and whereas it would greatly tend to the safety of ships and vessels sailing or trading from and to the port of Kingston upon Hull, if effectual powers were given for appointing and regulating of pilots for conducting of such ships and vessels between the said port and the sea, and for a small distance out at sea; and for preventing persons not so appointed, from acting as pilots of any such ships and vessels, or of any ships or vessels destined from the said port to cross the seas, or to pass beyond Flamborough Head northward, or Wintertonness southward; and also for settling and ascertaining the salvage for anchors, cables, and other ships materials, found in the said river Humber; and for the better ascertaining the tonnage of ballast lighters employed at the said port. May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall be lawful for the wardens, elder brethren, and assistants of the said Trinity House, and they are hereby authorized and empowered from time to time, by writing under their common seal, to license and appoint such persons as they shall, upon examination touching their skill and abilities, approve of and think properly qualified for that purpose, to be pilots for the conducting of ships and vessels into and out of the port of Kingston upon Hull aforesaid, and upon any part of the river Humber below the said port, and so far out at sea as to bring the Northness of Dimlington on the coast of Holderness, to bear or be seen a sufficient distance clear or open of the land to the southward thereof, so as to pass clear of the New Sand; and the persons so licensed shall, for the purposes of this act, be called River Pilots; and if any person, without having such licence to act as a river pilot as aforesaid, shall, after the expiration of one calendar month from the passing of this act, take upon himself to conduct or pilot any ship or vessel into or out of the said port, or at any place between the said port and the place at sea where the said Northness

of Dimlington bears as aforesaid; or if any person, other than such as shall have been examined and declared by the said wardens, elder brethren, and assistants, under their common seal, to be properly qualified and capable of conducting ships and vessels as a pilot at sea, shall, after the expiration of the said one calendar month from the passing of this act, take upon himself to act as pilot of any ship or vessel destined on a voyage from the said port of Kingston upon Hull, in conducting such ship or vessel from the place near the entrance of the said river Humber, where the said Northness of Dimlington bears as aforesaid, to cross the sea, or to pass from Flamborough Head northward, or Winterton's southward; every such person shall respectively forfeit and pay, for every such offence, any sum not exceeding twenty pounds. Provided always, That nothing in this act contained shall extend to oblige the master or other person having the command of any ship or vessel outward bound, after he has been piloted out of the said river Humber to sea, to employ or make use of any pilot to conduct such ship or vessel to cross or pass further out at sea; or to oblige the master or other person having the command of any ship or vessel in the coal trade, or other coasting trade, whether laden or in ballast, or of any British ship or vessel of less than six feet draught of water, or of any ship or vessel coming into any of the roadsteads within the said river Humber for the purpose of shelter, or of obtaining stores or provisions only, to employ or make use of any pilot; nor to prevent or hinder any owner, part owner, master, or mate of, or any person belonging to any ship or vessel inward bound, from conducting or piloting the ship or vessel to which he shall belong, into and up the said river Humber, in case none of the said river pilots shall be ready, and offer to conduct and pilot the same; nor to prevent or hinder any person or persons from assisting any ship or vessel in distress. Pilots to pay for their first licence six guineas, and afterwards three guineas. Trinity House may suspend pilots. Commissioners. First meeting of commissioners to be within one month after passing this act. Commissioners to settle the clerks and other officers salaries. Commissioners to acknowledge their acceptance of the trust. Future meetings of the commissioners. On the death of any of the commissioners, &c. others to be elected. Pilots to assist King's ships in preference to others. Pilots misbehaving to forfeit not exceeding twenty pounds, and, on complaint by commissioners to the Trinity House, to be suspended. And for ascertaining the rates to be paid to the said river pilots, for the conducting or piloting any ships or vessels as aforesaid, be it further enacted, That no greater rates shall be demanded or taken by any such river pilot than what shall be from time to time ascertained, fixed, and settled by the said commissioners at any of their meetings, so that the rate so to be ascertained, fixed, and settled for piloting or conducting any ship or vessel belonging to any of his Majesty's subjects, into the said port of Kingston upon Hull, from the place at sea where the Northness of Dimlington bears as aforesaid, be not less than three shillings nor more than five shillings for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot; and for piloting and conducting any such ship or vessel into the said port from the place within the said river Humber where the spurn lighthouse bears north east, or from any distance within the said river Humber to the buoy of the Burcome, not less than two shillings and sixpence nor more than three shillings and sixpence for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot; and for piloting and conducting any such ship or vessel into the said port from the distance of the said buoy not less than two shillings nor more than three shillings for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot; and for piloting and conducting any such ship or vessel into the said port from Whitebooth road to the said river Humber, not less than one shilling nor more than two shillings for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot;

foot; and for piloting and conducting any such ship or vessel from the said port, so far out to sea as to bring the said Northness of Dinnington to bear as aforesaid, not less than three shillings nor more than five shillings for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot. And for ascertaining the rates to be paid to the said river pilots, for the conducting or piloting any alien ship or vessel, be it further enacted, That no greater rates shall be demanded or taken by any such river pilots, than what shall be from time to time ascertained, fixed and settled by the said commissioners, so that the rate to be ascertained, fixed and settled, for piloting or conducting any ship or vessel belonging to aliens into the said port of Kingston-upon Hull, from the place at sea where the Northness of Dinnington bears as aforesaid, be not less than five shillings nor more than seven shillings for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot; and for piloting and conducting any such alien ship or vessel into the said port from the place within the Humber where the Spurn Lighthouse bears north east, or from any distance within the said river Humber to the buoy of the Burcome, not less than four shillings nor more than five shillings for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot; and for piloting and conducting any such ship or vessel into the said port from the distance of the said buoy, not less than three shillings nor more than six shillings for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot; and for piloting and conducting any such ship or vessel into the said port from Whitebooth road in the said river Humber, not less than one shilling and sixpence nor more than three shillings for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot; and for piloting and conducting any such alien ship or vessel from the said port so far out to sea as to bring the said Northness of Dinnington to bear as aforesaid, not less than five shillings nor more than seven shillings for every foot of water such ship or vessel shall draw, and so in proportion for the fraction of a foot, such fraction not being less than half a foot. Provided always, That in any of the cases aforesaid, or herein-after mentioned, if the fraction of a foot shall exceed half a foot, the same, in ascertaining the rates, shall be deemed and considered as half a foot. Commissioners empowered to vary and regulate the prices of pilotage. Ships outward bound in ballast to pay only two thirds of the rates. Coasters to pay only half of the rates. Vessels drawing less than six feet water to pay for six feet. Proportioning the rates of pilotage. Rewards for pilots assisting ships in distress to be settled by commissioners. Additional pilotage for piloting extra distance. Masters of inward or outward bound ships refusing pilots, pilotage to be paid. Pilots leading the way in any vessel to be intitled to full pilotage. Ships forced back after parting with pilots, and piloted out again from any of the roads, to pay not exceeding one half of the rates. Distance outward bound ships are to be piloted. Pilots to have three shillings and sixpence a day for their attendance. Pilots quitting ships without leave, to forfeit pilotage, and not exceeding ten pounds. Places to which inward bound ships are to be piloted. Rates for birthing ships. Masters to give pilot a true account of the draught of water of their ships, and pilot authorized to admeasure. Persons liable to pilotage. On nonpayment of rate, commissioners may distrain. Masters forcibly taking away pilots, to pay them mate's wages, and forfeit not exceeding twenty pounds. Majority of pilots may have a joint stock. Commissioners to keep accounts of money received for licences, for penalties and of disbursements. Application of licence money and fines. Rewards to meritorious pilots. Accounts to be audited by five or more commissioners. Pilots not to keep publick houses. Expences of ordaining this act to be ascertained by the commissioners. The said expences to be raised by a tonnage duty of

one

one halfpenny per ton. Application of the tonnage duty. Accounts to be kept of the receipts and payments in respect of the tonnage duty. Tonnage duty to cease after the charges are paid. Commissioners to settle salvage of anchors. Persons finding anchors, cables, &c. to bring them to Hull, and give notice thereof, with a description in writing, in order to such anchors, &c. being advertized. Persons taking away any buoy, &c. to forfeit not exceeding twenty pounds. If offence committed by pilots, they are to be broke. All vessels carrying ballast for hire, to be registered. Lighters to be weighed. Tonnage to be ascertained by gauge marks. Lighters to take their turn in supplying ships with ballast. Commissioners clerk to examine lighters, &c. yearly; and if he shall discover any fraud, to present the same to the commissioners. Owners refusing to produce lighter to be reviewed or to trim and pump before delivery of ballast, to forfeit not exceeding five pounds. This act not to extend to the Trinity House of Deptford Strond, Dover, Deal, the isle of Thanet, or Newcastle upon Tyne. Nor to prejudice the corporation of Kingston upon Hull. Nor the Trinity House of Kingston upon Hull. Nor the dock company of Kingston upon Hull. Not to affect the rights of the corporation of Great Grimsby. Commissioners empowered to make bye laws, which shall be printed: but not to be repugnant to the laws of the realm. Two justices of the peace to hear and determine offences. For compelling the attendance of witnesses. Persons aggrieved may appeal to the quarter sessions. Proceedings to be within six months. Form of conviction. Distress not to be deemed unlawful for want of form. Proceedings not to be quashed for want of form. Limitation of actions. General issue. Treble costs. Publick act.

Cap. 23.

An act for making and maintaining a navigable canal, from the river Thames, near to the town of Gravesend, in the county of Kent, to the river Medway, at a place called Nicholson's Ship-yard, in the parish of Frindsbury, in the said county; and also a certain collateral cut, from White Wall in the said parish, to the said river Medway.—[May 16, 1800.]

WHEREAS the making and maintaining of a canal, for the navigation of boats, barges, and other vessels, from the river Thames, near to the town of Gravesend, in the county of Kent, to the river Medway, at or near to a certain place called Nicholson's Ship-yard, in the parish of Frindsbury, in the said county, and the making and maintaining of a canal or collateral cut, for the navigation of boats, barges and other vessels, from the said canal, at or near to a certain place called White Wall, in the said parish of Frindsbury, to the river Medway, opposite, or nearly opposite to his Majesty's dock yards at Chatham, will greatly facilitate and render less expensive the carriage and conveyance of coals, timber, stone, corn, lime, and manure, and of all wares, goods, and other articles, and will materially and considerably improve the agriculture of the circumjacent country, and will render unnecessary a long and circuitous, and sometimes dangerous navigation on the open sea, and will otherwise be of great private and publick advantage. Certain persons incorporated by the name of "The Company of Proprietors of the Thames and Medway Canal." Proprietors may raise forty thousand pounds for making the canal, to be divided into shares of one hundred pounds each. Shares to be personal estate. Subscribers to have a vote for every share. Form of appointment of proxies. Proprietors may raise twenty thousand pounds more if necessary. Power to raise money by mortgage. Form of mortgage. Form of transfer. Interest of money borrowed to be paid in preference to dividends. Notice to be given of paying off money. Assignees not to vote on account of having lent money. The company of proprietors shall assemble on the second Saturday after passing this act, and the second Saturday in May every year. Chairman and committees to be appointed. Proprietors may make bye laws. General assemblies for

for choosing committees to consist of fifty shares. Assembly of proprietors may be especially convened. General assembly to elect and appoint officers, and take security from them. Officers, &c. to account. Powers of the committees. Committees to make calls. Shares may be forfeited, but no advantage to be taken of forfeiture without personal notice. On the death of subscribers before share completed, executors may do it. Shares may be sold. Form of conveyance of shares. After a call no share to be sold until such call shall be paid. Regulations as to the acquisition of shares, by marriage, by will, or in course of administration. Names of proprietors to be entered in a book, and certificates of their shares delivered to them. Powers for making the canal and collateral cut. For protecting the streams of fresh water. Power to make rollers or inclined planes, &c. Houses, gardens, &c. not to be injured, except a piece of garden ground in Higham. Breadth of canal and towing path not to exceed forty yards. Basons to be made. No building to be erected on the towing paths, except for the navigation. If old roads are destroyed, new ones to be made. Two parts of a plan and book of reference to be certified by the speaker of the house of commons, and deposited one with the clerk of the peace for the county of Kent, and the other with the company of proprietors. Not to deviate without consent. Land owners omitted in the book of reference not to obstruct the making of the canal. Bodies politic empowered to sell and convey lands. Contracts and sales to be made at the expence of the company. Form of conveyance to the company. Satisfaction to be made. If parties are dissatisfied, value to be ascertained by a jury. Fine upon sheriffs, &c. making default. Expences of witnesses and jury by whom to be paid. Persons requesting juries to enter into bonds to prosecute. Notice of injury to be given to proprietors. What satisfaction to be made for tythes. Verdict to value lands, and damages to be ascertained separately. Verdicts to be recorded. Power to enter and take possession of lands, &c. on payment or tender of purchase money. For paying off mortgages on lands taken by the company. Purchase money belonging to corporations, &c. to be laid out to the same uses. For reinvesting purchase monies. Damages not provided for to be settled. Rates of tonnage. For all freestone, limestone, chalk, bricks, tiles, slates, corn in the straw, hay, straw, faggots, dung, manure, sand, stones, and clay, conveyed upon the canal or collateral cut, two-pence per ton per mile. For all cattle, calves, sheep, swine and other beasts, and all coal, charcoal, coak, culm, and lime, and all rough timber, hemp, bark, tin, iron stone, pig iron, and pig lead, three-pence per ton per mile. For all flour, wheat, barley, oats, beans, peas, malt and potatoes, four-pence, per ton, per mile. For all hops, fruit, goods, wares, merchandizes, and other things whatsoever, sixpence, per ton, per mile. Tolls for passing on the towing paths. For every horse, &c. two-pence. For every drove of oxen or neat cattle, one shilling and eight-pence per score. For every drove of swine, sheep or lambs, ten-pence per score. Tolls to be taken but once a day. Tolls for passage boats, two-pence a mile. Rates for entering the basons. Proportion of a mile to be taken as a mile. Recovery of rates and tolls. Rates and tolls may be altered. Matters of boats to give an account of their lading. Fifty cubic feet of round and forty feet of square oak, ash, elm, or beech timber, and fifty feet of fir or deal balk, poplar, birch, or other wood, not cut into scantlings, to be deemed a ton weight. One hundred and twelve pounds weight avoirdupois of hops, coal, coak, culm, lime, sand, slate, tin, freestone, limestone, and all other commodities, to be deemed a hundred weight; and two thousand two hundred and forty pounds weight, to be deemed one ton. In case of difference concerning the weight, collector may weigh goods, &c. Power to fix the price of small parcels. Navigation to be free upon payment of rates, under certain restrictions. Vessels under five tons burthen not to pass locks without consent of proprietors. Lord of manors and land owners may erect wharfs, &c. If not done by land owners in six months after notice, the company may build wharfs, &c. Further allowance to the company for goods remaining upon their wharfs. Company not to use private wharfs. Regulations for vessels in basons.

Drains

Drains to be made to convey water from the lands adjoining and watering places for cattle. For fencing off towing paths. If company do not fence off towing paths and make bridges, &c. land owners may do it at the company's expence. If bridges, &c. made by the company are insufficient, land owners may make others at their own expence. Swivel or drawbridges to be shut after vessels have passed. Works damaged by floods to be repaired by the company. Enabling the company to cleanse the adjoining water courses at the land owners expence. Names on the outside of boats to be fixed. Weight of the lading of vessels to be marked. Owners accountable for damages done by the boatmen. Masters to recover from boatmen. Places to be made for boats to turn or lie in for other boats to pass. Vessels obstructing the navigation to be removed, and vessels sunk to be weighed up. Canal not to be obstructed. Locks not to be left open. Penalty on destroying the works. Regulations for passing the locks. Lock keepers not to give preference. Canal not to be under the power of commissioners of sewers. Rights of lords of manors and land owners to the fishery preserved. Saving the rights of the city of London as conservators of the river Thames. One shilling rent to be paid yearly to the city of London as an acknowledgement for making a communication of the canal with the river Thames. For preserving rights of fishery to the city of London. Saving the rights of the city of Rochester as conservators of the river Medway. One shilling rent to be paid yearly to the city of Rochester as an acknowledgement for making a communication of the intended canal with the river Medway. For preserving rights of fishery to the city of Rochester. No oysters to be laid or taken in the canal. The banks not to be hurt by the exercise of rights of fishery. Power for land owners to use pleasure boats. Mines reserved to lords of manors and other proprietors. Company's agents to be at liberty to enter lands or mines to view the works. Subscribers compelled to pay their subscriptions. Authority given to the mayor and justices of Gravesend and Milton to act in their own jurisdiction. Fines and forfeitures. Persons aggrieved by irregularity in distress to recover only the special damages. Form of conviction. Persons aggrieved may appeal to the quarter sessions. Proceedings not to be quashed for want of form, nor removed by Certiorari. Limitation of actions. Treble costs. Public act.

Cap. 24.

An act for amending the several acts passed for making, extending, finishing, and completing the canal navigation from Manchester to or near Ashton-under-Lyne, and Oldham, and the several cuts and other works authorized to be made and done by the company of proprietors of the said canal navigation; and for granting to the said company further and other powers.—[May 16, 1800.]

Former acts recited. Empowering the company to raise thirty thousand pounds by creating new shares or on notes. Holders of notes may apply their notes in the purchase of new shares, &c. Proprietors may raise twenty thousand pounds more by mortgage. Notes to be repaid at such time as the company shall fix. Rates to be a security for the notes. How the company may sue for money not paid on calls made under the former acts. Money arising from the sale of forfeited shares to be applied to finishing the canal and paying the company's debts. Proprietors to have a vote for every share not exceeding fifteen in person and fifteen by proxy. Proprietors may hold more than thirty shares in the canal. Authorizing the company to refer matters in dispute to arbitration. Company empowered to take an additional two shillings for every boat passing a lock laden with lime or limestone. Authorizing the company to take additional one penny per ton for wharfage of such articles as shall not pay the company two-pence per ton for tonnage. Altering the mode of ascertaining the tonnage of timber. Fixing the hundred weight at an hundred and twelve pounds. Authorizing the company to buy in chief rents. Requiring the company

company to buy in the chief rents, reserved out of the land purchased from feoffees of the free grammar school in Manchester. Repealing the clause directing the mode of laying assessments. Repealing clause directing swivel and draw bridges to be shut after vessels have passed them. Where the company have made new roads the old ones to be vested in the company, and converted to their use or sold. Authorising the Alhton canal company to erect and maintain a stop gate across the communication between their canal and the Rochdale canal. Application of compensation money. Expences of obtaining this act to be paid by the company. Publick act.

Cap. 35.

An act for the better relief and employment of the poor of the parish of Saint John Hampstead, in the county of Middlesex —[May 30, 1800.]

Guardians appointed, who are to be trustees for the workhouse. Election of new guardians. The first meeting of guardians to be on Monday sevensight after passing this act. Guardians to defray their own expences at meetings, and such as are justices may act. A chairman to be chosen. Bye laws may be made. To be entered in a book with other proceedings. No bye law, &c. to be repealed unless by a greater number than made it. Guardians may appoint officers and take security from them. Guardians to sue and be sued in the name of their treasurer. Guardians may raise six thousand pounds by annuities or on debentures for years. Money raised to be charged on the rates. Annuities, &c. assignable. Guardians empowered to provide a workhouse and furniture and materials for employing the poor. Waste lands may be taken for a workhouse, &c. with consent of the lord of the manor. Application of compensation money for lands, &c. purchased. Guardians may make contracts. Contracts, &c. to be entered in a book. No guardian to hold place of profit or be concerned in any contract. Guardians not to have a voice at any meeting wherein any of them shall be interested. How rates shall be paid, where houses are inhabited by ambassadors and their servants. For levying rates, &c. Rates of houses, &c. let to lodgers, to be paid by the landlords or owners. Guardians may sue by way of action. Accounts to be audited. Penalty on overseers not collecting rates. Overseers to pay the money collected to the treasurer. Money left to charitable uses to be applied by guardians according to the will of the donor. Workhouse furniture, &c. vested in the guardians. Penalty on buying, &c. cloaths, &c. furnished for the poor. No spirituous liquors to be carried into the workhouse. Punishment of poor misbehaving themselves. Encouragement to be given to industrious poor. Guardians to grant certificates. Children taken in to be apprenticed. Children may be discharged or hired out. Poor may be employed in harvest. Inhabitants may be witnesses. Recovery and application of penalties. Appeal. Justices empowered to grant relief upon appeal against the rates without quashing the whole assessment. Proceedings not to be quashed for want of form. Expences of this act to be paid out of first money received by guardians or their treasurer. Limitation of actions. Treble costs. Publick act.

Cap. 36.

An act for better enabling the company of proprietors of the Rochdale canal, to raise money for completing the said canal, and to vary the line of the said canal, and to alter, explain, and amend the act, passed in the thirty-fourth year of the reign of his present Majesty, for making the said canal.—[May 30, 1800.]

Reciting former act, and that the company have proceeded in making the canal and expended 291,900l. but have not finished it. The company may raise 100,000l. Several subscribers are willing to advance thirty pounds per centum on their shares. Power to raise to much of one hundred

dred thousand pounds as shall not be advanced in manner aforesaid, on notes to be repaid in eight years or made stock in the canal. Tolls, &c. to be a security for the money advanced. Power of raising the money by annuities. Annuities may be assigned. Form of grant of annuity to be entered with the clerk of the company. Form of transfer to be also entered with the clerk. For compelling payment of interest money and arrears of annuities in preference to dividends. A receiver may be appointed. For compelling payment of principle monies. Repealing clause in the former act for payment of interest until the canal is completed. Company empowered to reclaim lands absolutely or on chief rents. Company to sell reserved rents absolutely. As to conveyance of land taken from commons and payment of the purchase money. Copyholds may be enfranchised by persons beneficially entitled although not seized of the inheritance or legal estate. Prescribing form of conveyancing of land separated into small parcels. Company empowered to reconvey and release the lands of Daniel Lecch, not wanted for the canal. Explaining clause in the former act as to the repair of roads over the approaches to bridges. Company authorised by order of two justices of the peace to divert and turn highways. Directing the proceedings in actions for calls. Power of deviating from the original parliamentary line of the canal and company allowed to deviate fifty yards. Additional rates. For every ton of stone, lime, limestone, dung, manure, clay, sand, and gravel, passing or not passing through any lock, one halfpenny per mile. For every ton of timber goods, wares and other merchandize, not passing through any lock, one halfpenny per mile. For every ton of timber goods, wares and other merchandize passing through any lock, one penny per mile. Thirty cubic feet of round or square oak, ash, elm, or beech timber, to be deemed a ton weight, and one hundred and twelve pounds weight avoirdupois to be deemed one hundred weight. Rates may be altered. Allowing the company to take water for puddling. For paying off mortgages on lands used for the navigation. For referring disputes to arbitration. Company to fix price of small parcels. Confirming the clauses in the former act for the protection of the millholders. Engineers to ascertain gauges, &c. Company not to take any water raised from mines. For punishing persons who shall divert any of the feeders of the Rivers Irt, Roach, Irwell, or Calder, for the use of the canal. Form of conviction. Appeal. Proceedings not to be quashed for want of form, nor removeable by Certiorari. Distress not unlawful for want of form. Requiring the company to finish that part of their canal lying between the duke of Bridgewater and the Ashton canal, and requiring the company of proprietors of the Ashton, to erect and finish the bridge over their communication with the Rochdale. The waste water at the junction of the Rochdale and Ashton canals, to be discharged into the basin of the Rochdale, and the waste water of both canals to be conveyed into the duke of Bridgewater's canal or his tunnel. Application of compensation for land, &c. Publick act.

Cap. 37.

An act to enable the Dearne and Dove canal company to finish and complete the said canal, and the several collateral cuts branching therefrom; and for explaining, amending, and enlarging the powers of an act, passed in the thirty-third year of the reign of his present Majesty, for making and maintaining the said canal and collateral cuts; and for encreasing the tolls thereby granted.—[May 30, 1800.]

Former act recited. Power to raise thirty thousand pounds among the proprietors by new subscription or by calls. If by subscription to be divided into six hundred half shares at fifty pounds each. If thirty thousand pounds insufficient, to raise ten thousand pounds more by mortgage. General assembly or committee to make calls of money. For more easy recovering calls. Share of proprietors not paying calls made liable there-

to, and may be sold to discharge such calls. Persons having particular interests only in shares, may mortgage such shares for the calls paid in pursuance of this act. Directing the application of purchase money for lands, &c. Company empowered to collect additional rates, not exceeding half the present rates. No additional rate for flag stones, limestone or lime previously navigated on the Barnsley canal. Swivel bridges to be shut and fastened. Company empowered to lease the rates. Publick act.

Cap. 38.

An act for altering and amending an act, passed in the thirty-fourth year of the reign of his present Majesty, for making and maintaining the Peak Forest canal; and for granting to the company of proprietors of the said canal further and other powers.—[May 30, 1800.]

Reciting former act, and that the company have expended the money they have raised, and are in debt. Proprietors to have a vote for every share not exceeding fifteen in person and fifteen by proxy. Authorising the company to refer matters in dispute to arbitration. Empowering the company to raise one hundred and fifty thousand pounds by creating new shares, or on notes. Directing the new shares to be numbered. Mortgagees may apply their mortgages in the purchase of new shares or notes. How the company may sue for money not paid on calls made under the former act. Money arising from the sale of shares forfeited under the former act, to be applied to finishing the canal; and paying the company's debts. Restraining persons from using passage boats, without the consent of the company. Company empowered to relland on chief rents, or absolutely. The words "Grant, Bargain, and Sell," to operate as covenants for the title. Application of rents and purchase money. Where the company take any common or waste ground, conveyances to them by the lord of the manor to be sufficient. Explaining clause in former act as to repair of roads over approaches to bridges. Where the company have made new roads, the old ones to be vested in the company, and converted to their use or sold. Repealing clause directing swivel and draw bridges to be shut after vessels have passed them. To authorise persons to use water from the canal for condensing water for steam engines. Application of compensation money for lands, &c. Publick act.

Cap. 39.

An act for enabling the Huddersfield canal company to finish and complete the Huddersfield canal; and for amending the act, passed in the thirty-fourth year of the reign of his present Majesty, for making and maintaining the said Huddersfield canal.—[May 30, 1800.]

Former act recited, and that the company have expended all the money they have raised, and are in debt. Doubts have arisen as to the construction of the clause for raising the additional ninety thousand pounds authorised to be raised under the former act. Company may raise by calls twenty pounds a share, to be applied in payment of their debts, &c. The shares of proprietors not paying calls made liable thereto, and may be sold to discharge calls. Enabling mortgagees to deduct the calls from the money advanced on mortgage. Persons having particular interests only in shares may mortgage such shares for the calls paid in pursuance of this act. Empowering the company to raise the money wanted, by creating new shares or on notes. Mortgagees may apply their mortgages in the purchase of new shares or notes. New shares to be numbered and entered in a book. Company may sue for money not paid on calls made under former act. Money arising from the sale of shares forfeited under the former act, to be applied to finishing the canal, and paying the company's debts. Proprietors to have a vote for every share, not exceeding ten in person and ten by proxy. Authorising the company to refer matters in dispute to arbitration. Referring the disputes between the company and

and Joseph Radcliffe esquire, to the determination of arbitrators to be named by the parties. Company empowered to resell land on chief rents or absolutely. Copyhold lands may be surrendered. Before any lands, &c. are resold, the company to offer the same to the persons from whom purchased. The words "Grant, Bargain and Sell," to operate as covenants for the title. Application of rents and purchase money. The canal charged with the payment of rents. Explaining clause in former act as to repair of roads over approaches to bridges. Where the company make new roads, the old ones to be vested in the company, and converted to their use or sold. Repealing clause directing swivel and draw bridges to be shut after vessels have passed them. Directing what further rivulets, &c. are to be conducted under or over, or by the side of the canal or other works of the company. Penalty on persons diverting rivulets, &c. contrary to the former or this act. Company indictable for not repairing roads damaged by them. Giving an action of debt for damages assessed by a jury. Application of compensation money for lands, &c. Publick act.

Cap. 42.

An act for raising a further sum of money for carrying into execution two several acts, passed in the thirty-fifth and thirty-eighth years of the reign of his present Majesty, for widening and improving the entrance into the city of London, near Temple Bar, for making a more commodious street or passage at Snow Hill, and for raising, on the credit of the Orphans Fund, a sum of money for those purposes; and for explaining and amending the said acts.—[May 30, 1800.]

Acts 35 Geo. 3. c. 126. 38 Geo. 3. c. 61, recited. Whereas considerable progress hath been made in carrying the said acts into execution, whereby the entrance into the said city at Temple Bar, hath been greatly improved: and whereas in forming the original estimate of the expences of effecting the said improvements, sufficient allowances were not made for the subsequent depreciation of the bonds and securities which by the first recited act were directed to be given, for securing the monies thereby authorized to be borrowed; nor were adequate allowances made for the sums paid and to be paid in several unforeseen cases, as compensations for good will, losses and damages, to persons occupying or being interested in houses and other hereditaments, by the said acts authorized to be purchased; and in the said estimate credit was taken for the monies to be received by sale of the ground rents, and the reversion, freehold, and inheritance of so many houses, or such parcels of the buildings, lands, tenements, and hereditaments, by the said acts authorized to be purchased and taken out of the streets, as should not be afterwards laid into the streets or otherwise appropriated to publick use; but it being found expedient that the said improvements to be made at Temple Bar and Snow Hill aforesaid, should be carried on at both places at one and the same time, the last mentioned monies, which will amount to a very considerable sum, cannot be obtained by such sale, until all the purchases yet remaining to be made pursuant to the said acts shall be actually made; for which reasons the fund created by the first herein-before recited act, is found to be insufficient for completing the said improvements: and whereas, if the land tax charged upon the houses, buildings, lands, tenements, and hereditaments, purchased and to be purchased for the said improvements, were redeemed according to the statutes lately made and provided concerning the redemption and purchase of the land tax, such redemption would be highly beneficial not only to the estate so intended to be sold as aforesaid, but ultimately to the funds provided and to be provided for carrying on the said improvements: and whereas the fund called The Orphan's Fund, was established by an act passed in the fifth and sixth years of the reign of King William and Queen Mary, intituled, An act for relief of the Orphans, and other creditors of the city of London, for the purposes therein expressed; which said fund, and the

receipts

receipts and disbursements thereof, are under the management and direction of the court of mayor and aldermen of the said city of London; and by several acts passed in the twenty-first year of the reign of his late majesty King George the Second, and in the seventh year of the reign of his present Majesty, the several provisions for supporting the said fund, have been continued and augmented, and the whole of the rates and charges applicable to the said fund, from the time of passing of the last-mentioned act, are to remain and continue until the twenty-ninth day of September which will be in the year of our Lord one thousand eight hundred and thirty-one, when some of the said rates and duties are to cease, but the sum of ten thousand pounds per annum by the said acts of parliament, or some of them, charged upon and made payable out of the revenues of and belonging to the said city of London, and certain other of the rates and charges therein also mentioned, are thereby continued until the principal monies charged upon the said Orphans' Fund, together with interest for the same, shall be paid off and annihilated: and whereas the income of the said fund has for several years past so much increased as to afford a reasonable probability, that if the said mayor, aldermen, and commons in common council assembled, were enabled to raise the sum of thirty thousand pounds, to be applied for the purposes of this act, upon the credit of the surplusses to arise from the said fund, such surplusses will be amply sufficient to pay off such further charge, as well as the interest on the aforesaid sum of sixty thousand pounds, until redeemed in manner herein-after mentioned, together with the whole of the debt and sums of money already charged thereon, previous to the said twenty-ninth day of September, one thousand eight hundred and thirty-one: and whereas it is expedient that the said mayor, aldermen, and commons of the city of London, in common council assembled, should be empowered to raise and borrow upon the credit of the said fund called The Orphans' Fund, the further sum of thirty thousand pounds, and upon the credit of the monies to arise by sale of the ground rents and estates to be sold by them, in pursuance and by virtue of the said two recited acts, and of this act, the further sum of sixty thousand pounds, to enable them to carry on and complete the said improvements, and redeem the said land tax, and to be by them applied accordingly. Common council empowered to raise thirty thousand and sixty thousand pounds upon the credit of the Orphans' Fund, of the monies to arise by sale of ground, rents, &c. Contributors to be entitled to redeemable annuities. Common council to cause bonds, or other securities, to be given for such annuities, assignable by indorsement. The Orphans' Fund charged with such annuities. Future surplusses of the said fund how to be employed. Upon notice of redemption of annuities and tender of the monies, the annuities to cease. Deficiencies to be paid out of the chamber of London. The money to be raised and borrowed under this act, to be applied only for the purposes of the two recited acts, and of this act, and the surplus thereof, if any, to go towards the increase of the Orphans' Fund. Common council to sell the ground rents and reversion of such parcels of the land, &c. purchased and to be purchased and taken from the streets under the two recited acts, as shall not be appropriated to publick use. The receipt of the chamberlain, &c. to be sufficient discharges for the purchase monies. The monies to arise from such sales to be applied in redeeming the annuities to be granted in respect of the said sixty thousand pounds, in order to exonerate the Orphans' Fund therefrom; and the surplus (if any) of such monies, is to go towards the increase of that fund. The corporation answerable in case of any misapplication. Disbursements to be included in the chamberlain's annual accounts. This act not to affect any of the city's present creditors. Certain clauses, powers, &c. of the first recited act extended to this act. Publick act.

Cap. 47.

An act for making wet docks, basons, cuts, and other works, for the greater accommodation and security of shipping, commerce, and revenue, within the port of London.—[June 20, 1800.]

Vol. XLII.

L I L

WHEREAS

WHEREAS for the greater accommodation and security of shipping, commerce, and revenue, within the port of London, it is expedient that good and sufficient wet docks and basons, with proper cuts, sluices, and outlets, should be made and established, under proper regulations in convenient situations, within the port of London, and as near as may be to the city of London and seat of commerce, with legal quays and wharfs attached thereto, for the reception and discharge of loaded ships and other vessels. And whereas the several persons herein-after named, have entered into a subscription to raise a certain sum as a joint-stock or fund, for the purposes aforesaid, and for carrying into execution and completing the several works herein-after mentioned. Subscribers to be a joint stock company by the name of "The London Dock Company." Stock to be deemed personal estate. **Sale and transfer of stock.** No persons answerable for more than their respective stock. Stock not liable to attachment according to the city of London. Five per cent. interest on every instalment of the subscription. Company to make dividends on stock not exceeding ten pounds per cent. per annum. Proprietors of five hundred and less than one thousand pounds stock to have one vote, at every general meeting of the company. One thousand and less than five thousand pounds stock to have two votes. Five thousand and less than ten thousand pounds stock to have three votes. Ten thousand pounds and upwards to have four votes and no more. Questions to be decided by vote. Chairman to have the casting vote. Two general courts to be held yearly on the first Wednesday in January and July. Qualification to vote by twelve months possession of stock. The company may increase their stock not exceeding one million two hundred thousand pounds. Directors empowered to audit accounts of receivers; and to make calls on proprietors. Persons neglecting to comply with such calls, to forfeit five per cent. and may be sued for their respective shares by the company; and if so neglecting for two calendar months, may be either so sued, or at the option of the directors to forfeit all their share and interest in the said undertaking, in favour of the rest of the proprietors. No advantage to be taken of any forfeiture until notice; nor unless the same be declared forfeited at a general meeting. Representatives of proprietors before call (no provision being made for the same) charged therewith as debtors; but on refusal or neglect to answer such call, company empowered to admit other persons as proprietors in their stead, on repayment of all monies advanced by such deceased proprietors. ~~Next meeting to be within one month after passing this act.~~ Company may make bye laws. Any nine proprietors may request a general meeting to be called by notice to the clerk or treasurer. Appointment of chairman, deputy chairman, and directors, who shall appoint places for meeting for the purposes of this act, and continue for one year. Five directors to be a quorum. Questions to be decided by a majority. In case the capital of one million two hundred thousand pounds shall not be raised or found insufficient, company may borrow three hundred thousand pounds, and may assign the rates as a security. Form of assignment. Assignments transferrable by indorsement. Interest on money borrowed to be paid half yearly in preference to the dividends. That the said company shall be, and they are hereby authorized and empowered, by themselves and their deputies, agents, workmen, and servants, to make, complete, and maintain one or more dock or docks, bason or basons, lighter dock or lighter docks, entrance or entrances communicating with the river Thames, in the parishes following (that is to say), Saint Botolph without Aldgate, in the manor of East Smithfield, otherwise called Saint Botolph without Aldgate, East Smithfield, Saint John of Wapping, Saint George Middlesex, commonly called Saint George in the East, Saint Paul's Shadwell, otherwise called Saint Paul Shadwell, alias Chafswell, all within the Tower Hamlets, and in the county of Middlesex; all which dock or docks, bason or basons, lighter dock or lighter docks and entrance or entrances, are to be contained within the bounds described by the under mentioned limits; (videlicet), On the west by a line running along the east side of Nightingale lane, including all the buildings and premises within the same, from the north-east corner of the said lane,

lane, southward to the north-west corner of a brewhouse yard, belonging to Thomas and Robert Allen, situate on the east side of Nightingale lane, aforesaid; from thence running eastward along and including the south side of two certain storehouses belonging to the brewhouse of the said Thomas and Robert Allen, to the south-east extremity of the same, and then returning southward along (but not including) the east face of the said brewhouse, to the south-east extremity thereof, and as far as the extent of the yard or piece of ground (including the same) belonging to John Betts junior, and leased to the said Thomas and Robert Allen, and turning eastward along the south side of the said yard, in a line to the north-east corner of number eight, situate on the west side of Mulberry Gardens, alias Ten Foot Way, belonging to John Betts junior, and occupied by John Chafe, thence proceeding across the Mulberry Gardens, south-westward to the north-west corner of number eighteen, on the south side of the Mulberry Gardens, alias Ten Foot Way, belonging to John Betts junior, and in the occupation of Margaret Stewart, and along the south-east face of the street or way leading from Nightingale lane, to the Mulberry Gardens, (including the buildings and premises within the same), till it returns to the east side of Nightingale lane, from thence running south-eastward along the east side of Nightingale lane, (including all the buildings and premises within the same), to the north end of Charlotte street; all which aforesaid premises are within the said parish of Saint John of Wapping; and crossing Charlotte street, into the parish of Saint Botolph, without Aldgate, in the manor of East Smithfield, otherwise called Saint Botolph, without Aldgate, East Smithfield, to the north-west extremity of a building belonging to John James esquire, and occupied by Messrs. Jones and Bullcock, as an iron foundry, and along the west side of (and including) the same, to the south-west corner thereof, at the north end of the passage or way, called Dock Side West, then turning eastward as far as the width of the said north end of the said passage or way, and again turning southward, along the west side of (and including within the same with all its rights and boundaries) the Hermitage dock and bridge, to the south-west corner thereof, adjoining to the south-east extremity of the wharf and buildings belonging to William Downe, and commonly known by the name of Hawley's Wharf, and also (including the western extremities of the same) a building used as an engine house, as also two houses belonging to the said John James, and in the several occupations of John Tunbridge, Adam Martin, and John Watkins; and also a certain piece of ground belonging to the said William Downe, and used as a wharf for shipping mud, althes, and other soil, commonly called a Dung Wharf; and also a certain timber building, belonging to the said William Downe, now in ruins, and used as a warehouse; all which five several parcels of buildings and ground are situate on the western bank of the Hermitage dock, and are, together with so much of the said dock, as lies to the westward of the central line of the same, within the parish of Saint Botolph, without Aldgate, in the manor of East Smithfield, otherwise called Saint Botolph, without Aldgate, East Smithfield; and further bounden on the south, by crossing the south end of the Hermitage dock, from the south-east extremity of Hawley's wharf before recited, to the south-west extremity of the wharf and the buildings belonging to Saint Andrew Saint John, and commonly known by the name of Hore's Wharf; there again entering the parish of Saint John of Wapping, including the ground, soil, or space, as far to the southward thereof within the above limits into the river Thames as thirty feet, and so as not to injure the navigation of the said river; thence returning northward through the aforesaid premises, belonging to Saint Andrew Saint John, and in the occupation of Edward Hore, to the north-west corner of the same, adjoining to Wapping street, thence crossing Wapping street, to the southern corner of a house belonging to the said John James, and in the occupation of George Folkes, situate on the north side of Wapping street, and numbered three, and running along (and including) the south-east face of the south-west corner of a certain warehouse or stable, belonging to John Raban, as executor of

Thomas Lord, and in the occupation of the said Edward Hore, and eastward and northward along (and including) the south and east sides of the same, to Charlotte street; thence crossing Charlotte street, in a right line to the south-east corner of Hermitage yard, including all and every such parts of the said Hermitage dock and bridge, with all its right and boundaries, as lie to the eastward of the central line of the same, and are within the parish of Saint John of Wapping, and along (and including) the south face of a dwelling house belonging to John Rixon, and in his own occupation, to the south-east extremity of the same, there entering the parish of Saint George, Middlesex, commonly called Saint George in the East; all which last recited premises are within the said parish of Saint John of Wapping. From thence going eastward along the north side of Great Hermitage street, (including all the buildings and premises within the same) to the south-west corner of Fryer's hill, there returning northward, along the west side of the said street, or way, called Fryer's hill, (including all the buildings and premises within the same), to the north-east extremity of certain premises belonging to John James, and in the occupation of Ann Harwood; thence crossing the said Fryer's hill, and proceeding eastward along the south side of a coopeage yard, including the same, belonging to the said John Rixon, and in the occupation of Charles Rixon and Richard Hovill, as also the south side of premises situate on the south side of Red Mead lane, belonging to Peter Taylor esquire, and in the several occupations of Edward Mansfield and Charles Wells, returning northward along (and including) the east side of the said last-mentioned premises in the occupation of Charles Wells; and thence eastward across Mathew's court, along and including the south side of the premises belonging to Jonathan Mathew's, and in the several occupations of James Corbet and William Christopher, and returning northward along and including the east side of the said last-mentioned premises in the occupation of William Christopher; thence proceeding eastward across the common sewer, and running along and including the south side of a house and premises situate on the west side of King street, Sampson's gardens, belonging to Mary Scott, in the occupation of William Coombe, number four, to the south east corner thereof; then crossing King street aforesaid, to the north-west extremity of Brett street, and along the north side thereof (including all the buildings and premises within the same), to the east end of the said street; and from thence returning southward along the east side of Prince's street, (including all the buildings and premises within the same), and eastward along the north side of the east end of Great Hermitage street, (including all the buildings and premises within the same), and across the north end of Russell's buildings; from thence returning southward along the east side of Russell's buildings, (including all the buildings and premises within the same), to the south-east corner thereof next Wapping street, and crossing Wapping street, to the north-west corner of a building belonging to — Hyde, and in the occupation of Peter Meester, and used as a reed shed, attached to and on the east side of Bell dock, there re-entering the aforesaid parish of Saint John of Wapping; all which last recited premises are in the aforesaid parish of Saint George Middlesex, commonly called Saint George in the East; thence running farther southward along (but not including) the eastern side or bank of Bell dock to the south-east extremity of the same, on the bank of the north side of the river Thames; thence proceeding eastward along the said bank of the north side of the river Thames, to the south-west extremity of the publick alley or passage way leading to and from Wapping old stairs, including all the buildings and premises upon and within the said bank of the said river, and including the ground, soil, or space, as far to the southward thereof, within the above limits, into the river Thames, as thirty feet, and so as not to injure the navigation of the said river; thence returning northward along (and including) the premises on the west side of the said publick alley or passageway to the north-east corner thereof next Wapping street, number two hundred and ninety; thence crossing Wapping street, to the south-east corner of the watch house, on the north side of the said street; and from thence northward

ward and eastward along (but not including) the west and north sides of the church yard wall of Saint John of Wapping; and thence running north-eastward and crossing the west-end of Green bank, to the south-west corner of Bird street, there re-entering the aforesaid parish of Saint George Middlesex. commonly called Saint George in the East; all which last recited premises are within the aforesaid parish of Saint John of Wapping; and farther northward along the whole length of the west side of Bird street, (including all the buildings and premises within the same), and crossing the north end thereof to the eastward along the north side of Tench street, (including all the buildings and premises within the same), and crossing Harriet's place, at the south end thereof, to the west end of a passageway leading unto Anchor and Hope alley, and along and including the north side of the said passageway till it meets the west side of Anchor and Hope alley; from thence running northward along the west side of Anchor and Hope alley, (including all the buildings and premises within the same), to the north end thereof, as also along the west side of Broad street, (including all the buildings and premises within the same), till it meets the return line of the north side of Worcester street; thence crossing Broad street, and running eastward along the north side of Worcester street, (including all the buildings and premises within the same), and crossing Old Gravel lane in the same line of direction, till it meets the east side thereof; from thence proceeding southward along the said east side of Old Gravel lane aforesaid, (including all the buildings and premises within the same), to the north-west extremity of Charles street; then running eastward along the north side of Charles street, (including all the buildings and premises within the same), and extending eastward from the east end thereof, to the north-west extremity of certain premises belonging to the trustees of the charity commonly called Raines's Hospital, and along Paradise row, along adjoining on (but not including) the north wall of the said premises called Raines's Hospital, to the north-east extremity thereof; thence crossing the street or way called Fawdon Fields, to the south-west extremity of a house, situate on the east side of the said street or way, belonging to Thomas Robins, and in the occupation of James Sibley; from thence running southward along, and including the west side of the said premises to the south-west extremity thereof, as also along (and including) the west side of the premises in the same line of direction belonging to Mrs. — James, and in the occupation of the said James Sibley, to the north-west extremity of James's place, there returning eastward and southward, round and including the south and west boundaries of the said premises, till the line enters the waste called Fawdon Field, at the south-west extremity of the said premises, there crossing the waste to the north-west extremity of a yard or garden appertaining to a house situate on the north side of King street, belonging to John Place, and in the occupation of Thomas Instant, from thence running southward along and including the west bounds of the said garden and house, to the south-west extremity thereof next King street, from thence running eastward along the north side of the east end of King street, (including all the buildings and premises within the same), to the south-east corner thereof next New Gravel lane, there entering the parish of Saint Paul's Shadwell, otherwise called Saint Paul Shadwell, otherwise Chadswell; all which last recited premises are within the aforesaid parish of Saint George, Middlesex, commonly called Saint George in the East; from thence proceeding northward along the west side of New Gravel lane, (including all the buildings and premises within the same), till it meets the return line of the north side of Milk yard, thence crossing New Gravel lane, and thence extending eastward along the north side of Milk yard, as also of the street or way called The Lower Turning (including all the buildings and premises within the same), till it meets the south-west corner of Great Spring street, thence extending eastward to the north-west corner of the premises situate on the south side of Brewhouse yard, belonging to Richard Carpenter Smith, esquire, and in the occupation of Michael Dunn, and running southward along and including the west bounds of the same, as well as of other premises, belonging to

the said Richard Carpenter Smith, and which are unoccupied, and returning eastward along and including the south bounds of the said last recited premises, as also of other premises belonging to the said Richard Carpenter Smith, in the occupation of Andrew Bradford, to the south extremity of the same, from thence running southward and eastward, round and including the west and south sides of the premises belonging to Mary Dartou, and in the several occupations of James Wafer, — Cooper, — Smith, — Savage, and John Wallis, and returning southward from the south-east extremity of the said last-mentioned premises, situate on the south eastern bound of the turn of Wapping wall, (thereby crossing Wapping wall) to the north-east corner of a house belonging to the dean of Saint Paul's, London, and in the occupation of Ann Tingling, thence extending south-westward to the north-west extremity of the premises situate on the south side of Wapping wall aforesaid, belonging to Mistress — Fendall, and in the occupation of William Hill, and returning southward along and including the west side of the same till it again meets the bank of the north side of the river Thames, at the south-west corner of the said last recited premises, thence proceeding eastward along the said bank of the north side of the river Thames, to the south-western extremity of the premises occupied by and belonging to Shadwell dock, including all the buildings and premises upon and within the said bank of the said river, and including the ground, soil, or space, as far to the southward thereof within the above limits into the river Thames as thirty feet, and so as not to injure the navigation of the said river; and further bounded on the east side thereof, by extending northward from the said south-western extremity of the premises belonging to and occupied by the Shadwell dock, along (but not including) the west side of the same, to the north-west corner thereof, there crossing lower Shadwell street, to the south-west corner of Griffin street, and going northward along, and including the premises on the west side thereof, to the north-east corner of a certain yard or piece of ground belonging to the aforesaid dean of Saint Paul's, London, and in the occupation of Henry Fletcher, and thence returning westward along and including the north bounds of the said last-mentioned yard or piece of ground, thence returning northward along and including the east sides of certain other premises situate on the east side of Fox's lane, belonging to the aforesaid dean of Saint Paul's, London, in the several occupations of William Hill, William Lawton, and Richard and Andrew Dowding; and returning westward along the north side of the said last recited premises, till it meets the east side of Fox's lane aforesaid, there crossing the said lane, and proceeding northward along the west side thereof, (including all the buildings and premises within the same), to the south-east extremity of Shadwell church yard; and farther bounded on the north by proceeding westward along (but not including) Shadwell church yard wall, to the south-west corner of the same, and thence westward along and including the north side of the premises situate on the east side of Shakespeare's walk, belonging to William Rise, numbered forty, in the occupation of James Sargent, there crossing Shakespeare's walk, and proceeding westward along and including the north side of the premises situate on the west side of Shakespeare's walk, belonging to William Camper, and in the occupation of — Welch, numbered twenty-five, as also of other premises situate on the east side of Farmer street, belonging to the said William Camper, and in the occupation of John Proctor, numbered thirty-eight, there crossing Farmer street, and proceeding westward along (but not including) the north side of Cow lane, to the north-west extremity of the same, next New Gravel lane, there crossing New Gravel lane in the same line or direction, thence returning northward, along the west side of New Gravel lane, (including all the buildings and premises within the same), to the south-east extremity of the street or way called West's Gardens, thence proceeding westward along the south of West's gardens (including all the buildings and premises within the same) to the south-west extremity thereof, then returning southward along and including the west side of a garden and other premises belonging to the aforesaid dean of Saint Paul's,

and

and in the several occupations of — Nattali and William Smellie, then re-entering at the south-west corner of the same parish of Saint George, Middlesex, commonly called Saint George in the East; all which last-recited premises are in the parish of Saint Paul's Shadwell, otherwise called Saint Paul, Shadwell, alias Chadswell: then turning south-westward along and including the north-west side of a certain meadow belonging to William Lucas, and in the occupation of William Holmes, to the north-east corner of a garden belonging to captain — Breaker, and in the occupation of Thomas Reeves; thence running westward along and including the north side of the said last-mentioned garden, and along and including the north side of a yard and other premises belonging to the aforesaid captain — Breaker, and in the occupation of the said Thomas Reeves, to the north-east corner of the premises number ninety-two on the east side of Old Gravel lane aforesaid, belonging to Thomas Hawes, and in the occupation of John Hagan, and along and including the north side of the same; thence crossing Old Gravel lane, to the south-east extremity of Pennington street, thence continuing westward along the south side of Pennington street, for the whole length thereof (including all the buildings and premises within the same), to the south-west extremity thereof; thence crossing Virginia street, to the east of King's Head alley, at the north-east extremity of the premises used as a timber yard, belonging to the estate of the late Jeremiah Ergist, to whom William Wheeler is executor, and in the occupation of William Mountford, there again re-entering the parish of Saint John of Wapping; all which last-recited premises are in the parish of Saint George, Middlesex, commonly called Saint George in the East: and from thence continuing westward along and including the north bounds of the said timber yard, as also of a house and other premises belonging to the said estate of Jeremiah Ergist aforesaid, and in the occupation of Simon Smith, adjoining on the south side of King's Head alley aforesaid, to the fourth end of Wiltshire lane, and thence returning northward from the south-west extremity of the said Wiltshire lane, along the west side thereof (including all the buildings and premises within the same), to Parson's street; from thence returning westward along the south side of the west end of Parson's street, and from the westward extremity of the same, along the south side of East Smithfield, including all the buildings and premises within each of the same respectively, to the north-east corner of Nightingale lane, aforesaid; all which last-recited premises are in the said parish of Saint John, Wapping. Company not to make ships, &c. for building or repairing vessels. Directors empowered to build and make a wall round the dock for unloading ships, as also to inclose the quays. For supplying the docks, &c. with water from the river Thames. To make bridges and other passages. Company to cause sewers and drains to be arched over; and to build new ones under the direction of the commissioners of sewers. New sewers to be vested in the commissioners of sewers. Power to purchase land and to treat. Limiting the power of purchasing to five years. When parties refuse or are unable to treat, &c. the directors to issue a precept for impannelling a jury. Money allowed for lands, &c. purchased, how to be charged and tendered. Estates purchased to vest absolutely in the company. Company to purchase Shadwell water works for fifty thousand pounds. Application of compensation money for lands, &c. Tenants at will, &c. to deliver possession on six months notice. Mortgages on tender of principal and interest to convey; on refusal interest to cease. Bargains and sales to have the force of fines and recoveries. Directors may sell, let, or exchange estates. Docks to be completed in seven years. Empowering the company to scour the bed of the river, and preserving it to a certain depth. Company to make sluices, &c. and to repair and cleanse the docks. All erections, &c. made, to be vested in the company. Rates to be paid for ships entering the basons, docks or cuts according to register tonnage. First class. For every ship or vessel, including colliers trading coastwise between the port of London and any port in Great Britain, Orkney, Shetland or the western islands of Scotland per ton, one shilling. Second class. To or from Ireland, the

Isle of Man, Guernsey, Jersey, the coast of France, from Ushant to Dunkirk, the coast of Flanders, Holland, Germany, and Denmark, from Dunkirk, to below Elsinore to the North Cape, per ton, one shilling and three pence. Third class. To or from Elineur, and to and from all ports and places whatsoever in the Baltick, Archangel, Onegá, and all ports and places to the eastward of the North Cape, per ton, one shilling and sixpence. Fourth class. To or from France, to the southward of Ushant, the coasts of Spain and Portugal, to the northward of Cape Saint Vincent's, Newfoundland, Madeira, the Canaries, the Azores, per ton, one shilling and nine pence. Fifth class. To or from all ports or places in Europe, to the southward of Cape Saint Vincent's, all ports and places within the Mediterranean, Africa, North America, South America, the Southern Whale Fishery, Hudson's Bay, per ton, two shillings. Sixth class. To or from all ports or places in the East Indies, China, Persia, and to and from all other ports or places whatsoever not here-before named, per ton, two shillings and sixpence. Also, for every article of merchandize, whether subject to any duty of customs or not, and which shall be landed or shipped, within the dock premises, there shall be collected and paid a rate or duty, not exceeding the rate or charge heretofore usually paid in the port of London, for landing, loading, hoisting, and shipping every such article, during the year one thousand seven hundred and ninety-eight. Lighters and craft entering the docks, &c. to discharge or receive ballast or goods to or from on board any ship exempted from rates. Manner of recovering rates. To ascertain the tonnage of ships. Collectors, &c. to have access to registers of ships at the custom-house. Power to measure, &c. ships and vessels. Custom-house officers not to discharge any vessel before duties paid. Masters of vessels to produce certificates of such payment, which the receivers of the duties must give. Ships laden with tobacco (rice not the produce of the East or West Indies), wine or brandy not imported from the East or West Indies, to unload their cargoes at the docks. Vessels not having on board more than twenty pipes of wine or brandy or fifty barrels of rice, not compellable to go into the docks. Vessels may unload fruit at any other place, previous to entering the docks. If at any time ships laden as above cannot be admitted into the docks, the commissioners of the customs may authorize the cargoes of those ships to be landed at other legal quays. Vessels delivering part of their cargoes at the docks, or on the quays, or other landing places in the Isle of Dogs, and part at the docks, &c. directed by this act, to pay a rateable part of the duties under the former and this act. All acts prohibiting the entrance of ships into wet docks in the river Thames, repealed. Goods, &c. landed or shipped upon or from the docks, subject to the same regulations as the present legal quays. Directors empowered to appoint clerks, treasurers, and other officers, taking security and allowing them salaries. Directors to make regulations for clerks and officers, and may repeal, alter and amend the same. Rules subject to the controul of the company. Penalty on breaking or extinguishing lamps. Directors to appoint a dock-master. For regulating the moorings of ships and vessels. Regulations as to lighters and craft. For keeping the entrance to the docks clear. Vessels not to land goods in the docks, &c. at other places than quays and landing places. Combustible matter to be removed within twelve hours; in case it cannot be removed within that time, the proprietors thereof to maintain watchmen. For scouring the basons, &c. Removal of wrecks, &c. To prevent nuisances in the bason and docks, &c. Timber not to remain in the dock more than forty-eight hours. Penalty against destroying ropes of vessels not exceeding twenty pounds. Regulations for preventing accidents by fire. Bell to be rung to put out lights, &c. No combustible matter to be melted on board any vessel within the dock, &c. Vessels may lie to unload within the dock for six weeks, and two weeks more upon payment of one tarthing per ton, and for every further week one halfpenny per ton. Power for dock-master to order out light vessels, &c. Owners of vessels answerable for damages done by their own ser-

vants or others. Masters and owners answerable for damages. Persons setting fire to or damaging the works or vessels in the basins, guilty of felony, without benefit of clergy. Company may purchase lands on the north side of Ratcliffe Highway, for roads. Power to lay materials for building on the adjoining premises, satisfying the owners. Company may make bricks of any dimensions. To grant licences for building on parts of the streets, &c. Monies arising by leases, sales or licences, to be appropriated to the purposes of this act. Compensation to be made for the tythes of the lands, &c. to be taken for the purposes of this act. For making compensation to the ministers of certain parishes for loss of surplice fees; and for tythes of premises on the south side of Ratcliffe Highway. Compensation to be made by the company for deficiencies of assessments for land tax; and paving, cleaning, lighting, watching and poor's rates. For satisfaction for pavement in Saint Paul's Shadwell and Saint George's parishes. Compensation to be made for deficiencies of sewer rates. Compensation to be made to the owners, &c. of, and persons employed on any quays or wharfs or other tenements, which may be rendered less valuable, by reason of the intended works, and to the governors of Christ's Hospital, (if necessary) on account of Car-rooms. Commissioners of the treasury to purchase the legal quays, &c. between London bridge and the Tower of London. Commissioners of compensation under the stile of Dogs act, to be the commissioners for the like purposes under this act. In case the river tolls to be levied under the stile of Dogs act, for making compensation, shall be sufficient for the purposes of both acts, no additional river toll to be levied. If any further sum should be deemed necessary for compensation, an additional toll or duty to be levied under the warrant of the lords of the treasury. All tolls or duties to be raised by this act for compensation to be paid to his Majesty. No claims to be made for such last-mentioned compensations until three years after notice of the docks, &c. being ready for use; and all such claims are to be made and entered in a book within one year after the expiration of the said term of three years, or otherwise to be barred. Claimants may recover compensation money from persons who shall have wrongfully received the same. To repeal those clauses in an act of the thirty-ninth of his Majesty, which direct lord Gwydir, on receiving a compensation, to surrender the mooring chains to his Majesty; and which direct compensation to be made to the said lord Gwydir and his Majesty. Directing lord Gwydir and all other persons entitled to the mooring chains between London bridge and Buggy's hole, to assign and surrender to his Majesty, and that compensation should be made for such assignment. Directing that after assignment or surrender by lord Gwydir, all rents, dues and other payments in respect of the mooring chains should cease, subject to the regulations contained in the act of the thirty-ninth of his present Majesty. Directing payment to lord Gwydir, &c. within seven months, or before the end of one month after the expiration of the prolonged time therein-mentioned out of the consolidated fund. Directing compensation to his Majesty out of the consolidated fund for the relinquishment of rent, &c. For payment of costs to parties and to the arbitrators or umpire. Directing repayment to the consolidated fund for sums to be advanced. Appointing arbitrators to ascertain the value of the mooring chains. Directing that the lord mayor, aldermen and commons of the city of London, after the assignment or surrender of the mooring chains, shall have and exercise the several powers by the act of thirty-ninth of George the Third, given them for repairing, &c. of the mooring chains, and that nothing in this act shall abridge the power of the lord mayor to appoint harbour masters. Directing the deputy remembrancer of the exchequer to invest the money in navy, victualling or exchequer bills. Clerk of the company to keep accounts of receipts and disbursements. The dock company's works to be executed as soon as possible, and a statement of the progress thereof to be laid before parliament yearly. Directors to lay an account before parliament yearly. Nothing in this act contained is to prejudice any remedy against the sureties of officers. For saving the rights of the Trinity House, Rights

of

of his Majesty and the corporation of London not to be prejudiced. Lord mayor empowered, as conservator of the river Thames, to punish offences against this act, or any bye laws to be made as aforesaid. The rights or privileges of the West India dock company and the lord of the manor of Stepney not to be prejudiced. Recovery and application of penalties. All fines above forty shillings to go to the company for the injuries sustained; and all of and under forty shillings to be divided. One third to the merchant seamen's office; one third to seamen's and lighter-men's families disabled in the docks; one third to old worn out dock servants. Penalties may be mitigated. Form of conviction. Parties aggrieved may appeal. Expences of the act to be paid out of subscription money. Proceedings not to be vacated for want of form only. The treasurer of the company may be made the nominal plaintiff or defendant in actions and suits to be brought by or against the company. Limitation of actions. General issue. Treble costs. Publick act.

Cap. 49.

An act for forming, paving, cleansing, lighting, watching, watering, and otherwise improving and keeping in repair, the streets, squares, and other publick passages and places, which are and shall be made upon certain pieces or plots of ground, in the parish of Saint Pancras, in the county of Middlesex, belonging to the most noble Francis duke of Bedford. — [June 20, 1800.]

WHEREAS the most noble Francis duke of Bedford is seised of or intitled to the pieces or plots of ground situate in the parish of Saint Pancras in the county of Middlesex herein-after mentioned: (that is to say), All those several pieces or plots of ground abutting upon lands of lord Southampton in part, and upon land of the worshipful the company of Skinners in other part, towards the south; upon the estate of the said company of Skinners in part, and upon the estate of the governors and guardians of the Foundling hospital, towards the east, upon the estate of the said duke of Bedford, in the parishes of Saint George Bloombury and Saint Giles in the Fields, or one of them, towards the south; and upon the yards, gardens, and buildings behind the houses forming such part of the east sides of Gower street and Upper Gower street as belong to the said duke of Bedford in part; upon other yards, gardens, and buildings behind the houses forming the remainder of the east side of the said street called Upper Gower street, belonging to lord Southampton, in other part; and upon the estate now or late belonging to Hans Warrop Mortimer esquire, in other parts, towards the west; and also all those two pieces or plots of ground abutting upon the road leading to Pancras, called Fig lane, towards the north; upon the piece of ground hereafter described, in part; upon the estate of the worshipful company of Brewers, in other part, and upon land of lord Somers in other part, towards the east; upon land of the said lord Somers in part, and upon land of lord Southampton in other part, towards the south; and upon the road leading from Hampstead to Tottenham Court road towards the west; and also all that piece or plot of ground abutting upon Fig lane aforesaid towards the north; upon the road leading from Gray's Inn lane to Highgate towards the east, and upon land of the Brewers company towards the south and west: and whereas it is intended to make several streets, squares, and other publick passages and places on the said pieces or plots of ground: and whereas it would contribute to the benefit and safety of all persons who shall be inhabitants of the said intended streets, squares, passages, and places, and to all persons who shall have occasion to pass along the same, if provision was made for forming, paving, repairing, and keeping in repair such intended streets, squares, passages and places; and also for cleansing, lighting, watching, and watering the same; and for removing and preventing nuisances, annoyances, and encroachments therein. Certain persons to be commissioners for five years. On the twenty-fourth day of June one thousand eight hundred and five and after-

wards

wards annually the inhabitants to elect twenty-one persons to be commissioners. Commissioners for five years to act, after that time, if there shall not be a sufficient number of qualified inhabitants. How commissioners are to be appointed on vacancies between general elections. Meeting of commissioners. Special meetings may be held. Proceedings of commissioners to be entered in a book. Officers to be appointed to give security. Treasurer and collector to account. Commissioners to pave and repair streets, &c. The area of the squares to be made under the direction of the duke of Bedford. Commissioners may purchase or hire ground for getting materials and for building watch houses; and erect watch boxes; and may purchase or hire carriages, &c. Pavement vested in commissioners. Lamps to be set up, and streets, &c. named, and houses numbered. Streets to be watered. Commissioners may contract for performing works. Commissioners may employ surveyors, and sue and compound for breach of contracts. Commissioners annually to make out account of receipts and disbursements. Householder making complaint of defective pavement or lighting surveyor to view it, and if defective to give notice to contractor. For preventing encroachments. Penalties on occasioning nuisances. Hoards may be erected. Penalty on leaving carriages, &c. in the streets. Dirt not to be swept into any common sewer or within ten feet of any grate and three feet from the channel. Scavengers only to carry away dirt, ashes, &c. Regulation as to night soil. Scavengers duty. Inhabitants exempted from the office of scavenger and from hanging out lights. Regulations for repairing water pipes. Pavement taken up for repairing water pipes to be relayed at the owner's expence. Paviers and turncocks to give notice of their abode to surveyors. Commissioners of sewers to repair drains, &c. under their direction, and owners of pipes to pay the expences of repairing them, &c. Watchmen to be appointed. Rates to be laid on houses, &c. For paving, repairing, cleaning, and lighting the streets, &c. two shillings in the pound. For forming, making, inclosing, ornamenting and embellishing the centres, areas, or middle spaces of the squares, one shilling in the pound. For watching the streets, &c. sixpence in the pound. For watering the streets, &c. sixpence in the pound. How the yearly value of houses is to be ascertained. Empty houses to be charged with half rates. Publick buildings to be rated according to the number of square yards of paving belonging thereto. Rates of houses let to ambassadors to be paid by landlords. Lessees, &c. subject to rates of houses let to lodgers. Houses partly within and partly without the limits of this act how to be rated. Arrears of rates how to be recovered. Commissioners may bring actions for rates. Poor rates may be inspected. Rate books to be admitted evidence. For reimbursing the duke of Bedford money he shall lay out in forming, inclosing, railing in, making, ornamenting and embellishing the intended squares, with interest. Rates on the houses encompassing the new squares not to take place until the same are tiled in and paved in front. Commissioners may make allowances to such persons as may have paved at their own expence. Commissioners may borrow money on mortgage or by annuities. Money borrowed not to exceed fifty thousand pounds. Creditors to be paid by ballot. Inhabitants may give evidence. Commissioners to sue or be sued in the name of their treasurer or clerk. To enable the duke of Bedford to place wells, pales, &c. at the end of any street adjoining the estates of the Skinners company and Hans Wintrop Mortimer esquire. Appeal. Rates or proceedings not to be quashed for want of form, or removed by Certiorari. Plaintiff shall not recover after tender of sufficient amends. Distress not unlawful for want of form. Limitation of actions. Treble costs. Publick act.

Cap. 50.

An act for enclosing and embellishing the centre or area of a certain square, intended to be called Russel Square, purposed to be made in the parish of Saint George Bloombury, in the county of Middlesex, and for forming and making the same into a pleasure ground, and for continuing and keeping the same in repair. — [June 20, 1800.]

WHEREAS

WHEREAS a square, intended to be called Ruffel Square, is purposed to be made on a certain piece or plot of ground, belonging to the most noble Francis duke of Bedford, situate in the parish of Saint George Bloomsbury, in the county of Middlesex, on the east side of which houses of considerable value have already been erected, and on the other sides thereof are intended to be erected: and whereas it would be much to the benefit and advantage of the owners and occupiers of the houses erected and to be erected in the said intended square, if the centre or area of the same was inclosed and railed in with iron rails, and if such inclosure or inclosed part was planted and laid out with walks, and properly ornamented and embellished, and made into a pleasure ground; and if provision was made for raising money to defray the expence of forming, inclosing, making, planting, ornamenting and embellishing such inclosure or pleasure ground, and of continuing and keeping the same in repair. Certain persons appointed commissioners for five years, and afterwards the inhabitants to be commissioners. Meeting of commissioners. Women may vote by proxy. Commissioners may appoint officers. Proceedings to be entered in a book, and deemed evidence. Power to let out pleasure ground, &c. The inheritance of the pleasure ground not to be altered. Materials, &c. vested in trustees. To prevent annoyances. Commissioners may contract for making pleasure ground. Commissioners may compound for penalties. The duke of Bedford and the occupiers of houses to have the exclusive use of the inclosure. Rates, &c. for the several purposes of this act to be one shilling in the pound. Empty houses to be charged with half rates. Rates of ambassadors houses to be paid by the owners. Exemption of the houses of lord Loughborough and several other proprietors, from payment of rates for forming the square. Landlords, &c. subject to the payment of rates of houses let to lodgers, &c. Commencement of rates. Until houses shall be erected and become rateable, the duke of Bedford shall pay the amount of the rates. Commissioners may borrow four thousand pounds on mortgage or by annuities. Securities to be entered in a book. Treasurers and collectors to account. Recovery and application of penalties. Rate books to be admitted evidence. Distress not to be deemed unlawful for want of form. Proceedings not to be quashed for want of form or removed by Certiorari. Appeal. Limitation of actions. General issue. Treble costs. Publick act.

Cap. 55.

An act for enabling the company of proprietors of the navigation from the Leicester navigation to Melton Mowbray, in the county of Leicester, to complete their navigation, and to discharge the debts contracted by them in the making thereof; and for amending the act, passed in the thirty-first year of the reign of his present Majesty, for making and maintaining the said navigation. — [June 20, 1800.]

Former act recited. Company empowered to raise the further sum of ten thousand pounds by new subscribers or mortgage. Additional rates of tonnage. For all coals carried from the Leicester navigation to Eye-Kettleby, Sysonby, or Melton Mowbray, and which shall not be carried so far as the fifth lock on the Oakham canal, one shilling per ton. For all coals carried from the Leicester navigation to the fifth lock on the Oakham canal, sixpence per ton. For all coals carried upon any part of the said navigation, and which shall not be carried so far as Eye-Kettleby, Sysonby, or Melton Mowbray, one penny per ton, per mile. For all iron, timber, and other goods carried from the Leicester navigation to Eye-Kettleby, Sysonby, or Melton Mowbray, and which shall not be carried so far as the fifth lock on the Oakham canal, one shilling and sixpence per ton. For all iron, timber, and other goods carried from the Oakham canal, Melton Mowbray, Sysonby or Eye-Kettleby to the Leicester navigation, one shilling and sixpence per ton. For all iron, timber, and other goods carried more than five miles upon the navigation, and shall be afterwards carried to the fifth lock on the Oakham canal, nine pence

pence per ton. For all iron, timber, and other goods carried upon any part of the navigation, and which shall not be carried so far as from the Leicester navigation to Eye-Kettleby, Syfonby, or Melton Mowbray, or shall not be carried so far as from the Oakham canal, Melton Mowbray, Syfonby, or Eye-Kettleby to the Leicester navigation, one penny halfpenny per ton, per mile. For all lime, limestone, and stones, to be used for building, and materials for paving and repairing roads, half the rates taken on coals. No additional tonnage on goods which shall pass out of the Oakham canal, and shall be carried no further upon the Melton Mowbray navigation, than into the publick basin at the termination thereof at Melton Mowbray, nor on any timber, stone, lime, or other materials navigated on the Melton Mowbray navigation, and afterwards used in making or repairing the Oakham canal. For reducing the additional tonnage in the proportion which the Oakham company shall reduce theirs. Five of the committee shall be competent to act. Conveyances to be inrolled. Application of compensation money for lands, &c. Publick act.

Cap. 56.

An act to enable the company of proprietors of the Oakham canal to raise money for completing the said canal; and also for altering and amending an act, passed in the thirty-third year of the reign of his present Majesty, for making the said canal. — [June 20, 1800.]

Former act recited. Power to raise a further sum of money. Power to create new shares or borrow money on bonds and promissory notes. Compelling persons to make good their engagements. Mode of creating new shares. No more than eighty-six thousand pounds to be raised by virtue of the recited and this act. Power to make calls. Company may compound for the arrears of calls. Company authorized to sell forfeited shares. Additional rates of tonnage. For all coals carried upon the navigation, one penny halfpenny per ton, per mile, without being landed or unloaded, but shall in no case exceed one shilling and sixpence per ton. For all iron, timber, coaks, and other goods, carried on the navigation, two pence per ton, per mile, without being landed or unloaded, but shall in no case exceed two shillings per ton. For all lime, limestone, stones, and bricks used for building, and materials for paving and repairing roads, half the rates to be taken on coals. For reducing the additional tonnage on merchandize in the proportion the Melton Mowbray company reduce theirs. For obtaining an additional supply of water from Langham brook in certain cases. Company not to take any water from Langham brook in certain cases. Compensation to be made for damages by loss of water. For obtaining an additional supply of water from Saxby brook in certain cases. Company not to take any water from Saxby brook in certain cases. Compensation to be made for damage by loss of water. General assemblies to be yearly held on the first Thursday in April and October. To prevent waste of water. Penalty on unauthorized persons using towing paths, or opening locks, wasting water, &c. Application of the money arising from the sale of settled estates. Altering time limited for completing the navigation. Publick act.

Cap. 57.

An act for better enabling the company of proprietors of the Lancaster canal navigation to complete the same. — [June 20, 1800.]

Former acts recited. Power to raise two hundred thousand pounds by creating new shares. Disposition of new shares. Money lent to the company may be deducted. Money owing for lands may be deducted. Publick act.

Cap.

Cap. 60.

An act for establishing and well governing the charitable institution commonly called The Asylum, or House of Refuge for the Reception of Orphan Girls, the Settlements of whose Parents cannot be found, and for incorporating the subscribers thereto; and for the better empowering and enabling them to carry on their charitable and useful designs.
— [June 20, 1800.]

WHEREAS in the year one thousand seven hundred and fifty-eight a charitable society was entered into by several noblemen, gentlemen, and others, for establishing an asylum or house for the reception, maintenance, education, and employment of friendless and deserted orphan girls, the settlements of whose parents could not be found, and the same hath been from that time carried on in an house and premises provided for the purpose, situate in the parish of Saint Mary Lambeth, in the county of Surrey, and the said charity hath been supported by the voluntary subscriptions and donations of charitable and well disposed persons, and a very great number of such orphan girls have been received into and maintained and educated thereby, and at proper ages apprenticed therefrom, and such orphan girls have not only been sheltered and protected from vice and want, but carefully instructed in the principles of religion, and in reading, writing, needlework, and household business, and trained to habits of industry, and regularity, whereby the public hath been and continues to be provided with a supply of diligent and sober female domestic servants: and whereas experience hath shewn that the said charity hath been hitherto of considerable use and an advantage to the public, and it is apprehended that it countenanced and supported by the laws of this realm, and established upon a permanent footing, and vested with powers for better enabling the subscribers thereto to carry into execution their charitable and useful designs, the said charity would be of much more extensive use, and of still greater benefit and advantage to the public, as being a means (by an increase from time to time of the funds of the said charity) of adding to the number of objects to be received therein, and to derive benefit therefrom. Certain persons incorporated by the name of "The President, Vice Presidents, Treasurer, and Guardians of the Asylum, for the reception of Orphan Girls, the Settlements of whose Parents cannot be found". Power to bind apprentices. A general court to be held quarterly. Treasurer and committee chosen every year. General courts to transact all business, &c. and may delegate powers to committee, and make bye laws, and to revoke or alter them. No bye law binding, unless confirmed by a general court. Persons in whose names monies are invested, &c. to transfer and assign the same to the corporation. Power for treasurer with the consent of committee to invest: except such as the exigencies of the corporation shall require in any of the publick funds. Dividends, &c. to be applied for the purposes of this act. Election of a president, vice president or treasurer, in the room of such as shall die or resign. All questions to be decided by vote. General court to fill up vacancies in the committee, and appoint officers, and allow salaries. Committee to appoint matron, school mistress, and menial servants. Committee may suspend or remove officers, &c. and appoint others until a general court be held. Officers to account. No chaplain, &c. to officiate, &c. unless he be of the Church of England, and ordained a priest, and duly licensed. Treasurer to account to the committee, or at a general court. Persons admitted into the asylum, not to gain a settlement thereby. Persons making false certificates, &c. to be committed, &c. Limitation of actions. General issue. Treble costs. Publick act.

Cap. 89.

An act to empower the governor and company of the bank of England, to purchase certain houses and ground, contiguous to the bank of England, and to enable them to improve certain avenues adjacent thereto.
[June 30, 1800.]

The

The bank empowered to purchase houses, &c. in Princes street, Lothbury, Bartholemew lane, Drapers' court, and Threadneedle street. Materials of houses vested in the bank. Power to bodies politick, corporate, &c. to agree for the sale of houses, lands, &c. Proceedings of the court of mayor and aldermen to be entered in a book, and deemed records. Upon payment of the purchase money, lands, &c. vested in the governor and company of the bank of England. Application of compensation money. For reinvesting purchase monies by persons not incapacitated. Allowing the bank to give land to the Grocer's company in part of payment. Conveyances, &c. to be approved by attorney, or solicitor general. Bargains and sales inrolled in the hustings of the city, to be as effectual as fines and recoveries. Claims to be made and prosecuted within five years, or right barred. But may recover against the persons receiving the purchase money. Tenants at will to deliver possession on tender of rent. Lessees to deliver possession on March 25. 1801, on satisfaction being made. In case of refusal, sheriffs to deliver possession. Mortgagees on payment of principal and interest to convey. Upon payment of mortgage money into the bank, right in premises to vest in the governor and company. After tender of monies in case of refusal, to accept the same, premises may be pulled down. Fifty pounds a year to be paid to the rector of the united parishes of Saint Christopher le Stocks, and Saint Margaret, Lothbury, in lieu of surplice fees. Recompense to be made for tythes, &c. Proportion of the several taxes payable for the ground, houses, &c. vested in the bank, to be for ever paid by the bank. Bank to be charged with a proportion of all other taxes, which may be hereafter imposed by parliament. Power to take up and alter pavements, &c. in Princes street, Lothbury, Draper's court, Bartholemew lane, and Threadneedle street. For preventing annoyances in Princes street, and Lothbury. Offices of the bank exceed the dimensions mentioned in act 14 Geo. 3. c. 78. and the bank allowed to continue their offices, and build others freed from the regulations of the said act. Committee may be appointed to carry this act into execution. Limitation of actions. General issue. Treble costs. Publick act.

Cap. 102.

An act to enable Sir George Pigot, baronet, Margaret Fisher, and Frances Pigot, to dispose of a certain diamond therein mentioned, by a lottery. [July 2, 1800.]

Eleven thousand, four hundred and twenty-eight tickets, at two guineas each.

Cap. 104.

An act to explain, amend, and render more effectual an act, passed in the third year of the reign of King James the First, intituled, An act for the recovering of small debts, and for the relieving of poor debtors in London; and an act, passed in the fourteenth year of the reign of his late majesty King George the Second, to explain and amend the above-mentioned act; and likewise for extending the powers of the court of requests in the city of London, in and by the said two several acts continued and established.—[July 9, 1800.]

WHEREAS an act of parliament was passed in the third year of the reign of his late majesty King James the First, intituled, An act for the recovering of small debts, and for the relieving of poor debtors in London: and whereas an act of parliament was passed in the fourteenth year of the reign of his late majesty King George the Second, intituled, An act to explain and amend an act, made in the third year of the reign of King James the First, intituled, "An act for the recovering of small debts, and for the relieving of poor debtors in London;" which said acts have been found useful and beneficial, but the same are in some respects defective and insufficient fully to answer the good purposes thereby intended:

tended: and whereas if the number of the commissioners of the court of requests in the city of London were limited and ascertained as herein-after mentioned; and if the powers of the said court under the two recited acts of parliament were extended to the recovery of debts not exceeding five pounds, it would be attended with beneficial effects to the publick: and whereas it would greatly alleviate the distresses of the honest and unfortunate debtor, if the said court was enabled to order payment of debts, for which judgement shall be given, by instalments at stated periods, which may be possible for the debtor to pay, though it may be absolutely impossible for him or her to satisfy the whole debt in one sum: and whereas doubts have arisen whether persons residing within the city of London, or the liberties thereof, and indebted to persons not residing within the same city or liberties, are subject to the jurisdiction of the said court; and whether rent due from lodgers and others, wages due to workmen or servants, or the quarterage due and payable by the several members of the publick companies of the said city, were recoverable in the said court; and also whether attornies and solicitors, and other officers of any of the courts of law or equity, are subject to the process of the said court: and whereas it would be attended with very beneficial effects to the publick, if all debts, whether upon simple contract or otherwise, not exceeding the sum of five pounds, (except such debts whereto it is herein-after expressly declared that this act shall not extend), were recoverable in the said court: 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 and such parts of the said two recited acts of the third year of King James the First, and the fourteenth year of King George the Second, as confine or restrain the cognizance or jurisdiction of the court of requests of the city of London to debts not exceeding the sum of forty shillings, shall (from and after the thirtieth day of September one thousand eight hundred) be, and the same are hereby repealed.

II. And, for the due and regular appointing, and for limiting and ascertaining the number of the commissioners of the said court of requests, be it further enacted, That two aldermen of the city of London, together with not less than twenty inhabitant householders of the respective wards or districts herein-after mentioned (including the common council men for the time being of the said respective wards or districts) shall be nominated and appointed in such manner as hath been heretofore accustomed to be commissioners of, and to sit as usual in the said court, for one calendar month, in the rotation following; (that is to say),

In the present year 1800.		For the month of October	of the ward of Cheap.	
—	-	November	-	Bread street.
—	-	December	-	Candlewick.
1801.	-	January	-	Dowgate.
—	-	February	-	Bridge.
—	-	March	-	Walbrook.
—	-	April	-	Basilhaw.
—	-	May	-	Cordwainer.
—	-	June	-	Coleman street.
—	-	July	-	Farringdon within.
—	-	August	-	{ Cripplegate within and without.
—	-	September	-	Tower.
—	-	October	-	{ Aldgate and Lime street.
—	-	November	-	{ Bishopsgate within and without.
—	-	December	-	Broad street.
1802.	-	January	-	Billinggate.

February

In the Year { For the month } of the Ward of Cornhill.
1802. { of February }

—	-	March	-	-	{ Alderfgate within and without.
—	-	April	-	-	Queenhith.
—	-	May	-	-	Castle Baynard.
—	-	June	-	-	Farringdon without.
—	-	July	-	-	Portfoken.
—	-	August	-	-	Vintry.
—	-	September	-	-	Langbourn.

And that such commissioners shall, from time to time hereafter, continue to be nominated and appointed from each of the said wards or districts, in the same rotation, for one calendar month in every succeeding two years, and that they the said commissioners, so to be from time to time appointed, or any three or more of them, shall and may, from time to time, have full power and authority to hear, examine, and determine all matters in controversy coming before them, between party and party, where the debt shall not exceed the sum of forty shillings; and that the said commissioners so to be from time to time appointed, or any seven or more of them, shall and may, from time to time, have full power and authority to hear, examine, and determine all matters in controversy coming before them, between party and party, where the debt shall not exceed the sum of five pounds.

III. Provided always, and be it further enacted, That if at any court or sitting of the said commissioners a sufficient number of them shall not be present, it shall be lawful for such commissioners as are in attendance to call to their assistance any other commissioner or commissioners, who is, are, or shall be duly qualified and authorized to act in the said court for any other month; and in every such case it shall be lawful for such assistant commissioner or commissioners to act in the execution of the powers and authorities given by this present act, or by either of the acts of parliament herein-before mentioned, in the same manner as the commissioners for the then current month are authorized and empowered to act; any thing herein contained to the contrary thereof in anywise notwithstanding.

IV. And be it further enacted, That the said commissioners to be appointed as aforesaid, or any of them, shall not be capable of acting as commissioners or commissioner in the execution of any of the powers and authorities given by this present act, or by either of the before-mentioned acts of the third year of King James the First, and the fourteenth year of King George the Second, after the thirtieth day of September one thousand eight hundred, (except the power hereby given of administering oaths to commissioners), until they and he respectively shall have taken an oath to the effect following; (that is to say),

I *A. B.* do swear, That I am possessed, for my own use and benefit, of estates or property of the clear amount or value of one thousand pounds, over and above all incumbrances, and that I will faithfully, impartially, and honestly, according to the best of my skill and knowledge, execute the several powers and trusts reposed in me as a commissioner of the court of requests in and for the city of London, conformably to the directions and true intent and meaning of an act, passed in the third year of the reign of his late majesty King James the First, intituled, *An act for the recovering of small debts, and for the relieving of poor debtors in London*; and of two other acts of parliament, passed respectively in the fourteenth year of the reign of his late majesty King George the Second, and in the fortieth year of the reign of his majesty King George the Third, for explaining, amending, and rendering more effectual the first-mentioned act, or conformably to the directions and true intent and meaning of such or so much of the same three acts of parliament, as now are or is in force, and that without favour or affection, prejudice or malice.

So help me GOD.

Which oath any two or more of the said commissioners are hereby empowered and required to administer to each other; and they the said commissioners shall and are hereby required (after taking the said oath) to sign or subscribe their respective names upon a roll or rolls of parchment to be provided for that purpose, with the said oath written or printed thereon; and that such roll or rolls shall be carefully kept among the records of the said court.

V. And be it further enacted, That it shall be lawful for any person or persons, whether residing within the city of London or elsewhere, also bodies politick or corporate, and fraternities or brotherhoods, whether corporate or not corporate, who now have or hereafter shall have any such debt as is herein-before specified or mentioned, or any other debt or debts, owing or due to, or claimed or demanded by such person or persons, bodies politick or corporate, and fraternities or brotherhoods, whether corporate or not corporate, not exceeding the sum of five pounds, from any person or persons whomsoever, residing or inhabiting within the city of London, or the liberties thereof, or keeping any house, warehouse, shop, shed, stall, or stand, or seeking a livelihood, or trading or dealing within the same city or liberties, to cause such debtor or debtors, person or persons, from whom such debt or debts shall be owing or due, or claimed or demanded, and so resident, inhabiting, or keeping, any house, warehouse, shop, shed, stall, or stand, or seeking a livelihood, or trading or dealing as aforesaid, to be warned or summoned by personal service, or by a printed or written summons left at the dwelling house, lodgings, or place of abode, warehouse, shop, shed, stall, stand, or any other place of dealing of such debtor or debtors, or person or persons as aforesaid, within the jurisdiction of the said court, to appear before the commissioners of the said court, to be held at or in the Guildhall of the said city, or at or in some other place to be provided by the lord mayor, aldermen, and commons of the city of London in common council assembled, within the said city, for holding the said court; and that after such summons as aforesaid, the said commissioners, or any three or more of them, in case the debts shall not exceed the sum of forty shillings, and if the same shall be above forty shillings and shall not exceed the sum of five pounds, the said commissioners, or any seven or more of them, shall have full power and authority, by virtue of this act, from time to time to make or cause to be made such order or orders, decrees, judgements, and proceedings, between such party plaintiff or parties plaintiffs, and his, her, or their debtor or debtors, or other person or persons, defendant or defendants, touching such debts, as they shall find to stand with equity and good conscience; and thereby may order and direct the payment of any such debts, to be made either in one sum or at once, or by instalments at stated periods, as they shall see cause, and deem just and reasonable; all which order or orders, decrees, judgements, and proceedings, so to be made, shall be registered in a book or books as they have been accustomed to be, and as well the party plaintiff or parties plaintiffs as the debtor or defendant, debtors or defendants, when such order or orders, decrees, judgements, and proceedings shall respectively concern, shall observe, perform, and keep the same respectively at all points; and no such orders, decrees, judgements, or proceedings shall be removed or removeable into any other court by Certiorari or otherwise howsoever.

VI. And be it further enacted, That where any debt shall be due, owing, or demanded from any two or more persons jointly, by reason or on account of such persons being partners in trade, or otherwise jointly concerned, the like service of any such summons as aforesaid, on any one of such two or more partners or persons shall be as good and sufficient as if each of them were separately summoned as aforesaid.

VII. And be it further enacted, That it shall and may be lawful to and for any plaintiff or plaintiffs, defendant or defendants, in any suit or cause hereafter depending in the said court of requests, to cause any person or persons to be warned or summoned, as often as shall appear necessary, by one of such beadles of the said court as aforesaid, either by serving such
summons

summons personally, or by leaving the same at the last or usual place or respective places of abode of such person or persons, to appear as a witness or witnesses to give evidence in the said court in or concerning any such suit or cause; and in case any such person or persons so to be summoned to give evidence as aforesaid shall refuse or neglect to appear at the time and place to which he, she, or they shall be so summoned, or appearing upon any such summons shall refuse to be examined upon oath, or in case of a Quaker or Quakers on solemn affirmation (which oath or affirmation the said commissioners, or any three or more of them, are hereby authorized and required to administer), and to give evidence as aforesaid before such commissioners, according to the true intent and meaning of this act, then and in either of the said cases, every such person so neglecting or refusing shall forfeit and pay for every such offence, not exceeding the sum of forty shillings, to be awarded by the said commissioners, or any three or more of them, unless a reasonable excuse be offered to and allowed by the said commissioners; and if the person or persons so offending shall not forthwith pay into the said court the penalty or forfeiture so imposed upon him, her, or them, it shall and may be lawful to and for the said commissioners, or any three or more of them, to order and cause such person or persons to be apprehended by any of the beaules of the said court, and committed to any prison in the said city, there to remain for any space of time not exceeding one calendar month, unless such penalty or forfeiture shall be sooner paid; and every such penalty or forfeiture, as last-mentioned, which shall be received by virtue of this act, shall thereupon (after deducting the reasonable costs and charges of apprehending and taking such person or persons so neglecting or refusing), be paid over into the hands of the churchwardens or overseers of the poor of the parish wherein the person or persons respectively paying the same, shall at the time of his, her, or their neglect or refusal to appear or give evidence as aforesaid, inhabit, dwell, or seek a livelihood, and shall be applied towards the support and maintenance of the poor of the said parish.

VIII. And be it further enacted, That in case any person or persons shall make oath, or, being of the people called Quakers, shall make affirmation, or give evidence, in any cause depending in the said court of requests, whereby he, she, or they shall commit any wilful or corrupt perjury, or be guilty of wilful and false affirming, and thereof be duly convicted according to law, then every such person or persons shall incur and suffer the like pains and penalties as any other person or persons convicted of wilful perjury, according to the laws and statutes of this realm.

IX. And whereas difficulties frequently arise in the recovery of debts in the said court of requests, in such cases as are next herein-after mentioned, by reason of infancy: be it therefore enacted, That in every case where a debt not exceeding the sum of five pounds shall be contracted for necessaries by any person under the age of twenty-one years, and residing or inhabiting, or employed as clerk, book keeper, journeyman, shopman, or labourer, or otherwise seeking a livelihood within the city of London or the liberties thereof, it shall be lawful for the person or persons to whom such debt shall be due to sue for and recover such debt in the said court of requests, in the same manner as if the person by whom the same shall be contracted were of full age; and that in every case where any wages, not exceeding the sum of five pounds, shall be due to any menial or other servant under the age of twenty-one years, it shall be lawful for such servant to sue for and recover such debt in the said court of requests in the same manner as if he or she were of full age; and the said commissioners, or any three or more of them, are hereby fully authorized and required, in such cases, to take cognizance of and proceed concerning such debts in the same manner, and shall have such and the same powers, in regard thereto, as if the plaintiffs and defendants were all of full age.

X. And be it further enacted, That no privilege shall be allowed to exempt any person from the jurisdiction of the said court of requests on account of his being an attorney or solicitor, or any other officer of any of the courts of law or equity at Westminster, or of any other court
whatsoever;

whatsoever; but that all attornies, solicitors, and officers, shall be subject to the several processes, orders, judgements, and executions of the said court of requests, in the same manner as any other persons are subject to the same by the said recited acts and this act or any of them.

XI. Provided always, and it is hereby declared, That this act, or any thing herein contained, shall not extend to any debt where any title of freehold or lease for years of any lands or tenements shall come in question, or to any debt by specialty, which shall not be for payment of a sum certain, nor to any other debt that shall arise by reason of any cause concerning testament or matrimony, or any thing concerning or property belonging to the ecclesiastical court, albeit the same respectively shall not exceed five pounds; any thing herein contained to the contrary notwithstanding.

XII. And be it further enacted, That if any action or suit shall be commenced in any other court than the said court of requests, for any debt not exceeding the sum of five pounds, and recoverable by virtue of the said recited acts and of this act, or any of them, in the said court of requests, then and in every such case the plaintiff or plaintiffs in such action or suit shall not, by reason of a verdict for him, her, or them, or otherwise have or be entitled to any costs whatsoever; and if the verdict shall be given for the defendant or defendants in such action or suit, and the judge or judges before whom the same shall be tried or heard, shall think it to certify that such debt ought to have been recovered in the said court of requests, then and so often 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 cases by law.

XIII. Provided always, That nothing herein contained shall extend or be construed to extend to prevent or restrain any person or persons from making distress, or bringing any action or actions whatsoever for rent, and thereby recovering such rent with costs, although the same rent should not exceed the sum of five pounds.

XIV. And, for removing all doubts, whether the statute of limitations may be pleaded in the said court of requests, it is hereby further enacted and declared, That defendants in that court shall be allowed to plead or claim the benefit of any statute of limitations now in being, or hereafter to be made; and every such defendant, so pleading or claiming, shall have and receive such and the like advantage and relief thereby as such defendant would have been entitled to in case this act had not been made, and he or she had been sued for the same debt, or other cause of action, in any of his Majesty's courts at Westminster, or any other court, and had there pleaded such statute in bar to the action or suit.

XV. And be it further enacted, That no person or persons whatsoever, being a debtor or debtors, defendant or defendants, and who shall be committed to any gaol or prison by order of the said court of requests, shall be kept or continued in custody on any pretence whatsoever (except in the cases herein-after otherwise provided for) for any longer space or spaces of time, from the time of his, her, or their commitment to prison, than is or are next herein-after limited in that behalf; (that is to say), Where the debt (exclusive of costs) does not exceed twenty shillings, then he, she, or they, shall not be kept or continued in custody for more than twenty days; and where the debt (exclusive of costs) does not exceed the sum of forty shillings, then not more than forty days; and where the debt (exclusive of costs) does not exceed the sum of three pounds, then not more than sixty days; and where the debt (exclusive of costs) does not exceed five pounds, then not more than one hundred days from the time of such his, her, or their commitment; and all gaolers and keepers of prisons are hereby directed and required to discharge such persons accordingly.

XVI. And whereas since the limitation of the time of imprisonment for small debts, some idle and ill-disposed persons have been in the habit of contracting numerous small debts, and upon being proceeded against in the said court of request in respect thereof have suffered judgement to pass against

against them therein, and by secreting themselves have avoided being taken into custody until many executions have issued in the said court against them, and then, by suffering a short imprisonment, have exonerated themselves from all such debts, and thereby defrauded their several creditors; be it therefore further enacted, That, from and after the passing of this act, all and every person and persons who shall be taken in execution, under or by virtue of any process issuing from or out of the said court of requests, and who at the time of being taken into custody, or during his, her, or their imprisonment shall have more than one execution against him, her, or them, in the said court, he, she, or they shall be imprisoned the limited time for and in respect of each execution; (that is to say), After the limited time is expired on the first execution, the imprisonment shall commence on the second execution; and after the limited time is expired on the second execution, the imprisonment shall commence on the third execution, and so on until he, she, or they shall have been imprisoned the limited time for and in respect of each separate execution to be issued against him, her, or them in the said court, previous to his, her, or their being taken into custody, or during his, her, or their imprisonment; any law, statute, or usage to the contrary notwithstanding.

XVII. And whereas an act of parliament was passed in the twenty-fifth year of the reign of his present Majesty, intituled, An act for reducing the time for imprisonment of debtors committed to prison upon prosecutions in courts of conscience in London, Middlesex, and the borough of Southwark, to the same periods in each court, and for abolishing fees paid by those debtors to gaolers or others on account of such imprisonment: now be it hereby further enacted, That all and every the directions, powers, and provisions contained in the same act, concerning the discharge of imprisoned persons without payment of fees, the hearing and determination of offences against the same last mentioned act, the application of penalties and forfeitures thereby inflicted, the limitation of time for exhibiting complaints or informations, and the issuing of process, shall relate and extend to this present act, and so far as the same are applicable to the purposes of this act, shall be observed, exercised and performed respectively in such and the same manner as if the same were herein expressly mentioned and repeated, and at large re-enacted.

XVIII. And be it further enacted, That no action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, or on account of any order, determination, judgement, or decree of the said commissioners, until fourteen days notice shall be given thereof in writing, to be left at the office of the clerks of the said court, or after sufficient satisfaction or tender thereof hath been made to the party or parties aggrieved, or after three calendar months next after the cause of action shall arise, 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 if the plaintiff shall be non-suited, or if a verdict or judgement shall be given for the defendant or defendants therein, then and in either of the said cases, 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 cases by law.

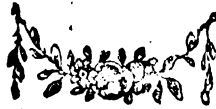
XIX. Provided always, That the two first herein-before recited acts of the third year of King James the First, and the fourteenth year of King George the Second, and all powers, provisos, clauses, matters, and things therein respectively contained, shall, so far as the same are not hereby expressly repealed, or otherwise provided for, and are not inconsistent with any of the provisions of this present act, continue and be in full force, and extend to all and every person and persons to whom this act doth or shall extend.

XX. And be it further enacted, That the charges and expences attending the obtaining and passing of this act shall be paid and defrayed from and out of the now remaining surplus of monies which have from time to time been paid into the said court of requests by defendants in that court,

and have not been claimed by the persons entitled thereto, which surplus lies unemployed in the chamber of the city of London, and is not likely that any considerable part thereof will ever be claimed.

XXI. Provided nevertheless, and be it enacted, That if at any time hereafter the whole, or any part of the money so to be applied, shall be wanted to answer any of the claims or demands of the suitors of the said court, or other persons entitled thereto, then and in such case the mayor and commonalty and citizens of the said city shall restore and make good such money, or so much thereof as may be so wanted, and pay the same into the chamber of the said city, to the intent that such suitors, or other persons so entitled, may at all times be paid their respective demands out of the common and general cash belonging to the suitors of the said court.

XXII. And be it enacted, That this act shall commence and take effect from and after the thirtieth day of September one thousand eight hundred, and be deemed and taken to be a publick act, and shall be taken notice of as such, by all judges, justices, and other persons whomsoever, without the same being specially pleaded.



A N
ALPHABETICAL INDEX
 TO THE
 SECOND PART OF THE XLII^d VOLUME
 OF THE
STATUTES AT LARGE;

Passed in the thirty-ninth and fortieth Years of the Reign of King GEORGE III. in the Years of our Lord one thousand seven hundred and ninety-nine, and one thousand eight hundred; being the fourth Session of the eighteenth Parliament of *Great Britain*, which began the twenty-fourth Day of *September* one thousand seven hundred and ninety-nine, and ended by prorogation the twenty-ninth Day of *July* one thousand eight hundred.

* * * Those references marked thus, Chap. 60*. will be found amongst the Publick Local and Personal Acts, at the End of the Session.

A.

Aliens.

Accountants.

See *Publick Accountants.* Chap. 54.

Accounts, Publick.

2,482*l.* 16*s.* for additional clerks in the office for auditing the publick accounts. Chap. 109.

Addresses of the House of Commons.

26,203*l.* 3*s.* issued pursuant to addresses of the house of commons. Chap. 109.

Africa.

20,000*l.* for forts there. Chap. 109

Agriculture, Board of.

3,000*l.* for the board of agriculture. Chap. 109.

6,369*l.* for superintendance of aliens. Chap. 109.

America.

1. To permit the importation of goods, from countries in *America*, belonging to any foreign *European* states in neutral ships until *Sept.* 29, 1801. Chap. 34.
2. 52,500*l.* for reduced officers of the *British American* forces, and 7,500*l.* for allowances to them. Chap. 109.
3. 3,575*l.* for the office of the commissioners of *American* awards. Chap. 109.

American Loyalists.

See *France.* Chap. 109.

Annuities.

Contributors towards raising
 M M M 4 20,500,000*l.*

20,500,000*l.* for every 100*l.* entitled to the principal sum of 110*l.* 3 *per cent.* consolidated annuities, from Jan. 5, 1800, and a principal of 47*l.* 3 *per cent.* reduced annuities, from Oct. 10, 1799. Chap. 22.

Appropriation.

To amend so much of act 39 Geo. 3. c. 13. for granting certain duties upon income, as relates to the appropriation of the said duties, and of the duties upon goods imported and exported, granted by act 38 Geo. 3. c. 16. Chap. 11.

Army.

2,500,000*l.* for extraordinaries of the army. Chap. 109.

Asylum.

For establishing and well governing the *Asylum*, or house of refuge for orphan girls, and for incorporating the subscribers thereto, and for better enabling them to carry on their charitable and useful designs. Chap. 60*.

B.

Bahama Islands.

4,100*l.* for the civil establishment there. Chap. 109.

Bank of England.

1. For establishing an agreement with the bank of *England*, for advancing 3,000,000*l.* toward the service of the year 1800. Chap. 28.
2. To enable the bank of *England* to advance cash, or bullion, to be remitted abroad, on account of foreign subsidies or services abroad. Chap. 33.
3. See *Courts of Equity*. Chap. 36.

4. 39,675*l.* 13*s.* 10*d.* for interest due to the bank of *England*. Chap. 109.
5. To empower the governor and company of the bank of *England* to purchase houses and ground contiguous to the bank of *England*, and to enable them to improve certain avenues adjacent thereto. Chap. 89*.

Barracks.

1. 120,000*l.* for the barrack department. Chap. 109.
2. 359,334*l.* more. Same act.

Bavaria, Elector of.

566,688*l.* 10*s.* for troops of the elector of *Bavaria*. Chap. 109.

Beer.

To allow for nine months the use of sugar in brewing beer. Chap. 62.

Bermuda.

580*l.* for the civil establishment of *Bermudas*, or *Somers Islands*. Chap. 109.

Bread.

1. To prohibit any person from selling bread, which shall not have been baked 24 hours. Chap. 18.
2. To authorize bakers to sell bread to his Majesty's forces on their march, which shall not have been baked 24 hours, and to indemnify all persons for selling such bread. Chap. 71.
3. For amending several acts for regulating the price and affize of bread. Chap. 74.
4. See *Flour*. Chap. 97.

British Museum.

3,000*l.* for the *British Museum*. Chap. 109.

Enum

Bum Boats.

See *Thames Police Office*. Chap. 87.

C.

Canals, Navigable.

1. **F**OR making and maintaining a navigable canal from the river *Thames*, near *Gravesend*, to the river *Medway*. Chap. 23*.
2. For amending several acts for making and completing the canal from *Manchester* to *Ashton-under-Lyne* and *Oldham*, and for granting further powers. Chap. 24*.
3. For better enabling the company of proprietors of the *Rochdale* canal, to raise money for completing the same, and to vary the line of the said canal, and to alter, explain and amend the act for making the canal. Chap. 36*.
4. To enable the *Dearne* and *Dove* canal company to finish and complete the said canal, and for explaining and amending the act for making the canal, and for encreasing the tolls. Chap. 37*.
5. For altering and amending the act for making the *Peak Forest* canal, and for granting further powers. Chap. 38*.
6. For enabling the *Huddersfield* canal company to finish and complete their canal, and for amending the act for making the canal. Chap. 39*.
7. For enabling the company of proprietors of the navigation from the *Leicester* navigation to *Melton Mowbray*, to complete their navigation, and to discharge their debts, and for amending the act for making the said navigation. Chap. 55*.
8. To enable the company of propri-

etors of the *Oakham* canal, to raise money for completing the same, and for altering and amending the act for making the said canal. Chap. 56*.

9. For better enabling the company of proprietors of the *Lancaster* canal to complete the same. Chap. 57*.

Cape Breton, Island of.

1,840*l.* for the civil establishment there. Chap. 109.

Cape of Good Hope.

1. To continue an act, authorising his Majesty to make regulations respecting the trade to the *Cape of Good Hope*. Chap. 9. 17.
2. To lessen the duties on wine and spirits, the produce of the *Cape of Good Hope*, and to empower the importers to land the same before payment of the excise duty, and to lodge the same in warehouses, and to allow the same to be shipped, free of duty, as stores to be consumed on board merchant ships on their voyages. Chap. 60.

Chelsea Hospital.

143,310*l.* 7*s.* 3*d.* for *Chelsea* hospital. Chap. 109.

Cheney Hill, Kent.

See *Quarantine*. Chap. 80.

Coals.

For confirming an agreement between the treasury and the duke of *Richmond*, in pursuance of act 39 Geo. 3. c. 84. for the purchase of the duty of 12*d.* a chaldron on coals. Chap. 43.

Coin.

Coin.

1. 2,338*l.* 19*s.* 4*d.* for prosecutions relating to the coin for 1799. Chap. 109.
2. See *New South Wales*. Same act.

Collieries.

For the security of collieries and mines, and for the better regulation of colliers and miners. Chap. 77.

Combinations.

See *Workmen*. Chap. 106.

Commissioners.

1. For appointing commissioners to put in execution an act for granting a duty on pensions, &c. Chap. 31.
2. For extending the powers of the said commissioners, and indemnifying certain persons, for having acted as commissioners of land tax. Chap. 68.

Commissioners of Woods and Forests.

1,000*l.* for surveys, by order of the commissioners, for enquiring into the state of woods and forests. Chap. 109.

Commons, House of.

1. For establishing regulations in the office of the house of commons. Chap. 92.
2. 8,000*l.* for printing for the house of commons. Chap. 109.
3. 1,697*l.* for purchase of a house in *Abington Street*, for depositing the journals of the house of commons. Chap. 109.
4. 370*l.* 9*s.* 6*d.* to the clerks of the house of commons, for atten-

dance on publick committees. Chap. 109.

Consolidated Fund.

5,200,000*l.* out of the consolidated fund may be applied towards the supply for 1800, and raised by loans or exchequer bills. Chap. 109.

Convicts.

32,353*l.* 16*s.* 11*d.* for expences of convicts at home. Chap. 109.

Corn.

1. To continue an act for enabling his Majesty to prohibit the exportation, and permit the importation of corn, and for allowing the importation of other articles of provisions, without payment of duty. Chap. 6.
2. For further continuing and amending act 39 Geo. 3. c. 87. for enabling his Majesty to prohibit the exportation, and permit the importation of corn, and for allowing the importation of other articles of provision without payment of duty. Chap. 58.
3. See *Scotland*. Chap. 7. 21.

Corfica.

See *France*. Chap. 109.

Cotton Manufacture.

For settling disputes between masters and workmen engaged in the cotton manufacture in *England*. Chap. 90.

Courts of Equity.

To enable courts of equity to compel a transfer of stock in *Italy*, without making the bank of *England*. the

the *East India* company, or *South Sea* company party thereto. Chap. 36.

Customs.

1. To continue act 10 Geo. 3. c. 37. relating to fees of officers of the customs. Chap. 45.
2. For repealing part of the duties and drawbacks of customs on kid skins imported, and the exemption of imported kid skins, from excise duty, on being dressed in *Great Britain*. Chap. 63.

D.

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SEE *Stamps*. Chap. 84.

Distilleries.

See *Scotland*. Chap. 73.

Distillers.

See *Sugar*. Chap. 61.

Dominica, Island of.

600*l.* for the civil establishment there. Chap. 109.

Douglas Harbour.

225*l.* 9*s.* to complete the pier at *Douglas Harbour*. Chap. 109.

E.

Entailed Estates.

FOR relief of persons entitled to entailed estates, to be purchased with trust monies. Chap. 56.

Errol, Earl of

To discharge from a disputed and dormant claim of the publick several estates belonging to the earl of *Errol*. Chap. 78.

Exchequer Bills.

1. The treasury may raise 2,500,000*l.* by loans or exchequer bills for the service of the year 1800. Chap. 4.
2. The treasury may raise 3,000,000*l.* more. Chap. 6.
3. The treasury may issue exchequer bills for 7,000,000*l.* Chap. 33.
4. For raising 3,500,000*l.* by exchequer bills. Chap. 102.
5. For raising 3,000,000*l.* more by exchequer bills. Chap. 103.
6. For raising 3,000,000*l.* more by exchequer bills. Chap. 104.
7. 3,000,000*l.* for discharging exchequer bills. Chap. 109.
8. 2,506,250*l.* more for the same. Same act.
9. 1,079,740*l.* more. Same act.
10. 3,500,000*l.* more. Same act.
11. 1,914,000*l.* more. Same act.
12. 633,176*l.* 15*s.* 6½*d.* for interest on exchequer bills. Same act.
13. 900*l.* to officers of the exchequer, for extra trouble in making out exchequer bills. Same act.
14. See *Liverpool*. Chap. 5.

Excise.

1. Additional duties of excise on spirits and tea. Chap. 23.
2. See *Scotland*. Chap. 73.
3. See *Hops*. Chap. 81.

F.

Fisheries.

1. TO continue act 26 Geo. 3. c. 26. relating to bounties for encouraging

- encouraging the *Newfoundland* fisheries. Chap. 45.
2. To continue act 26 Geo. 3. c. 41. for encouragement of the *Greenland* fisheries. Chap. 45.
 3. To continue act 29 Geo. 3. c. 53. relating to those fisheries. Chap. 45.
 4. Act 39 Geo. 3. c. 100. continued, and curers of fish in the *Isle of Man* entitled to the additional bounty of 1s. for every barrel of herrings landed in the island, out of the customs there. Chap. 85.

Flour.

To incorporate certain persons by the name of "*The London Company for the Manufacture of Flour, Meal, and Bread.*"

Fourth and Clyde Navigation.

See *Scotland*. Chap. 57.

France.

1. 242,798*l.* 5*s.* 1*d.* for refugees of *France*, *Toulon*, and *Corfica*, *Saint Domingo* sufferers, and *American* loyalists, for 1800. Chap. 109.
2. 7,574*l.* 6*s.* 3*d.* more for 1799. Same act.

G.

Game.

TWO or more persons, found in the night in any forest, field, &c. having a gun or engine, with intent to kill or take game, or persons aiding them with offensive weapons, may be apprehended, and on conviction shall be deemed rogues and vagabonds, within the meaning of act 17 Geo. 3. c. 5. Chap. 50.

Germany, Emperor of.

1. 500,000*l.* for the emperor of *Germany*. Chap. 109.

Hac

2. 1,500,000*l.* more for the same. Same act.
3. 545,494*l.* more. Same act.

Glass.

To make perpetual act 35 Geo. 3. c. 114. for securing the duties on glass. Chap. 45.

Good Friday.

For the better observance of *Good Friday*. Chap. 42.

Grants.

447,039*l.* 4*s.* 0½*d.* for deficiency of grants in 1799. Chap. 109.

Great Britain.

See *Union*. Chap. 67.

Greenland.

See *Fisheries*. Chap. 45.

Greenwich Hospital.

See *Powder*. Chap. 32.

Grenada, Island of.

For allowing further time to pay instalments on money advanced, by way of loan, to persons connected with and trading to the islands of *Grenada* and *Saint Vincent*. Chap. 13. 101.

H.

Hackney Coaches.

FOR repealing the rates and fares of hackney coachmen, and establishing others in lieu thereof. Chap. 47.

Hamp-

Hampstead, Middlesex.

See *Poor*. Chap. 35*.

Herrings.

To permit the importation of *Swedish* herrings into *Great Britain*. Chap. 107.

Hides and Skins.

To repeal so much of an act 2 Jac.

1. c. 22. as prohibits the use of horse hides, in making boots and shoes, and for better preventing the damaging of raw hides and skins in the slaying thereof. Chap. 66.

Hops.

1. To repeal act 14 Geo. 3. c. 68. relating to hops, and for the better collection of the duty on hops, and to prevent frauds and abuses in the trade of hops. Chap. 81.
2. For suspending, until Aug. 20, 1800, the duties on foreign hops imported, and for granting other duties in lieu thereof. Chap. 82.

Horses.

For obliging persons claiming to be exempt from the duties on horses, provided and furnished for volunteer corps, to deliver certificates thereof to the proper officers. Chap. 32.

Humber, River.

For ascertaining the salvage for anchors, cables, &c. found in the river *Humber*. Chap. 10*.

I.

Income.

1. SEE *Appropriation*. Chap. 11.

2. For better ascertaining and collecting the duties granted by several acts relating to the duties on income, and to explain and amend the said acts. Chap. 49.
3. For explaining and amending the income act of this session, respecting the delivery of statements to the commercial commissioners of *London* under the amount of 20l. Chap. 96.

India (East) Company.

1. So much of act 39 Geo. 3. c. 59. as relates to saltpetre repealed, and saltpetre imported by the *East India* company, to be charged with the duties payable previous to the said act. Chap. 38.
2. To remove doubts arising from the construction of act 39 Geo. 3. c. 59. for permitting certain goods imported from the *East Indies* to be warehoused, and for repealing the duties payable thereon, and granting other duties in lieu thereof. Chap. 59.
3. For establishing further regulations for the government of the *British* territories in *India*, and the better administration of justice within the same. Chap. 79.
4. See *Courts of Equity*. Chap. 36.

Insane Persons.

For safe custody of insane persons, charged with offences. Chap. 94.

Ireland.

1. See *Militia*. Chap. 9.
2. See *Union*. Chap. 67.
3. 2,000,000l. to be remitted to *Ireland*. Chap. 109.

Kid

K.

Kid Skins.

SEE *Customs*. Chap. 63.

The King and Queen.

Concerning the disposition of real and personal property of the King and Queen. Chap. 88.

King's Bench Prison.

7,000*l.* for repairs of the King's bench prison. Chap. 109.

Kingston upon Hull.

See *Pilots*. Chap. 10*.

L.

Lancaster.

1. FOR better regulating the practice, and for preventing delays in the proceedings of the court of common pleas at *Lancaster*. Chap. 105.
2. See *Liverpool*. Chap. 105.

Land Forces.

1. 2,337,159*l.* 8*s.* 8*d.* for 80,275 effective men, officers, &c. in *Great Britain, Jersey, Guernsey, and Alderney*, from *Feb. 25, to Dec. 24, 1800*. Chap. 109.
2. 1,004,480*l.* 13*s.* 6*d.* for forces in the plantations, &c. for the same time. Same act.
3. 42,901*l.* 1*q.* for difference between *British and Irish* pay for six regiments abroad, for 1800. Same act.

4. 24,558*l.* 3*s.* 8*d.* for recruiting the regiments in *East India*. Chap. 109.
5. 530,000*l.* for recruiting and contingencies, and for extra feed of cavalry. Same act.
6. 105,054*l.* 7*s.* 11*d.* for general, staff, and hospital officers in *Great Britain, Jersey, and Guernsey*. Same act.
7. 26,280*l.* 14*s.* 6*d.* for full pay to supernumerary officers. Same act.
8. 105,747*l.* 3*s.* 6*d.* for the paymaster general, commissary general, &c. Same act.
9. 140,000*l.* for quartering soldiers. Same act.
10. 120,000*l.* for allowance in lieu of small beer. Same act.
11. 138,979*l.* 7*s.* 1*d.* for reduced officers of the land forces and marines. Same act.
12. 20*l.* 12*s.* 11*d.* for private and superannuated gentlemen of the horse guards. Same act.
13. 1,000*l.* for officers late in the service of the states general. Same act.
14. 20,231*l.* 12*s.* for widows pensions. Same act.
15. 471,128*l.* 12*s.* 3*d.* for foreign corps. Same act.

Land Service.

1. 11,916,768*l.* 11*s.* 10*d.* for land service. Chap. 109.
2. 510,596*l.* for 90,047 effective men in *Great Britain, Jersey, Guernsey, Alderney, and Holland*, from *Dec. 25, 1799, to Feb. 24, 1800*. Chap. 109.
3. 166,480*l.* for forces in the plantations, &c. for the same time. Same act.
4. 92,635*l.* for fencible cavalry and embodied provisional cavalry, for the same time. Same act.
5. 40,000*l.* for quartering soldiers for the same time. Same act.

Lond

Land Tax.

1. To extend the period for the benefit of preference to certain bodies, companies and persons, in contracting for the redemption of land tax, until *March 25, 1800*. Chap. 10.
2. Further extended to *March 25, 1801*. Chap. 30.

Lazaret.

See *Quarantine*. Chap. 80.

Leases, Ecclesiastical.

For explaining and amending several acts respecting leases granted by archbishops, colleges, cathedrals, &c. Chap. 41.

Leith Harbour.

See *Scotland*. Chap. 57.

Levant Company.

5,000*l.* for the *Levant* company. Chap. 109.

Linens.

To continue act 29 Geo. 2. c. 15. for granting a bounty on linens. Chap. 45.

Linseed Cakes.

For permitting the free importation of linseed cakes in neutral ships. Chap. 64.

Liverpool.

For enabling his Majesty to direct the issue of exchequer bills, for relief of the merchants of *Liverpool*, and *Lancaster*. Chap. 5.

Loans.

1. 163,368*l.* 13*s.* 10*d.* for discount on loans and lottery. Chap. 109.
2. 15,907*l.* 2*s.* 11*d.* to the bank of *England* for receiving contributions to the loan and lottery for 1799. Same act.

London.

177*l.* 6*s.* 6*d.* for impressions of the plan of proposed wet docks in the port of *London*. Chap. 109.

See *Pilots*. Chap. 10*.

1. For making wet docks, basons, cuts, and other works, for the greater accommodation and security of shipping, commerce and revenue within the port of *London*. Chap. 47*.
2. To explain, amend, and render more effectual, an act for the recovering of small debts, and for relieving of poor debtors in *London*, and for extending the powers of the court of requests in the city of *London*, by two acts continued and established. Chap. 104*.

Lottery.

1. 826,250*l.* to be raised by a lottery. Tickets at 13*l.* 15*s.* 5*d.* each, and 500,000*l.* to be paid in prizes on *August 1, 1800*. Chap. 52.
2. 12,000*l.* for the lottery. Chap. 109.
3. See *Loans*. Same act.
4. To enable sir *George Pigot*, and others, to dispose of a certain diamond by a lottery. Chap. 102*.
Malt,

M.

Malt.

1. **D**UTIES upon malt, mum, cyder and perry, continued for the service of the year 1800. Chap. 2.
2. Certain duties on malt, granted for the service of the year 1800. Chap. 3.

Man, Isle of.

See *Fisheries.* Chap. 85.

Marines.

Regulated while on shore. Chap. 24.

Marshallsea.

5,000*l.* for repairs at the *Marshallsea* prison. Chap. 109.

Military Asylum.

25,000*l.* for a royal military asylum. Chap. 109.

Militia.

1. For enabling his Majesty to accept the services of an additional number of volunteers from the militia. Chap. 1.
2. To continue an act for empowering his Majesty to accept the services of the militia, who may offer to serve in *Ireland.* Chap. 9. 15.
3. For defraying the charge of pay and cloathing the militia of *England,* for the year 1800. Chap. 37.
4. For granting certain allowances to adjutants, serjeant majors, and serjeants of militia disembodied under act 39 Geo. 3. sess. 2. c. 1. Chap. 44.

5. For making allowances to subaltern officers of the militia in time of peace. Chap. 75.
6. 232,998*l.* for the militia, the miners of *Cornwall* and *Devon,* and fencible infantry, from Dec. 25, 1799, to Feb. 24, 1800. Chap. 109.
7. 1,306,121*l.* 16*s.* 5*d.* for militia, the miners of *Cornwall* and *Devon,* two regiments of *Irish* militia, and fencible infantry, from Feb. 25, to Dec. 24, 1800. Same act.
8. 50,000*l.* for contingencies of the militia and fencible infantry for 1800. Same act.
9. 127,061*l.* 13*s.* 2*d.* for cloathing the militia, the miners of *Cornwall* and *Devon,* and two regiments of *Irish* militia. Same act.

Mogador.

1,048*l.* 18*s.* 6*d.* for fees on compensation money for losses in consequence of the destruction of ships and cargoes from *Mogador.* Chap. 109.

Mutiny.

1. To continue several laws relating to the prevention and punishment of attempts to seduce persons serving in his Majesty's forces. Chap. 9. 16.
2. For punishing mutiny and desertion, and for the better payment of the army and their quarters. Chap. 27.

N.

National Debt.

1. 200,000*l.* towards the reduction of the national debt. Chap. 26. 109.
2. 1,805*l.*

2. 1,805*l.* 9*s.* to the secretary to the commissioners for reducing the national debt. Chap. 109.

Naval Services.

1. 13,619,079*l.* 13*s.* 11*d.* for naval services. Chap. 109.
2. 444,000*l.* for wages of 120,000 men for two months. Chap. 109.
3. 456,000*l.* for their victuals. Same act.
4. 2,238,500*l.* for wages of 110,000 men for eleven months. Same act.
5. 2,299,000*l.* for their victuals. Same act.

Naval Stores.

For better preventing the embezzlement of his Majesty's naval, ordnance, and victualling stores. Chap. 89.

Navy.

1. 121,510*l.* for the ordinary of the navy. Chap. 109.
2. 685,429*l.* 13*s.* 11*d.* more for the same. Same act.
3. 115,625*l.* for the extraordinary of the navy. Same act.

Neutral Ships.

1. To continue several acts relating to the admission of certain articles of merchandize in neutral ships, and the issuing of orders in council for that purpose. Chap. 9. 17-65.
2. To continue act for enabling his Majesty, to permit goods to be imported into this kingdom in neutral ships. Chap. 9.

New Brunswick.

- 4,650*l.* for the civil establishment there. Chap. 109.

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New Forest, Hants.

For the better preservation of timber in the *New Forest*, in the county of *Southampton*, and for ascertaining the boundaries of the said forest, and the lands of the crown within the same. Chap. 86.

Newfoundland.

1. To continue an act for establishing courts of judicature in the island of *Newfoundland*. Chap. 9. 17.
2. See *Fisheries*. Chap. 45.
3. 1,640*l.* for the civil establishment of the island of *Newfoundland*. Chap. 109.

New South Wales.

1. 6,309*l.* 16*s.* 8*d.* for the civil establishment there. Chap. 109.
2. 24,074*l.* for *New South Wales*. Same act.
3. 9,760*l.* 13*s.* 10*d.* to pay bills drawn from *New South Wales*. Same act.
4. 697*l.* 7*s.* for copper coin for *New South Wales*. Same act.
5. 177*l.* 15*s.* 0*½d.* on account of the expences of *New South Wales*. Same act.
6. 30,000*l.* to discharge bills from *New South Wales*. Same act.

North Britain.

1. 680*l.* 18*s.* for surveying roads in *North Britain*. Chap. 109.
2. 4,500*l.* for roads and bridges in *North Britain*. Same act.

Nova Scotia.

- 5,540*l.* for the civil establishment there. Chap. 109.

O.

P.

Oats.

Paper.

FOR granting a bounty on the importation of oats until *Oct.* 1, 1800. Chap. 35.

TO exempt from duty waste paper imported into this kingdom, for the purpose of being re-manufactured, except that imposed by 38 Geo. 3. c. 76. Chap. 70.

Offices.

Parliament.

See *Pensions*. Chap. 3.

1. For empowering his Majesty to shorten the time for the meeting of parliament in cases of adjournment. Chap. 14.
2. 348*l.* 3*s.* 9*d.* for expences of the parliament office. Chap. 109.
3. 110*l.* 17*s.* 9*d.* for completing the thirty-fourth volume of manuscript journals of the house of lords. Same act.
4. 1,024*l.* 4*s.* 3*d.* for printing the journals of the house of lords. Same act.

Oil.

For permitting blubber from the *Greenland Fishery*, and *Davis's Streights*, to be boiled into oil after the arrival of the ships, and for charging the duty thereon. Chap. 51.

Opium.

For altering the convoy duty payable on the importation of opium. Chap. 51.

Paving.

For forming, paving, cleansing, lighting, watching, watering, and otherwise improving and keeping in repair the streets, squares, &c. which are and shall be made upon certain pieces of ground in the parish of *Saint Pancras, Middlesex*, belonging to the duke of *Bedford*. Chap. 49^a.

Orders in Council.

Pawnbrokers.

See *Neutral Ships*. Chap. 65.

For better regulating the business of pawnbrokers. Chap. 99.

Ordnance.

Pensions.

1. See *Naval Stores*. Chap. 89.
2. 60,000*l.* for ordnance for the sea service. Chap. 109.
3. 302,500*l.* more for the same. Same act.
4. 350,000*l.* for ordnance for the land service. Same act.
5. 1,127,960*l.* 13*s.* 3*d.* for the same. Same act.
6. 33,671*l.* 11*s.* 5*d.* for the same in 1798. Same act.
7. 184,324*l.* 13*s.* 3*d.* for the same in 1799. Same act.

For granting a duty on pensions, offices, and personal estates, in *England, Wales*, and *Berwick upon Tweed*, for the service of the year 1800. Chap. 3.

Per-

Perfumery.

For repealing the duties on perfumery, and on licences for vending the same. Chap. 69.

Pilots.

For the appointment and regulation of pilots for conducting ships into and out of the port of *Kingston* upon *Hull*. Chap. 10*.

Police.

1. 3,000*l.* for the police office at *Wapping*. Chap. 109.
2. 2,646*l.* 9*s.* 6*d.* more for the same. Same act.
3. 797*l.* 11*s.* 6*d.* more for the same. Same act.

Poor.

To enlarge the powers of the directors and guardians of the poor, within several hundreds, &c. in *England*, incorporated by divers acts of parliament for the better maintenance and employment of the poor. Chap. 40.

Poor.

For the better relief and employment of the poor of the parish of *Saint John, Hampstead, Middlesex*. Chap. 35*.

Powder.

1. To amend so much of act 35 Geo. 3. c. 49. as relates to the exempting persons serving in volunteer corps, and certain officers of the navy serving on the establishment of *Greenwich Hospital*, from the said duty. Chap. 32.
2. See *Volunteer Corps*. Chap. 32.

Prince of Orange.

See *United Provinces*. Chap. 100.

Printers.

To indemnify all persons who have printed, published, or dispersed, or who shall publish, or disperse, any papers printed under the authority of the commissioners, or head officers of any publick boards, without the name and place of abode of the printer. Chap. 95.

Prisoners of War.

1. 500,000*l.* for prisoners of war in health. Chap. 109.
2. 90,000*l.* for sick prisoners. Same act.

Public Accountants.

For more effectually charging publick accountants with the payment of interest; for allowing interest to them in certain cases, and for compelling the payment of balances due from them. Chap. 54.

Q.

Qualifications.

ACT of qualification for offices. Chap. 19.

Quarantine.

For erecting a lazaret on *Chetney Hill, Kent*, and for reducing into one act the laws relating to quarantine, and for making further provisions therein. Chap. 80.

The Queen.

See *The King and Queen*. Chap. 88.

N N N 2

Rape

R.

Rape Cakes.

FOR permitting the free importation of rape cakes in neutral ships. Chap. 64.

Rice.

To prohibit the exportation of rice. Chap. 91.

Richmond, Duke of.

See *Coals*. Chap. 43.

Rogues and Vagabonds.

See *Game*. Chap. 50.

Rum.

To continue act 15 and 16 Geo. 2. c. 25. relating to the landing of rum, &c. Chap. 45.

Russel Square.

For inclosing and embellishing the centre or area of *Russel Square*, purposed to be made in the parish of *Saint George, Bloomsbury, Middlesex*, and for forming and making the same into a pleasure ground, and keeping the same in repair. Chap. 50*.

Rye.

For granting a bounty on the importation of rye, until *Oct.* 15, 1800. Chap. 53.

S.

Sail Cloth.

TO continue act 33 Geo. 2. c. 17. for making sail cloth. Chap. 45.

2. To continue act 9 Geo. 2. c. 37. for further encouraging the manufacture of *British* sail cloth. Chap. 45.
3. To continue act 19 Geo. 2. c. 27. for securing the duties on foreign made sail cloth imported. Same act.

Saint Domingo.

1. 16,000*l.* for relief of *Saint Domingo* claimants. Chap. 109.
2. 50,000*l.* for demands of *Saints Domingo* claimants. Same act.
3. See *France*. Same act.

Saint John, Island of.

1,900*l.* for the civil establishment there. Chap. 109.

Saint Pancras, Middlesex.

See *Paving*. Chap. 49*.

Salt Petre.

See *India (East) Company*. Chap. 38.

Scotland.

1. To prohibit until *March* 1, 1800, the making of low wines or spirits from wheat, barley, malt, or other sort of grain, or any meal, flour, or bran, in *Scotland*. Chap. 7.
2. Continued until *Feb.* 1, 1801. Chap. 21.
3. For the more easy recovery of small debts in *Scotland*. Chap. 46.
4. To enable the barons of the exchequer in *Scotland* to advance to the magistrates of *Edinburgh*, for improving the Harbour of *Leith*, part of the money paid into the court of exchequer by the proprietors of the *Forth* and *Chyde* navigation. Chap. 57.
5. Salaries to the judges of the courts of session, judiciary, and exchequer, 210

are to be paid out of those revenues which were appropriated for supporting the said courts by the acts of 7 and 10 Anne. Chap. 55.

6. For repealing the duties of excise on distilleries in *Scotland*, and on the exportation of *British* made spirits from *England* to *Scotland*, and for granting other duties in lieu thereof, and for altering, amending and continuing certain acts of parliament, for the regulation of distilleries in *Scotland*. Chap. 73.

Secret Service.

1. 150,000*l.* for foreign secret service. Chap. 109.
2. 13,779*l.* for secret service abroad. Same act.

Ships.

1. For extending bonds given on licensing ships, vessels, or boats, to all cases where they may be liable to forfeiture. Chap. 51.
2. 720,000*l.* for wear and tear of ships. Chap. 109.
3. 3,630,000*l.* more for the same. Same act.
4. 656,515*l.* for building and repairs of ships. Same act.
5. 41,400*l.* for losses sustained by the destruction of the ships the *Aurora*, the *Mentor*, and the *Lark*, and their cargoes. Same act.

Sierra Leone.

- 4,000*l.* for the civil establishment there. Chap. 109.

Snow Hill.

See *Temple Bar*. Chap. 42*.

Snuff.

Certain duties on snuff granted for

the service of the year 1800. Chap. 3.

Soldiers.

For increasing the rates of subsistence on quartering soldiers. Chap. 39.

Somerset House.

2,550*l.* for works done at *Somerset House*. Chap. 109.

Somers Islands.

See *Bermuda*. Chap. 109.

South Sea Company.

See *Courts of Equity*. Chap. 36.

Spirits.

1. For reducing until *June 1, 1800*, the duties upon spirits distilled from melasses or sugar, and for prohibiting the distillation of spirits from wheat, or wheat flour. Chap. 8.
2. See *Scotland*. Chap. 7. 21.
3. See *Excise*. Chap. 23.
4. See *Cape of Good Hope*. Chap. 60.

Stamps.

1. To amend several laws relating to the duties on stamps. Chap. 72.
2. To render valid indentures of apprenticeship of poor children, and others, made on improper stamps, and to indemnify persons who have incurred penalties, and for allowing attested copies of indentures, leases, or deeds, to be stamped after engrossing. Chap. 84.
3. See *Perfumery*. Chap. 69.

Starch.

1. For reducing until *Sept. 20, 1800*, and better collecting the duties payable on the importation of starch. Chap. 8.

2. To prohibit until, *Oct. 1*, 1800. the use of wheat in making starch. Chap. 25.

Stones.

For exempting burr stones, and stones for making roads, from the duties charged thereon when carried coastwise. Chap. 51.

Sugar.

1. Certain duties on sugar granted for the service of the year 1800. Chap. 3.
2. To enable the commissioners of customs to allow until *April 1*, 1800, *British* plantation sugars to be warehoused; to revive so much of act 32 Geo. 3. c. 43. as relates to the ascertaining the average price of sugar, and regulating the allowance of drawback on the exportation thereof; and for allowing until *May 5*, 1800, certain drawbacks on sugar exported. Chap. 12.
3. To repeal the duties on sugar and coffee exported, granted by act 39 Geo. 3. c. 63. for allowing *British* plantation sugar to be warehoused; for reviving so much of act 32 Geo. 3. c. 43. as relates to the ascertaining the average price of sugar, and regulating the allowance of drawback on exportation thereof, and for allowing certain drawbacks on sugar exported. Chap. 48.
4. So much of act 40 Geo. 3. c. 8. as relates to the duties on wort or wash, made from melasses or sugar, or to any distiller, revived and continued. Chap. 61.
5. 448l. 13s. for publishing weekly returns of the average price of *Muscovado* sugar. Chap. 109.
6. See *Beer*. Chap. 62.

Surinam.

For indemnifying the governor of *Surinam* for having permitted the importation and exportation of goods commodities in foreign bottoms, and for making void all seizures of and ships, &c. for any thing done in pursuance of such permission. Chap. 108.

Swedish Herrings.

See *Herrings*. Chap. 107.

T.

Tea.

See *Excise*. Chap. 23.

Temple Bar.

For raising a further sum of money for carrying into execution two acts, for widening and improving the entrance into the city of *London* near *Temple Bar*, for making a commodious street or passage at *Snow Hill*, and for raising money on the credit of the orphans fund. Chap. 42*.

Thames Police Office.

For more effectual prevention of depredations on the river *Thames* and its vicinity, and to amend an act made to prevent the committing of thefts, and frauds by persons navigating bum boats and other boats upon the river *Thames*. Chap. 87.

Tobacco.

1. Certain duties on tobacco granted for the service of the year 1800. Chap. 3.
2. For obliging masters of ships, laden with tobacco, to remove them from their moorings when discharged. Chap. 51.

Tobacco.

Toulon.

1. 900*l.* for relief of *Toulonese* emigrants, not included in the estimate for 1799. Chap. 109.
2. See *France*. Same act.

Transport Service.

1,300,000*l.* for transport service. Chap. 109.

Treason.

1. Act 39 Geo. 3. c. 44. continued, and persons imprisoned for high treason, &c. may be detained until Feb. 1, 1801. Chap. 20.
2. For regulating trials for high treason and misprision of high treason. Chap. 93.

Turpentine and Tar.

For repealing the duties on the importation of oil of turpentine and tar, and charging other duties in lieu thereof. Chap. 51.

U.

Union.

FOR the union of *Great Britain* and *Ireland*. Chap. 67.

United Provinces.

To authorise his Majesty to grant commissions to natives of the seven *United Provinces* of the hereditary states of the prince of *Orange*, to serve on board certain *Dutch* ships of war surrendered to his Majesty's fleet, and in regiments in the pay of his Majesty, and to enable any such natives to enlist as soldiers in such regiments. Chap. 100.

Upper Canada.

7,950*l.* for the civil establishment there. Chap. 109.

V.

Veterinary College.

1,500*l.* for the *Veterinary College*. Chap. 109.

ViTualling.

See *Naval Stores*. Chap. 89.

Vincent's (Saint) Island of.

See *Grenada, Island of*. Chap. 13. 101.

Volunteer Corps.

1. To indemnify persons serving in volunteer corps, who have omitted to take out certificates for wearing hair powder. Chap. 32.
2. 574,000*l.* for volunteer corps. Chap. 109.
3. See *Powder*. Chap. 32.
4. See *Horses*. Same act.

W.

West India Islands.

For indemnifying governors, lieutenant governors, and persons acting as such in the *West India* islands, who have permitted the importation and exportation of goods and commodities in foreign bottoms. Chap. 76.

Wheat

Wheat.

1. For granting bounties on the importation of wheat, wheaten flour and rice, until *Oct.* 1, 1800. Chap. 29.
2. 1,000*l.* to Mr. Davis, for a discovery of his method of cleaning wheat damaged by smut. Chap. 109.

Wills.

To restrain all trusts and directions in deeds or wills, whereby the profits or produce of real or personal estate shall be accumulated, and the bene-

ficial enjoyment thereof postponed beyond a limited time. Chap. 98.

Wine.

1. For permitting *French* wines to be imported from *Guernsey*, *Jersey*, or *Alderney*, in bottles or falks. Chap. 83.
2. See *Cape of Good Hope*. Chap. 60.

Workmen.

To repeal act 39 *Geo.* 3. c. 81. for preventing unlawful combinations of workmen, and to substitute other provisions in lieu thereof. Chap. 106.

END OF PART II. VOL. XLII.

THE
Statutes at Large,

Anno quadragesimo primo
GEORGII III. REGIS:

Being the **FIFTH** Session of the
Eighteenth Parliament of GREAT BRITAIN.

VOL. XLII. PART III.

A
T A B L E
OF THE
S T A T U T E S

Passed in the Forty-first Year of the Reign of his
Majesty

KING GEORGE the THIRD.

PUBLIC GENERAL ACTS.

Cap. 1. **T**O prohibit until the first day of *November* one thousand eight hundred and one, the exportation of rice; and to indemnify all persons who have been concerned in preventing the exportation thereof, or in the nonperformance of any contracts and agreements that shall not have been performed in consequence thereof.

Cap. 2. To authorize his Majesty, from time to time, to prohibit the exportation of provisions or food.

Cap. 3. To prohibit, until the first day of *January* one thousand eight hundred and two, the use of corn in distilling of spirits or making of starch.

Cap. 4. For suspending, until the twentieth day of *August* one thousand eight hundred and one, the duties on hops imported, and for charging other duties in lieu thereof.

Cap. 5. For continuing, until the expiration of forty days after the commencement of the first session of parliament that shall be begun, and holden after the first day of *September* one thousand eight hundred and one, several laws relating to the prohibiting the exportation, and permitting the importation, of corn and other articles of provision, without payment of duty; to the allowing the use of sugar in the brewing of beer; to the reducing the duties upon spirits distilled from molasses and sugar;

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sugar; and to the prohibiting the making of low wines or spirits from wheat, and certain other articles; in that part of *Great Britain* called *Scotland*.

Cap. 6. For shortening, until the twenty-fifth day of *March* one thousand eight hundred and one, the time of keeping in steep for malting, barley damaged by rain in the late harvest.

Cap. 7. For continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand eight hundred and one.

Cap. 8. For continuing and granting to his Majesty a duty on pensions, offices, and personal estates, in *England, Wales*, and the town of *Berwick upon Tweed*; and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred and one.

Cap. 9. To explain and amend an act, made in the twenty-second year of the reign of his present Majesty, intituled, *An act for the better relief and employment of the poor*.

Cap. 10. For granting bounties on the importation of wheat, barley, rye, oats, pease, beans, and Indian corn, and of barley, rye, oat and Indian meal, wheaten flour, and rice.

Cap. 11. To permit, until the first day of *October*, one thousand eight hundred and one, the importation of herrings and other fish, the produce of the fishery carried on in *Nova Scotia, New Brunswick, Newfoundland*, and on the coast of *Labrador*, into this kingdom, without payment of duty.

Cap. 12. For making better provision for the maintenance of the poor, and for diminishing the consumption of bread corn, by directing the manner of applying parish relief, until the sixth day of *November* one thousand eight hundred and one, and from thence until the end of six weeks after the meeting of the then next session of parliament.

Cap. 13. To enable commissioners to purchase certain buildings for the accommodation of the two houses of parliament.

Cap. 14. For raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand eight hundred and one; and for appropriating the supplies granted in this session of parliament.

Cap. 15. For taking an account of the population of *Great Britain*, and of the increase or diminution thereof.

Cap. 16. To prevent, until the sixth day of *November* one thousand eight hundred and one, and from thence to the end of six weeks from the commencement of the then next session of parliament, the manufacturing of any fine flour from wheat, or other grain, and the making of any bread solely from the fine flour of wheat; and to repeal an act, passed in the thirty-sixth year of the reign of his present Majesty, for permitting bakers to make and sell certain sorts of bread, and to make more effectual provision for the same.

Cap.

Cap. 17. To prohibit, until the first day of *October* one thousand eight hundred and one, and from thence to the end of six weeks next after the commencement of the then next session of parliament, any person or persons from selling any bread which shall not have been baked twenty-four hours.

Cap. 18. To permit, until the first day of *October* one thousand eight hundred and one, the importation of *Swedish* herrings into *Great Britain*.

Cap. 19. To remove doubts arising upon the construction of an act of this session of parliament, intituled, *An act for granting bounties on the importation of wheat, barley, rye, oats, pease, beans, and Indian corn, and of barley, rye, oat, and Indian meal, and wheaten flour and rice.*

Cap. 20. To revive and continue until the expiration of six weeks after the commencement of the next session of parliament, and amend so much of an act of the last session of parliament, as relates to the reducing and better collecting the duties payable on the importation of starch; and to continue for the same time several laws relating to the enabling his Majesty to permit goods to be imported into this kingdom in neutral ships: to the authorising his Majesty to make regulations respecting the trade to the *Cape of Good Hope*; and to the preventing offences in obstructing, destroying, or damaging ships, and in obstructing seamen and others from pursuing their lawful occupations.

Cap. 21. For allowing, until the fifteenth day of *October* one thousand eight hundred and one, the use of salt, duty free, in the preserving of fish in bulk or in barrels; for protecting persons engaged in such fisheries from being impressed into his Majesty's service; for discontinuing the bounty payable on white herrings exported; and for allowing a bounty on pilchards now cured, whether exported or sold for home consumption.

Cap. 22. To authorise his Majesty to appoint commissioners for the more effectual examination of accounts of publick expenditure for his Majesty's forces in the *West Indies* during the present war.

Cap. 23. For making the port of *Amsterdam* in the island of *Curaçao* a free port.

Cap. 24. For continuing, until six months after the conclusion of a general peace, three acts, made in the thirty-third and thirty-eighth years of his present Majesty's reign, for establishing regulations respecting aliens arriving in this kingdom, or resident therein, in certain cases.

Cap. 25. For allowing the importation of undressed hemp from any of the countries that lie within the limits of the exclusive trade of the *East India* company free of duty.

Cap. 26. For continuing, until the first day of *June* one thousand eight hundred and one, the several acts for regulating the turnpike roads in *Great Britain*, which expire at the end of the present session of parliament.

Cap. 27. For extending the time for the payment of certain sums of money advanced by way of loan to several persons

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connected with and trading to the islands of *Grenada and Saint Vincent*.

Cap. 28. To explain, amend, and render more effectual, the several acts made in the thirty-eighth and thirty-ninth years of the reign of his present Majesty, and in the last session of parliament; for the redemption and purchase of the land tax.

Cap. 29. For further continuing, until the first day of *August* one thousand eight hundred and seven, an act, made in the thirty-seventh year of the reign of his present Majesty, intituled, *An act for the better prevention and punishment of attempts to seduce persons serving in his Majesty's forces, by sea or land, from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience*.

Cap. 30. For explaining and amending an act, passed in the last session of parliament, intituled, *An act for erecting a lazaret on Chetney Hill, in the county of Kent, and for reducing into one all the laws relating to quarantine; and for making further provisions therein, as far as regards the payment of the tonnage duty in the islands of Guernsey, Jersey, Alderney, Sark, or Man*.

Cap. 31. 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 directed by law, and for extending the time limited for those purposes, until the twenty-fifth day of *December* one thousand eight hundred and one; 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, until the twenty-fifth day of *December* one thousand eight hundred and one, to provide admissions duly stamped; to permit such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors, to make and file the same on or before the first day of *Michaelmas* term one thousand eight hundred and one; and for indemnifying deputy lieutenants and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time directed by law, and for extending the time limited for that purpose, until the first day of *September* one thousand eight hundred and one.

Cap. 32. For further continuing, until six weeks after the commencement of the next session of parliament, several acts made in the thirty-eighth and thirty-ninth years of his present Majesty's reign, and in the last session of parliament, for empowering his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.

PUBLIC

PUBLIC LOCAL AND PERSONAL ACTS.

1. **A**N act to continue, for twenty-one years, and from thence to the end of the then next session of parliament, the term, and alter and enlarge the powers of two acts, passed in the thirtieth year of the reign of his late majesty, King *George the Second*, and the eighteenth year of the reign of his present Majesty, for repairing and widening the road from *Towcester*, through *Silverston* and *Bakley* in the county of *Northampton*, and *Ardley* and *Middleton Stoney*, to *Weston Gate*, in the parish of *Weston on the Green*, in the county of *Oxford*.

2. An act to continue for twenty-one years, and from thence to the end of the then next session of parliament, the term, and enlarge the powers, of two acts, passed in the thirty-second year of the reign of his late majesty King *George the Second*, and in the twentieth year of the reign of his present Majesty, for repairing and widening the road from a place called *The Old Gallows*, in the parish of *Sunning*, in the county of *Berks*, through *Wokingham*, *New Bracknowl*, and *Sunning Hill*, to *Virginia Water*, in the parish of *Egham*, in the county of *Surrey*.

3. An act for the better relief of the poor in the city of *Edinburgh*, and the suburbs thereof, and certain districts adjoining thereto.

4. An act for obviating a doubt arising on the power of sale and exchange contained in a settlement of the estates of the right honourable *Henry earl Bathurst*.

PRIVATE ACTS.

1. **A**N act for naturalizing *Joseph Augustus Vanderfersch*.

2. An act for naturalizing *Charles Michael Lullin*.

3. An act for dividing and inclosing the open and common fields, meadows, waste and other lands, commons, and commonable places, within the parish of *Offord Cluny*, in the county of *Huntingdon*.

4. An act for dividing, allotting, and inclosing, the waste grounds, and also the open fields and meadows, and commonable and intermixed lands, within the parish of *Arlington*, in the county of *Gloucester*.

5. An act for naturalizing *Christoph Weltje*.

THE

THE
STATUTES at Large, &c.

*Anno regni GEORGII III. Regis, Magnæ
Britanniæ, Franciæ, et Hiberniæ, qua-
dragesimo primo.*

AT the-parliament begun and holden at West-
minster, the twelfth day of July, Anno
Domini 1796, in the thirty-sixth 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
eleventh day of November 1800; being the fifth
session of the eighteenth parliament of Great Britain.

C A P. I.

*An act to prohibit, until the first day of November one thousand eight
hundred and one, the exportation of rice; and to indemnify all
persons who have been concerned in preventing the exportation
thereof, or in the nonperformance of any contracts and agreements
that shall not have been performed in consequence thereof.—[Nov.
24, 1800.]*

WHEREAS it is expedient that the exportation of rice should
be prevented for a limited time; be it therefore enacted by
the King's most excellent majesty, by and with the advice and
consent of the lords spiritual and temporal, and commons, in
this present parliament assembled, and by the authority of the
same, That, from and after the passing of this act, no person or
persons whatever shall, directly or indirectly, export, carry, or
convey, or cause or procure to be exported, carried, or con-
veyed

Preamble.

No person
shall export,
or lay on
board any
vessel for that

purpose, any rice.

veyed out of or from any port or place of this kingdom, or shall load or lay on board, or cause or procure to be laden or laid on board, in any ship or other vessel or boat, any rice, in order to be exported, carried, or conveyed out of any such port or place.

Rice exported, or put on board for that purpose, shall be forfeited, and the offender shall forfeit 6d. per lb. for such rice, and the vessel, &c. may be seized.

II. And be it further enacted, That all rice which shall be so exported, carried, or conveyed, or be laden or laid on board in any ship or other vessel or boat, in order to be exported, carried or conveyed out of this kingdom contrary to this act, shall be forfeited; and that every offender therein shall forfeit also the sum of sixpence for every pound weight of such rice which shall be so exported, carried, or conveyed, or so laden or laid on board in any ship or other vessel or boat, in order to be exported, carried, or conveyed out of this kingdom; and also the ship, vessel, or boat, wherein the same shall be exported, or in or upon which the same shall be laden or laid on board in order to be exported, together with her guns, furniture, ammunition, tackle, and apparel, shall be forfeited, and the same respectively, and each and every part thereof, may be seized by any officer or officers of the customs: provided always, That nothing in this act contained shall extend, or be construed to extend, to any such quantity of rice as shall be necessary to be carried in any ship or other vessel to be used for or towards the sustenance, diet, and support of the commander, master, mariners, and passengers on the voyage; nor shall any of the provisions of this act be construed to extend to prohibit the carrying of rice coastwise, or from one port or place in *Great Britain* to another port or place in *Great Britain*, according to the regulations prescribed by an act passed in the thirty-second year of the reign of his present Majesty, intituled, *An act for the relief of the coast trade of Great Britain; for exempting certain coast documents from stamp duties; for abolishing the bond, usually called the like of Man Bond; and for permitting corn and grain brought coastwise to be transhipped into lighters for the purpose of being carried through the canal from the Forth to the Clyde; and in like manner as the same might have been carried coastwise before the passing of this act.*

Act not to extend to rice for diet on a voyage, nor rice carried coastwise, according to 32 Geo. 3. c. 50.

III. Provided, also, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to prevent evidence being received by the commissioners of his Majesty's customs in *England* and *Scotland* respectively, or in any suit or information, that, by reason of the smallness of the quantity of any such rice, and other circumstances, that the same was on board without the knowledge or privity of the master or person having the charge or command of any such ship or vessel, in like manner as is permitted with respect to corn, by an act passed in the thirty-first year of the reign of his present Majesty; and that, when such proof shall be so made, such ship, vessel, or boat, or any thing belonging thereto as aforesaid, shall not be forfeited for or on account of such small quantity of rice as aforesaid.

Act not to prevent evidence being given that rice was on board without the knowledge of the master, &c.

IV. And

IV. And be it further enacted, That all penalties and forfeitures contained in this act shall and may be sued for, prosecuted, recovered, and disposed of, in such manner, and by such ways, means, and methods, as any penalties incurred, or any goods, ships, or vessels forfeited for any offence against the laws or customs may now be legally sued for, prosecuted, recovered, and disposed of, and the officer or officers concerned in seizures or prosecutions under this act shall be entitled to, and receive such share of the produce arising from the seizures as they are now by law entitled to upon prosecution of seizures for unlawful exportation, and to such share of the produce arising from any pecuniary fine, or penalty or composition paid for any offence against this act, as they are now by any law or regulation entitled to upon prosecution for pecuniary penalties.

How penalties may be recovered, &c.

V. And whereas, by an act passed in the last session of parliament, a bounty was granted in certain cases on rice imported into this kingdom, in order to encourage a supply of the same; and by another act, also passed in the last session of parliament, the exportation of rice was prohibited until the fifteenth day of October one thousand eight hundred: and whereas, at the expiration of that period, there was great reason to apprehend that large quantities of rice would be exported from this kingdom to the great detriment of his Majesty's subjects during the then and present high price of provision: and whereas, for the prevention thereof, the commissioners of his Majesty's customs, in pursuance of directions to that effect from the lords commissioners of his Majesty's treasury, have prevented the exportation of all rice since the said fifteenth day of October, which has proved to be beneficial to the publick; wherefore it is expedient, that all persons issuing, giving, or advising such directions as aforesaid, or concerned in the issuing, giving, or advising any such directions, and also, all persons acting under or in pursuance thereof, should be indemnified: be it therefore enacted, That all persons issuing, giving, or advising any such directions as aforesaid, or concerned in the issuing, giving, or advising any such directions, and also all persons acting under or in pursuance of the said directions, and also, all persons who shall have been prevented performing any contract or agreement by reason thereof, shall be, and are hereby indemnified for and on account of the same, and of any act, matter or thing done in pursuance of and in conformity with such directions as aforesaid, as fully and effectually to all intents and purposes whatever, as if the same directions had been given, and such acts, matters, and things done in pursuance of any act or acts of parliament.

39 & 40 Geo. 3. c. 29.
39 & 40 Geo. 3. c. 19.

All persons issuing directions for preventing the exportation of rice since Oct. 15, 1800, &c. indemnified.

VI. And be it further enacted, That all personal actions and suits, indictments, and informations, and all prosecutions and proceedings whatsoever, which have been or shall be hereafter prosecuted or commenced against any person or persons, for having refused to receive any entry or entries for the exportation of any rice; or to clear out any ship or vessel with rice on board intended to be exported before the passing of this act, or against any person or persons, for or by reason of any act, matter, or thing made void.

All actions for refusal to receive entries for exportation of rice, &c. or for any agreement not having been performed on that account, made void.

thing advised, commanded, appointed, or done, or forborne to be done, in relation to the prevention of any such exportation of rice as aforesaid, or against any person or persons for or on account of any contract or agreement not being performed by occasion or by means of any such exportation having been to hindered or prevented as aforesaid, be, are, and shall be discharged and made void by virtue of this act; and that if any action or suit shall be prosecuted or commenced against any person or persons for or by reason of any such act, matter, or thing, or any such contract or agreement not being performed on such account as aforesaid, he, she, or they, may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff or plaintiffs in any action or suit so to be prosecuted or commenced shall become nonsuit, or forbear further prosecution, or suffer discontinuance, or if a verdict pass against such plaintiff or plaintiffs, the defendant or defendants shall recover his, her, or their double costs, for which he, she, or they shall have the like remedy, as in cases where the costs by law are given to defendants.

General issue. VII. And be it further enacted, That if any action or suit hath been already commenced against any person or persons for any such act, matter, or thing, as aforesaid, or on account of any such contract or agreement not being performed, by occasion of such hinderance as aforesaid, it shall be lawful for the defendants or defenders in such actions or suits respectively, in whatever courts in *Great Britain* such actions or suits shall have been commenced, to apply to such court or courts respectively, to stay all proceedings therein respectively, by motion in a summary way; and such court or courts are hereby authorized and required to make orders for that purpose accordingly; and the court or courts making such order shall award and allow to the defendants and defenders respectively, double costs of suit; for which they shall respectively have the same remedy as in cases where the costs are by law given to defendants or defenders.

Double costs. VIII. Provided always, and be it further enacted, That in case his Majesty at any time or times after the passing of this act shall, in his royal discretion, judge it most for the benefit and advantage of this kingdom, to permit the exportation of rice, then it shall and may be lawful to and for his Majesty, by his royal proclamation or proclamations, to be issued by and with the advice of his privy council, or by his Majesty's order in council, to be published in the *London Gazette* from time to time, to permit and suffer all and every person and persons, natives and foreigners (but not any particular person or persons), at any time or times after the passing of this act, to export any rice from this kingdom; any thing herein contained to the contrary notwithstanding.

If any action has been commenced for nonperformance of contract, the defendant may apply to the court to stay proceedings, &c. IX. And be it further enacted, That this act shall continue in force until the first day of *November* one thousand eight hundred and one, and may be altered, varied, or repealed by any act or acts to be passed in this present session of parliament.

CAP.

C A P. II.

An Act to authorise his Majesty, from time to time, to prohibit the exportation of provisions or food.—[Nov. 24, 1800.]

WHEREAS *the publick safety may require temporary restraints* Preamble.
on the exportation of all or any sort of provisions or victual
whatever, or any articles used as food for man: may it there-
fore 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 com-
mons, in this present parliament assembled, and by the authority
of the same, That it shall be lawful for his Majesty, by order His Majesty,
in council from time to time, to prohibit, for a time to be limited by order in
in such order, either generally or particularly, and by name or council, may
description, the exportation from this kingdom of all or any sort prohibit the
of provision or victual, or any article or articles whatsoever used exportation of
or which may be used as food by man, under such restrictions any article
and regulations as his Majesty in council shall think proper, used as food
and in like manner from time to time to recal such order in by man.
part, or in the whole, or make such alteration therein as he
shall think proper.

II. And be it further enacted, That all such provision, victual, Any such
and every article of food whatsoever, included in his Majesty's article export-
order, which shall be afterwards exported, transported, carried, or ed, or laid on
conveyed, or laden or laid on board of any ship, vessel, or boat, in board any
order to be exported, transported, carried, or conveyed, out of this vessel for such
kingdom contrary to such order, shall be forfeited, and shall and purpose, shall
may be seized by any officer or officers of the customs; and all be forfeited,
and every person or persons offending therein shall forfeit and the
the value of such provisions or food respectively, as shall be so offender shall
exported, transported, carried, or conveyed out of this kingdom, forfeit treble
or laden or laid on board of any ship, vessel, or boat, for that the value, and
purpose; and such ship, vessel, or boat, together with her guns, the vessel, &c.
furniture, ammunition, tackle, and apparel, shall be forfeited, may be seized.
and the same shall and may be seized by any officer or officers of
the customs.

III. And be it further enacted, That all penalties and for- How penalties
feitures contained in this act shall and may be sued for, prose- are to be re-
cuted, recovered, and disposed of in such manner, and by such covered, &c.
ways, means, and methods, as any penalties incurred on any
goods, ships, or vessels, forfeited for any offence against the laws
of customs, may now be legally sued for, prosecuted, recovered,
and disposed of; and the officer or officers concerned in seizures
or prosecutions under this act shall be entitled to and receive such
share of the produce arising from the seizures as they are now by law
entitled to upon prosecutions of seizures for unlawful exportation,
and to such share of the produce arising from any pecuniary fine
or penalty, or composition paid for any offence against this act,
as they are now by any law or regulation entitled to, upon
prosecutions for pecuniary penalties;

This act and such orders not to extend to certain cases.

IV. Provided always, and be it further enacted, That this act, or any thing herein contained, and such orders, or any thing therein contained, shall not extend, or be construed to extend, to prohibit at any time the exportation or carrying out of such and so much of any such provisions, victuals, and other articles of food as shall be necessary to be carried in any ship or vessel on its voyage out and home for the sustenance, diet, and support of the commander, master, mariners, passengers, and others, or for the use and sustenance of the cattle, live stock, or other animals, on board of such ship or vessel, or for victualling or providing any of his Majesty's ships of war, or other ships or vessels in his Majesty's service, or for victualling or providing any of his Majesty's forces, forts, or garrisons, or to prohibit at any time the exportation to the *British* forts, castles, or factories in *Africa*, or for the use of *British* ships trading upon that coast, which have usually been supplied with the same from *Great Britain*, or to prohibit at any time any person or persons from shipping or putting on board any provisions, victuals, or other articles of food as aforementioned to be carried coastwise, (that is to say), From any port, creek, or member or part of the kingdom of *Great Britain* to any other port, creek, member, or part of the same respectively, having such or the like coasts sufferance, cocquet, or other coast dispatch for that purpose; and on such and the like security being given for the landing and discharging the same, as now is or hereafter may be, by any law or laws, act or acts, required in relation to the carrying coastwise any corn or other articles, or any goods, wares, or merchandizes.

Act not to prevent evidence being received to prove, from the smallness of the quantity, that the same was on board without the knowledge of the master, &c.

V. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to prevent evidence from being received to the satisfaction of the commissioners of his Majesty's customs in *England* and *Scotland* respectively, in case any ship or vessel shall be under seizure by any officer or officers of the customs for having any provision or victual, or other articles of food as aforesaid, on board, contrary to the true intent and meaning of any such order of his Majesty as aforesaid, or to prevent evidence from being received in any suit or information brought for the forfeiture of any ship or vessel for or on account of any such provision or victual, or other articles of food as aforesaid being on board, in order to show, from the smallness of the quantity of such provision or victual, or other articles of food as aforesaid, that the same was on board such ship or vessel without the knowledge and privity either of the owner or master, or other person having the charge and command thereof, and without any wilful neglect or default of reasonable care in the discharge of the duty of such owner, master, or other person having the charge or command of such ship or vessel, and in every such case, where proof shall be so made respectively, such ship or vessel shall not be forfeited for or on account of such small quantity

quantity of provision or victual, or other articles of food prohibited to be exported or carried out of the kingdom by any such order of his Majesty as aforesaid.

VI. And be it further enacted, That all and every the powers, authorities, provisions, clauses, matters, and things contained in an act passed in the thirty-second year of the reign of his present Majesty, intituled, *An act for the relief of the coast trade of Great Britain; for exempting certain coast documents from stamp duties; for abolishing the bond usually called the Isle of Man Bond; and for permitting corn and grain brought coastwise to be transhipped into lighters, for the purpose of being carried through the canal from the Forth to the Clyde; and in every other act of parliament in force on and immediately before the passing of this act, by which any conditions, rules, regulations, or restrictions were made, established, or directed, or any powers, authorities, or provisions were made for the better securing the revenue of customs, or for the regular importation into or exportation from Great Britain, or the bringing or carrying coastwise, or from port to port within the same kingdom; or the taking and requiring, and putting in suit and prosecuting any cocquet, bond, or other security given in relation thereto, except where any express alteration is made by this act, or by any order of his Majesty issued under the authority of this act, shall, and they are hereby declared to be and remain in full force and effect to the subject of this act, and to any order issued by his Majesty in pursuance thereof, and to all rules, regulations, and restrictions contained in any such order, as far as the same are applicable thereto, and for carrying the same into execution as fully and effectually as if they had been repeated and re-enacted in this act.*

The powers of 32 Geo 3. c. 50. and of any other acts in force, for securing the revenue of customs, &c. to extend to this act.

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

Copies of orders in council to be laid before parliament.

C A P. III.

An act to prohibit, until the first day of January one thousand eight hundred and two, the use of corn in distilling of spirits or making of starch.—[December 8, 1800.]

WHEREAS it is expedient to prohibit, for a limited time, the use or expenditure of wheat, barley, malt, and every other sort of corn or grain, and of meal, flour, and bran, in the making or preparing of wort or wash for the distillation of low wines or spirits, and to prohibit, for a limited time, the making of starch from wheat, or wheat meal or flour; 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

Preamble.

Until January 1, 1802, no spirits to be distilled from corn or grain, &c. and no starch to be made from wheat or wheat flour.

Persons so distilling, and persons in whose custody vessels used contrary to the intentions of this act, shall be found, to have committed the offence, shall be forfeited.

Penalty of 500l. for making starch from wheat, or wheat flour, which, with the vessels, shall be forfeited.

assembled, and by the authority of the same, That, from and after the passing of this act, and until the first day of *January* one thousand eight hundred and two, no low wines or spirits shall be brewed, made, prepared, extracted, or distilled from any wheat, barley, malt, or tilts, or any other sort of corn or grain, or from any meal, flour, or bran, or any mixture with the same; and no starch shall be made or prepared from any wheat, or any wheat meal or flour.

II. And be it further enacted, That if, during the time before limited, any distiller or distillers, maker or makers of low wines or spirits, or any other person or persons whatsoever, shall brew, make, prepare, extract, or distil, or cause or procure to be brewed, made, prepared, extracted, or distilled, any low wines or spirits, either for home consumption or for exportation, or shall use or mix, or cause or procure to be used or mixed, any wheat, barley, malt, or other corn or grain, or any meal, flour, or bran, in any wort or wash, in order for the brewing, making, preparing, extracting, or distilling any low wines or spirits, or shall put or lay, or cause or procure to be put or laid, in any tun, wash batch, cask, copper, still, or other vessel or utensil, any wheat, barley, malt, or other corn or grain, or any meal, flour, or bran, or any mixture with the same, for the purpose of preparing any wort or wash, or for brewing, making, preparing, extracting, or distilling any low wines or spirits, whether such tun, wash batch, cask, copper, still, or other vessel or utensil, shall or shall not have been or be duly entered at the excise office, that then, and in each and every of the said cases, such distiller or distillers, maker or makers of low wines or spirits, or other person or persons acting contrary to the directions of this act, and the person or persons in whose custody or possession any such tun, wash batch, cask, copper, still, or other vessel or utensil, which shall be made use of contrary to the intention of this act, shall be found, shall severally and respectively, for every such offence, forfeit and pay the sum of five hundred pounds; and all such wheat, barley, malt, and other corn or grain, and such meal, flour, and bran, or other mixture with the same, and such wort and wash, low wines and spirits, shall be forfeited, and shall and may be seized by any officer or officers of excise.

III. And be it further enacted, That if any person or persons shall apply, spend, consume, or make use of, or cause, procure, permit, or suffer to be applied, spent, consumed, or made use of, any wheat, or any meal or flour ground or made therefrom, for the purpose of making or preparing starch, contrary to the true intent and meaning of this act, the person or persons so offending, and the person or persons in whose custody or possession the same shall be found, shall (over and above all other penalties imposed by any act or acts of parliament already in force) forfeit the sum of five hundred pounds; and all such wheat, wheat meal, flour, and starch, together with every vat, trough, or other utensil or vessel, in which the same shall be found, shall be forfeited, and

the same respectively shall and may be seized by any officer or officers of excise.

IV. And be it further enacted, That if any wheat, barley, malt, or other sort of corn or grain, or any meal, flour, or bran, shall, at any time after the expiration of three days after the passing of this act, and during the continuance thereof, be found in any workhouse, stillhouse, storehouse, warehouse, or any other place wherein low wines or spirits, or wort or wash, shall be preparing, or shall be brewed, made, extracted, distilled, or prepared; or where any starch shall be making or preparing, or made or prepared; or where any low wines or spirits, or wort or wash shall have been brewed, made, extracted, distilled, or prepared; or where any starch shall have been made or prepared; all such wheat, barley, malt, and other corn or grain, and meal, flour, and bran, shall be forfeited, and shall and may be seized by any officer or officers of excise; and the person or persons in whose possession such workhouse, stillhouse, storehouse, warehouse, or place, shall be, shall, for every such offence respectively, also forfeit and pay the sum of two hundred pounds.

V. And be it further enacted, That during the time hereinbefore limited, it shall be lawful for any person or persons, who shall be authorized for that purpose by the commissioners of excise for the time being, or any two or more of them, within the limits of the chief office of excise in *London*, or by one or more justice or justices of the peace in any other part of *Great Britain*, at any time or times, with any officer of excise, to enter into any workhouse, stillhouse, storehouse, warehouse, or any other place whatsoever, wherein any low wines or spirits, or wort or wash, or starch, shall be or are suspected to be preparing, or to be brewed, made, or extracted, distilled, or prepared; or wherein low wines or wort or wash have been made, brewed, extracted, distilled, or prepared, or starch shall have been made or prepared, after the passing of this act, and shall have free admittance into the same, and may inspect all the materials, vessels, and utensils therein contained, (giving thereby as little interruption as may be to the business which shall be carrying on); and in case any such officer of excise shall have reason to suspect that any wheat, barley, malt, or other corn or grain, or any meal, flour, or bran, is mixed in any wort or wash, or in any other material or preparation for brewing, making, extracting, or distilling low wines or spirits, or making or preparing of starch, it shall be lawful for such officer or officers, at any time or times during the said term, upon payment of two shillings and sixpence, to take a sample, not exceeding two quarts, of any such wort or wash, material, or preparation, which shall be found in any such house or other place aforesaid: and in case any distiller or distillers, maker or makers of low wines or spirits, or maker of starch, or the owner or occupier of any such house or place, or any workman or servant of any such distiller or distillers, maker or makers, or owner or occupier belonging, shall refuse to admit such person or persons as shall be so authorized, or any officer or officers of excise, into any such

Wheat, &c. found in any stillhouse, &c. to be forfeited, and also 200l.

Persons authorized by the commissioners within the limits of their chief office, and by a justice in any other part, may, with an officer of excise, enter into workhouses, &c. to inspect materials and utensils; and if the officer suspect that corn, &c. is mixed with any material for distillation, or making of starch, he may take a sample.

Penalty of 200l. for obstructing inspection, or not allowing a sample to be taken.

such house or place, or shall obstruct or hinder any such officer or officers, or person or persons, in making such inspection as aforesaid, or if any such distiller or distillers, or maker or makers of starch, shall not allow any such officer to take such sample, after the said sum of two shillings and sixpence shall be paid or tendered for the same, every such distiller or maker of low wines or spirits, or maker of starch, owner or occupier, shall, for every such offence respectively, forfeit and pay the sum of two hundred pounds; and it shall be lawful for any such officer of excise, or other person or persons authorised as aforesaid, having a warrant for that purpose from any two or more of the commissioners of excise, or any justice or justices respectively as aforesaid, to seize, take, and carry away all such wheat, barley, malt, and other corn or grain, and all such meal, flour, and bran as shall be found in any such house or other place, together with all the vessels, sacks, bags, and other things in which the said commodities shall be contained.

Corn, &c. found, may be seized, with the vessels.

Contracts for delivery of spirits, or starch, during the continuance of this act, shall be void.

His Majesty may authorise at any time, the use of wheat, &c. in distillation, or making of starch.

VI. And whereas there may have been contracts made by distillers and makers of low wines and spirits, or makers of starch, with several persons, for spirits, grains, yeast, or starch, to be delivered and received at future times, after the passing of this act; be it therefore enacted, That all contracts or bargains made by any distiller or distillers, or maker or makers of low wines or spirits, or maker or makers of starch, with any person or persons whatsoever, for any spirits, grains, or yeast, or starch, to be delivered at any time during the continuance of this act, shall be and are hereby declared to be wholly void.

VII. Provided always, and be it enacted, That in case his Majesty, at any time or times after the passing of this act, shall in his royal discretion judge it to be most for the benefit and advantage of this kingdom, to permit the use or expenditure of wheat, barley, malt, or any other sort of corn or grain, or any meal or flour ground therefrom, in the making or preparing of wort or wash for the making or extracting of spirits, or for the making of starch, then it shall and may be lawful to and for his Majesty, by his royal proclamation or proclamations, to be issued by and with the advice of his privy council, or by his Majesty's order in council, to be published in the *London Gazette* from time to time, to permit and suffer all and every person and persons, natives and foreigners, (but not any particular person or persons), at any time or times after the passing of this act, to apply, spend, consume, or make use of wheat, barley, malt, or any other sort of corn or grain, or any meal or flour ground or made therefrom, the brewing, making or preparing of wort or wash for the making or extracting of spirits, or the making of starch; any thing herein contained to the contrary notwithstanding.

Spirits from corn warehoused for exportation, may be taken out for home

VIII. And be it further enacted, That if any distiller, or distillers, who shall have deposited any spirits drawn or made in *Great Britain* from corn, before the passing of this act, for exportation to parts beyond the seas, according to the rules, regulations, and provisions of an act made in the second year of his

his present Majesty's reign, amongst other things, for better regulating and encouraging the exportation of *British* made spirits, in any such warehouse as is mentioned in the said act, shall be desirous of using any such spirits for home consumption, and shall signify such his, her, or their desire, to the commissioners of excise in *England* and *Scotland* respectively for the time being, the said respective commissioners respectively shall direct the quantity of spirits so desired to be taken out of such warehouse, and delivered to such distiller or distillers, he, she, or they having first duly paid to the proper officer or officers of excise, a duty of excise at and after the rate of eighty-seven pounds and ten shillings for each ton of such spirits, calculating and computing the same at the strength of one to ten over hydrometer proof, any act of parliament to the contrary thereof notwithstanding; and the money arising from the said duty shall be paid into the receipt of his Majesty's exchequer, and carried to and made part of the consolidated fund.

consumption, on payment of duty.

IX. And be it further enacted, That if any person or persons shall obstruct or hinder any officer or officers of excise in the execution of any of the powers or authorities to him or them given or granted by this or any other act or acts of parliament relating to spirits, the person or persons so offending shall forfeit for every such offence, severally, the sum of two hundred pounds.

Penalty of 200l. for obstructing officers of excise.

X. And be it further enacted. That all and every the powers, directions, rules, penalties, forfeitures, clauses, matters, and things, which, in and by an act made in the twelfth year of the reign of King *Charles* the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights service and purveyance, and for settling a revenue upon his Majesty in lieu thereof*, or by any other law now in force, relating to his Majesty's revenue of excise, are provided and established for managing, raising, levying, collecting, mitigating or recovering, adjudging or ascertaining, the duties thereby granted, or any of them, (other than in such cases for which other provisions are made and prescribed by this act), shall be practised, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating recovering, and paying the excise duty by this act imposed, and for preventing, detecting, and punishing frauds relating thereto, as fully and effectually, to all intents and purposes, as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in this present act.

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

XI. And be it further enacted, That all fines, penalties, and forfeitures imposed by this act, shall be sued for, recovered, levied, or mitigated, by such means or methods as any fine, penalty, or forfeiture may be sued for, recovered, levied, or mitigated, by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*; and that one moiety of every such fine,

Recovery and application of penalties.

penalty, or forfeiture shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall inform, discover, or sue for the same.

Limitation of actions.

XII. And be it further enacted, That if any action or suit shall be commenced against any person or persons, for any thing done in pursuance of this act, such action or suit shall be commenced within the space of two calendar months next after the offence shall be committed; and the defendant or defendants in

General issue.

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 judgement shall be given upon any verdict or demurrer against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases by law.

Treble costs.

Continuance of act.

XIII. And be it further enacted, That this act shall commence and take effect as to all such matters and things therein contained, in respect whereof no special commencement is hereby directed or provided, from the passing thereof until the first day of *January* one thousand eight hundred and two, and may be altered, varied, or repealed, by any act or acts to be made in this session of parliament.

C A P. IV.

An act for suspending, until the twentieth day of August one thousand eight hundred and one, the duties on hops imported, and for charging other duties in lieu thereof.—[Dec. 8, 1800.]

Preamble.

By 27 Geo. 3. c. 13. and subsequent acts duties on hops were imposed, and by 39 & 40 Geo. 3. c. 83. such parts as relate to the duties on hops imported was suspended till August 20, 1800.

Such parts suspended until August 20, 1801.

WHEREAS by an act made in the twenty-seventh year of the reign of his present Majesty, for repealing the several duties of customs and excise, and granting other duties in lieu thereof, and for other purposes, a duty of customs of five pounds eighteen shillings and ten-pence was granted upon every hundred weight of hops imported into Great Britain; and by several subsequent acts certain other duties have been imposed in addition thereto: and whereas by an act passed in the last session of parliament, such parts of the said acts as relate to the duties on hops imported were suspended until the twentieth day of August one thousand eight hundred: and whereas it is expedient that the said duties on hops imported should be again suspended for a further time, and that other duties should be granted in lieu thereof during such suspension: 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, such parts of the said acts

as grant any duty or duties on hops imported into *Great Britain* shall be, and the same are hereby suspended until the twentieth day of *August* one thousand eight hundred and one.

II. And be it further enacted, That until the said twentieth day of *August* one thousand eight hundred and one, instead and in lieu of the said duties on hops imported, hereby suspended, there shall be raised, levied, collected, and paid, unto and for the use of his Majesty, his heirs and successors, a duty of customs upon every pound weight avoirdupois of hops imported into *Great Britain*, the sum of one penny and twelve twentieth parts of a farthing, and so in proportion for any greater or less quantity; and that so much of the said duties hereby suspended as became due and payable between the twentieth day of *August* one thousand eight hundred, and the time of the passing of this act, shall not be paid or payable; but instead and in lieu thereof, the duty by this act granted shall be paid; and upon the payment thereof any bonds that shall have been entered into for payment of the duties hereby suspended, shall be, and the same are hereby declared to be null and void, and shall be cancelled accordingly in like manner as if the duties hereby suspended had been fully paid thereon.

III. And be it further enacted, That the duty by this act granted shall be raised, levied, collected, paid, recovered, and applied by the same persons, in like manner, and under such and the same rules, regulations, and restrictions, penalties and forfeitures, as the duties on the importation of hops are now raised, levied, collected, paid, recovered, and applied, by virtue and in pursuance of the said act, passed in the twenty-seventh year of the reign of his present Majesty, and of any act or acts passed subsequent, or in any manner relating thereto.

C A P. V.

An act for continuing, until the expiration of forty days after the commencement of the first session of parliament that shall be begun and holden after the first day of September one thousand eight hundred and one, several laws relating to the prohibiting the exportation, and permitting the importation, of corn and other articles of provision, without payment of duty; to the allowing the use of sugar in the brewing of beer; to the reducing the duties upon spirits, distilled from melasses and sugar; and to the prohibiting the making of low wines or spirits from wheat, and certain other articles, in that part of *Great Britain* called *Scotland*.—[Dec. 8, 1800.]

Acts 39 Geo. 3. c. 87. 39 & 40 Geo. 3. c. 18. 62. 8. 7. and 21, recited. Continued until forty days after the first session of parliament held after Sept. 1, 1801.

C A P. VI.

An act for shortening, until the twenty-fifth day of March one thousand eight hundred and one, the time of keeping in steep for malting barley damaged by rain in the late harvest.—December 8, 1800.]

Until August 20, 1801. instead of the duties suspended, there shall be paid 1d. and $\frac{1}{12}$ of a farthing per pound on hops imported.

So much of the duties suspended as became due between Aug. 20, 1800, and the passing of this act, shall not be payable, but in lieu thereof, the duty hereby granted shall be paid.

Duty hereby granted to be raised, &c. as the duties on hops imported are now raised.

WHEREAS

Preamble.

WHEREAS by the laws now in force it is provided, that every maltster or maker of malt, during the continuance of the duties on malt, should wet or steep his barley, or other corn or grain intended to be made into malt, in the cistern, uting-fat, or other vessel, so as the same should be covered with water, and continue so covered in such cistern, uting-fat, or other vessel, for the full space of forty hours from the time of its being first wet and covered with water as aforesaid, before he should obtain or take, or draw the water from the same; and certain other provisions have been made by law for enforcing the same: and whereas a considerable quantity of barley was damaging during the late harvest, which cannot be made into good malt if the same be continued covered with water for the full space of forty hours; and it is therefore expedient to allow such barley to continue covered with water for a less space of time, under and subject to certain rules, regulations, and restrictions; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That for and during the continuance of this act, no maltster, or maker of malt for home consumption, wetting such damaged barley, to be made into malt, according to the terms and provisions herein-after mentioned, shall be deprived of the allowance of four bushels in every twenty, in charging the said duties by gauge, either in the cistern or couch, for or in respect of any such barley, nor shall be subject or liable to any penalty for neglecting or refusing to continue any such barley covered with water for the full space of forty hours from the time of its being first wet and covered.

No maltster to be deprived of the allowance of four bushels in twenty, for damaged barley, nor for neglecting to continue it covered with water for forty hours.

No such barley to be kept to covered less than twenty hours; and notice to be given to the excise officer of the quantity, and for what time intended to be covered.

II. Provided always, That no such barley shall be kept covered with water for any less space of time than twenty hours, except as herein-after provided; and that the maltster or maker of malt for home consumption, intending to make any such barley into malt, shall, in the notice in writing required by any act now in force to be given to the officer of excise, specify that the barley mentioned in such notice is barley which was damaged in the late harvest; and the quantity or number of bushels of such barley intended to be wetted at each steeping, and for what number of hours the same is intended to be kept covered with water.

If maltsters do not begin to wet such barley agreeably to notice, a fresh one shall be given, and none shall be begun to be wetted but between seven in the morning and three in the afternoon, nor shall be wetted

III. And be it further enacted, That in case any maltster or maker of malt, having given any notice in writing of his intention to wet any such damaged barley as aforesaid to be made into malt, shall not begin to wet the barley specified in such notice, and immediately proceed to cover the whole thereof with water at the hour or time mentioned in such notice, or within one hour next after the expiration of the said hour and time, then every such notice shall be, and the same is hereby declared to be null and void; and every such maltster or maker of malt shall be obliged to give a fresh and like notice before he or she shall begin to wet any such his or her damaged barley; and no such maltster or maker of malt shall begin to wet any such

such damaged barley to be made into malt, but between the hours of seven in the morning and three in the afternoon; and no such maltster or maker of malt shall wet or steep any such damaged barley more than once in three days; and in case any such maltster or maker of malt, having given any such notice which shall become void, shall neglect or refuse to give a fresh and like notice, or having given such notice or notices, and begun to wet any such damaged barley in pursuance thereof, shall neglect or refuse immediately to proceed to cover the whole thereof with water, and to continue the same so covered, for the full space of time mentioned in the notice for wetting such barley, or shall begin to wet any such damaged barley at any other time than between the hours of seven in the morning and three in the afternoon; or if any such maltster or maker of malt, after the officer shall have taken an account of the damaged barley in the cistern, uting-fat, or other wetting place, shall add any corn or grain to the damaged barley so wetted or steeping, or shall wet or steep any such damaged barley more than once in three days, then and in every case the maltster or maker of malt so offending shall, for each and every such offence, forfeit the sum of one hundred pounds.

IV. *And whereas it may possibly happen that some of such damaged barley may be in such a state as to float on the surface of the water, in the cistern, uting-fat, or other vessel wherein such barley shall be wetted for the purpose of making the same into malt, notwithstanding which the same may, by couching and working, be made into malt, and it is therefore expedient to make such provision as is herein-after directed in respect thereof:* be it therefore enacted, That when and so often as any such damaged barley shall float on the surface of the water in the cistern, uting-fat, or other vessel wherein such barley shall be wetted for the purpose of making the same into malt, the maltster or maker of malt to whom the same shall belong, shall immediately, on skimming or taking such floating barley from and out of such cistern, uting-fat, or other vessel, deposit, put, lay, and spread the same in some convenient part of his malthouse, as near as may be to such cistern, uting-fat, or other vessel, and in such a manner and form that the officer of excise may be enabled conveniently to take a gauge and ascertain the true quantity thereof; and no such maltster or maker of malt shall carry or remove the same from the place where the same shall have been so deposited, put, laid, or spread, until the expiration of three hours next after the proper officer of excise shall have taken a gauge and ascertained the quantity thereof; and if any maltster or maker of malt shall neglect or refuse to deposit, put, lay, and spread such floating barley as aforesaid, or shall carry or remove any such barley from the place where the same shall have been deposited, put, laid, or spread, after the removal thereof from or out of such cistern, uting-fat, or other vessel, either before the officer of excise shall have taken a gauge and ascertained the quantity thereof, or after such gauge, and before the expiration of three hours from

more than once in three days.
Penalty of tool, for not given fresh notice, or not beginning to cover, or not continuing barley covered agreeably to notice, or beginning to wet it out of the limited hours, or adding to it after the account has been taken, or steeping it more than once in three days.

Barley floating on the surface, when taken out of the vessel shall be spread so as that the excise officers may conveniently gauge it, and shall not be removed for three hours, on penalty of tool.

the

the time of such gauge having been taken, then and in every such case the maltster or maker of malt so offending shall, for each and every such offence, forfeit the sum of one hundred pounds.

Officers may take samples.

V. And be it further enacted, That it shall and may be lawful to and for any officer of excise, and such officer is hereby authorized and empowered to take at any time or times a sample or samples, not exceeding half a pint, out of any one parcel or quantity of any such damaged barley, in the custody or possession of any maltster or maker of malt, and wetted or intended to be wetted as aforesaid; and in case any such maltster or maker of malt shall refuse to permit such officer or officers to take such sample or samples, such maltster or maker of malt so offending shall, for each and every such offence, forfeit the sum of fifty pounds.

Penalty of 50*l.* for refusal.

Not more than two samples to be taken.

VI. Provided always nevertheless, That nothing in this act contained shall extend, or be deemed or construed to extend to authorize any officer or officers of excise to take more than two samples from or out of any one steeping of barley; any thing therein-before contained to the contrary in anywise notwithstanding.

An account of damaged barley to be made into malt, to be kept and verified on oath, &c. on penalty of 100*l.*

VII. And be it further enacted, That every maltster and maker of malt, having given any notice in writing of his, her, or their intention to wet any damaged barley to be made into malt, shall from time to time keep an account of all the damaged barley which he, she, or they shall from time to time so wet or steep, and shall from time to time enter into a book, or on a paper, to be kept for that purpose, an account of the several quantities or numbers of bushels of such barley wetted or steeped by him, her, or them, to be made into malt under or by virtue of this act, the time when each such quantity was wetted, and the time or number of hours the same was kept in steep, and shall, at the end of every six weeks, or oftener if required, by the proper collector or supervisor of excise, deliver such book or paper to the proper collector or supervisor of excise, and at the same time verify on oath the truth of the entries made therein; and also that the whole of the several quantities of barley specified in such account was damaged during the late harvest (which oath such respective collectors and supervisors are hereby authorized to administer); and if any such maltster or maker of malt shall neglect or refuse to keep any such account as aforesaid, or to make any such entry or entries as aforesaid, or to deliver such book or paper to the proper collector or supervisor of excise in manner herein-before directed, or to verify on oath, the several matters and things herein-before required, and in manner herein-before directed, or shall make any false entry in any such book or paper, then, and in every such case, the maltster or maker of malt so offending shall, for each and every such offence, forfeit the sum of one hundred pounds; and if any such maltster or maker of malt shall be convicted of wilfully taking a false oath, in any case in which an oath

Maltsters taking false oaths guilty of perjury.

oath is required by virtue of this act, he, she, or they shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury.

VIII. And be it further enacted, That if any person or persons shall obstruct or hinder any officer or officers of excise in the execution of any of the powers or authorities to him or them given by this act, the person or persons so offending shall, for each and every such offence, forfeit the sum of one hundred pounds.

Penalty of
100l. for
obstructing
officers.

IX. And be it further enacted, That all fines, penalties, and forfeitures, by this act imposed, shall be sued for, recovered, levied, or mitigated by such ways, means, and methods, as any fine, penalty, or forfeiture is or may be sued for, recovered, levied, or mitigated by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster* or in the court of exchequer in *Scotland*, and that one moiety of every such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him, her, or them who shall discover, inform, or sue for the same.

Recovery and
application
of penalties.

X. And be it further enacted, That this act shall continue in force until the twenty-fifth day of *March* one thousand eight hundred and one.

Continuance
of act.

C A P. VII.

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 eight hundred and one.—[Dec. 8, 1800.]

C A P. VIII.

An act for continuing and granting to his Majesty a duty on pensions, offices and personal estates, in England, Wales, and the town of *Berwick upon Tweed*; and certain duties on sugar, malt, tobacco, and snuff, for the service of the year one thousand eight hundred and one.—[Dec. 8, 1800.]

C A P. IX.

An act to explain and amend an act, made in the twenty-second year of the reign of his present Majesty, intituled, An act for the better relief and employment of the poor.—[Dec. 8, 1800.]

WHEREAS by an act, made in the twenty-second year of the reign of his present Majesty, intituled, An act for the better relief and employment of the poor, the justices of the peace are empowered to appoint one guardian, and no more, for each parish desirous of being regulated according to the provisions of the said act: and whereas in many parishes, by reason of their extent and population, one such guardian is not found to be sufficient for the performance of the duties thereby 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,

Preamble.
22 Geo. 3.
c. 83, recited.

Two justices of the district may appoint additional guardians of the poor, under recited act, on its being certified in manner herein directed, that one is insufficient.

same, That if in any parish which shall have adopted the provisions of the said act, either alone or in conjunction with any other parish, it shall be the opinion of two thirds in number and value of the owners or occupiers of lands, tenements, and hereditaments, qualified as by the said act is required, who shall be present at a publick meeting to be called for that purpose, pursuant to notice thereof given in the church or chapel of the said parish, on the Sunday preceding, that one guardian is insufficient for carrying into due execution the provisions of the said act, and the same shall be certified by two or more of the persons present at such meeting, in writing under their hands, to two or more justices of the peace acting for the district or division within which such parish shall be situate, together with the names of four or more fit and proper persons qualified for the office of guardian as by the said act is required, it shall and may be lawful for the said justices, by writing under their hands, according to the form prescribed in the schedule to the said act, to appoint such and so many of the said persons to be guardians of the poor within such parish, as they in their discretion shall think fit, and as shall be necessary for duly carrying the purposes of the said act into execution.

II. *And whereas by the said act the churchwardens and overseers of the poor are directed to pay to the guardians of the poor in parishes not united, and to the treasurer in parishes united as therein mentioned, such sums as may be necessary for the support of the poor in manner therein mentioned, and the guardians are also directed to pay to the treasurer of the poor house the sums required for the maintenance and support thereof, which in default of payment may be levied by warrant of distress and sale of the goods of such guardians, under the hand of a justice of the peace; but no provision is made to enforce the payment of the monies directed to be paid by the churchwardens and overseers aforesaid:* be it further enacted, That it shall and may be lawful for the guardians of the poor present at a monthly meeting held according to the directions of the said act, with the approbation of the visitor, who shall sign the same, to make an order on the churchwardens or overseers, or collector of the poor's rates, some or one of them, for so much money as shall be necessary for the purposes of the said act; and if the churchwardens or overseers, or person or persons to whom the order shall be directed, shall neglect or refuse to pay the same to the treasurer or guardian to whom the same is made payable, within seven days after it shall be demanded, it shall be lawful for any justice of the peace within the division or district, upon proof made on oath of such default, to issue his warrant for levying the said sums by distress and sale of the goods and chattels of the said churchwardens and overseers, or other person or persons, in like manner as by the said act is provided in case of non-payment by the guardians of the poor.

III. *And whereas by the said act no provision is made for the appointment of a treasurer, in the case of a single parish adopting the regulations of the said act, although from its population it may be found necessary*

Guardians of the poor, at monthly meetings, with approbation of the visitor, may make an order on the churchwardens, or overseers, &c. for such money as shall be necessary for the purposes of recited act. In default of payment, justice may levy it by distress.

necessary and convenient : be it further enacted, That it shall and may be lawful for any two justices for the district or division within which any such parish shall be situate, to whom the expediency of such appointment shall be made appear, by application from two thirds in number and value of the owners and occupiers of lands, tenements, and hereditaments, qualified as by the said act is directed, to appoint a treasurer for the poor house in such parish, with a salary not exceeding ten pounds, according to the form prescribed in the schedule to the said act, in the case of united parishes.

Two justices may, on application, appoint a treasurer for a single parish, with a salary not exceeding 10l.

IV. And be it further enacted, That any person aggrieved by the act of any justice or justices of the peace out of sessions, in and concerning the execution of this act, may appeal to the next general quarter sessions of the peace for the county, riding, liberty, division, precinct, or district wherein such act was done, giving eight days notice thereof to the party against whom the complaint shall be made, and giving security by recognizance to be acknowledged before a justice of the peace, with a sufficient surety to pay the costs attending such appeal, if the matter shall be determined against the appellant; and the justices at such quarter sessions are hereby authorized to hear and determine such appeal, and to award such costs for or against the appellant, as they shall see just cause so to do, which determination shall be final, and shall not be removed by *Certiorari*.

Persons aggrieved may appeal to the next quarter sessions.

V. 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.

Publick act.

C A P. X.

An act for granting bounties on the importation of wheat, barley, rye, oats, pease, beans, and Indian corn, and of barley, rye, oat and Indian meal, and wheaten flour and rice.—[Dec. 15, 1800.]

WHEREAS it is expedient that encouragement should be given, *Preamble.*
 for a limited time, to the importation into this kingdom of wheat, barley, rye, oats, pease, beans, and Indian corn, and of barley, rye, oat and Indian meal, and of wheaten flour and rice: 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 *December* one thousand eight hundred, and until the first day of *October* one thousand eight hundred and one, there shall be paid and allowed upon all foreign wheat, barley, rye, oats, and Indian corn and meal, of any such corn or grain, and upon all pease and beans, and wheaten flour and rice, imported or brought into this kingdom before the first day of *October* one thousand eight hundred and one, in *British* ships or vessels, or in ships or vessels belonging to persons of any kingdom or state in amity with his Majesty,

Bounties shall be paid, until Oct. 1, 1801, on foreign wheat, &c. imported in British vessels, or vessels belonging to states in amity with his Majesty.

however the same may be navigated, the several and respective bounties herein-after mentioned, and such respective bounties shall be payable and paid upon the several terms and conditions herein-after particularly and respectively set forth as to each of such articles.

Bounties to be regulated according to the average prices in the *Gazette*, the third week after entry of the articles.

II. And be it further enacted, That the several and respective bounties granted by this act upon wheat, barley, rye, oats, pease, and beans, and upon the meal of barley, rye, and oats respectively, shall be regulated and paid according to the respective average prices, ascertained according to the provisions of this act, of foreign wheat, barley, rye, oats, pease, and beans, in *London*, which shall be published in the *London Gazette* in the third week after the entry of the wheat, barley, rye, oats, pease, or beans, or any such meal as aforesaid, upon which any bounty is claimed under this act.

Bounties on wheat, barley, rye, oats, pease, and beans.

III. And be it further enacted, That, from and after the said first day of *December*, there shall be paid and allowed on every quarter of foreign wheat, weighing four hundred and twenty-four pounds weight avoirdupois or upwards, which shall be imported into *Great Britain*, a bounty equal to the sum by which the said average price of foreign wheat in *London*, published in the *London Gazette* in the third week after the importation of such wheat, shall be less than one hundred (shillings per quarter; on every quarter of foreign barley, weighing three hundred and fifty-two pounds weight avoirdupois or upwards, which shall be imported as aforesaid, a bounty equal to the sum by which the average price of foreign barley in *London*, published as aforesaid, shall be less than fifty shillings per quarter; on every quarter of foreign rye, weighing four hundred and eight pounds weight avoirdupois, which shall be imported as aforesaid, a bounty equal to the sum by which the average price of foreign rye in *London*, published as aforesaid, shall be less than sixty-five shillings per quarter; on every quarter of foreign oats, weighing two hundred and sixty-four pounds weight avoirdupois or upwards, which shall be imported as aforesaid, a bounty equal to the sum by which the average price of foreign oats in *London*, published as aforesaid, shall be less than forty shillings per quarter; on every quarter of foreign pease which shall be imported as aforesaid, a bounty equal to the sum by which the average price of foreign pease in *London*, published as aforesaid, shall be less than seventy-five shillings per quarter; and on every quarter of foreign beans which shall be imported as aforesaid, a bounty equal to the sum by which the average price of foreign beans in *London*, published as aforesaid, shall be less than fifty shillings per quarter.

Bounties on wheaten flour, (except American), barley meal, rye meal, and oat meal.

IV. And be it further enacted, That, from and after the first day of *December* one thousand eight hundred, there shall be paid and allowed upon all foreign wheaten flour, (other than and except *American* flour), and upon all foreign barley meal, rye meal, and oat meal, imported as aforesaid, such and the like bounties in every respect as are by this act before granted on foreign

foreign wheat, barley, rye, and oats respectively; and that for the purpose of ascertaining and estimating the said bounties, two hundred and eighty pounds weight avoirdupois of all foreign flour, upon which any bounty is payable under this act, (other than and except *American* as aforesaid), shall be deemed equal to one quarter of wheat, and one hundred and ninety-six pounds weight avoirdupois of such barley meal shall be deemed equal to one quarter of barley, and two hundred and twenty-four pounds weight avoirdupois of such rye meal shall be deemed equal to one quarter of rye, and one hundred and seventy-six pounds weight avoirdupois of oat meal shall be deemed equal to one quarter of oats.

V. And be it further enacted, That no person or persons shall be entitled to any of the bounties allowed by this act on any corn, grain, pulse, meal, flour, or rice, unless the same shall be imported or brought respectively into some port where there is a collector and comptroller of the customs, or into any other port that shall be approved of by his Majesty with the advice of his privy council.

No bounties to be allowed, unless the articles are imported, where there is a collector, &c.

VI. And, in order that the average prices of foreign wheat, barley, rye, oats, pease, and beans, may be ascertained and published, for the purposes of this act, in the city and port of London; be it further enacted, That every corn factor, or importer of corn, grain, or pulse, carrying on his trade or business in the city of London, or in the suburbs thereof, shall, within seven days after the passing of this act, or after that time, within three days from the time he shall begin to deal in the sale of foreign corn, grain, or pulse; make declaration in the form following; (that is to say),

Every corn factor in London, or the suburbs, to make the following declaration,

I *A. B.* do hereby declare, That the returns of the quantities and prices of foreign corn, grain, and pulse, which shall have been examined and certified as merchantable, and of the respective weights *per* quarter mentioned in an act of the forty-first year of his present Majesty's reign, [*here insert the title of the act*], and which henceforward shall be by or for me sold and delivered during the continuance of the said act, shall, to the best of my knowledge and belief, contain the whole quantity, and no more, of the said foreign corn, grain, or pulse, *bona fide* sold and delivered by or for me, within the period to which they shall refer, with the prices of such corn, and the names of the owner or owners, consignee or consignees thereof, and buyers thereof respectively; and also the names of the persons who shall have certified the same together with the date of such certificate; and that I will not in any case return any prices or quantities more than once for the same corn, grain, or pulse, to the best of my knowledge and judgement, conformable to the directions of the said act.

Which declaration shall be in writing, and shall be subscribed with the hand of such corn factor, or importer of corn, grain, or pulse, and shall be by him or his agent forthwith delivered to the

which is to be delivered to the lord mayor, to be registered by

the inspector of corn returns.

Penalty for not making the declaration.

Corn factors to make weekly returns to the inspector, of the quantities of foreign corn sold, &c.

Penalty for neglect.

Inspector to enter the accounts, which shall not be made publick without authority, on penalty of 10l.

Inspector to make up weekly accounts of the aggregate quantity and price of each sort returned, and keep distinct entries of returns, as certified for bounties,

lord mayor of the city of *London* for the time being, who is hereby required to grant a certificate thereof, without any fee being paid or payable for the same, to be registered by the inspector of corn returns; and in case any person shall carry on the trade or business of a corn factor or importer without making the said declaration agreeably to the directions of this act, every such person shall forfeit and pay the sum of fifty pounds.

VII. And be it further enacted, That every such corn factor and importer shall and he is hereby required to return or cause to be returned, on the *Wednesday* morning, before the hour of twelve in the forenoon, in each and every week, to the said inspector of corn returns, at his office, an account in writing, in the form in the schedule to this act annexed, signed with his own name, or the name of his known agent, of the quantities of each respective sort of foreign corn, grain, or pulse, that shall have been so examined and certified as aforesaid, and by him sold and delivered during the week immediately preceding such *Wednesday*, reckoning such week from *Sunday* to *Sunday*, with the prices thereof, and the amount of every parcel, with the total quantity and value of each sort of corn, grain, or pulse, with the names of the owner or owners, consignee or consignees thereof, and buyers thereof, and the names of the persons who shall have certified the same, together with the date of such certificate; and every such corn factor or importer shall, for every such neglect therein, and every omission in any such return, and every false particular in any such return, either as to quantities, prices, or names of buyers, forfeit and pay the sum of twenty pounds.

VIII. And be it further enacted, That the said inspector of corn returns shall duly and regularly enter into a book or books, to be provided and kept for that purpose, the several accounts of quantities and prices of foreign corn, grain, and pulse, received by him from the respective corn factors or importers, and the same shall not be made publick or shewn by the said inspector, or with his privity or consent, to any person whatsoever, unless the same shall be called for or required by the receiver of corn returns, or shall be required by any order in writing under the hand of the lord mayor, or any two of the aldermen of the said city, or the commissioners of his Majesty's customs, or any two or more of them, under the penalty and forfeiture of the sum of ten pounds.

IX. And be it further enacted, That the said inspector of corn returns shall, and he is hereby required, every week, to make up, compute, and distinguish, from the returns by him received pursuant to the directions of this act in that week, the general aggregate quantity and the price of each respective sort of foreign corn, grain, or pulse, that shall have been returned as examined and certified, and sold and delivered in and during the week for which such returns shall have been made as aforesaid, in the city of *London* and suburbs thereof; and shall keep in a distinct book the entries of all returns of corn, grain or pulse, that

that shall have been returned as certified for the purpose of bounties being paid thereon under this act, from all other foreign corn returned to such inspector, under an act passed in the thirty-first year of his present Majesty's reign; and the said inspector of corn returns shall make up and compute the average prices of each respective sort of such corn, grain, or pulse, sold and delivered during such week, from such corn, grain or pulse only as shall have been certified for the purpose of bounties being paid thereon, pursuant to the provisions of this act; and he is hereby directed, on the *Friday* in every week, to transmit a copy of the account of the said average prices to the receiver of corn returns, who is hereby required to enter the same in a book or books to be kept for that purpose, and forthwith to transmit a certificate of such average prices of each respective sort of foreign corn, grain, or pulse, signed by him, to his Majesty's collector or other chief officer of the customs of the port of *London*, and cause a copy thereof to be hung up in some publick place in the custom house, to which all persons may resort; and the payment of the bounties herein-before granted shall be governed and regulated by such average prices, in the manner herein-before directed, until new average prices shall be made up and computed in manner by this act directed; and such receiver of corn returns shall also cause the same to be published in the *London Gazette* on every *Saturday* night, and shall also transmit the same to the several and respective collectors or other chief officers of the customs at the several ports in this act described, and the said respective collectors and other chief officers are hereby required to receive and enter the same in a book or books to be kept for that purpose, and to cause a copy thereof to be hung up in some publick place in the custom house thereto belonging, to which all persons may resort; and the payment of the said bounties, at every such port, shall be governed and regulated by such average prices, in manner herein-before directed, until new average prices shall in like manner be made up and computed, and a certificate thereof shall be transmitted to such collectors or chief officers respectively, and be by them received.

Such certificate to be published in the *Gazette* every *Saturday*, and transmitted to the collectors at the ports in this act described.

X. And be it further enacted, That in all cases where any wheaten flour imported into this kingdom from *America* before the first day of *October* one thousand eight hundred and one, being of the usual quality of superfine wheaten flour, shall not, upon the first publick sale thereof by auction in this kingdom, made pursuant to the regulations of this act, produce the sum of seventy shillings *per* barrel, containing one hundred and ninety-six pounds weight avoirdupois, there shall be paid and allowed, upon every such barrel, a bounty equal to the sum by which the actual price of each barrel of such flour so sold shall be less than seventy shillings, and so in proportion for any greater or less quantity; and where any such wheaten flour as aforesaid, being of the quality of fine wheaten flour, shall not, in such publick sale by auction as aforesaid, produce the sum of sixty-eight shillings *per* barrel as aforesaid, there shall be paid and allowed, upon every

Bounty upon wheaten flour imported from *America*.

such barrel, a bounty equal to the sum by which the actual price of each barrel of such flour so sold shall be less than sixty-eight shillings, and so in proportion for any greater or less quantity.

Bounty upon
Indian corn.

XI. And be it further enacted, That in all cases where any Indian corn or maize, weighing four hundred and eight pounds avoirdupois *per* quarter, shall not, upon the first publick sale thereof by auction in this kingdom, made pursuant to the regulations of this act, produce the sum of fifty-five shillings *per* quarter, there shall be paid and allowed, upon every such quarter, a sum equal to the sum by which the actual price of each quarter of such Indian corn or maize so sold shall be less than fifty-five shillings: provided always, That three hundred and sixty-four pounds weight avoirdupois of Indian meal shall be deemed equal to one quarter of Indian corn or maize.

Bounty upon
rice imported
from America.

XII. And be it further enacted, That in all cases where any rice which shall be imported into this kingdom from *America* before the first day of *October* one thousand eight hundred and one, shall not, upon the first publick sale thereof by auction in this kingdom, made pursuant to the regulations of this act, produce the sum of thirty-five shillings *per* hundred weight, there shall be paid and allowed, upon every hundred weight of such rice, a bounty equal to the sum by which the actual price of each hundred weight of such rice so sold shall be less than thirty-five shillings.

Bounty upon
rice imported
from the East
Indies.

XIII. And be it further enacted, That in all cases where any rice imported into this kingdom, in any ship which shall have cleared out from any port in the *East Indies* before the first day of *September* one thousand eight hundred and one, shall not, upon the first publick sale thereof by auction in this kingdom, at the sales of the united company of merchants of *England* trading to the *East Indies*, made pursuant to the regulations of this act, produce the sum of thirty-five shillings *per* hundred weight, there shall be paid and allowed, upon every one hundred weight of such rice, a bounty equal to the sum by which the actual price of each hundred weight of such rice so sold shall be less than thirty-five shillings.

No bounty to
be paid on
American
wheaten flour,
&c. unless sold
within a li-
mited time.

XIV. And be it further enacted, That no bounty shall be paid or payable under this act, on any *American* wheaten flour, or any rice or Indian corn or meal, unless the same shall be sold at publick sale by auction in this kingdom, pursuant to the directions of this act, or at the sales of the said united company of merchants of *England* trading to the *East Indies*, within two months after the entry thereof at the port of importation, unless longer time shall, under particular circumstances, be allowed by the commissioners of his Majesty's customs for *England* or *Scotland* respectively for the time being, or any two or more of them.

American
wheaten
flour, &c. ex-
empt from
auction duty.

XV. Provided always, and be it further enacted, That all *American* wheaten flour, or any rice, or Indian corn or maize, sold at any publick auction pursuant to the directions of this act, shall be exempt from any duty payable on sales by auction.

XVI. And

XVI. And be it further enacted, That the importer or importers, or person or persons acting in his or her behalf on the importation of any such wheaten flour and rice respectively, shall, within forty-two days after the importation thereof, give or cause to be given, notice by publick advertisement, fourteen days at the least previous to the day of sale of such wheaten flour and rice respectively, specifying the time and place of sale, and the quantity intended to be sold, and shall also give or cause to be given a similar notice in writing, fourteen days at the least previous to the day of sale of such wheaten flour and rice respectively, to the commissioners of the customs, if in *London*, or if not in *London*, to the collector and comptroller of the port into which the same shall have been imported; and such commissioners, collector, or comptroller respectively, are hereby respectively required to appoint some officer or other person to attend such sale, in order that such officer or other person may certify to the said commissioners, or collector and comptroller, the prices at which such wheaten flour and rice respectively shall be *bona fide* publickly sold, and the quantities thereof, together with the state and condition of the whole, according to the certificate of the persons who shall be appointed to inspect the same under the authority of this act.

Importers of wheaten flour and rice to give fourteen days previous publick notice of sales, and like notice to the commissioners of the customs, &c. who shall appoint a person to attend to certify the prices, &c.

XVII. Provided always, and be it further enacted, That before any bounty shall be paid on any wheat, barley, rye, oats, pease, beans, Indian corn, or any meal, or any wheaten flour or rice, under the regulations of this act, the person or persons claiming bounty thereon shall make proof on oath before the principal officers of the customs at the port of importation, of the day of the sale of such wheat, barley, rye, oats, Indian corn, or meal thereof, or of such pease or beans, and that the sale of such wheat, barley, rye, oats, pease, beans, and Indian corn and maize, and wheaten flour and rice respectively, was a fair and *bona fide* sale, and that there was not any fraud or collusion in the sale of any such articles respectively, for the purposes of obtaining the bounties thereon.

Persons claiming bounties to make proof on oath that the sales were *bona fide* sales.

XVIII. And be it further enacted, That the bounty by this act granted upon rice imported into this kingdom from the *East Indies* shall be paid to the united company of merchants of *England* trading to the *East Indies*, for the purpose of being paid over by the said company to such importer or importers of such rice, as shall be entitled thereto.

How bounty on rice imported from the *East Indies* shall be paid.

XIX. And be it further enacted, That the said bounties shall be under the management of the commissioners of his Majesty's customs in *England* and *Scotland* respectively, and shall be paid out of any monies in their hands arising by any of the duties or revenues under their management respectively, to the respective importers or consignees of such wheat, barley, rye, oats, pease, beans, or Indian corn, or of such meal or wheaten flour and rice respectively: provided always, That a due entry shall be made with the proper officers of the customs at the port into which

Bounties to be under the management of the commissioners of customs.

Entry to be made at the port of importation, and proof given that the articles are free from mixture.

Articles imported to be inspected by the officers of the customs and two skillful persons, who are to certify whether they are fit for making bread, &c.

which such articles shall be imported: provided also, That the collector or other proper officer of the customs of the port where such articles shall be imported, do receive full and satisfactory proof that the articles for which any bounty herein allowed is claimed is wholly and entirely without mixture of any other corn or grain; and that in default thereof, the said bounties on any of them shall not, nor shall any of them be allowed or paid.

XX. And be it further enacted, That before any wheat, barley, rye, oats, pease, beans, Indian corn, or meal made of barley, rye, oats, or Indian corn, or wheat flour or rice imported or brought into this kingdom for bounty, under the regulations of this act, shall be delivered out of the charge of the proper officer or officers of the customs of the port where the same shall be respectively so imported or brought, such articles respectively shall be carefully and attentively inspected and examined, and such wheat, barley, rye, oats, and Indian corn and maize, weighed by such officer or officers of the customs as the commissioners of the customs in *England* and *Scotland* respectively shall think fit to direct for that duty, and two indifferent and disinterested persons, experienced in the nature of the article to be so inspected and examined; which two indifferent and disinterested persons shall be appointed for that purpose by the commissioners of his Majesty's customs in *England* for the port of *London*, and by the collector and comptroller or other head officer in any other port of importation described in this act, in *England* or *Scotland* respectively, subject nevertheless in every such case to the controul and approbation, confirmation or removal, of any such person or persons appointed in any such port or ports aforesaid, by the commissioners of his Majesty's customs in *England* and *Scotland* respectively, whenever they shall think fit; which said officer or officers of the customs, and two indifferent and disinterested persons so chosen as aforesaid, shall, upon having viewed the same, and having weighed such quantities and proportions of any wheat, barley, rye, oats, or Indian corn and maize, as they may think sufficient for ascertaining the average weight thereof, certify and declare, upon their corporal oaths first administered in the port of *London* by some person authorized by the commissioners of the customs for that purpose, and in the outports by the collector, or in his absence, by the comptroller or other principal officer of the customs at the port where such articles shall be imported, (who are hereby authorized and required to administer the same), whether the said articles respectively are or are not merchantable, and whether any such wheaten flour is fit for making bread, and also the weight of such wheat, barley, rye oats, and Indian corn and maize respectively; and such officers and persons respectively are hereby required to grant such certificate upon all corn, grain, pulse, flour, and meal, that shall by them have been deemed merchantable and in good condition as aforesaid, within two days after the same shall have been inspected by them as aforesaid:

and if the same shall appear by such certificate to be merchantable, and of the respective weights required by this act, where such weights are in this act specified, and such wheaten flour shall appear to be fit for making bread, the bounties respectively granted by this act shall be paid and allowed thereon; but if the same shall appear by such certificate not to be merchantable, or such wheaten flour not fit for making bread, no bounty granted by this act shall be paid or allowed thereon.

XXI. Provided always, and be it further enacted, That if any such officers or person or persons so appointed as aforesaid, shall have any doubt as to the state and condition of any such wheat, barley, rye, oats, or Indian corn or maize, or any meal of any such corn as aforesaid, or of any wheaten flour, it shall be lawful for such officers or person or persons aforesaid, to take a sample thereof, not exceeding a bushel of any such corn, or a peck of any such meal or wheaten flour, upon payment of the reasonable value thereof, according to the last average price of such article, for the purpose of grinding any such corn into flour or meal, and making bread thereof, or making bread of any such meal or wheaten flour, in order thereby to ascertain the state and condition of the same, and whether the same is fit for making bread.

Samples may be taken in order to ascertain the condition of the articles.

XXII. And be it further enacted, That the said indifferent and disinterested persons so chosen by the said commissioners and principal officers respectively, to inspect and examine the said articles, shall from time to time be paid by an order of the commissioners of his Majesty's customs in *England* or *Scotland*, or any three or more of them, out of any monies in their hands, arising by any of the duties or revenues under their management respectively, the following sums, by way of recompence or reward for their trouble in so inspecting, examining, and certifying, (that is to say), The sum of one penny *per* quarter for all corn, grain, or pulse, or two hundred and eighty pounds weight avoirdupois of rice, inspected, and examined and certified by them as aforesaid, and so in proportion for any greater or less quantity, and the sum of one penny *per* barrel of all wheaten flour inspected, and examined and certified by them as aforesaid, and so in proportion for any greater or less quantity.

Recompence to be made to the inspectors.

XXIII. And whereas it may happen that foreign wheat, barley, rye, oats, pease, beans, and Indian corn and maize, imported into this kingdom, may arrive heated and not in a merchantable state; be it therefore enacted, That in every such case it shall be lawful for the owner or consignee thereof, to deposit the same in some warehouse to be approved of by the collector, or in his absence the controller or other head officer of the customs in the port where such corn, grain, or pulse, shall be imported, under the joint locks of his Majesty and such owner or consignee; and the officers of his Majesty's customs in the town or port where any such corn, grain, or pulse, shall be deposited, shall at all seasonable times in the day time permit the owner or consignee of such corn, grain, or pulse, by his, her, or their

Foreign wheat, &c. arriving not in a merchantable state, may be warehoused, and for such as shall become merchantable the bounties shall be paid.

servants,

servants, to inspect, and examine, and turn such corn, grain, or pulse, and take all proper steps for the restoring the same to a merchantable condition; and the owner or consignee of all such corn, grain, or pulse, that shall, after any such case as aforesaid, become merchantable, and shall be certified as such in manner by this act directed, shall be entitled to the bounties by this act granted, in like manner in every respect as if the same had arrived in good and merchantable state, and such bounty shall be payable and paid according to the average prices published in the *London Gazette* in the third week after the article upon which any such bounty shall be claimed shall have been certified as aforesaid.

Vessels arriving at a port where the bounty is not allowed may sail to one where it is.

XXIV. And be it further enacted, That if any ship or vessel has arrived or shall arrive at any port in *Great Britain*, where, according to the regulations of this act, the bounty is not allowed, the said ship or vessel shall and may lawfully depart from such port, without molestation or hindrance, with the several articles on board, and may carry the same to any other port of *Great Britain* at which the same may be entered for the bounty, and there enter, land, and deliver the same, subject nevertheless to each and every the rules, regulations, conditions, and restrictions of this act.

Commissioners of customs may pay bounties on articles imported before October 15, 1801, on proof of the vessels having sailed at such times that they might, in the ordinary course of voyages, have arrived before October 1.

XXV. And be it further enacted, That in case any of the said articles herein enumerated and described shall be so imported or brought from any of the ports or places herein mentioned, into any of the respective ports herein also enumerated, subsequent to the time limited by this act, but before the fifteenth day of *October* one thousand eight hundred and one, it shall and may be lawful for the commissioners of his Majesty's customs in *England* and *Scotland* respectively, to order the bounty or bounties respectively to be paid thereon, in like manner as if the said articles had been imported within the time limited by this act; provided proof shall be made to the satisfaction of the said commissioners respectively, that the ships or vessels, on board of which respectively such articles shall be so imported or brought, actually and *bonâ fide* set sail from such respective ports or places for *Great Britain*, in such time as they might, in the ordinary course of their voyage, have arrived in *Great Britain* before the said first day of *October* one thousand eight hundred and one, and proof shall also be given and entry shall be made, and the articles inspected and examined, and certified, in like manner as is required by this act, to authorize the payment of bounty on the said articles imported within the time limited by this act: provided always, That nothing in this clause contained shall extend, or be construed to extend, to any rice imported into this kingdom, in any ship or vessel that shall have cleared out from any port in the *East Indies* before the first day of *September* one thousand eight hundred and one, and that the bounties by this act granted on all such rice shall be payable and paid upon all rice imported in any such ship or vessel, in every case where the voyage shall have been performed

Bounty on rice imported in vessels cleared out in the *East Indies*, before September 1, 1801, shall be paid where the voyage shall have been performed, according to the agree-

formed according to the regulations that shall have been entered into with the court of directors of the said company in respect of such voyage.

XXVI. And be it further enacted, That all forfeitures created and penalties inflicted by this act, for offences committed in *England* and *Scotland* respectively, shall and may be sued for, prosecuted, and recovered, in any of his Majesty's courts of record at *Westminster*, or in the court of exchequer at *Edinburgh*, respectively, in such manner, and by such ways, means, and methods, as penalties inflicted or forfeitures created in *England* and *Scotland* respectively, for any offences against the laws of customs may now be legally sued for, prosecuted, and recovered, and the produce disposed of in the like manner and applied to the like uses and purposes, unless otherwise specially provided for by this act.

XXVII. Provided always, That any penalty or forfeiture inflicted by this act on any cornfactor or importer, or on any inspector of corn returns, may be sued for and recovered before any two justices of the peace of the county, riding, division, city, or town, where such cornfactor or importer, or inspector of corn returns, shall reside; and such two justices shall, and they are hereby authorized and required, if upon due proof and examination of the matter it shall appear to them that such cornfactor or importer, or inspector of corn returns, is guilty of the offence against this act then alleged against him, to convict him thereof, and by warrant under their hands and seals to levy such penalty by distress and sale of his goods and chattels; and such penalty shall be applied in manner herein-before mentioned.

XXVIII. Provided always, and it is hereby declared and enacted, That no bill, plaint, or information, shall be brought or sued forth in any of his Majesty's courts of record at *Westminster*, for any offence against this statute, in cases where such offences are by this act cognizable by justices of the peace relating to the same offences, or any forfeitures or penalties for the same, but that the determination of the justices of the peace in the county where such offence or offences shall be committed, shall be final to all intents and purposes whatsoever; any thing herein contained to the contrary thereof notwithstanding.

XXIX. And be it further enacted, That if any action or suit shall be brought or commenced against any person or persons for any thing by him, her, or them done, by virtue or in pursuance of this act, such action or suit shall be commenced within three months next after the matter or thing done, and shall be laid in the proper county, 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 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,

ment with the court of directors.

Recovery and application of forfeiture.

Penalties on cornfactors, or any inspector of corn returns, may be sued for before two justices.

No bill shall be brought in any court of record for any offence cognizable by justices whose determination shall be final.

or Limitation of actions.

General issue.

or

Treble costs. or judgement 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 such plaintiff or plaintiffs.

SCHEDULE to which this Act refers.

Return of CORN, GRAIN, or PULSE, that has been examined and certified for the purpose of bounties being paid thereon, which has been sold between Sunday the _____ and Sunday the _____

Date of the certificate.	By whom certified.	Description of corn, grain, or pulse.	Quarters.	Bushels.	Consignees or owners.	Buyers names.	Price per quarter.	Amount.

C A P. XI.

An act to permit, until the first day of October one thousand eight hundred and one, the importation of herrings and other fish, the produce of the fishery carried on in Nova Scotia, New Brunswick, Newfoundland, and on the coast of Labrador, into this kingdom, without payment of duty.—[December 15, 1800.]

Preamble.

WHEREAS it is expedient under the present circumstances, to permit, for a limited time, the importation of herrings and other fish, the produce of the fishery carried on in Nova Scotia, New Brunswick, Newfoundland, and on the coast of Labrador, into Great Britain, in British-built ships, owned, navigated, and registered according to law, without payment of duty; 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

the same, That, from and after the passing of this act, it shall and may be lawful to and for any person or persons whatever, to import into *Great Britain* from *Nova Scotia*, *New Brunswick*, *Newfoundland*, and from the coast of *Labrador*, in any *British*-built ship, owned, navigated, and registered according to law, any herrings or other fish, the produce of the said fishery, without the payment of any duty whatever; any thing in any act or acts of parliament to the contrary thereof in anywise notwithstanding.

Herrings and other fish may be imported from *Nova Scotia*, &c. in *British*-built vessels, without payment of duty.

II. Provided always, and be it further enacted, That a due entry shall be made of all such herrings and other fish that shall be imported by virtue of this act, with the proper officers of the customs at the port into which the same shall be imported; and, in default thereof, the same shall be forfeited, and shall and may be seized by any officer or officers of his Majesty's customs.

Entry of such herrings, &c. shall be made with the proper officers of the customs.

III. And be further enacted, That this act shall continue in force until the first day of *October* one thousand eight hundred and one.

Continuance of act.

C A P. XII.

An act for making better provision for the maintenance of the poor, and for diminishing the consumption of bread corn, by directing the manner of applying parish relief, until the sixth day of November one thousand eight hundred and one, and from thence until the end of six weeks after the meeting of the then next session of parliament.

—[December 22, 1800.]

WHEREAS it is expedient that provision should be made for the better administration of parochial relief, and for the subsistence and support of the poor, during the present high price of provisions: and whereas the introduction of certain articles of food, at reasonable prices, will materially contribute to that end, and will lessen the number and extent of the applications for parochial relief, whereby the present burthens on the persons contributing to the parochial rates may be decreased; 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 respective justices of the peace, acting for each division and place in *England*, shall, as soon after the passing of this act as conveniently can be done, and so from time to time, meet together at special or petty sessions to be held within the divisions or places for which they respectively act, and at such meetings shall take into consideration the state and circumstances of all the respective parishes and places within the limits aforesaid, and the nature, quality, and prices of the different kinds of provisions, usually consumed by the poor persons who have applied or are likely to apply for parochial relief, on account of the present scarcity and high price of corn, or for other causes, and also the quality and prices of any other articles of wholesome and nutritious food, which might be procured

Preamble.

Justices in *England* to meet and take into consideration the state and circumstances of the parishes within their respective jurisdictions, and the nature, quality, and prices of the provisions consumed by the poor, and the quality.

and prices of
substitutes for
bread, &c.

cured for the use of such persons at reasonable prices, and the means of procuring the same, whereby the consumption of bread or bread corn, in general use within those parishes and places, may be lessened, and the state and condition of the poor, and particularly of such as have families of young children, may be bettered; and the said justices respectively shall call before them the respective overseers of the poor of the several parishes, townships, and places, within such division or place, and also may call before them any other persons of the same division or place, from whom any useful or necessary information respecting the matters aforesaid can be obtained, or may require the inspection of any books or papers of a publick nature; and may, when necessary, adjourn themselves from time to time, each adjournment being for not more than the space of seven days, until the several provisions of this act be fully executed.

Justices may order the overseers to provide a stock of provisions to be administered as parochial relief, and may appoint the kind, quantity, and quality of the articles, and a person to prepare, keep, sell, or distribute the same, who shall be paid for his trouble.

II. And be it further enacted, That it shall be lawful for the respective justices of the peace, or any two or more of them, assembled as aforesaid, and they are hereby respectively required (unless they see sufficient cause to the contrary) upon due consideration, by any writing under the hands and seals of any two or more of them, to order and direct the overseer or overseers of the poor, of every or any parish, township, or place, within the respective divisions and places for which they act, within a time or times to be fixed in such order, to provide a sufficient stock of provisions, towards the support and maintenance of the persons to whom parochial relief shall be given, to be administered to them, either upon sale thereof at reasonable prices, or by the distribution thereof in lieu of a certain portion of the relief to be given, according to the directions herein-after provided; and to limit and appoint the kind, quantity, and quality of each and every article of food to be so provided; which articles may consist, at the discretion of the said justices, of any kind or sort of wholesome and nutritious food, mixed with each other, or unmixed (other than and except bread made wholly of wheat or wheaten flour, and other than and except the kind or kinds of bread in common use, in ordinary times, within the respective parishes and places to which such orders shall relate); and the said justices shall also have authority, whenever they shall think fit, to appoint a proper person or persons to prepare, keep, and sell or distribute, from time to time, such articles of food as shall have been provided by such overseer or overseers, in pursuance of such order, for whose labour and care such reward shall be paid, or compensation made, as shall be agreed upon between such person and such overseer or overseers, with the consent and approbation of the said justices.

Justices shall prescribe rules for the guidance of the overseers, and direct a portion of the relief to be

III. And be it further enacted, That in every parish, township, or place for which such order as aforesaid shall be made, the said justices shall, at their special or petty sessions, prescribe general rules and regulations for the guidance of the overseer and overseers in the application of the stock of provisions so ordered, giving notice thereof to the respective overseers of the poor, in

such manner as they in their discretion shall judge convenient ; and may from time to time alter and amend the said rules and regulations, at special or petty sessions, as to them shall seem meet, giving notice of such alteration or amendment as aforesaid ; and the said justices shall further, in every such case, direct and order, that in every case where relief shall have been or shall be ordered to be given, or shall be allowed to any poor person, or to or in respect of his or her family, or any part thereof, a certain portion of such relief, not exceeding the portion herein-after mentioned, shall be made either by a distribution of such of the several articles of food, in lieu of such portion of relief, conformably to the said general rules and regulations, or in such proportions as the said justices shall, in and by their order, direct ; or where such distribution shall not be made, then by a sale of such of the said several articles, or any of them, to the person or persons obtaining such relief, as he, she, or they shall choose, at such reasonable prices as shall be settled by the overseer or overseers, with the consent of two justices of the division or place, such prices not to exceed the rate of the prime cost of the articles, and such a *per centage* on the prime cost, over and above the same, as may be necessary to defray the charges of sale, such *per centage* to be fixed by the said justices, in consideration of the circumstances attending the purchase and sale of the said articles.

made by a distribution or sale of such articles.

IV. Provided always, and be it further enacted, That the whole, or any part of the parochial relief ordered or allowed to any person, or to or in respect of his or her family, may be administered in any of the articles of food, to be furnished in pursuance of this act, as the case may require, in lieu of a sum of money equal to the price of such articles, as the same shall be settled by the respective justices, and the proportion thereof shall be fixed at the discretion of the respective justices, provided such proportion shall in no case exceed weekly the value of one third of the parochial relief given to any person, or his or her family, subsisting wholly on parochial relief, or one third of the joint amount of the weekly earnings of any person, and his or her family, and the parochial relief ordered or allowed to him or her, or for or in respect of his or her family.

Parochial relief may be administered in articles of food in a certain proportion.

V. And be it further enacted, That in all cases in which any sum or sums of money have been given or bequeathed for the purpose of providing bread to be given or distributed among the poor of any parish or place, it shall and may be lawful for any two or more justices of the peace acting in and for the county, riding, or division in which such parish or place shall be situated, to direct such distribution to be made in bread made of the whole produce of wheat, or in bread made of wheat flour mixed with the flour or meal of any other wholesome grain, and not in fine wheaten bread : provided always, That the value of the bread so distributed shall be equal to the value of the fine wheaten bread which has usually been so distributed or given.

Money given for distributing bread, may be distributed by order of two justices in bread made as herein directed.

VI. And be it further enacted, That it shall be lawful for any two justices

appoint a person to inspect the articles provided, and take, or require the overseers to render, an account of the kinds, qualities, quantities, and prices, and the stock then in hand.

Penalty for obstructing justices, or not rendering a true account.

When the justices in sessions shall have established rules, any one of the division may order the overseers to grant relief by the sale or distribution of food, or the overseers may do so, without

First meeting of justices to be within a limited time, and if not so held in any place, the justices at the quarter sessions to execute this act, unless they allow further time to the special sessions.

If any special sessions deem it inconvenient to execute this act, a statement of the cause shall be transmitted

two justices of the peace of the division or place, at their discretion, to inspect and examine, or to appoint a fit and proper person to inspect and examine, the several articles of food provided in pursuance of this act, and to take an account, or require the overseer or overseers for the time being to render an account to them, of the kinds, qualities, quantities, and prices of the several articles of food so provided, and the stock (if any) then in hand, and from time to time to make such orders in writing, and such alterations in any former order, as to them shall seem meet; and if any person or persons shall wilfully obstruct or hinder any justice or justices of the peace, or any person authorized as aforesaid, in making such inspection as aforesaid, or demanding or requiring to make such inspection as aforesaid, or if any overseer or overseers shall not render any account, or a true and faithful account, of the several articles of food provided, or of the stock in hand, every such overseer or person shall forfeit a sum not exceeding twenty pounds nor less than five pounds.

VII. Provided always, and be it further enacted, That whenever the justices of the division or place, assembled at special or petty sessions, shall have directed and established general rules and regulations, for the guidance of the respective overseers within their limits, in the distribution of the articles of food to be provided in pursuance of this act, it shall be lawful for any one justice of the division or place, by his order in writing, to direct, and for the overseer or overseers of the parish, township, or place, without such order, to grant relief to the poor by the sale or distribution of food, conformably to such rules and regulations, and to the true intent and meaning of this act.

VIII. And be it further enacted, That the first meeting of justices to be held in their respective divisions and places, in pursuance of this act, shall not be later than twenty-one days after the passing of this act; and in case no such meeting shall be held within the time herein-before limited, in or for any division or place, it shall be lawful for the justices assembled at the then next general or quarter sessions of the peace, or at any adjourned sessions, as herein-after provided, and they are hereby required to execute this act, and to do all matters and things which the justices at special or petty sessions are hereby authorized to do and execute, unless in their discretion the said justices at general or quarter sessions shall allow, and they are hereby authorized, either at such sessions or at any adjournment thereof, and so from time to time, in their discretion, to allow further time to the justices to execute the same at special or petty sessions, within their respective divisions.

IX. And be it further enacted, That whenever the justices assembled at the special or petty sessions for any division or place shall, for any cause, have deemed it inconvenient or impracticable to carry this act into execution, in any parish, township, or place, they shall, without delay, draw up in writing under their hands, a statement of the cause or causes of such non-

executed

execution thereof, and transmit the same to the clerk of the peace, or town clerk, of the county, riding, division, city, liberty, or place, before the next general or quarter sessions of the peace, or of any such adjourned sessions; which statement shall be laid before such justices on the first day of holding the said sessions, or of any adjournment thereof; and the said justices shall take into consideration the cause or causes so alleged, and shall adjudge upon and determine the same according to the best of their judgement, and shall make such order therein as to them shall seem meet, which order or orders shall be revocable from time to time, as circumstances may require, by the justices at any future general or quarter sessions, or any such adjourned sessions, or may be altered or varied by them as shall be expedient; but which orders, being recorded amongst the proceedings of the said sessions as hereinafter directed, shall respectively be final and conclusive in all other respects, and shall not be removed or removeable, by any process whatever, into any other court, any law, usage, or custom, to the contrary notwithstanding; and that so long as this act shall, in the judgement of such justices, require to be further executed in any such parish, township, or place, they shall adjourn such general or quarter sessions, or shall appoint from time to time other general sessions to be held at such place or places, at such time or times as shall appear to them necessary for the due execution of this act.

X. And be it further enacted, That the justices assembled at their general or quarter sessions, respectively, to be holden in the first week after the *Epiphany* one thousand eight hundred and one, are hereby required to adjourn the same to some day, not later than the corresponding day in the ensuing calendar month, and so from time to time, or from month to month, until the ensuing general or quarter sessions, to be holden next after the day of *Easter* one thousand eight hundred and one, or until, in the opinion of the said justices; this act shall have been executed throughout their respective jurisdictions, as far as circumstances will admit, and shall cause notice of the time and place fixed for such adjourned sessions to be published in some newspaper usually circulated in the county, riding, division, city, liberty, or place; and in every case where a special or petty sessions shall not have been held in any division within such county, riding, division, city, liberty, or place, the said justices shall cause notice to be given of the time of holding such adjourned sessions, to the overseer or overseers of the respective parishes and places within such division, requiring him or them to attend at such adjourned sessions, and may also require him or them to bring and lay before the said justices, such books and papers, of a publick nature, as the said justices shall deem necessary; and whenever the said justices assembled at the general or quarter sessions, or any adjourned sessions, shall see cause not to carry this act into execution, in any parish or place within their respective jurisdictions, or shall make any order in pursuance of this act, they shall cause a record of their proceedings to be made, and the respective orders

to the clerk of the peace, to be laid before the quarter sessions for determination, which sessions may be adjourned to such places and times as may be necessary.

The justices at the Epiphany quarter sessions shall adjourn it until they think the act has been executed, and give notice of adjournment in some newspaper, and where a special sessions has not been held, shall give like notice to the overseers to attend with such papers as may be necessary, and when they shall see cause not to carry the act into execution, or shall make any order, they shall cause their proceedings to be recorded, and a copy shall be transmitted to

the secretary
of state.

orders to be filed amongst the proceedings of the said sessions, and a copy or copies of all records, orders, and proceedings of the court of general or quarter sessions in any way touching or concerning this act, or any of the provisions thereof, shall be without delay transmitted to his Majesty's principal secretary of state.

The overseers, with the consent of the majority of the inhabitants, or of the select vestry where chosen, may furnish a stock of articles, directed to be supplied by overseers, to persons, and contract with them for the sale thereof, or for furnishing such articles to be sold to the parishioners, at not more than the prime cost, and a reasonable per centage to the contractor.

XI. And be it further enacted, That it shall be lawful for the overseers of the poor, in any parish, township, or place, with the consent of the major part of the parishioners or inhabitants of the same parish, township, or place, in vestry, or other parish or public meeting, for that purpose assembled, or with the consent of the major part of the select vestry, where such select vestry shall be chosen, for such parish, township, or place, at the usual place of meeting, for that purpose assembled, or of the major part of such of them as shall be respectively so assembled, to furnish a stock of the like articles of provisions as may have been directed to be supplied by overseers, for the support and maintenance of the poor in such parish, township, or place, to any person or persons keeping a shop or shops, or selling articles of provisions by retail in the same parish, township, or place, if any such be there resident, or residing at some convenient distance therefrom, or any other proper person or persons so resident, and to contract with such persons respectively for the administration and sale of such articles of provisions as aforesaid, or to contract with any such person or persons for the furnishing of such article or articles of provisions, to be sold to any inhabitants of the same parish, township, or place, for themselves or their families, who shall apply for the purchase of such articles, in a quantity or quantities proportioned to the necessary consumption of his or her family, or their respective families; and such articles shall be sold for ready money only, and at such reasonable prices as shall have been settled between such overseer or overseers, and the person or persons entering into such contract; such prices in no case to exceed the prime cost of the article, and a reasonable *per centage* thereon, over and above the same, such *per centage* to be had, received, and taken by and for the sole use and benefit of the person or persons entering into such contract, as a compensation for the labour and care employed in and about the same, and to be fixed or limited by a contract in writing, under the hands of the overseer or overseers, or the major part of them, and allowed by two justices of the same division or place, on consideration of the circumstances under which such contract shall be made; and for the better performance of such contract, it shall be lawful for the said overseer or overseers, with such consent as aforesaid, to raise, by a rate to be made for the relief of the poor, as much money as will be necessary to purchase an adequate stock of such provisions, or to apply, out of the monies raised by such rates, the requisite sum for that purpose, and to advance the same either in payment for such articles of provisions as shall be furnished by such overseers, or to the person or persons entering into any contract

Overseers, with consent as aforesaid, may raise, by a poor rate, money to purchase such stock, and advance the same in payment thereof, or to the contractors.

tract for furnishing the same, in such proportions, and to be repaid at such times, as shall be fixed in such contract.

XII. And be it further enacted, That if any person that shall, by virtue of this act, enter into any contract with any overseer or overseers of the poor of any parish, township, or place, for the furnishing of any article or articles of provisions as aforesaid, shall neglect or refuse to re-pay any sum or sums of money, which shall have been advanced to him by such overseer or overseers, at the time or times fixed in such contract for repayment, then on due proof thereof, on the oath or oaths, or solemn affirmations, of the overseer or overseers of the same parish, township, or place, for the time being, that any sum of money so advanced hath not been re-paid at the time or times fixed for re-payment thereof, but then remains due, it shall be lawful for two justices of the county, riding, division, city, liberty, or place, in their respective divisions, and they are hereby required, on complaint of such neglect or refusal, by warrant under their hands and seals, to cause the goods and chattels of the person so contracting, or which shall come into the hands of his executors or administrators, wheresoever the same can be found, to be seized and secured; and in case the sum of money so due, or any part thereof, be not sooner paid or satisfied, to cause the said goods and chattels to be sold, to satisfy and pay such overseer or overseers, as well the money so advanced, as the costs of such seizure, detention, and sale, returning the overplus (if any) to the party; and if any part of the monies shall remain unsatisfied after such seizure and sale, the same shall be recovered in an action on the case for money had and received, by and in the name of the overseer or overseers of the same parish, township, or place, for the time being, against the person so contracting, his executors or administrators, which action may be brought in any court in this kingdom holding pleas to the amount of the sum due as aforesaid.

If contractors do not duly repay money advanced, two justices may order their goods to be seized and sold, and if insufficient, the sum due may be recovered by an action on the case.

XIII. And be it further enacted, That if any person or persons shall, with the consent of such major part of the inhabitants or select vestry assembled as aforesaid, voluntarily advance, and lend to the overseer or overseers of the poor of any parish, township, or place, any sum or sums of money towards or for the purchase of a stock of provisions, to be applied for the support and maintenance of the inhabitants of such parish, township, or place, by all or any of the ways provided by this act, and shall agree to continue such loan for a time to be limited, not exceeding the space of three calendar months, or if, at or after the expiration of three calendar months, or other time limited, such person or persons shall agree to continue such loan for a like further period, the sum or sums so advanced and lent shall be repaid at such time or times, by the overseer or overseers for the time being, out of any money in their hands, arising from the sale of the said article, or from the rates made for the relief of the poor of each parish, township, and place respectively; and such rates shall

If any person shall advance money to the overseers for the purchase of provisions, it shall be repaid from the sale of the articles or from the poor rates, at the time agreed, and if not paid, any justice of the place may summon the overseers, and if necessary may order a rate to be from forthwith

raised, or if the overseers have money, or sufficient rates shall have been made, may order immediate payment.

from time to time stand as a security for such re-payment; and in case any sum or sums of money so advanced and lent shall not be paid and satisfied at the time or times limited for such payment, or within the space of twenty days after demand thereof shall be made from such overseer or overseers, it shall be lawful for any one or more of the justices of the peace of the county, riding, division, city, liberty, or place, to summon the overseer or overseers who shall refuse or neglect to make such payment, and, if necessary, to order a rate or rates, for the relief of the poor, to be forthwith made, raised, and collected by such overseer or overseers, within the same parish, township, or place, for the speedy payment of so much as shall appear to such justice or justices to be due to the person or persons advancing or lending such sum or sums; or if such overseer or overseers shall then have monies in his or their hands, or sufficient rates for that purpose shall have been made, to order immediate payment to be made of such sum and sums respectively, together with such charges as may have been incurred by such person or persons, in consequence of such refusal or neglect; and if the overseer or overseers shall refuse or neglect to obey the order of such justice or justices in regard to the matters last before-mentioned, the sum directed to be paid by such order shall be recovered by distress and sale of the goods and chattels of such overseer or overseers respectively, together with the costs attending such distress and sale, rendering the overplus (if any) to the owner.

If overseers do not obey the order, the money may be raised by distress.

The majority of the parishioners, or of the select vestry where chosen, may appoint householders willing to act gratis with the overseers.

XIV. And be it further enacted, That it shall be lawful for the major part of the parishioners or inhabitants of any parish, township, or place, in vestry or other parish or publick meeting so assembled as aforesaid, or for the major part of the select vestry, where such select vestry shall be chosen, to nominate and appoint two or more, according to the extent of the parish, such substantial householders of the said parish, township, or place, as are willing to act, without fee or reward, to exercise, conjointly with the overseers of the poor, all the powers given to them by this act, in those cases, in which such overseers shall be empowered by their respective vestries or parish meetings, to provide a stock of provisions for sale to the inhabitants, except the powers of making and enforcing the rates to be levied for that purpose.

XV. And whereas certain hundreds, towns, and districts, have, for the better maintenance and employment of the poor, been incorporated by virtue of divers acts of parliament passed for that purpose; and houses of industry have been erected therein, under the guidance and management of directors and guardians of the poor: and whereas certain workhouses have been erected, in pursuance of certain other acts of parliament, in divers parishes and places in England not so incorporated, for the purpose of maintaining and supporting the poor therein, which have been placed under the management of governors or others contracting to support and maintain the poor, or may be under the controul of the respective overseers of the poor; and it is expedient

that the poor received into any such houses of industry, or workhouses, should be supplied with provisions, according to the regulations of this act; be it further enacted, That in respect of all such poor persons as shall have been or shall be received into any such house of industry or workhouse, the respective directors, guardians of the poor, governors, and overseers aforesaid, as the case may be, shall have authority, and they are hereby respectively required to carry this act into execution, in all matters appertaining thereto, as fully and effectually, as the justices at special or petty sessions are hereby authorized in any matter relating to the poor who receive relief from the respective overseers of the poor; and the said directors, guardians, governors, and others, having the guidance, management, or controul of any such house of industry, or workhouse, are hereby required, as soon after the expiration of fourteen days after the passing of this act as conveniently can be done, to provide from time to time a sufficient stock of wholesome and nutritious food of any kind whatever, which they shall think necessary, (other than and except bread made wholly of wheat or wheaten flour), for the use, support, and maintenance of the poor in their respective houses of industry and workhouses, and to limit and appoint the quantity of each article to be distributed, daily or weekly, or from time to time, to each poor person, and to set down the kinds and quantity of each kind, so to be provided and distributed, in a book to be kept for that purpose, which books shall be open to the inspection of any justice of the peace of the division or place where such house of industry or workhouse shall be situate; and the said directors, guardians, governors, and overseers, shall, at the next general or quarter sessions of the peace to be held for the county, riding, division, city, liberty, or place, report their proceedings to the justices there assembled, and the cause or causes (if any) which shall have prevented, or are likely to prevent, their carrying this act into execution, according to the true intent and meaning thereof, and the justices, at such general or quarter sessions, are hereby authorized and required to consider the same, and to confirm the same, or to make such alterations therein, and such regulations in respect thereof as to them shall seem expedient, and to make an order accordingly, which order shall be obeyed by the said directors, guardians, governors, and overseers respectively, as the case may require, in all matters and things therein or thereby confirmed or altered, regulated or ordered, under the penalty directed to be inflicted by this act on overseers for disobedience of the orders of justices at special or petty sessions, or which by law may be inflicted for disobedience of an order of the court of general or quarter sessions, and which order shall be revocable from time to time, as circumstances may require, by the justices at any future general or quarter sessions, or may be altered or varied by them as shall be expedient; but which orders shall respectively be final and conclusive in all other respects, and shall not be removed or removeable by any process

what-

whatever, into any other court; any law, usage, or custom, to the contrary notwithstanding.

Justices in special sessions may order food for persons who have not been received into such houses of industry or workhouses.

XVI. And be it further enacted, That in respect of all such persons belonging to any incorporated hundred, town, or district, or to any parish or parishes, place or places, where any such house of industry or workhouse shall have been erected, who shall require parochial relief, but shall not have been received into such house of industry, or workhouse, the justices of the division or place, assembled at their special or petty sessions, or any two or more of them, shall have authority to make order for providing food for the said persons by the said directors, guardians, and overseers respectively, as effectually as they are hereby authorized to do in other cases of persons requiring parochial relief, subject to such controul of the justices, at their general or quarter sessions, as is herein-before directed in the cases where this act shall not have been executed.

Expences incurred by overseers in the execution of this act, and allowances for inspection of provisions, to be defrayed out of the poor rates.

XVII. And be it further enacted, That such charges and expences incurred by any overseer or overseers of the poor in the execution of this act, and such moderate allowance for the trouble and loss of time of such overseer or overseers, or persons employed in the inspection of such provisions, as shall be allowed and approved by any two or more justices of the peace of the division or place, shall be defrayed out of the rates made, or to be made, for the relief of the poor for each parish, township, and place respectively; which rates they are hereby empowered to make, or cause to be made, whenever the same shall be necessary, in such manner as they are empowered to make rates for the relief of the poor by any law now in force.

Justices for offences for which pecuniary penalties are incurred, may determine the matter in a summary way, and on non-payment may issue warrants for apprehending offenders, &c.

XVIII. And be it further enacted, That it shall be lawful for any one or more justice or justices of the peace, within whose jurisdiction any offence or offences against this act shall be committed, for which any pecuniary penalty shall be incurred, or the person charged with such offence shall reside, upon complaint or information to him or them made, to summon the party or parties accused, and also the witnesses on either side, to appear before him or them, at a certain time and place in such summons to be specified; and upon the appearance of the party or parties accused, or in default of his, her, or their appearance according to such summons, (due proof being made of the service of such summons), to proceed to hear and determine the matter in a summary way; and upon due proof made of the offence, either by the voluntary confession of the party or parties accused, or by the oath of one or more credible witness or witnesses, (which oath or oaths the said justice or justices is or are empowered to administer), to convict the party or parties, and to award and adjudge the penalties imposed by this act, to be paid by such offender or offenders, together with reasonable costs and charges attending such conviction; and upon nonpayment of the sum so awarded, either immediately, or at such time as the said justice or justices shall appoint, not exceeding seven days, such justice or justices be etc

whom such conviction shall be had, is or are hereby empowered and authorised to issue his or their warrant for apprehending such offender; and in case such offender shall escape or go out of the jurisdiction of such justice or justices, it shall and may be lawful for any other justice of the peace, of the county or place where such offender shall be found, by indorsement of such warrant, to authorise the execution thereof within the jurisdiction of such justice; and the justice or justices who granted such warrant may, upon the offender being brought before him or them, commit such offender to some publick prison or house of correction of the city, county, or place in which such offence shall have been committed, or such offender shall have resided, there to remain, without bail or mainprize, for any term not exceeding one calendar month, nor less than fourteen days, from the day of every such commitment, unless such offender shall sooner pay the sum to be mentioned in every such warrant of commitment.

XIX. And be it further enacted, That if any person or persons shall be summoned as witness or witnesses, to give evidence before any such justice or justices of the peace, touching any matter contained in this act, and shall neglect or refuse to appear at a time and place for that purpose appointed, without a reasonable excuse for such his or their neglect or refusal, to be allowed of by such justice or justices, every such person shall forfeit and pay for every such offence, any sum not exceeding forty shillings, nor less than twenty shillings, to be levied and paid in such manner and by such means as herein-before directed with respect to other penalties; and if any person or persons summoned as a witness or witnesses to give evidence as aforesaid, shall appear at the time and place for that purpose appointed, but shall refuse to answer any lawful questions such justice or justices may think proper to put to him, such justice or justices may commit every such person to some prison or house of correction of the city, county, or place, within the jurisdiction of such justice or justices, for any time not exceeding fourteen days from the time of every such commitment.

Penalty on witnesses not appearing or refusing to answer questions.

XX. And be it further enacted, That the justice or justices of the peace before whom any offender shall be convicted as aforesaid, shall cause the said conviction to be made out in the following form of words, or in any form of words to the same effect; (that is to say),

Convictions to be made out in the following.

‘To wit, } **BE** it remembered, That on this **form.**
 day of _____ in the _____ year
 of his majesty King _____ *A. B.* is convicted before me
 (or, us) _____ one (or, two) of his Majesty’s justices of
 the peace for the _____ [as the case may be] for that
 the said *A. B.* on the _____ day of _____ now last past,
 did, contrary to the statute in that case made and provided
 [here state the offence against the act], and I (or, we) do declare
 and

and adjudge that the said *A. B.* hath forfeited the sum of
of lawful money of *Great Britain*, for the offence
aforesaid. Given under my hand and seal (or, our hands and
seals) the day and year aforesaid.*

Conviction to
be certified to
the quarter
sessions to be
filed, and shall
not be quashed
for want of
form, or re-
moved into
any other
court.

And the said justice or justices before whom such conviction shall
be had, shall certify the same to the next general or quarter
sessions of the peace to be holden for the county, riding, divi-
sion, city, liberty, or place, wherein such conviction was had,
to be filed and kept amongst the records of the said general or
quarter sessions; and such conviction 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 any process whatever
into any other court, but shall be deemed and taken to be final
to all intents and purposes whatsoever.

Appeal may
be made to
the quarter
sessions.

XXI. Provided nevertheless, and be it further enacted, That
all and every person and persons who shall think him, her, or
themselves aggrieved, by the judgement or determination of
any such justice or justices as aforesaid, in respect of any
pecuniary penalty, may appeal to the justices of the peace for
the county, riding, division, city, liberty, or place where such
judgement shall be given, at their then next general or quarter
sessions of the peace, unless such next general or quarter sessions
of the peace shall happen to be holden within six days next
after any such conviction; and in such case such person or persons
may appeal to the next subsequent general or quarter sessions of
the peace which shall be holden for any such county, riding, divi-
sion, city, liberty, or place; but no such appeal shall be received,
heard, or determined, unless the appellant or appellants shall
first enter into a recognizance, with two sufficient sureties, before
such justice or justices so convicting as aforesaid, in the sum
of ten pounds each, to appear and prosecute every such appeal
with effect; and the justices of the peace at such general or
quarter sessions of the peace are hereby authorised and required,
on every such appeal being made, and on reasonable notice
thereof given to the other party, finally to hear and determine
the matter of every such appeal, and to make such order, and to
award such costs therein, as they in their discretion shall see
meet; and which said order and determination shall be final and
conclusive to all parties; and no *Certiorari* shall be allowed to
remove any such proceedings or determination.

Application
of penalties.

XXII. And be it further enacted, That one moiety of the
penalties by this act imposed shall, when recovered, go and be
paid to the person or persons who shall prosecute to conviction
any such offender or offenders, and the other moiety to the poor
of the parish in which the offence shall be committed.

Limitation
of actions.

XXIII. And be it further enacted, That no person shall be
sued or prosecuted for any thing done in pursuance and in execu-
tion of this act, after the expiration of six months from the time
when the offence was committed; and every such suit or pro-
secu-

Prosecution shall be brought in the county, riding, division, city, liberty, or place where such offence shall have been committed, and not elsewhere; and every person so sued shall and may plead the general issue (not guilty) and may give this act and the special matter in evidence at any trial to be had thereupon; and if a verdict shall be found for the defendant or defendants, or if the plaintiff shall become nonsuit, or discontinue his action after the defendant shall have appeared, or if judgement shall be given upon a demurrer against the plaintiff or plaintiffs, the defendant or defendants in every such action shall receive double costs, and have the like remedy for the same, as defendants have in other cases for the recovery of their costs.

General issue.

Double costs.

XXIV. And be it further enacted, That this act shall be in force until and upon the sixth day of *November* one thousand eight hundred and one, and from thence until the end of six weeks after the meeting of the then next session of parliament, and no longer.

Continuance of act.

C A P. XIII.

An act to enable commissioners to purchase certain buildings for the accommodation of the two houses of parliament.—[Dec. 22, 1800.]

WHEREAS it is necessary, for the accommodation of the two houses of parliament, that certain houses and buildings in Old Palace Yard should be purchased for the publick use; and it is expedient that the value of such houses, buildings, and tenements, should be ascertained by indifferent persons, without delay. George Dance, Samuel Pepys Cockerell, and John Groves esqrs. are appointed commissioners for the purchase of buildings for the accommodation of parliament, who, if the parties refuse to sell, &c. may require the sheriff of Middlesex to impanel a jury to ascertain the value of the premises. Upon payment of the sums assessed, the parties shall convey the premises to the commissioners, and if they cannot make a title, refuse to convey, or cannot be found, the commissioners may order the money to be paid into the bank, subject to the order of the court of chancery. After such payment into the bank, the premises shall vest in his Majesty.

C A P. XIV.

An act for raising a certain sum of money by loans or exchequer bills, for the service of the year one thousand eight hundred and one; and for appropriating the supplies granted in this session of parliament.—[Dec. 31, 1800.]

Treasury may direct exchequer bills, not exceeding 3,500,000. to be made out, as prescribed by the malt act. Malt act to extend to this, except as to charging the bills on that duty and the rate of interest. Bills not to be received for any tax, before October 30, 1801. How bills shall be repaid. The bank may advance the money. Monies raised by the duties on malt, &c. c. 7. on pensions, &c. c. 8. and 3,500,000. by this act granted shall be applied as follows: 3,435,000. for naval services. 666,000. for wages of 120,000. men, including 22,596 marines for three lunar months, commencing January 1, 1801. 684,000. for their victualling. 1,080,000. for wear and tear of ships. 90,000. for ordnance for sea service. 205,000. for ordinary of the navy. 200,000. for extraordinary of the navy. 35,000. for sick prisoners of war. 475,000. for transport service and prisoners of war in health. 457,000. for ordnance for land service. 2,141,592l. for land service. 562,055l. for 58,528 effective men in Great Britain, Jersey, Guernsey, and Alderney, from December 25,

1800,

1800, to March 24, 1801. 501,486l. for forces in the plantations, &c. 374,350l. for the militia, the miners of Cornwall and Devon, and unfencible infantry. 110,000l. for increased rates of quartering soldiers and allowance in lieu of small beer. 127,500l. for recruiting, contingencies, forage and extra feed. 135,000l. for volunteer corps. 171,200l. for the barracks department. 150,000l. for foreign corps. 35,000l. for secret service. 60,000l. for French emigrants and American loyalists. 8,000l. for convicts at home. 151 643l. 16s. 8d. for interest on exchequer bills. 50,000 for laying in stores of fish.

C A P. XV.

An act for taking an account of the population of Great Britain, and of the increase or diminution thereof.—[Dec. 31, 1800.]

Preamble.

The overseers of the poor (or in default thereof, some substantial householder) of every parish and place in England, and such persons as shall be appointed by the sheriff deputies, steward deputies, and justices in Scotland, shall take an account of the number of persons found within each parish and place, and

WHEREAS it is expedient to take an account of the number of persons within the kingdom of Great Britain, together with the progressive increase or diminution thereof; and 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 within that part of Great Britain called England, the respective overseers of the poor, or in default thereof, some substantial householder of every parish, township, and place, and within that part of Great Britain called Scotland, such persons as shall be for that purpose appointed by the sheriff deputies, steward deputies, and justices of the peace, to act in and for every parish, shall, at the time and in the manner herein-after directed, severally take an account of the number of persons who shall be actually found at the time of taking such accounts to be within the limits of such parishes, townships, and places respectively, and shall set down the several particulars respecting the same, according to the form prescribed in the schedule annexed to this act.

Copies of the act and schedules shall be transmitted by the King's printer to the clerks of the peace and town clerks in Great Britain; the acts to be distributed by them to the justices, and the schedules to be distributed to the several persons appointed for England and Scotland.

II. *And for the more speedy and effectual obtaining of such accounts,* be it further enacted, That a sufficient number of printed copies of this act, and of the schedule thereto, shall as soon as conveniently may be after the passing of this act, be transmitted by his Majesty's printer to the clerks of the peace and town clerks of the several and respective counties, stowarries, ridings, divisions, precincts, tokes, franchises, liberties, cities, boroughs, towns, and counties corporate in Great Britain; 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 within that part of Great Britain called England, to cause a sufficient number of the schedule to this act annexed to be delivered 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 their

pective limits, at the *Epiphany* quarter sessions of the peace in the year one thousand eight hundred and one; and within that part of *Great Britain* called *Scotland*, to cause a sufficient number of the said schedule to be delivered to such persons and at such times as are for that purpose herein-after mentioned.

III. And be it further enacted, That within that part of *Great Britain* called *England*, the high constables or other proper officers so described as aforesaid, within their respective jurisdictions aforesaid, shall, at the said *Epiphany* quarter sessions of the peace in the year one thousand eight hundred and one, pursuant to the directions aforesaid, receive from the clerks of the peace or town clerks, the said printed schedules, and forthwith deliver or cause to be delivered one such schedule to the rector, vicar, curate, or other officiating minister, and one other such schedule to one of the overseers of the poor of every parish, township, or place, as well within towns corporate as without, in their respective limits; and also one such schedule to the overseer or overseers of every extra-parochial place within the said limits; and if there shall be no such overseer therein, then to some one substantial householder residing within the said parish, township, or extra-parochial place; and thereupon the said overseers or substantial householders as aforesaid, taking to their assistance the churchwardens or chapelwardens, sidelmen, parish clerk, and vestry clerk, (if any), and employing, if they shall think fit, the constables, tythingmen, headboroughs, or other peace officers, for such parishes, townships, or places, (such several persons being hereby required to be aiding and assisting therein for that purpose), shall, upon the tenth day of *March* in the year one thousand eight hundred and one, proceed to take an account in writing of the number of persons at that time being within the limits of such parishes, townships, and places, respectively, and inform themselves of the several particulars relating to the matters specified in the three first questions in the said schedule, by proceeding together or separately from house to house, or otherwise, as they shall judge expedient for the better execution of this act, and from such information shall prepare an answer or return to the said questions, according to the form prescribed in the said schedule, and shall sign the same with their names and respective additions, as such overseers or substantial householders as aforesaid; and the better to enable the said overseers or substantial householders as aforesaid, to make such answers and returns, they, and the persons so assisting them as aforesaid, are hereby authorized and empowered to ask all such questions of the persons within the said parish, township, or place, respecting themselves and the number and quality of the persons constituting their respective families, as shall be necessary or stating the particulars required to be stated concerning them, in the said answers and returns; and every such person refusing to answer, or wilfully giving a false answer to such questions, or any of them, shall, for every such refusal or false answer, swears.

In England the high constables shall, at the *Epiphany* sessions 1801, receive from the clerks of the peace, &c. the schedules, and forthwith deliver one to the minister, &c. and one other to an overseer or substantial householder of each parish or place, who shall, with the assistance of the churchwardens, &c. upon *March* 10, 1801, take an account of the number of persons therein; and inform themselves of certain particulars, and prepare answers to questions according to the form in the schedule.

Penalty for refusing to answer, or wilfully giving false answers.

answer, 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.

Justices in England shall appoint a time and place (between the 10th and 30th of April 1801) for the overseers or householders to attend with returns and answers to the three first questions stated in the schedules, and cause notice thereof to be given to them and the high constables; and the overseers, &c. shall then deliver returns upon oath.

IV. And be it further enacted That the justices of the peace, or any two or more of them, within their respective jurisdictions in *England*, shall, at, or so soon as conveniently may be after, the said *Epiphany* quarter sessions in the year one thousand eight hundred and one, appoint a time and place, or times and places, (which time shall be not sooner than the tenth day of *April*, nor later than the thirtieth day of *April* in the year one thousand eight hundred and one, and may be at the *Easter* quarter session if they shall think fit), for the overseers of the poor of the several parishes, townships, and places, within their respective divisions or limits, or for such substantial householders as aforesaid, as the case may be, to attend them for the purpose of this act, with returns and answers to the said three first questions stated in the schedule to this act annexed, and cause notice thereof to be given to such overseers and householders respectively, according to the form in the schedule to this act, and also to the high constables, or where there are no high constables, to such other proper officers as aforesaid; and thereupon the said overseers or substantial householders as aforesaid, or some one of them, in and for every such parish, township, or place, shall and they are hereby required to attend the justices of the peace at such meeting or meetings respectively, and then and there deliver to the said justices, in writing signed by themselves, a just and true answer and return to the said questions upon oath, (or being of the people called *Quakers*, on affirmation), as herein-after directed, and the said high constables, or other proper officers, so described as aforesaid, shall, and they are hereby required to attend the said respective meetings for the purposes herein-after directed.

Justices shall receive the answers and returns, and administer the oath in the schedule, with power to examine the overseers and householders upon oath, and adjourn their meetings, not later than April 30, 1801, and shall deliver the answers and returns to the high constables, who shall indorse the

V. And be it further enacted, That the said justices of the peace shall and they are hereby required to receive and take at such meetings so to be appointed by them as aforesaid, the answers and returns to be made pursuant to the directions aforesaid, and then and there to administer to the said overseers or substantial householders respectively, the oath or affirmation contained in the said schedule; and (if they see cause) to examine such overseers and householders upon oath or affirmation, touching any of the matters contained in such questions and answers, and, if necessary, to adjourn the said meetings to any time or times, not later than the said thirtieth day of *April*, and to any place or places, in order that the said returns may be rendered more complete or satisfactory; and shall then deliver such answers and returns to the respective high constables, or other proper officers as aforesaid, who shall thereupon indorse on each of such returns the name of the court, and also of the riding, division, rape, wapentake, lathe, precinct, soke, franchise, liberty, city, borough, town, or county corporate, wherein the parish, township, or place therein men-

tioned is situate, and shall deliver or transmit such returns, together with a true and perfect list of the names of the overseers of every parish, township, and place, and of the householders aforesaid, to whom such schedule shall have been delivered as aforesaid, to the several clerks of the peace and town clerks for the jurisdiction in which the said justices are authorized to act, at their respective offices, on or before the eighth day of *May* one thousand eight hundred and one.

VI. And be it further enacted, That every rector, vicar, curate, or other officiating minister of every parish, township, or place, (extra-parochial or otherwise), in *England*, including free chapels, donatives, and peculiars, to whom such schedule shall have been delivered as aforesaid, shall forthwith prepare an answer or return to the fourth and fifth questions in the said schedule set forth, and shall, on or before the thirtieth day of *April* one thousand eight hundred and one, duly transmit to the bishop, within the limits of whose diocese the said parish, township, or place, is situate, which said bishops shall, on or before the eighth day of *May* one thousand eight hundred and one, transmit the same to the archbishops of their respective provinces, and thereupon the said archbishops shall, on or before the fifteenth day of *May* one thousand eight hundred and one, cause the same to be laid before his Majesty's most honourable privy council, who shall cause an abstract thereof to be prepared and laid before both houses of parliament, within six weeks after the said fifteenth day of *May*, or if parliament shall not be then sitting, within the first fourteen days of the session next ensuing.

VII. And be it further enacted, That, within that part of *Great Britain* called *Scotland*, the sheriff deputies and steward deputies in their respective counties and stewardries, shall appoint a time and place, or times and places, (which shall be on or before the tenth day of *March* one thousand eight hundred and one, if circumstances will permit, and not later than the thirtieth day of *April* one thousand eight hundred and one), for the justices of the peace within their respective counties or stewardries to hold a meeting or meetings within their ordinary limits and jurisdictions; and that the said sheriff deputies and steward deputies, along with the justices, any two or more being a quorum, shall nominate and appoint the schoolmaster, or other fit person or persons in each parish, to take account of the several matters required by this act; and the clerks of the peace are required to deliver the said schedule to the schoolmaster, person or persons so appointed; and on the said tenth day of *March* one thousand eight hundred and one, or so soon thereafter as they conveniently can, the schoolmaster, person or persons so appointed, shall proceed to take account of the number of persons at that time within the limits of their respective parishes, and inform themselves of the several particulars relating to all the matters specified in the said schedule, by proceeding from house to house, or otherwise, as they shall judge expedient.

returns, and transmit them to the clerks of the peace and town clerks by *May* 8, 1801. Ministers in *England* shall transmit an answer to the 4th and 5th questions in the schedule before *April* 30, 1801, to the bishop of the diocese, who shall transmit the same, before *May* 8, 1801, to his archbishop, to be laid before the privy council before *May* 15, who shall cause an abstract to be laid before parliament within six weeks.

The sheriff deputies and steward deputies in *Scotland* shall appoint meetings of the justices, on or before *March* 10, 1801, and not later than *April* 30, and they together shall appoint the schoolmasters or other fit persons to take account of the matters required by this act, and the clerks of the peace shall deliver the schedules to the persons so appointed, who shall take

an account of the number of persons, and inform them selves of certain particulars, and prepare answers to questions according to the form in the schedule.

Penalty for refusing to answer, or wilfully giving false answers.

The sheriff deputes or steward deputes shall appoint a time and place (not sooner than June 1, 1801, nor later than Michaelmas) for the justices to meet, and the persons so appointed as aforesaid shall attend with returns and answers to the questions, &c. which the justices shall receive upon oath, with power to examine the persons upon oath, and shall indorse the returns, and transmit them to the clerks of the peace or town clerks, by Oct. 24, 1801.

The accounts taken throughout Great Britain for preparing the answers and returns shall be preserved by the churchwardens, &c.

expedient, for the better execution of this act, and from the information as aforesaid shall prepare an answer or return to all the said questions according to the form prescribed in the said schedule, and shall sign the same with their names and ordinary designations; and the better to enable them to make such answers or returns as aforesaid, they are hereby authorized and empowered to ask all such questions of the persons within their respective parishes, respecting themselves and the number and quality of the persons constituting their respective families, as shall be necessary for stating the particulars required to be stated concerning them in the said answers and returns; and every such person refusing to answer, or wilfully giving a false answer to such questions, or any of them, shall, for every such refusal or false answer, forfeit a sum not exceeding five pounds, nor less than four shillings, at the discretion of the justice or justices before whom the complaint thereof shall be made.

VIII. And be it further enacted, That the sheriff deputes or steward deputes for *Scotland*, within their respective jurisdictions, shall appoint a time and place, or times and places, which shall not be sooner than the first day of *June*, nor later than the ordinary *Michaelmas* meeting of the county in the year one thousand eight hundred and one, for the justices of the peace to meet, and the schoolmaster, person or persons appointed by them as aforesaid, to attend at such meetings with the returns and answers to all the questions stated in the schedule to this act; and the said sheriff deputes and steward deputes shall cause notice to be given to them respectively, for that purpose accordingly; and the justices of the peace shall at such meeting or meetings receive the answers and returns to be made as aforesaid, and administer the oath contained in the said schedule to the schoolmaster, person or persons appointed to make such returns as aforesaid; and such justices, if they see cause, may examine the said schoolmaster, person or persons, upon oath, touching any of the matters contained in such questions and answers, and shall indorse the same, with the name of the county or stewartry, or district thereof, wherein the parish therein mentioned is situated, and shall transmit such returns to the several clerks of the peace or town clerks, for the jurisdiction in which the said justices are authorized to act, on or before the twenty-fourth day of *October* one thousand eight hundred and one.

IX. And be it further enacted, That the several accounts so taken in writing by the overseers and schoolmasters, or other persons so appointed as aforesaid, in every parish, township, or place within *Great Britain*, for the purpose of preparing the aforesaid answers and returns, shall be safely kept and preserved by the churchwardens or chapelwardens, in *England*, and by the schoolmasters or other persons appointed as aforesaid, in *Scotland*, for the time being, of the several parishes, townships, or places

to which the same relate, and shall be delivered over by them in England, and other persons in Scotland, and delivered over to their successors; and the clerks of the peace, &c. shall transmit the answers, &c. to the secretary of state by May 15, 1801, in England, and Nov. 10, in Scotland, an abstract of which shall be laid before parliament within six weeks.

to their successors in office respectively; and that said clerks of the peace and town clerks throughout that part of *Great Britain* called *England*, shall, on or before the fifteenth day of *May* one thousand eight hundred and one, and the said justices of the peace in *Scotland* shall, on or before the tenth day of *November* one thousand eight hundred and one, transmit, with all convenient speed, such answers and returns as they shall have received in manner aforesaid (together with a list of the parishes, townships, and places within their respective counties, stewardries, ridings, or divisions, from whence no returns have been made to them) to the office of his Majesty's principal secretary of state for the home department; and that the same shall be digested and reduced into order by such officer as such secretary of state shall appoint for the purpose; and that an abstract thereof shall be laid before both houses of parliament, within six weeks after the said fifteenth day of *May* and tenth day of *November* respectively, or if parliament shall not be then sitting, within the first fourteen days of the session next ensuing such days respectively.

X. 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; *videlicet*, To the clerk of the peace or town clerk, for the return which shall be made from every such parish, township, or place in *Great Britain*, the sum of one shilling; to the high constable or other proper officer in *England*, for the like, the sum of one shilling and sixpence; to the clerks of the justices of the peace throughout *Great Britain*, for the like, the sum of one shilling: and that the justices of the peace in *England*, at their respective *Midsummer* quarter sessions, in the year one thousand eight hundred and one, 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, fokes, franchises, liberties, cities, and counties corporate, or shall cause the same to be paid out of the poor rates of and for such counties corporate, or places as have no county rates; and that the justices of the peace in *Scotland* may, in like manner order the sheriff or steward of each county and stewardry, to pay the like fees to the persons severally entitled to them in *Scotland*, which payments they are hereby authorised to charge in their respective accounts: and also, that the said justices in *England*, at their said *Midsummer* quarter sessions, or at the *Michaelmas* quarter sessions following, and the said justices in *Scotland*, at their ordinary *Michaelmas* meetings for each county or stewardry, may and they are hereby required to allow, the amount of any reasonable compensation for trouble and expences which they shall be satisfied have been *bonâ fide* and necessarily incurred in

Persons employed to have an allowance for their trouble and expences.

the execution of this act, by such overseers householders, parish clerk, or vestry clerk in *England*, and by such schoolmaster, or other person so appointed as aforesaid, in *Scotland*; and may order payment thereof to be made by the receiver general of the land tax of and for the county, riding, or other place in *England*, or receiver general of *Scotland*, (as the case shall require), out of any money in his hands, and such receiver general shall pay the same accordingly.

Penalty on clerks of the peace, constables, churchwardens, overseers, schoolmasters, &c. for wilful default.

XI. And be it further enacted, That every such clerk of the peace, town clerk, high constable, constable, tithingman, headborough, or other such officer as aforesaid, and also every such churchwarden, chapelwarden, sidesman, parish clerk, vestry clerk, overseer of the poor, householder, schoolmaster, or other person so appointed as aforesaid, making wilful default in any of the matters required of them respectively by this act, shall, for every such wilful 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.

Recovery and application of penalties.

XII. 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 three calendar months, unless the said forfeiture and charges shall be sooner paid; and the said forfeitures, when recovered in *England*, shall be paid, one half to the informer, and the other half to the said respective treasurers, to be applied 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 towards such poor rates or county rates; and in case the said forfeitures shall be recovered in *Scotland*, they shall be paid, one half to the informer, and the other half to the sheriff or steward of such county or stewartry, where the said default shall be committed.

SCHEDULE

SCHEDULE.

I.

QUESTIONS to which, by directions of an act passed in the forty-first year of the reign of his majesty King George the Third, intituled, *An act for taking an account of the population of Great Britain, and of the increase or diminution thereof*, written answers are to be returned by the rector, vicar, curate, or officiating minister, and overseers of the poor, or (in default thereof) by some other substantial householder, of every parish, township, and place (including those places also which are extra-parochial) in *England*; and by the schoolmasters or other persons to be appointed under the said act for every parish in *Scotland*; signed by them respectively, and attested upon oath or affirmation by the said overseers, or (in default thereof) by such other substantial householders as aforesaid in *England*, and by the schoolmasters or other such persons as aforesaid in *Scotland*; for which purpose they are to attend the justices of the peace, within their respective jurisdictions, at such times and places as the said justices of the peace shall appoint, on pain of incurring the penalties imposed by the said act for every wilful default or neglect.

- 1st. How many inhabited houses are there in your parish, township, or place; by how many families are they occupied; and how many houses therein are uninhabited?
- 2d. How many persons (including children of whatever age) are there actually found within the limits of your parish, township, or place, at the time of taking this account, distinguishing males and females, and exclusive of men actually serving in his Majesty's regular forces or militia, and exclusive of seamen either in his Majesty's service, or belonging to registered vessels?
- 3d. What number of persons, in your parish, township, or place, are chiefly employed in agriculture; how many in trade, manufactures, or handicraft; and, how many are not comprized in any of the preceding classes?
- 4th. What was the number of baptisms and burials in your parish, township, or place, in the several years 1700, 1710, 1720, 1730, 1740, 1750, 1760, 1770, 1780, and each subsequent year to the 31st day of *December* 1800, distinguishing males from females?
- 5th. What has been the number of marriages in your parish, township, or place, in each year, from the year 1754 inclusive to the end of the year 1800?
- 6th. Are there any matters which you think it necessary to remark in explanation of your answers to any of the preceding questions?

FORM of ANSWERS by the OVERSEERS, &c. in ENGLAND,

To the **QUESTIONS** contained in the **SCHEDULE** to an act, intituled, *An act for taking an account of the population of Great Britain, and of the increase or diminution thereof.*

Parish, &c.	QUESTION III. HOUSES.		QUESTIONS 20. PERSONS, including children of whatever age.		Total of PERSONS in answer to ques- tion 2d.	QUESTION 3d. OCCUPATIONS.		TOTAL of PERSONS.
	Inhabited.	By how many families oc- cupied.	Uninhabited.	Males.		Females.	Persons chiefly employed in agriculture.	
City, town, &c.								N. B. This column must correspond with the total of persons in an- swer to question 2d.
Hundred, &c.								
County, &c.								

N. B. *If any family occupies two or more houses in different parishes, townships, or places, the individuals belonging to such family are to be numbered only in those parishes, townships, or places where they severally happen to be at the time of taking the accounts.*

REMARKS, in explanation of the matters stated in answer to the preceding questions.

1st Question.
2d Question.
3d Question.

ATTESTATION on oath (or affirmation) by the **OVERSEERS** or substantial householders in **ENGLAND.**

I *A. B.* one of the overseers (or a substantial householder) of the parish, township, &c. of _____ in the county of _____, do swear (or affirm), That the above return contains, to the best of my knowledge and belief, a full and true answer to the questions contained in the schedule to an act, intituled, *An act for taking an account of the population of Great Britain, and of the increase or diminution thereof.*

The above-mentioned *A. B.* was sworn (or affirmed) before us the justices of the peace in and for the _____ of _____ this _____ day of _____ 1800.
G. D. and *E. F.*

FORM of ANSWERS by the CLERGYMEN in ENGLAND,

To the QUESTIONS contained in the SCHEDULE to an act, intituled, *An act for taking an account of the population of Great Britain, and of the increase or diminution thereof.*

County, &c.	Hundred, &c.	Parish, &c.

QUESTION 4th.						QUESTION 5th.						
Year.	BAPTISMS.		BURIALS.		Years.	BAPTISMS.		BURIALS.		Years.	MARRIAGES.	
	Males.	Females.	Males.	Females.		Number of Marriages.	Years.	Number of Marriages.	Years.		Number of Marriages.	Years.
1700					1787					1774		
1710					1788					1775		
1720					1789					1776		
1730					1790					1777		
1740					1791					1778		
1750					1792					1779		
1760					1793					1780		
1770					1794					1781		
1780					1795					1782		
1791					1796					1783		
1798					1797					1784		
1799					1798					1785		
1798					1800					1786		

REMARKS, in explanation of the matters stated in answer to the 4th and 5th questions.

4th Question.
5th Question.

I. A. B. [rector, vicar, curate, or officiating minister],

of the parish, township, &c. of _____ in the county of _____ do certify, that the above return contains, to the best of my knowledge and belief, a full and true answer to the 4th and 5th questions thereof.—A. B.

Witness C. D. one of the overseers [or substantial householders] of the parish of _____ this _____ day of _____ 1800.

do certify, that the above return contains, to the best of my knowledge and belief, a full and true answer to the 4th and 5th questions thereof.—A. B.

of the parish, township, &c. of _____ in the county of _____ do certify, that the above return contains, to the best of my knowledge and belief, a full and true answer to the 4th and 5th questions thereof.—A. B.

FORM of ANSWERS by the SCHOOLMASTERS, &c. in SCOTLAND.

To the **QUESTIONS** contained in the **SCHEDULE** to an act, intituled, *An act for taking an account of the population of Great Britain, and of the increase or diminution thereof.*

QUESTION 1 st .		QUESTION 2 ^d .		QUESTION 3 ^d .		TOTAL OF PERSONS.
HOUSES.		PERSONS including children of whatever age.		OCCUPATIONS.		N. B. This column must correspond with the total of persons in answer to question 2 ^d .
Inhabited.	By how many families occupied.	Males.	Females.	Persons chiefly employed in agriculture.	Persons chiefly employed in trade, manufactory, or handicraft.	
Parish, &c.						
City, town, &c.						
Hundred, &c.						
County, &c.						

N. B. If any family occupies two or more houses in different parishes, &c. the individuals belonging to such family are to be numbered only in these parishes, &c. where they severally happen to be at the time of taking the account.

REMARKS, in explanation of the matters stated in answer to the preceding questions.

1st Question.
2^d Question.
3^d Question.

FORM

ANSWERS to the Fourth and Fifth QUESTIONS.

Year.	BAPTISMS.		BURIALS.		Years.	BAPTISMS.		BURIALS.		Years.	MARRIAGES.	
	Males.	Females.	Males.	Females.		Males.	Females.	Males.	Females.		Number of Marriages.	Years.
1700										1770		1785
1710					1787					1771		1787
1720					1788					1772		1788
1730					1789					1773		1789
1740					1790					1774		1790
1750					1791					1775		1791
1760					1792					1776		1792
1770					1793					1777		1793
1780					1794					1778		1794
1791					1795					1779		1795
1791					1796					1780		1796
1797					1797					1781		1797
1798					1798					1782		1798
1798					1799					1783		1799
1798					1800					1784		1800
1798										1785		
1798										1786		
1798										1787		
1798										1788		
1798										1789		
1798										1790		
1798										1791		
1798										1792		
1798										1793		
1798										1794		
1798										1795		
1798										1796		
1798										1797		
1798										1798		
1798										1799		
1798										1800		

REMARKS, in explanation of the matters stated in answer to the 4th and 5th questions.

4th Question.

Certificate of the Clergymen.

I, A. B. minister of the gospel of the parish, &c. of in the county of do certify, That the above return contains, to the best of my knowledge and belief, a full and true answer to the 4th and 5th questions contained in the schedule to an act, intituled, An act for taking an account of the population of Great Britain, and of the increase or diminution thereof.—A. B.

Witness C. D. [Schoolmaster, &c.] of the said parish, &c. of this day of

5th Question.

Attestation on Oath by the Schoolmaster, &c. in Scotland.

I, A. B. [Schoolmaster, &c.] of the parish, &c. of in the county of do swear, That the above return contains, to the best of my knowledge and belief, a full and true answer to the questions contained in the schedule to an act, intituled, An act for taking an account of the population of Great Britain, and of the increase or diminution thereof.

I he above-mentioned was sworn before us, the justices of the peace in and for the of this day of C. D. and E. F.

II.

FORM of the PRECEPT for giving notice to high constables, overseers, and householders, in *England*, of the time and place appointed by justices of the peace for taking the answers and returns under this act.

The county, } To the constable, [tythingman, or headborough] of
 &c. } in the said county.
 to wit. }

YOU are hereby required, with all convenient speed, to give or cause to be given notice to the high constable of the hundred of _____ and to the overseers of the poor of every parish, township, or place, within the said hundred; and if there is no overseer therein, then to some substantial householder therein; that they are severally required to appear at _____ on the _____ day of _____ next at the hour of _____ in the forenoon, before such of his Majesty's justices of the peace as shall be then and there assembled, and that the said overseers or householders as aforesaid, or some one of them, for every such parish, township, or place, are then and there to deliver upon oath or affirmation, a just and true account, in writing, signed by themselves, containing an answer to the several questions propounded in the schedule to an act, intituled, *An act for taking an account of the population of Great Britain, and of the increase or diminution thereof*. Given under my hand [or our hands] this _____ day of _____ in the year one thousand eight hundred and one.

III.

FORM of the OATH or AFFIRMATION to the return.

YOU shall swear (or affirm) that the answers and returns now made by you to the several questions contained in the schedule annexed to an act, intituled, *An act for taking an account of the population of Great Britain, and of the increase or diminution thereof*, is a full and true answer to the said questions, to the best of your knowledge and belief.

IV.

FORM of INDORSEMENT by the high constables in *England*, and by the justices of the peace in *Scotland*.

County [or stewardry] of
 Riding, division, or district thereof (if any)
 Hundred, rape, wapentake, lathe, precinct, loke, franchise, or
 liberty, of
 City, borough, town, or county corporate, of
 Parish, township, &c. of

CAP.

C A P. XVI.

An act to prevent, until the sixth day of November one thousand eight hundred and one, and from thence to the end of six weeks from the commencement of the then next session of parliament, the manufacturing of any fine flour from wheat, or other grain, and the making of any bread solely from the fine flour of wheat; and to repeal an act, passed in the thirty-sixth year of the reign of his present Majesty, for permitting bakers to make and sell certain sorts of bread, and to make more effectual provision for the same.

—[Dec. 31, 1800.]

WHEREAS there is just ground to expect that the supply of **Preamble.**

good and wholesome bread will be materially augmented, and the price thereof reduced, by preventing the consumption of bread made from fine flour: 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 seventeenth day of *January* one thousand eight hundred and one, in the city of *London*, or within forty miles thereof, and from and after the twenty-fourth day of *January* one thousand eight hundred and one, in every other part of *Great Britain*, no meal, the produce of wheat or any other grain, shall be dressed, bolted, or manufactured into any finer description of meal or flour than such as shall be the produce of such wheat or grain, dressed, bolted, or manufactured by or through wire machines, constructed with not more than thirteen wires, of the usual and known size, weight, and thickness, on each side of a square inch, or cloths corresponding to such wire machines, and now usually called and known as *Eight Shillings and Sixpence Seamed Cloths*, or patent cloths denominated *Number Two*, or by whatever other denomination, either as to number or price, any cloths corresponding to such wire machines, in regard to flour to be dressed thereby, may be hereafter known; and if any miller or other person shall, within the time herein limited, dress, bolt, or manufacture any meal from wheat or other grain, into any finer description of meal or flour than such as is herein-before described, otherwise than through such wires or cloths as aforesaid, every such miller or other person shall forfeit, for every bushel of meal or flour dressed, bolted, or manufactured, contrary to this act, a sum not exceeding five pounds nor less than ten shillings for every such bushel, and so in proportion for every smaller quantity.

II. And be it further enacted, That no miller or other persons shall, from and after the said seventeenth day of *January* one thousand eight hundred and one, in the said city of *London*, or within forty miles thereof, or from and after the said twenty-fourth day of *January* one thousand eight hundred and one in any finer contruction than

From *January* 17, 1801, in *London*, or within forty miles thereof, and from *January* 24, in every other part of *Great Britain*, no meal shall be dressed finer than through certain wire machines or cloths, on penalty from 5l. to 10s. per bushel.

herein mentioned, on penalty of 100l.

any other part of *Great Britain*, use, for the purpose of dressing any meal the produce of ground wheat or grain into any kind of flour, any wire or other machine or cloth of any finer construction or description than herein-after mentioned, (that is to say), Than wire machines constructed with not more than thirteen wires, of the usual known size and thickness, on each side of a square inch, and so after that rate for any number of inches of which such machines shall be constructed, and cloths corresponding to such last-mentioned wire machines, and now usually called or known as *Eight Shillings and Sixpence Seamed Cloths* or patent cloths denominated *Number Two*, or by whatever denomination or description, either as to number or price, any cloths corresponding to such last-mentioned wire machines, in regard to flour to be dressed thereby, may be hereafter known; and if any miller or other person shall use or cause to be used, or knowingly permit or suffer to be used, any machine or cloth of any finer description or construction than such as are herein-before described, for the dressing, bolting or manufacturing any meal or flour produced from wheat, every such miller or other person so using such machine or cloth, shall forfeit and pay, for every such offence, the sum of one hundred pounds.

From January 24, 1801, in London, or within forty miles thereof, and from January 31, in any other part of *Great Britain*, no finer meal or flour than hereby allowed shall be sold (except flour imported and sold in barrels), on penalty from 5l. to 10s. per bushel.

III. And be it further enacted, That from and after the twenty-fourth day of *January* one thousand eight hundred and one, in the city of *London*, or within forty miles thereof, and from and after the thirty-first day of *January* one thousand eight hundred and one in any other part of *Great Britain*, no meal or flour of any finer sort or description than the meal or flour allowed to be dressed and manufactured under this act, shall be sold or exposed to sale by any person whatever (other than and except flour that shall have been or shall be imported into this country, and which shall be sold in the barrels in which the same shall be imported); and if any person or persons shall offend herein, he, she, or they shall forfeit, for every bushel of meal or flour so sold contrary to this act, a sum not exceeding five pounds nor less than ten shillings for every such bushel, and so in proportion for every smaller quantity.

From January 31, 1801, in London, or within forty miles thereof, and from Feb. 7. in any other part of *Great Britain*, no person shall bake for private use, or for sale, or sell any bread peck loaf.

IV. And be it further enacted, That, from and after the thirty-first day of *January* one thousand eight hundred and one in the city of *London*, or within forty miles thereof, and from and after the seventh day of *February* one thousand eight hundred and one in any other part of *Great Britain*, no person or persons shall bake, or make for private use or for sale, or shall sell or expose to sale, any bread made from any wheaten meal or flour unmixed, of any finer sort or description than the flour allowed to be dressed and manufactured under this act; and if any person or persons shall offend herein, he, she, or they shall forfeit for every peck loaf of bread so baked, made, or sold, or exposed to sale contrary to the provisions herein contained, a sum not exceeding five pounds nor less than ten shillings, and so in proportion for every smaller quantity.

made of finer flour than hereby allowed, on penalty from 5l. to 10s. per

V. And

V. And be it further enacted, That, from and after the said twenty-fourth day of *January* one thousand eight hundred and one, it shall be lawful for the court of lord mayor and aldermen of the city of *London*, or for the lord mayor for the time being, and they are hereby required, and from and after the said twenty-fourth day of *January* one thousand eight hundred and one, within forty miles of the city of *London*, and from and after the thirty-first day of *January* one thousand eight hundred and one, in every other part of *Great Britain*, it shall be lawful for any court, or person or persons authorized to set any assize or price of wheaten bread, to set, ascertain, and appoint, when and to often as they shall from time to time think proper, the price of all the wheaten bread made of the finest sort or description of wheaten flour, allowed by this act to be dressed and manufactured, and upon no other sort or description of bread, whether wheaten or made from other grain mixed or unmixed, which shall be made for sale, or exposed to sale in any place or places or district within their jurisdiction; and that every such price shall be calculated and set from the tables in the schedule, according to the rules and directions to those tables annexed, from the average price of the finest sort or description of wheaten flour allowed by this act to be manufactured.

From January 24, 1801, the lord mayor and aldermen, and from that date within forty miles of *London*, and from January 31, in every other place, any court or authorized person, may set the price upon the finest wheaten bread allowed to be made and on no other, according to the rules in the schedule.

VI. And be it further enacted, That, from and after the said twenty-fourth and thirty-first days of *January* respectively, when any price of wheaten bread of the finest sort or description of flour allowed to be dressed and manufactured pursuant to this act, shall be ascertained and set in any city, borough, town, place, or district of any county, riding, shire, or stewartry, pursuant to the provisions of this act, no person or persons shall there make for sale, or sell or expose to sale, any other sort or description of bread, whether wheaten bread, or bread made of the produce of wheat mixed with the meal or flour of any other corn, grain, or pulse, at a higher rate for any peck, half peck, quartern or half quartern loaf of any such other bread, than shall be set as the price of the wheaten bread of such finest sort and description as aforesaid; and if any person or persons shall offend herein, he, she, or they shall forfeit for every loaf sold contrary to the provisions herein-before contained, a sum not exceeding five pounds nor less than ten shillings, and so in proportion for any smaller quantity.

When the price is so set, no person shall sell any bread at a higher price, on penalty from 5*l.* to 10*6s.* per loaf.

VII. And be it further enacted, That after the twenty-fourth and thirty-first days of *January* respectively, although no assize or price of wheaten bread or the finest sort or description of flour allowed by this act to be dressed or manufactured, shall be ascertained or set in any city, borough, town, or place, or district, of any county, riding, shire, or stewartry, no person shall make for sale, or sell or expose to sale, any other sort or description of bread, whether wheaten or mixed, at any higher price, or at any higher rate per pound, or for any other quantity, than the wheaten bread, of the finest sort or description aforesaid shall at the same time sell for in the same place, in which (or

And where the price is not set, no person shall sell any other sort of bread at any higher price than the wheaten of the finest sort allowed shall sell for, on like penalty for every peck where loaf.

where no such bread shall be sold in the same place, then in the nearest adjoining place to the place in which) any kind of bread of such other quality shall be made for sale, or sold, or exposed to sale; and if any person or persons shall offend therein, he, she, or they shall forfeit, for every peck loaf sold contrary to the provisions herein-before contained, a sum not exceeding five pounds nor less than ten shillings, and so in proportion for every smaller quantity.

After passing this act any person may make and sell loaves made of the whole produce of the wheat or mixed with barley, &c. provided the price shall not exceed that of the wheaten bread upon which a price shall be set.

VIII. And be it further enacted, That from and after the passing of this act, it shall be lawful for any person or persons whatever, in any place whatever, and whether any assize or price of bread shall be set in such place or not, to make, bake, sell, and expose to sale, peck loaves, half peck loaves, quartern loaves, and half quartern loaves, made of wheaten meal or flour of the whole produce of the wheat, or with the bran only, or the bran and pollards, or any proportion of the bran and pollards, or any other part of the produce of such wheat, taken therefrom, or made of any sort of wheaten meal or flour mixed with the meal or flour of barley, rye, oats, buck wheat, Indian corn, pease, beans, rice, or any other corn, grain, or pulse whatever, or with potatoes, in such proportions as he, she, or they shall deem proper, and at any price at which any person may be willing to purchase the same; provided that such price shall not in any case exceed the price of the wheaten bread upon which an assize or price shall be set in pursuance of any act or acts of parliament, or this act, in the place where such other wheaten or mixed bread shall be made or sold, or exposed to sale, under this act as aforesaid; any act or acts, or law, custom, or usage, to the contrary notwithstanding.

Persons making wheaten bread of an inferior quality, or mixed, shall mark the same.

IX. And be it further enacted, That every person who shall make or bake any such wheaten bread made of any meal or flour of an inferior quality to the finest sort or description of flour allowed by this act to be manufactured, or mixed bread, shall imprint and distinctly mark upon every loaf of such last-mentioned wheaten bread, a large Roman H. and upon every loaf of such mixed bread a large Roman M.

Penalty for not marking such bread, or not well making or adulterating bread, or making loaves deficient in weight.

X. And be it further enacted, That if any person or persons shall omit to imprint or distinctly mark any such wheaten or mixed bread pursuant to the directions of this act, or shall not well make any such wheaten or mixed bread, or any bread made in pursuance of this act, or shall adulterate the same with any mixture or ingredient not allowed to be used in the making of bread, or shall make or bake for sale, or sell or expose to sale any such peck loaves, half peck loaves, quartern loaves, or half quartern loaves, or any other loaves, deficient in weight, according to the assize of loaves of such denominations, respectively contained in any act or acts in force relating to the assize and price of bread, or according to any assize that shall be set in pursuance of any such act or acts; all and every person and persons offending therein, shall be liable to the same or the like pains, penalties, forfeitures, and punishment, as any bakers

or, makers of bread for sale are liable to for any the like or similar misdemeanors, offences, or neglects, in making, selling, or exposing to or for sale any bread.

XI. And be further enacted, That all and every the powers, authorities, provisions, regulations, clauses, matters, and things, pains, penalties, and forfeitures, in any act or acts now in force contained, relating to the making any returns of meal and flour, and to setting and ascertaining any assize or price of bread, and also, to the weighing any bread made for sale or exposed to sale, or searching for any ingredient wherewith any meal, flour, or bread may be adulterated, that are not altered or repealed by or contrary to the provisions of this act, shall be, and are hereby extended and made applicable to, and shall be applied in the enforcing of the provisions of this act, in as full and ample a manner as if the same had been severally and separately re-enacted in this act.

Powers of acts in force relating to making returns of meal, setting an assize, weighing bread, or searching for adulterating ingredients, to extend to this act.

XII. And be it further enacted, That an act made in the thirty-sixth year of his present Majesty, intituled, *An act to permit bakers to make and sell certain sorts of bread*, shall be, and the same is hereby repealed.

36 Geo. 3. c. 22, repealed.

XIII. And, for the better and more easy recovery of the several penalties and forfeitures to be incurred by disobedience to this act, and the powers herein contained, and disposing of the money which shall be forfeited by breach or non-observance of any part of this act: be it further enacted, That it shall and may be law-

The lord mayor, any aldermen of the city, and any justice within their respective jurisdictions, may determine in a summary way, offences against this act; and if penalties be not paid, may grant warrants for levying them by distress, and for want thereof may commit the offenders.

ful to and for the lord mayor of the city of London for the time being, or any aldermen of the said city, within the said city or liberties thereof, and to and for any other of his Majesty's justices of the peace or magistrates, or any one of them, within their respective counties, ridings, divisions, cities, towns corporate, boroughs, liberties, or jurisdictions, to hear and determine, in a summary way, all offences committed against the true intent and meaning of this act, and for that purpose to summon before them, or any of them, within their respective jurisdictions, any party or parties accused of being an offender or offenders against the true intent and meaning of this act; and in case the party accused shall not appear on such summons, or offer some reasonable excuse for his default, then, upon oath by any credible witness of any offence committed contrary to the true intent and meaning of this act, any such magistrate or magistrates, justice or justices, shall issue his or their warrant or warrants for apprehending the offender or offenders within the jurisdiction of any such magistrate or magistrates, justice or justices; and upon the appearance of the party or parties accused, or in case he, she, or they shall not appear, on notice being given to or left for him, her, or them at his, her, or their usual place of abode, or if he, she, or they cannot be apprehended on a warrant granted against him, her, or them as herein-before is directed, then and in any such case, any such magistrate or magistrates, justice or justices, is and are hereby authorized and required to proceed to make enquiry, touching the matters

com-

complained of, and to examine any witness or witnesses, who shall be offered on either side, on oath as aforesaid, and which every such magistrate or magistrates, justice or justices, is and are hereby authorized, empowered, and required to administer; and after hearing of the parties who shall appear, and the witnesses who shall be offered on either side, such magistrate or magistrates, justice or justices, shall convict or acquit the party or parties accused; and if the penalty or money forfeited on any such conviction shall not be paid within the space of twenty-four hours after any such conviction, every such magistrate or magistrates, justice or justices, shall thereupon issue a warrant or warrants under his hand and seal, or their hands and seals, respectively, directed to any peace officer or officers within their respective jurisdictions, empowering him or them to make distress of the goods and chattels of the offender or offenders; and if any offender shall convey away his goods out of the jurisdiction of any such magistrate or magistrates, justice or justices, before whom he was convicted, or so much thereof that the penalty cannot be levied, then some magistrate or justice within whose jurisdiction the offender shall have removed his goods, shall back the warrant granted by any such magistrate or justice, magistrates or justices, and thereupon the penalty forfeited shall be levied on the offender's goods and chattels, by distress and sale thereof; and if within five days from the distress being taken the money forfeited shall not be paid, the goods seized shall be appraised and sold, rendering the overplus (if any) after deducting the penalty or forfeiture, and the costs and charges of the prosecution, distress and sale, to the owner; which charges shall be ascertained by the magistrate or magistrates, justice or justices before whom any such offender or offenders shall have been so convicted, or by the magistrate or justice who backed the warrant, if either of them shall continue alive, and if not, by some other magistrate or justice of the county, riding, division, city or place, in which the offender shall have been convicted; and for want of such distress, then every such magistrate or justice, within whose respective jurisdiction any such offender or offenders shall reside or be, shall, on the application of any prosecutor or prosecutors, and proof made of the conviction and non-payment of the penalty and charges by warrant under his hand and seal, commit every such offender or offenders to the common goal or house of correction of the city or county, riding, division, or place, where such offender or offenders shall be found, there to remain for the space of one calendar month from the time of such commitment, unless, after such commitment, payment shall be made of the said penalty or forfeiture, costs and charges, before the expiration of the said one calendar month; and all such penalties and forfeitures, when recovered, shall be paid to the informer.

Penalties to
be paid to the
informer.

XIV. And

XIV. And be it further enacted, That if it shall be made out by the oath of any credible person or persons, to the satisfaction of any magistrate or magistrates, justice or justices, that any one within the jurisdiction of any such magistrate or magistrates, justice or justices, is likely to give or offer material evidence on behalf of the prosecutor of any offender or offenders against the true intent and meaning of this act, or on behalf of the person or persons accused, and will not voluntarily appear before such magistrate or magistrates, justice or justices, to be examined, and give his, her, or their evidence concerning the premises; every such magistrate or magistrates, justice or justices, is and are hereby authorised and required to issue his or their summons to convene every such witness and witnesses before any such magistrate or magistrates, justice or justices, at such reasonable time as in such summons shall be fixed; and if any person so summoned shall neglect or refuse to appear at the time by such summons appointed, and no just excuse shall be offered for such neglect or refusal, then (after proof by oath of such summons having been duly served upon the party or parties so summoned) every such magistrate and magistrates, justice and justices, is and are hereby authorised and required to issue his or their warrant, under his hand and seal, or their hands and seals, to bring every such witness or witnesses before any such magistrate or magistrates, justice or justices; and on the appearance of any such witness before any such magistrate or magistrates, justice or justices, every such magistrate or magistrates, justice or justices, is and are hereby authorised and empowered to examine upon oath every such witness; and if any such witness on his or her appearance, or on being brought before any such magistrate or magistrates, justice or justices, shall refuse to be examined upon oath concerning the premises, without offering any just excuse for such refusal, any such magistrate or magistrates, justice or justices, within the limits of his or their jurisdiction, may, by warrant under his hand and seal, or their hands and seals, commit any person or persons so refusing to be examined, to the publick prison of the county, riding, division, city, liberty, or place in which the person or persons so refusing to be examined shall be, there to remain for any time not exceeding fourteen days nor less than three days, as any such magistrate or magistrates, justice or justices, shall direct.

Witnesses not appearing upon summons may be brought by a magistrate, and any refusing to be examined upon oath may be committed.

XV. And be it further enacted, That the magistrate or magistrates, justice or justices before whom any person shall be convicted in manner prescribed by this act, shall cause such respective conviction to be drawn up in the form or to the effect following; (that is to say),

Convictions to be drawn up in the following

‘To wit, } **BE** it remembered, That on this day of _____ in the year _____ of the reign of _____ *A. B.* is convicted before _____ Majesty’s

Majesty's justices of the peace for the said county of
[or, for the riding or division of the said county
of or, for the city liberty, or town of [as the
case shall happen to be] for and do adjudge him
[her or them] to pay and forfeit for the same the sum of
Given under the day and year aforesaid.

and shall not be removed.

Appeal may be made to the general or quarter sessions, and the matter finally determined there.

XVI. And be it further enacted, That no *Certiorari*, letters of advocation or of suspension, shall be granted, to remove any conviction or other proceedings had thereon in pursuance of this act.

XVII. Provided always, and it is hereby further enacted, That if any person convicted of any offence punishable by this act, shall think him, her, or themselves aggrieved by the judgement of the magistrate or magistrates, justice or justices, before whom he, she, or they shall have been convicted, such person shall have liberty from time to time to appeal to the justices at the next general or quarter sessions of the peace which shall be held for the county, riding, division, city, liberty, town or place where such judgement shall have been given; and that the execution of the said judgement shall in such cases be suspended, the person so convicted entering into a recognizance at the time of such conviction, with two sufficient sureties, in double the sum which such person shall have been adjudged to pay or forfeit, upon condition to prosecute such appeal with effect, and to be forthcoming to abide the judgement and determination of the justices at their said next general or general quarter sessions; which recognizance the magistrate or magistrates, justice or justices, before whom such conviction shall be had, is and are hereby empowered and required to take; and the justices in the said general or general quarter sessions, are hereby authorized and required to hear and finally determine the matter of every such appeal, and to award such costs as to them shall appear just and reasonable to be paid by either party; and if, upon hearing the said appeal, the judgement of the magistrate or magistrates, justice or justices, before whom the appellant or appellants shall have been convicted, shall be affirmed, such appellant or appellants shall immediately pay down the sum, he, she, or they shall have been adjudged to forfeit, together with such costs as the justices in their said general or general quarter sessions shall award to be paid to the prosecutor or informer, for defraying the expences sustained by reason of any such appeal; and in default of the appellants paying the same, any two such justices, or any one such magistrate or justice of the peace, having jurisdiction in the place into which any such appellant or appellants shall escape, or where he, she, or they shall reside, shall and may, by warrant under their hands and seals, or his hand and seal, commit every such appellant and appellants to the common gaol of the county, city, riding, division, town, or place, where he,

he, she, or they shall be apprehended, until he, she, or they shall make payment of such penalty, and of the costs and charges which shall be adjudged on the conviction, to the informer; but if the appellant or appellants in any such appeal shall make good his, her, or their appeal, and be discharged of the said conviction, reasonable costs shall be awarded to the appellant or appellants against such informer or informers, who would (in case of such conviction) have been entitled to the penalty to have been recovered as aforesaid; and which costs shall and may be recovered by the appellant or appellants against any such informer or informers, in like manner as costs given at any general or general quarter sessions of the peace are recoverable.

XVIII. Provided also, and be it further enacted, That if any such conviction shall happen to be made within six days before any general or general quarter sessions of the peace which shall be held for the county, riding, division, city, town corporate, borough, or place, where such conviction shall have been made, then the party or parties who shall think him, her, or themselves aggrieved by any such conviction, shall and may, on entering into a recognizance, in manner and for the purposes before directed, be at liberty to appeal either to the then next or the next following general or general quarter sessions of the peace which shall be held for any such county, riding, division, city, town corporate, borough, liberty, or place, where any such conviction shall have been made.

XIX. And be it further enacted, That every action or suit which shall be brought or commenced against any magistrate or magistrates, justice or justices, or any peace officer or officers, for any matter or thing done or committed by virtue of or under this act, shall be commenced within six months next after the fact committed, and not afterwards, and shall be laid or brought in the county, city, or place where the matter in dispute shall arise, and not elsewhere; and that the statute made in the twenty-fourth year of his late Majesty's reign, intituled, *An act for the rendering justices of the peace more safe in the execution of their office, and for indemnifying constables, and others acting in obedience to their warrants, so far as the said act relates to the rendering the justices more safe in the execution of their office, shall extend and be construed to extend to the magistrate and magistrates, justice and justices of the peace, acting under the authority and in pursuance of this act; and that no action or suit shall be had or commenced against, nor shall any writ be sued out or copy of any writ be served upon any peace officer or officers, for any thing done in the execution of this act, until seven days after a notice in writing shall have been given to or left for him or them, at his or their usual place of abode, by the attorney for the party intending to commence such action; which notice in writing shall contain the name and place of abode of the person intending to bring such action, and also of his attorney, and likewise the cause of action or*

If convictions be made within six days before any sessions the parties may appeal either to that or the next following sessions.

Limitation of actions against magistrates or peace officers.

24 Geo. 2. c. 44. to extend to magistrates acting under this act.

No action to be commenced against any peace officer until 7 days after notice, who may within that time tender amends, and if not accepted may plead the tender with

the general issue, and if found sufficient a verdict shall be found for the defendant, or if the plaintiff become nonsuit, &c.

If the jury find for the plaintiff, they shall give a verdict for damages.

Defendants may plead the general issue.

Treble costs.

No person shall be convicted, unless the prosecution be commenced within 14 days. Application of penalties.

complaint; and any peace officer or officers shall be at liberty, and may by virtue of this act, at any time within seven days after any such notice shall have been given to or left for him, tender or cause to be tendered any sum or sums of money, as amends for the injury complained of, to the party complaining, or to the attorney named in any such notice; and if the same is not accepted of, the defendant or defendants in any such action or actions may plead such tender in bar of such action or actions, together with the general issue, or any other plea, with leave of the court in which the action shall be commenced; and if upon issue joined on such tender the jury shall find the amends tendered to have been sufficient, they shall find a verdict for the defendant or defendants; and in every such case, or if the plaintiff shall become nonsuit, or discontinue his action, or if judgement shall be given for the defendant or defendants upon demurrer, or if any action or suit shall be brought after the time limited by this act for bringing the same, or shall be brought in any other county or place than as aforesaid, then and in any such case the jury shall find for the defendant or defendants, and the defendant or defendants shall be entitled to his or their costs; but if the jury shall find that no such tender was made, or that the amends tendered were not sufficient, or shall find against the defendant or defendants, on any plea or pleas by him or them pleaded, they shall then give a verdict for the plaintiff, and such damages as they shall think proper, and the plaintiff shall thereupon recover his costs against every such defendant and defendants.

XX. And be it further enacted, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, the defendant or defendants in any such action or suit may plead the general issue, and given 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 if a verdict shall be recorded for the defendant or defendants, or if the plaintiff shall be nonsuited or discontinue his action after the defendant or defendants shall have appeared, or if judgement shall be given upon a verdict or demurrer against the plaintiff or plaintiffs, the defendant or defendants in any such action 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, for recovery of his, her, or their costs.

XXI. Provided always, That no person shall be convicted in manner aforesaid, for any of the beforementioned offences, unless the prosecution in order to such conviction be commenced within fourteen days next after the offence committed.

XXII. And be it further enacted, That all penalties and forfeitures by this act imposed and inflicted, shall go and be distributed in manner following, (that is to say), When any offence

THE PRICE TABLE.						THE ASSIZE TABLE.					
When the Average Price of Flour.		BREAD.				BREAD.					
Is returned from the Market at	Add Baking 11s. 8d. per Sack.	Price of Peck Loaf To weigh 17lb. 6oz.	Price of Half peck Loaf To weigh 8lb. 11oz.	Price of Quarter Loaf To weigh 4lb. 5oz. 8dr.	Price of Half Quarter Loaf To weigh 2lb. 2oz. 12dr.	The Penny Loaf To weigh	The Two-penny Loaf To weigh	The Three-penny Loaf To weigh	The Six-penny Loaf To weigh	The Twelve-penny Loaf To weigh	The Eighteen-penny Loaf To weigh
Per Sack.	Total Price and Baking per Sack.	s. d.	s. d.	s. d.	s. d.	oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.
25 0	36 8	1 10	0 11	0 5 1/2	0 2 3/4	12 10	1 9 4	2 5 14	4 11 13	9 7 10	14 3 7
26 8	38 4	1 11	0 11 1/2	0 5 3/4	0 2 3/4	12 1	1 8 2	2 4 4	4 8 8	9 1 0	13 9 9
28 4	40 0	2 0	1 0	0 6	0 3	11 9	1 7 2	2 2 12	4 5 8	8 11 0	13 0 8
30 0	41 8	2 1	1 0 1/2	0 6 1/4	0 3 1/4	11 1	1 6 3	2 1 5	4 2 11	8 5 7	12 8 2
31 8	43 4	2 2	1 1	0 6 1/2	0 3 1/2	10 11	1 5 6	2 0 1	4 0 2	8 0 4	12 0 7
33 4	45 0	2 3	1 1 1/2	0 6 3/4	0 3 1/4	10 14	1 4 9	1 14 14	3 13 12	7 11 8	11 9 5
35 0	46 8	2 4	1 2	0 7	0 3 1/2	9 14	1 3 13	1 13 12	3 11 9	7 7 2	11 2 11
36 8	48 4	2 5	1 2 1/2	0 7 1/4	0 3 3/4	9 9	1 3 2	1 12 12	3 9 8	7 3 0	10 12 8
38 4	50 0	2 6	1 3	0 7 1/2	0 3 3/4	9 4	1 2 8	1 11 12	3 7 9	6 15 3	10 6 12
40 0	51 8	2 7	1 3 1/2	0 7 3/4	0 3 3/4	8 15	1 1 14	1 10 14	3 5 12	6 11 9	10 1 6
41 8	53 4	2 8	1 4	0 8	0 4	8 11	1 1 6	1 10 1	3 4 2	6 8 4	9 12 6
43 4	55 0	2 9	1 4 1/2	0 8 1/4	0 4 1/4	8 6	1 0 13	1 9 4	3 2 8	6 5 1	9 7 10
45 0	56 8	2 10	1 5	0 8 1/2	0 4 1/2	8 2	1 0 5	1 8 8	3 1 0	6 2 1	9 3 2
46 8	58 4	2 11	1 5 1/2	0 8 3/4	0 4 3/4	7 15	0 15 14	1 7 13	2 15 10	5 15 5	8 14 15
48 4	60 0	3 0	1 6	0 9	0 4 1/2	7 11	0 15 7	1 7 2	2 14 5	5 12 10	8 11 0
50 0	61 8	3 1	1 6 1/2	0 9 1/4	0 4 3/4	7 8	0 15 0	1 6 8	2 13 1	5 10 2	8 7 3
51 8	63 4	3 2	1 7	0 9 1/2	0 4 3/4	7 5	0 14 10	1 5 15	2 11 14	5 7 12	8 3 10
53 4	65 0	3 3	1 7 1/2	0 9 3/4	0 4 3/4	7 2	0 14 4	1 5 6	2 10 12	5 5 8	8 0 4
55 0	66 8	3 4	1 8	0 10	0 5	6 15	0 13 14	1 4 13	2 9 11	5 3 6	7 13 1
56 8	68 4	3 5	1 8 1/2	0 10 1/4	0 5 1/4	6 12	0 13 8	1 4 5	2 8 10	5 1 5	7 10 0
58 4	70 0	3 6	1 9	0 10 1/2	0 5 1/2	6 9	0 13 3	1 3 13	2 7 11	4 15 6	7 7 2
60 0	71 8	3 7	1 9 1/2	0 10 3/4	0 5 1/2	6 7	0 12 14	1 3 6	2 6 12	4 13 9	7 4 5
61 8	73 4	3 8	1 10	0 11	0 5 1/2	6 5	0 12 10	1 2 15	2 5 14	4 11 13	7 1 11
63 4	75 0	3 9	1 10 1/2	0 11 1/4	0 5 3/4	6 2	0 12 5	1 2 8	2 5 1	4 10 2	6 15 3
65 0	76 8	3 10	1 11	0 11 1/2	0 5 3/4	6 0	0 12 1	1 2 2	2 4 4	4 8 8	6 12 12
66 8	78 4	3 11	1 11 1/2	0 11 3/4	0 5 3/4	5 14	0 11 13	1 1 11	2 3 7	4 6 15	6 10 7
68 4	80 0	4 0	2 0	1 0	0 5 1/2	5 12	0 11 9	1 1 6	2 2 12	4 5 8	6 8 4
70 0	81 8	4 1	2 0 1/2	1 0 1/4	0 6 1/4	5 10	0 11 5	1 1 0	2 2 0	4 4 1	6 6 1
71 8	83 4	4 2	2 1	1 0 1/2	0 6 1/4	5 8	0 11 1	1 0 10	2 1 5	4 2 11	6 4 1
73 4	85 0	4 3	2 1 1/2	1 0 3/4	0 6 1/2	5 7	0 10 14	1 0 5	2 0 11	4 1 6	6 2 1
75 0	86 8	4 4	2 2	1 1	0 6 1/2	5 5	0 10 11	1 0 0	2 0 1	4 0 2	6 0 3
76 8	88 4	4 5	2 2 1/2	1 1 1/4	0 6 3/4	5 3	0 10 7	0 15 11	1 15 7	3 14 15	5 14 6
78 4	90 0	4 6	2 3	1 1 1/2	0 6 3/4	5 2	0 10 4	0 15 7	1 14 14	3 13 12	5 12 10
80 0	91 8	4 7	2 3 1/2	1 1 3/4	0 6 3/4	5 0	0 10 1	0 15 2	1 14 5	3 12 10	5 10 15
81 8	93 4	4 8	2 4	1 2	0 7	4 15	0 9 14	0 14 14	1 13 12	3 11 9	5 9 5
83 4	95 0	4 9	2 4 1/2	1 2 1/4	0 7 1/4	4 14	0 9 12	0 14 10	1 13 4	3 10 8	5 7 12
85 0	96 8	4 10	2 5	1 2 1/2	0 7 1/4	4 12	0 9 9	0 14 6	1 12 12	3 9 8	5 6 4
86 8	98 4	4 11	2 5 1/2	1 2 3/4	0 7 1/2	4 11	0 9 6	0 14 2	1 12 4	3 8 8	5 4 13
88 4	100 0	5 0	2 6	1 3	0 7 1/2	4 10	0 9 4	0 13 14	1 11 12	3 7 9	5 3 6
90 0	101 8	5 1	2 6 1/2	1 3 1/4	0 7 3/4	4 8	0 9 1	0 13 10	1 11 5	3 6 11	5 2 0
91 8	103 4	5 2	2 7	1 3 1/2	0 7 3/4	4 7	0 8 15	0 13 7	1 10 14	3 5 12	5 0 11
93 4	105 0	5 3	2 7 1/2	1 3 3/4	0 7 3/4	4 6	0 8 13	0 13 3	1 10 7	3 4 15	4 15 6
95 0	106 8	5 4	2 8	1 4	0 8	4 5	0 8 11	0 13 0	1 10 1	3 4 2	4 14 3
96 8	108 4	5 5	2 8 1/2	1 4 1/4	0 8 1/4	4 4	0 8 8	0 12 13	1 9 10	3 3 5	4 12 15
98 4	110 0	5 6	2 9	1 4 1/2	0 8 1/2	4 3	0 8 6	0 12 10	1 9 4	3 2 8	4 11 13
100 0	111 8	5 7	2 9 1/2	1 4 3/4	0 8 1/4	4 2	0 8 5	0 12 7	1 8 14	3 1 13	4 10 11
101 8	113 4	5 8	2 10	1 5	0 8 1/2	4 1	0 8 3	0 12 4	1 8 8	3 1 1	4 9 9
103 4	115 0	5 9	2 10 1/2	1 5 1/4	0 8 3/4	4 0	0 8 1	0 12 1	1 8 3	3 0 6	4 8 8
105 0	116 8	5 10	2 11	1 5 1/2	0 8 3/4	4 0	0 7 15	0 11 15	1 7 13	2 15 11	4 7 8

MEMORANDUM.—That when the Price of the Sack of Flour shall exceed the Sum of 105 Shillings, the Price of Bread is to be ascertained and set from the above Tables, by duly observing the Proportions upon which the above Tables are calculated as near as can be.

offender or offenders shall be convicted either by his, her, or their own confession, or by the oath of one or more credible witness or witnesses, such penalty or forfeiture shall go and be paid to the person or persons who shall inform against and prosecute to conviction any such offender or offenders, and all penalties and forfeitures which shall arise or be incurred by reason of any search, trial, or seizure, made in pursuance of any of the powers and provisions of this act, by any magistrate or magistrates, justice or justices, shall go and be applied to or for the use of the poor of the parish wherein such offence shall be committed, or the party convicted, in such manner as any such magistrate or magistrates, justice or justices, within his or their jurisdiction, shall from time to time think fit.

XXIII. And be it further enacted, That this act shall continue in force until the sixth day of *November* one thousand eight hundred and one, and from thence to the end of six weeks from the commencement of the then next session of parliament.

C A P. XVII.

An act to prohibit until the first day of October one thousand eight hundred and one, and from thence to the end of six weeks next after the commencement of the then next session of parliament, any person or persons from selling any bread, which shall not have been baked twenty-four hours.—[Dec. 31, 1800.]

Preamble.

WHEREAS it is expedient to reduce, as much as possible, at the present moment, the consumption of wheat flour: and whereas it appears that a considerable saving would arise, if bread was prohibited from being sold until it had been baked a certain 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 it shall not be lawful for any baker or other person or persons, to sell, or offer or expose to sale, or send out for sale, or deliver on his or their account, or on that of any other person, any bread, until the same shall have been baked twenty-four hours at the least; and every baker or other person or persons, who shall act contrary hereto, or offend herein, shall for every offence forfeit and pay a sum not exceeding forty shillings, nor less than five shillings, at the discretion of the magistrate, for every loaf, half loaf, or any smaller or larger part or portion of a loaf, or for every cake or roll, muffin or crumpet, or any bread commonly known by the name of *French Bread*, made of the flour of wheat, barley, oats, rye, pease, or rice, so sold, offered, exposed to or sent out for sale; which penalty shall and may be recovered before any one or more of his Majesty's justices of the peace for the county, city, or place where the offence shall be committed, upon the oath of one or more credible witness or witnesses, who shall prove, to the satisfaction of such justice or justices, that the said bread had not been baked twenty-four hours (which oath such justice or justices is and are hereby empowered to administer) one moiety whereof shall be paid to the informer or informers, and the other moiety to the poor of the parish or place where the offence shall be committed; and if the said penalty shall not be forthwith paid, it shall and may be lawful for such justice or justices, by warrant under his or their hand and seal, to cause the said penalty to be levied by distress and sale of the goods and chattels of the party offending, rendering the overplus (if any) to the owner or owners of such goods and chattels, after deducting the said penalty, and the costs and charges of taking and making such distress and sale.

No person shall sell or expose to sale, any bread, until it shall have been baked 24 hours, on penalty from 40s. to 5s. for every loaf, cake, roll, muffin, &c.

Penalty may be recovered before a justice, and divided between the informer and the poor of the parish.

The 24 hours shall be computed from taking the bread out of the oven; and no art shall be

II. Provided always, and be it further enacted, That the twenty-four hours previous to the expiration of which it shall not be lawful for any baker, or other person or persons, to sell bread, or offer or expose it to or send it out for sale, shall be computed from the time at which such bread was taken out of the

the oven or other place used for the purpose of baking or heating it: provided also, That it shall not be lawful for any baker, or other person or persons employed by any such baker, to use any art or artifice whatever for preserving the heat or moisture in bread longer than such heat or moisture would be preserved by the fair mode of keeping bread in the ordinary way of his business; and every baker or other person or persons who shall act contrary to or offend herein, shall for every such offence be liable to the same penalty, to be recovered in the same mode, as is herein-before enacted in the case of the sale of new bread.

used for preserving the heat or moisture of the bread.

III. And be it further enacted, That it shall and may be lawful for the severall wardmote inquests of the city of *London*, or such other person or persons as are authorized by any act heretofore passed, to enter into any house, shop, stall, bakehouse, warehous, out-house, or other place, of or belonging to any baker or seller of bread, at all times, within their respective limits, to search any basket, wheelbarrow, cart, or other conveyance used by any baker for the purpose of carrying bread to or for any dealer therein or consumer thereof; and in case any bread shall be found in the same which shall not have been baked twenty-four hours at the least, all such bread, which shall be so found in any such basket, wheelbarrow, cart, or other conveyance, shall be deemed and taken as bread exposed to sale within the intent and meaning of this act; and in case such wardmote inquests or such person or persons so authorized as aforesaid shall not be able to discover the owner or owners of such bread, then the said wardmote inquest, or any four or more of the persons composing the same, or such person or persons so authorized as aforesaid, shall and may seize such bread, and after seizure thereof shall, with all convenient speed, cause the same to be carried to any justice or justices of the peace for the county, city, or place where the offence shall be committed, who shall and may dispose thereof, as he or they in his or their discretion, shall think fit.

The wardmote inquests of *London*, or authorized persons may enter shops, &c. and search baskets, &c. used for carrying out bread, and if any be found therein not baked 24 hours, and if the owner cannot be found, it may be seized and carried before a justice, who may dispose thereof as he shall think fit.

IV. And be it further enacted, That if any person or persons shall wilfully obstruct or hinder any search herein-before authorized to be made, or the seizure of any bread which shall be found on any such search, or the taking or carrying away the same, he, she, or they so doing or offending shall, upon being convicted thereof before any such last-mentioned magistrate, forfeit and pay for every offence any sum not exceeding five pounds nor less than ten shillings, as the magistrate or magistrates, before whom such offender or offenders shall be convicted, shall think fit to order.

Penalty for obstructing any search, or seizing bread.

V. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, to any baker or other person who shall sell or deliver, or offer or expose to sale, any bread which shall not have been baked twenty-four hours,

Act not to extend to bread for the use of troops on their march, or

within 24 hours after arrival at quarters.

Appeal may be made to the quarter sessions, who may finally determine the matter.

to or for the use of any of his Majesty's troops on their march; or within twenty-four hours after their arrival at any quarter, barrack, or cantonment.

VI. Provided nevertheless, and be it further enacted, That all and every person or persons who shall think him, her, or themselves aggrieved, by the judgement or determination of any such justice or justices as aforesaid, in respect of any pecuniary penalty, may appeal to the justices of the peace for the county, riding, division, city, liberty, or place, where such judgement shall be given, at their then next general or quarter sessions of the peace, unless such general or quarter sessions of the peace shall happen to be holden within six days next after any such conviction, and in such case such person or persons may appeal to the next subsequent general or quarter sessions of the peace which shall be holden for any such county, riding, division, city, liberty, or place; but no such appeal shall be received, heard, or determined, unless the appellant or appellants shall first enter into a recognizance, with two sufficient sureties, before such justice or justices so convicting as aforesaid, in the sum of twenty pounds each, to appear and prosecute every such appeal with effect; and the justices of the peace of such general or quarter sessions of the peace are hereby authorized and required, on every such appeal being made, and on reasonable notice thereof given to the other party, finally to hear and determine the matter of every such appeal, and to make such order and to award such costs therein as they in their discretion shall see meet, and which said order and determination shall be final and conclusive to all parties, and no *Certiorari* shall be allowed to remove any such proceedings or determination.

Complaints for offences committed within certain limits, shall be heard at the nearest publick office.

VII. And be it further enacted, That every complaint which shall be made of any offence against this act, alledged to have been committed within those parts of the counties of *Middlesex* and *Surrey* which lie within the bills of mortality, or in the parishes of *Saint Mary-le-bone* and *Pancras*, in the said county of *Middlesex*, shall be heard and determined by some one or more of his Majesty's justices of the peace, acting in and for the said counties, at such of the publick offices, established by virtue of an act, passed in the thirty-second year of his present Majesty, intituled, *An act for the more effectual administration of the office of a justice of the peace, in such parts of the counties of Middlesex and Surrey as lie in and near the metropolis, and for the more effectual prevention of felonies*; and further continued by virtue of an act, passed in the thirty-sixth year of the reign of his present Majesty, as shall be next or near to the place in which such offence shall be alledged to have been committed.

Prosecutions shall be commenced within a limited time.

VIII. Provided always, and be it further enacted, That no person shall be convicted in manner aforesaid, for any of the before mentioned offences, unless the prosecution, in order to such conviction, be commenced within three days next after the offence committed.

IX. And

IX. And be it further enacted, That this act shall continue in force until the first day of *October* one thousand eight hundred and one, and from thence to the end of six weeks next after the commencement of the then next session of parliament. Continuance of act.

C A P. XVIII.

An act to permit, until the first day of October one thousand eight hundred and one, the importation of Swedish herrings into Great Britain.—[Dec. 31, 1800.]

WHEREAS it is expedient under the present circumstances, to permit, for a limited time, the importation of Swedish herrings into Great Britain, in British ships, or in ships belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, without payment of duty; 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, and until the first day of *October* one thousand eight hundred and one, it shall and may be lawful to and for any person or persons whatever to import into *Great Britain*, from any port or place in *Sweden*, in any *British* ship or vessel, or in any other ship or vessel belonging to persons of any kingdom or state in amity with his Majesty, and navigated in any manner whatever, any herrings caught and cured on any of the coasts of *Sweden*, without the payment of any duty whatever; any thing in any act or acts of parliament to the contrary thereof in anywise notwithstanding. Preamble. Until Oct. 1. 1801. herrings may be imported from Sweden, in British vessels, or in vessels of any kingdom in amity with his Majesty, duty free.

II. Provided always, and be it further enacted, That a due entry shall be made of all such herrings that shall be imported by virtue of this act, with the proper officers of the customs at the port into which the same shall be imported; and, in default thereof, the same shall be forfeited, and shall and may be seized by any officer or officers of his Majesty's customs. Entry shall be made of such herrings at the port of importation on penalty of forfeiture.

C A P. XIX.

An act to remove doubts arising upon the construction of an act of this session of parliament, intituled, An act for granting bounties on the importation of wheat, barley, rye, oats, pease, beans, and Indian corn, and of barley, rye, oat, and Indian meal, and wheaten flour and rice.—[Dec. 31, 1800.]

WHEREAS by an act, made in this present session of parliament, intituled, An act for granting bounties on the importation of wheat, barley, rye, pease, beans, and Indian corn, and of barley, rye, oat, and Indian meal, and wheaten flour and rice, it was enacted, That before any corn, grain, or pulse, or any flour or rice, in the said act mentioned, imported or brought into Preamble. c. 10.

this kingdom for bounty, under the regulations of the said recited act, should be delivered out of the charge of the officer or officers of the customs in the said act mentioned, that the same should be inspected and examined in the manner in the said act mentioned: and whereas it was also enacted in the said recited act, That returns should be made to the inspector of corn returns, in the manner in the said act mentioned, of all foreign corn, grain, or pulse, that shall be examined and certified under the said act: and whereas doubts have arisen whether all foreign corn, grain, or pulse, in, by, and under the provisions of the said recited act, to be examined and returned to the inspector of corn returns, whether any bounties are claimed or are payable on such corn, grain, or pulse, or not; for the remedy whereof, 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 the said act was intended, and shall be deemed and construed to require that before any foreign corn, grain, or pulse, imported or brought into this kingdom during the continuance of the said act, shall be delivered out of the charge of the proper officer or officers of the customs in the said act mentioned, such articles respectively shall be carefully and attentively inspected and examined, and if the same are merchantable, certified in manner in the said act mentioned; and that all corn, grain, or pulse, that shall be certified under the said act, shall be returned to the inspector of corn returns, as in the said act is directed, whether any bounty or bounties shall be claimed or payable on any such corn, grain, or pulse, or not; any thing in the said act contained to the contrary notwithstanding.

The recited act shall be deemed to require that before any foreign corn shall be delivered out of the charge of the proper officer, it should be inspected, and if merchantable certified, and returned to the inspector, whether bounty be claimed or not.

C A P. XX.

An act to revive and continue until the expiration of six weeks after the commencement of the next session of parliament, and amend so much of an act of the last session of parliament, as relates to the reducing and better collecting the duties payable on the importation of starch; and to continue for the same time several laws relating to the enabling his Majesty to permit goods to be imported into this kingdom in neutral ships; to the authorising his Majesty to make regulations respecting the trade to the Cape of Good Hope; and to the preventing offences in obstructing, destroying, or damaging ships, and in obstructing seamen and others from pursuing their lawful occupations.—[Dec. 31, 1800.]

So much of 39 & 40 Geo. 3. c. 8. as relates to the reducing and collecting the import duties on starch, shall, from Sept. 29, 1800, be revised and continued until six weeks after the commencement of the next session; and a duty after the rate of 3d. 1q. per lb. only shall be paid. 37 Geo. 3. c. 112. 37 Geo. 3. c. 21. and 33 Geo. 3. c. 67. further continued until six weeks after the commencement of the next session.

C A P. XXI.

An act for allowing, until the fifteenth day of October next thousand eight hundred and one, the use of salt, duty free, in the preserving of fish in bulk or in barrels; for protecting persons engaged

engaged in such fisheries, from being impressed into his Majesty's service; for discontinuing the bounty payable on white herrings exported; and for allowing a bounty on pilchards now cured, whether exported or sold for home consumption. — [Dec. 31, 1800.]

WHEREAS in order to procure a large supply of good and wholesome fish, it is expedient to allow salt to be used, duty free, for a limited time, for the purpose of curing or preserving herrings, pilchards, mackarel, and all other kinds or species of wholesome fish, either in bulk or in barrels; 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, **That** the continuance of this act, it shall be lawful for any person or persons who shall catch or take, or purchase and cure or preserve any herrings, pilchards, mackarel, or any other kind or species of wholesome fish, or who shall fit out any vessel for such purpose, to take and ship on board his or their vessel, from his or their own stock of salt, or from the stock of salt of any other fish curer, of whom such person or persons shall purchase, or with whom he or they shall contract for salt, any quantity of salt, duty free, that shall be deemed necessary for curing or preserving the fish which may be expected to be taken or purchased in the trip or voyage in or upon which he or they shall immediately intend to dispatch or employ his or their vessel: provided always, That no person or persons shall be allowed to ship or have on board any vessel, at any time, any greater or larger quantity of salt than in the proportion of ten bushels for every ton burthen, by admeasurement of the vessel in or on board of which such salt shall be taken or shipped: provided also, That before any person or persons whatever shall receive into his or their custody or possession, or take or ship on board any vessel or vessels, any quantity of salt, free of duty, for the purpose of salting, curing or preserving fish, such person or persons shall make entry in writing at the next office of excise of his or their name or names, and place or places of abode, and of the number and situation of every warehouse, which he or they shall intend to make use of for the keeping or storing of salt, and shall also give bond or security to be approved by the commissioners of excise, or the person or persons who shall be appointed or employed by them for that purpose, in the sum of five hundred pounds, that he or they will duly account with the proper officer or officers of excise, according to the directions of this act, for all the salt which he or they shall at any time take, ship, receive, or have on board his or their vessel or vessels, for the purpose of salting, curing, or preserving of fish, and that such salt, and every part thereof, shall be fairly and *bonâ fide* employed, spent, and consumed, in salting, curing, or preserving of fish as aforesaid, or shall be returned into the warehouse entered for the keeping or storing of salt, duty-free, from whence the same was taken;

Salt may be taken on board, duty free, for curing fish, in the proportion of 10 bushels for every ton burthen of the vessel.

Before salt is received, duty free, an entry shall be made at the excise office of the name of the party, &c. and bond given for duty accounting for the salt.

and

and that no part of such salt, so taken, shipped, received, or had on board any such vessel or vessels as aforesaid, shall be fraudulently sold or disposed of, contrary to the true intent and meaning of this act.

Persons intending to ship salt, to give notice to the excise officer of certain particulars.

II. And be it further enacted, That all and every persons or person intending to ship any such salt for the purpose aforesaid, shall give to the proper officer of excise of the port or place from whence such salt shall be taken and shipped, a notice in writing specifying his or their name or names, the name of the vessel on board which the salt is intended to be shipped, the name of the master thereof, the burthen or tonnage of such vessel, the place to which such vessel is bound, the particular sorts or species of fish expected to be taken or purchased and cured, and the exact and true quantity and species of salt intended to be shipped or put on board such vessel.

Fish curers may deliver any part of their stock of salt, duty free, to persons who have made entry and given bond as required.

III. And be it further enacted, That it shall be lawful for any known and entered fish curer or fish curers, to deliver any part of his stock of salt, duty free, into the custody or possession of any person or persons who shall have made entry and given bond or security, in pursuance of and according to the directions of this act, for taking, or purchasing and curing or preserving fish: provided always, That such salt shall be delivered under, subject, and according to the rules, regulations, and restrictions provided and prescribed by an act passed in the thirty-eighth year of the reign of his present Majesty, for transferring the management of the salt duties to the commissioners of excise, and for other purposes.

Such salt shall be delivered under the rules of 38 Geo. 3. c. 89.

When salt is shipped, the excise officer to give a certificate specifying certain particulars.

IV. And be it further enacted, That when and so soon as any salt shall have been shipped or taken on board any vessel for the purpose of curing or preserving fish as aforesaid, it shall be lawful for the proper officer of excise to whom the notice of shipping such salt shall have been delivered as aforesaid, and such officer is hereby authorized and required to give and grant to the owner, proprietor, or master of such vessel, a certificate specifying the name of the vessel and of the master thereof, the tonnage or burthen of such vessel, the quantity and species of salt taken, had, or received on board such vessel, and the name or names of the person or persons from whose stock of salt the same was taken and shipped, the place from whence taken and shipped, the time when shipped, and the place to which the vessel on board which the same shall be so shipped is bound.

Penalty of 100l. for unshipping cured fish, except at a lawful quay.

V. And be it further enacted, That if any owner or owners, proprietor or proprietors, or master of any vessel, on board which any salt shall be so taken or shipped as aforesaid, shall unship or unlade, or cause or procure to be unshipped or unladen, or wilfully or knowingly permit or suffer to be unshipped or unladen, any part of any cargo of salted or cured fish, except at some lawful quay within the kingdom of Great Britain, he, she, or they, shall forfeit for every such offence, the sum of one hundred pounds.

Within 24 hours after arrival at the

VI. And be it further enacted, That within twenty-four hours after any such vessel on board of which any salt shall have been taken

taken or shipped as aforesaid, shall arrive at the port of which the cargo of such vessel is to be unladen or delivered, the master of such vessel shall make entry in writing with the proper officer of excise of such port, specifying the quantity and kinds or species of salted or cured fish of which the cargo of such vessel shall consist; that is to say, If herrings, the quantity, according to the exact and true number of crans of thirty-four gallons each, English wine measure, of fresh herrings, which were taken or received on board his vessel; if pilchards or mackarel, the exact and true number of barrels, consisting of fifty gallons each of the like measure, which were taken or received on board fresh; and if any other kind or species of fish, the exact and true number of barrels of two hundred pounds weight each, or the exact and true weight of such fish; and also the exact and true quantity of salt actually employed and spent in curing and preserving such fish respectively, and likewise the true quantity of salt which shall be then remaining, in or on board his vessel, unused; and thereupon the proper officer of excise shall go on board and inspect and examine all such fish and salt, and shall grant permission, in writing under his hand, for unloading and landing all such fish, which, if required by such officer, shall be unladen (and if in bulk, measured or weighed) by such master, in the presence of the proper officer of excise; and if any such master shall neglect or refuse to make such entry as aforesaid, or make any false entry, or shall refuse to unlade the salted fish of which his cargo shall consist, and to measure or weigh such part thereof as shall be imported in bulk, in the presence of the proper officer of excise, he shall forfeit, for every such offence, the sum of one hundred pounds.

VII. And be it further enacted, That the certificate which shall have been received by any such master for or in respect of any such salt as aforesaid, shall be produced to the proper officer of excise by whom the cargo of the vessel on board which the salt, for or in respect of which such certificate as aforesaid shall have been granted, shall be inspected, examined, and taken account of; and if such officer shall be satisfied that the salt specified in such entry to have been used, shall have been fairly and *bonâ fide* spent and consumed in preserving or curing the salted fish of which the cargo shall consist, according to the directions of this act, then and in such case such officer shall indorse on such certificate the true quantity of fish cured or preserved, and landed out of such vessel, and the exact quantity of salt remaining on board; which certificate, being produced to and left with the proper officer of excise of the port or place at which or from whence the salt to which such certificate may have reference shall have been shipped or taken on board such vessel, such last-mentioned officer shall give credit for or write off from the account of the person or persons who shall stand charged in the books or accounts of the excise with such salt, so much salt as shall appear by the indorsement of the proper officer of excise on such certificate to have been actually used, spent, and consumed, in curing and preserving fish, according to the true intent and meaning of this act,

port of unshipping the cargo of any vessel on board of which salt shall have been taken, the master shall make an entry of certain particulars with the excise officer, who shall go on board and examine, and grant permission for unloading the fish, and if he require it, in his presence.

Penalty of 100l. on masters for neglect.

Certificates received in respect of salt, shall be produced to the excise officer by whom the cargo shall be inspected, who shall, if satisfied, indorse thereon the quantity of fish cured and landed, and the quantity of salt remaining; and the officer of the port from which the salt was taken, shall give credit for such salt as shall appear to have been used, and shall permit the remainder to

be warehouse-
ed, &c.

and shall permit and allow all the salt remaining unused in or on board such vessel, to be returned into the warehouse from whence the same was taken, and shall write off or give credit for the quantity of salt actually so returned, or shall permit the same to be taken out, by and at the option of the master or owner of the vessel, for curing or preserving fish on his next subsequent trip or voyage, either with or without any additional quantity of salt, (not exceeding in the whole the proportion herein-before mentioned), as he or they shall deem necessary; and every such officer of excise shall, upon such subsequent trip or voyage, and upon such notice as is herein-before required, give to the master of such vessel, such and the like certificate as is by this act before directed.

Masters shall make oath of the truth of entries, and that they have not included therein any fish but what have been fairly cured on board, &c.

VIII. Provided always, and be it further enacted, That immediately upon the delivery to the proper officer of excise of any such entry as is herein-before directed, the master of the vessel making or giving the same shall make oath before the proper officer of excise (which oath such officer is hereby authorized and empowered to administer) to the truth of such entry, and every part thereof, and that he has not taken or received on board his vessel, or included in his entry, any fish whatever, save and except such fish only as hath been fairly and *bonâ fide* salted, cured, and preserved, on board the vessel of which he is the master, nor any fish which he has any reason to know or believe have been imported on board any other vessel whatever; that he has not directly or indirectly sold, embezzled, or fraudulently disposed of, or concealed, or conveyed away, or suffered any other person or persons to sell, embezzle, dispose of, or conceal or convey away, any part of the salt taken, shipped, or laden on board his vessel, for salting, curing, or preserving fish.

Excise officers may go on board, and take account of salt and salted fish.

IX. And be it further enacted, That it shall be lawful for any officer of excise, at all times, to go and remain on board any such vessel as aforesaid, and to inspect, examine, and take account of all salt, and salted fish, and other articles or commodities whatsoever, in or on board such vessel.

If the fish unladed shall be short 1-5th part of the quantity entered, the master shall forfeit 100l.

X. And be it further enacted, That if the quantity of salted or cured fish actually unladed or delivered from on board any such vessel as aforesaid in the presence of the proper officer of excise, shall fall short of the quantity specified in such entry as aforesaid, in the proportion of one part in five of the whole quantity specified in such entry, that then and in such case such entry shall be deemed and taken to be a false and untrue entry, and the master making the same shall forfeit the sum of one hundred pounds.

Credit for salt used in curing fish shall not exceed the quantities herein specified,

XI. And be it further enacted, That no credit or allowance for salt used in the salting, curing, or preserving fish, under the directions or authority of this act, shall, at any time or in any case, be made or given beyond the quantity of salt actually and *bonâ fide* employed and spent in the salting, curing, and preserving the fish, for which such credit or allowance shall be claimed; nor shall any such credit or allowance exceed the following proportions

portions, that is to say, For every cran consisting of thirty-four gallons, *English* wine measure, of herrings actually salted, cured, preserved, and produced to the proper officer of excise in a good, wholesome, and merchantable state sixty-five pounds weight of salt; for every barrel of fifty gallons, of the like measure of pilchards or mackarel, so salted, cured, preserved, and produced as aforesaid, ninety-five pounds weight of salt; for every one hundred weight of all other fish, so salted, cured preserved, and produced as aforesaid, twenty-two pounds weight of salt; any thing in this or any other act or acts of parliament to the contrary in anywise notwithstanding.

XII. And be it further enacted, That no further or other credit or allowance for salt shall be made, given, or granted, for or in respect of any fish for which the credit or allowance of salt, by this act given or granted, shall be claimed, set off, or allowed. and no further allowance shall be granted.

XIII. And be it further enacted, That no bounty shall be given, granted, allowed, or paid for or in respect of any fish whatever, salted, cured, or preserved, under the authority, directions, or provisions of this act, other than and except such herrings as shall be cured and legally packed as red herrings. No bounty shall be given for fish cured under this act, except red herrings.

XIV. And be it further enacted, That the master of every vessel in or on board of which any salted fish taken and cured under the authority and direction of this act, shall be imported or brought into the port of *London*, shall make the entry and oath herein-before directed, with and before the proper officer of excise at *Gravefend*, and shall then and there take out and unlade into proper boats or lighters, all his cargo of salted fish, in the presence of the proper officer of excise, in the manner, according to the directions, and subject to the penalty in case of neglect, refusal, or false entry, which is herein-before directed, in respect of vessels arriving with and unlading salted fish at any lawful quay in *Great Britain*. Masters of vessels importing salted fish into the port of *London*, shall make entry and oath with the excise officer at *Gravefend*, and unlade into boats his cargo in his presence.

XV. And be it further enacted, That if any person or persons whatever shall clandestinely or fraudulently conceal, embezzle, sell, dispose of, or carry or convey away, any salt that shall be taken or shipped on board any vessel, for the salting, curing, or preserving of fish, under the powers and authorities by this act given or granted, every such person or persons shall, for every such offence, forfeit the sum of fifty pounds; and all salt so concealed, embezzled, sold, disposed of, or carried or conveyed away, together with the package containing the same, shall be forfeited, and the same shall and may be seized by any officer or officers of the customs or excise. Persons concealing, &c. salt shipped for curing fish, to forfeit 50l. and the salt shall be forfeited.

XVI. And be it further enacted, That it shall be lawful for any person or persons to take, purchase, and salt and preserve herrings in bulk, either for the purpose of curing the same as red herrings or for immediate exportation to *Ireland*; and such person shall be allowed such and the like quantity of salt for every cran (consisting of thirty-four gallons of such herrings) For herrings in bulk cured as red herrings or for exportation to *Ireland*, the like quantity of salt shall be allowed as for

herrings in bulk for home consumption, on the master's complying with the rules of this act, &c.

herrings) as is allowed for curing and preserving herrings in bulk for home consumption; provided the master of such vessel shall comply with and conform to the several rules, regulations, and restrictions by this act directed; and provided also, that the master of every vessel intending to export herrings in bulk to Ireland, shall make a like entry and oath, with the officer of excise at the port nearest to which the herrings on board his vessel shall have been taken, as is required by this act to be made for or in respect of vessels arriving with salted fish to be landed at any port in Great Britain, and shall permit and allow the proper officer of excise, to inspect, examine, and take account of all such herrings accordingly.

Excise officers may take an account of pilchards cured and packed in the custody of any entered fish curer, and at the expiration of a month shall give him a debenture of the number of barrels.

Before such account is taken, the owner, upon being required, shall deliver a declaration of the number of barrels of pilchards in his custody, and whether any debenture has been made out, or bounty allowed, on penalty of 100l.

On production of the debenture to the collector of excise, he shall pay the same bounty as on pilchards exported.

Officer shall brand barrels of which an account shall have been taken.

XVII. And whereas it is expedient to encourage the sale of such pilchards for home consumption as may be now in store, be it therefore enacted, That it shall and may be lawful to and for the proper officer or officers of excise, to take an immediate and true account of all pilchards which, at the time of taking such account, shall be well and perfectly cured and packed in barrels, and which shall be or remain in the custody or possession of any regular and entered fish curer; and such officer or officers at and after the expiration of one month after he or they shall have taken such account, and ascertained the true number of barrels of such pilchards, shall give to the proprietor or owner thereof a debenture specifying the exact and true number of barrels of such pilchards so cured and packed as aforesaid: provided always, That before the proper officer or officers of excise shall take any such account as aforesaid, the owner or proprietor of such pilchards shall, upon being thereunto required by the proper officer of excise, forthwith deliver to such officer a declaration in writing, specifying the exact and true number of barrels of pilchards in his custody or possession, and whether any debenture has been made out or granted, or any bounty allowed or paid for any, and if for any, for how many barrels of such pilchards, on pain of forfeiting, for every neglect or refusal to make such declaration, or for any false or untrue declaration, to the sum of one hundred pounds.

XVIII. And be it further enacted, That upon any such debenture as aforesaid being produced to the collector of excise, of the collection in which the fish curer to whom the same was given or granted shall reside, such collector shall, and is hereby authorised and required, out of any money in his hands arising from the duty on salt, to pay to such fish curer such bounty as he would have been entitled unto in case such pilchards had been duly and truly exported; any thing in any act or acts of parliament, or in this act, to the contrary in anywise notwithstanding.

XIX. And be it further enacted, That when and so soon as any officer or officers of excise, shall have taken an account of and ascertained the true number of barrels of pilchards in the custody or possession of any such entered fish curer as aforesaid,

such officer or officers shall forthwith burn or brand distinctly on each barrel the letters B. A. to denote that the same has been taken an account of, and the bounty allowed thereon.

XX. And be it further enacted, That if any fish curer or other person whatever shall alter or deface any mark burnt or branded upon any barrel of pilchards, or shall repack any pilchards upon which any bounty shall have been allowed, or otherwise attempt or endeavour to obtain credit for or payment of any bounty upon any pilchards for which a bounty had been before allowed or paid, or for the payment of which bounty any debenture shall have been made out or granted, every fish curer or other person, so offending, shall, for every such offence, forfeit the sum of two hundred pounds.

XXI. And be it further enacted, That before the bounty on any debenture shall be paid by any collector of excise, the owner or proprietor of the pilchards, by whom such bounty shall be claimed, shall make oath that no bounty whatever has been paid, recovered, or allowed, nor any debenture made out or granted for or in respect of the pilchards, or any part thereof, which are or shall be mentioned or specified in such debenture, and that all such pilchards are well and perfectly cured and packed, and are good and merchantable fish; which oath such collector is hereby authorised and empowered to administer.

XXII. And be it further enacted, That it shall and may be lawful to and for the proprietor or owner of such pilchards, or to and for any other person or persons who may be legally entitled to the same, to sell or dispose of such pilchards, or any part thereof, either for home consumption or for exportation, subject nevertheless, if exported, to the rules, regulations, and provisions, to which the exportation of pilchards is now liable: provided always, That no such pilchards shall at any time be sold or disposed of, save and except in the original barrels, marked and branded by the proper officer or officers of the revenue, unless such pilchards shall be sold by retail in less quantity than one barrel, and in case any fish curer or other person or persons, shall sell or dispose of any pilchards contrary to the directions of this act, he, she, or they shall, for every such offence, forfeit the sum of twenty pounds.

XXIII. And be it further enacted, That no further or other bounty than that which is given and granted by this act, shall be claimed, paid, or allowed, for or in respect of any pilchards for which a debenture for the bounty granted by this act has been made out, for or on account of any such pilchards being exported; any thing in this or any other act or acts of parliament, to the contrary in anywise notwithstanding.

XXIV. And be it further enacted, That no bond or security given or taken for salt to be used or employed in curing or preserving fish, nor any certificate made out in relation to any such salt, shall be subject to any stamp duties; any thing in this or any other act or acts of parliament to the contrary in anywise notwithstanding.

XXV. And

No fee shall be taken by any officer of the revenue on penalty of 5*l*.

Penalty of 500*l*. for forging certificates, &c.

Persons taking a false oath to be liable to the penalties for perjury.

Penalty of 200*l*. for obstructing officers.

Cargoes may be unladen as the owners shall judge proper (except as to excise officers).

No person employed in taking or curing fish or preparing to depart on a voyage or returning therefrom, shall be impressed till Oct. 15, 1801, upon certificate from the officers of the customs.

XXV. And be it further enacted, That no fee, gratuity or reward, shall be taken or received by any officer or officers of the revenue, for or on pretence of preparing or making out any bond, certificate, or permission required by this act, or for or under any other account or pretence whatever, on pain of forfeiting the sum of five pounds.

XXVI. And be it further enacted, That if any person or persons shall counterfeit, forge, or alter, or cause to be counterfeited, forged, or altered, any certificate in any case in which a certificate is by this act required to be used, given, or granted, or shall forge, counterfeit, or alter, or cause to be forged, counterfeited, or altered, any indorsement or any such certificate, every such person so offending shall forfeit five hundred pounds.

XXVII. And be it further enacted, That any person or persons who shall be convicted of wilfully taking a false oath in any of the cases in which an oath is required to be taken by this act, shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury.

XXVIII. And be it further enacted, That if any person or persons whatever shall resist, oppose, molest, hinder, or obstruct, any officer or officers of the customs or excise in the due execution of this act, every such person or person so offending shall, for every such offence forfeit the sum of two hundred pounds.

XXIX. And be it further enacted, That it shall and may be lawful for the owners or consignees of any such cargo of fish, salted or cured under the provisions of this act, or the master of any such vessel laden with any such fish as aforesaid, under this act, to discharge and unlade, and cause to be discharged and unladen, all such fish as aforesaid, by such persons, and in such manner, and at such times and places, (except as is provided by this act with respect to the officers of excise), as such owners, or consignees, or masters, respectively, shall judge proper; and no person or persons employed by any such owner, consignee, or master, in unloading any such fish, or discharging any such vessel, shall be liable to any penalty or forfeiture, or subject to any restriction in respect thereof; and no port or other fees or dues shall be payable or paid in respect of the unloading of any such fish or discharging of any such vessel, any act or acts, law, custom, or usage, to the contrary notwithstanding.

XXX. And be it further enacted, That no person engaged or employed in the taking, catching, salting, curing, or preserving, any fish, under the provisions of this act, or who shall be preparing to depart on board of or with any vessel, and nets for the purpose of engaging in taking, catching, salting, curing, or preserving fish, under this act, nor any person returning therefrom, shall be impressed into his Majesty's service, but shall and is hereby privileged and exempted therefrom until the fifteenth day of *October* one thousand eight hundred and one: provided always, That every such person preparing to proceed on any voyage or trip under this act, shall be furnished with

certificate from the collector or comptroller of the customs at or near the port or place to which he may belong or reside, that he is actually and *bonâ fide* preparing to proceed on such voyage or trip, which certificate such collector or comptroller is hereby directed and required to deliver to every such person as aforesaid applying for the same, without fee or reward.

XXXI. And whereas by an act, made in the thirty-eighth year of the reign of his present Majesty, intituled, An act for transferring the management of the salt duties to the commissioners of excise, and for repealing the duties on salt, and the drawbacks, allowances, and bounties paid thereout, and for granting other duties, drawbacks, allowances, and bounties, thereon, a bounty of two shillings and eight-pence was granted on every barrel of white herrings, containing thirty-two gallons, which should be duly exported to parts beyond the seas: and whereas it is expedient that the said bounty should be discontinued for a limited time; be it therefore enacted, That the said bounty shall be discontinued until the fifteenth day of October one thousand eight hundred and one, save and except any arrears of bounty that may be due before the passing of this act.

Bounty granted by 38 Geo. 3. c. 89. on white herrings discontinued until Oct. 15, 1801.

XXXII. And be it further enacted, That all fines, penalties, and forfeitures, imposed by this act, shall be sued for, recovered, levied, or mitigated, by such ways, means, or methods, as any fine, penalty, or forfeiture may be sued for, recovered, levied, or mitigated, by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, or in the court of exchequer in Scotland, respectively; and that one moiety of any such fine, penalty, or forfeiture, shall be to his Majesty, his heirs and successors, and the other moiety to him, or them, who will inform, discover, or sue for the same.

Recovery and application of penalties.

XXXIII. And be it further enacted, That this act shall commence and take effect from the day on which the same shall receive the royal assent, and shall remain and continue in force until the fifteenth day of October one thousand eight hundred and one.

Continuance of act.

C A P. XXII.

An act to authorise his Majesty to appoint commissioners for the more effectual examination of accounts of publick expenditure for his Majesty's forces in the West Indies during the present war,
—[Dec. 31, 1800.]

WHEREAS it is expedient that provision should be made for the speedy and effectual examination on the spot of the accounts of the several commissaries and other persons in publick employments, who have been or who may be entrusted with the expenditure of the publick money during the present war, in any of the islands in the West Indies, or with any of his Majesty's forces serving out of this kingdom; for the information of the commissioners

for auditing the publick accounts, and for the better enabling of the said commissioners to investigate such accounts, be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, it shall be lawful for his Majesty to nominate and appoint, by commission under the great seal of *Great Britain*, such and such number of persons, not exceeding five, to be commissioners for examining and investigating the publick accounts, of all the commissaries and other persons who have been or who may be concerned in the expenditure of publick monies during the present war, in any of the islands in the *West Indies*, or who have been or may be employed with any of his Majesty's forces, on any foreign service or station, and making reports thereon, to the commissioners for auditing the publick accounts: provided always, That the governor, or in the absence of the governor, the lieutenant governor, or person acting as governor, and the commander in chief of his Majesty's forces for the time being, if any such there be in the island or place where any investigation under the authority of this act shall take place, and where such commissioners shall for the time being act in the execution of their offices, shall be of the number of such commissioners.

His Majesty may appoint five commissioners for examining the accounts of commissaries and others employed in the *West Indies* and on foreign service, and making reports thereon to the commissioners for auditing publick accounts.

The governor, &c. of the place shall always be one.

The treasury may appoint officers and clerks to assist the commissioners, and allow them salaries.

Commissioners may call before them all persons concerned in the expenditure of publick monies, or in furnishing stores, &c.

II. And be it further enacted, That the lord high treasurer, or the commissioners of the treasury, or any three of them for the time being, shall be, and he or they are hereby authorized to appoint such officers and clerks and other persons, to aid and assist such commissioners as aforesaid, in the execution of their offices, as shall appear to them to be necessary from time to time, with such salaries to each as they shall judge proper, and to allow such reasonable sums as to them shall seem fit, from time to time, for incidental charges to be incurred therein; and such officers, clerks, and other persons, shall not in any case whatever be entitled to, or take, or receive, any fees, gratuities, or perquisites whatever.

III. And be further enacted, That the said commissioners, or any two of them, shall be, and they are hereby authorized and required to call before them by precepts, under the hands of any two or more of such commissioners, all persons who shall in any case have been concerned in the expenditure of any publick money, or who shall have been in any way concerned in the supplying or furnishing any money, bills, provisions, stores, or other articles for the publick service, or any person who in their judgement may be likely to give useful information on the subject of any enquiry which may be depending in any such island or place aforesaid, or in negotiating bills, and the agents, clerks, and servants of any such persons aforesaid, to attend upon them personally from time to time, as they shall be required, and to exhibit to them the said commissioners, or any

any two or more of them, all such accounts, books, certificates, warrants, muniments, receipts, bills of exchange, notes, or other papers whatever, in the possession of any such person or persons, or of any other person or persons for him, her, or them, which to such commissioners, or any two or more of them, shall appear to be necessary for the purpose of their examination of any expenditure of any publick monies, or for the investigation of any publick accounts, or of the rate of exchange, at which bills have been or may be drawn, or for the due execution of any of the duties imposed upon any such commissioners aforesaid.

IV. And be it further enacted, That if any person or persons summoned to appear before such commissioners, or any two of them, shall neglect or refuse to appear before such commissioners as aforesaid, or any two of them, or to bring or produce any accounts, books, certificates, warrants, muniments, receipts, bills of exchange, notes, or other papers whatever, that shall be in his, her, or their possession or custody, or in the custody or possession of any other person or persons for him, her, or them, or shall refuse to answer to such commissioners, or any two of them, any question on oath or affirmation, touching or concerning any matter or thing relating to any such accounts, books, certificates, warrants, muniments, receipts, bills of exchange, or other papers, or shall refuse to answer any question on oath or affirmation, relating to any matter or thing in anywise respecting the expenditure of the publick money inquired of by the said commissioners, or any two of them, or in the execution of their office under this act, then and in every such case it shall be lawful for the said commissioners to make or cause to be made summary application to any court or courts of justice in any such island or place aforesaid, in that behalf, if any such court shall be then sitting, or if no such court shall be then sitting, then such application shall be made to the chief justice or other judge of any such court, and every such court or chief justice or judge respectively, is hereby authorised and strictly required, on such application so made as aforesaid, to issue such special process against the person or persons who shall have been guilty of such default as aforesaid, as such court or chief justice or judge may deem necessary, to compel the appearance, before such commissioners of any such person or persons, or the production of any such accounts, books, certificates, warrants, muniments, receipts, bills of exchange, or other papers as aforesaid, or to compel such person or persons to answer any such question or questions as aforesaid; and such commissioners may thereupon proceed upon such special process by imprisonment of the body of any such person as aforesaid, in like manner as any court or courts of record within this kingdom, having competent authority for that purpose, may proceed against any person or persons, for any contempt committed against the authority of any such court.

Persons refusing to appear, or to produce accounts, or answer questions, may be proceeded against in manner herein directed.

Commissioners may take examinations on oath.

V. *And, for the rendering more effectual all such examinations as are intended to be had under this act,* be it enacted, That it shall and may be lawful for any such commissioners as aforesaid, or any two of them, and they are hereby respectively authorized and required to examine upon oath, (which oath they, or any two or more of such commissioners, are hereby authorized to administer), all persons whom they shall find occasion to call before them, and all other persons whom the said commissioners, or any two or more of them, shall think fit to examine, touching all matters and things necessary for the due execution of the powers vested in any such commissioners as aforesaid.

Persons giving false evidence subject to the punishment for perjury.

VI. And be it further enacted, That in case any person or persons in the course of their examination upon oath before any such commissioners as aforesaid, shall wilfully and corruptly give false evidence, such person or persons so offending, and being thereof duly convicted, shall be, and is and are hereby declared to be subject and liable to such pains and penalties as by any law now in being in this kingdom, or by any law or laws in force for the time being, in any island or place aforesaid, where such offence shall be committed, as persons convicted of wilful and corrupt perjury are subject and liable to.

Act not to affect the powers of the commissioners for auditing publick accounts,

VII. Provided always, and be it further enacted, That nothing in this act contained shall extend, or be construed to extend, to the preventing the commissioners for auditing the publick accounts from investigating or passing or making up any accounts, or declarations of accounts, or in any manner to the limiting the jurisdiction, or powers or authorities of the commissioners for auditing the publick accounts, or to the transferring to any commissioners acting under the authority of this act, any of the powers or authorities of the commissioners for auditing the publick accounts, but that, on the contrary thereof, that all commissioners acting under the authority of this act shall act in aid only of the said commissioners for auditing the publick accounts, and shall, from time to time, whenever required so to do, by the said commissioners for auditing the publick accounts, or any three of them, transmit or deliver to such commissioners for auditing the publick accounts, all papers, vouchers, documents, and examinations, procured or taken in any investigation under this act, for the purpose of enabling such commissioners for auditing the publick accounts finally to audit, declare, and pass such accounts as aforesaid; and it shall be lawful for the said commissioners for auditing the publick accounts to proceed therein upon any report of any commissioners acting under this act, signed by any three or more of any such commissioners, in like manner, in every respect, as if the investigation of the accounts contained in any such report had been made in this kingdom, under and by the virtue of any powers or authorities vested in such commissioners.

who may proceed on any report of the commissioners under this act, as if investigation had been made in this kingdom.

ers for auditing the publick accounts, by an act, passed in the twenty-fifth year of the reign of his present Majesty, intituled, *An act for better examining and auditing the publick accounts of this kingdom.*

C A P. XXIII.

An act for making the port of Amsterdam in the island of Curaçao a free port.—[Dec. 31, 1800.]

WHEREAS by several acts made in the twenty-seventh, thirtieth, thirty-first, thirty-second, thirty-third, and thirty-eighth years of the reign of his present Majesty, it is provided, that wool, cotton wool, indigo, cochineal, drugs of all sorts, cocoa, tobacco, logwood, fustic, and all sorts of wood for dyers use, hides, skins, tallow, beaver and all sorts of furs, tortoise shell, hardwood, or mill timber, mahogany, and all other goods for cabinet ware, horses, asses, mules, and cattle, being the growth and production of any of the colonies or plantations in America, belonging to or under the dominion of any foreign European sovereign or state, and all coin and bullion, diamonds, or precious stones, may be imported from any of the said colonies or plantations into the several ports of Kingston, Savannah la Mar, Montego Bay, Santo Lucea, and Antonio, in the island of Jamaica, the port of Saint George in the island of Grenada, the port of Roseau in the island of Dominica, the port of Nassau in the island of New Providence one of the Bahama Islands, and the port of Saint John's in the island of Antigua, in any foreign sloop, schooner, or other vessel whatever, not having more than one deck, and owned and navigated in the manner therein prescribed, and, together with other goods and commodities mentioned in the said acts, may be exported from thence under certain regulations and restrictions: and whereas it is expedient to permit the goods and commodities herein-before enumerated, to be in like manner imported into the port of Amsterdam in the island of Curaçao, and, together with such other goods and commodities, to be in like manner exported from thence; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the passing of this act, all the goods and commodities herein-before enumerated and described, shall and may be imported into the port of Amsterdam in the island of Curaçao in the like foreign ships and vessels, and, together with such other goods and commodities mentioned in the said acts, or any of them, be exported from thence to such part of his Majesty's dominions to which the exportation of the same is permitted by any of the said acts, under the same rules, regulations, and restrictions, and subject to the like penalties and forfeitures for breach thereof, to be recovered and applied in the manner in the said acts or any of them mentioned and contained.

The goods herein enumerated may be imported into the port of Amsterdam in Curacao, and may be exported from thence with any of the goods mentioned in the recited act.

C A P. XXIV.

An act for continuing, until six months after the conclusion of a general peace, three acts, made in the thirty-third and thirty-eighth years of his present Majesty's reign, for establishing regulations respecting aliens arriving in this kingdom, or resident therein, in certain cases.—[Dec. 31, 1800.]

Preamble.

33 Geo. 3.
c. 4.38 Geo. 3.
c. 50. & 77.Continuance
of recited
acts.

WHEREAS an act was made in the thirty-third year of the reign of his present Majesty, intituled, An act for establishing regulations respecting aliens arriving in this kingdom, or resident therein in certain cases, which was to be in force until the first day of January one thousand seven hundred and ninety-four, and from thence to the end of the then next session of parliament; and which by several subsequent acts was continued until the first day of July one thousand seven hundred and ninety-nine: and whereas by two acts, made in the thirty-eighth year of the reign of his present Majesty, the said act was amended, and further continued until the first day of August one thousand eight hundred, and from thence to the end of the then next session of parliament: and whereas the said acts, made in the thirty-third and thirty-eighth years of the reign of his present Majesty, have been found useful and expedient; 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 acts, made in the thirty-third and thirty-eighth years of the reign of his present Majesty, and all the powers and provisions therein contained shall be, and the same are hereby further continued until six months after the conclusion of a general peace.

C A P. XXV.

An act for allowing the importation of undressed hemp from any of the countries that lie within the limits of the exclusive trade of the East India company free of duty.—[Dec. 31, 1800.]

Preamble.

From Jan. 1,
1801, undressed
hemp from
the countries
within the ex-
clusive trade
of the East
India com-

WHEREAS it is expedient that the importation of undressed hemp, or any other vegetable substance of the nature and quality of undressed hemp, and applicable to the same purposes, being of the growth or production of any of the countries within the limits of the exclusive trade of the East India company, should be encouraged; 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 eight hundred and one, all undressed hemp, or any other vegetable substance of the nature and quality of undressed hemp, and applicable to the same purposes, being of the growth or production of any of the countries within the limits of the exclusive trade of the East India com-

1800.] Anno regni quadragesimo primo GEORGI III. c. 26—28. 1005
 company, may be imported into this kingdom, in the same manner, and under the like rules, regulations, and restrictions, as any other goods or commodities, the produce of the said countries, may now by law be imported, without being subject or liable to any duty whatever; any law or statute to the contrary notwithstanding.

II. Provided always, and be it enacted, That nothing herein contained shall prevent or hinder the united company of merchants of *England* trading to the *East Indies*, from demanding and receiving any duty or allowance now due and payable to the said company by virtue of any act or acts of parliament.

But the East India company may receive the duty payable to them.

C A P. XXVI.

An act for continuing until the first day of June one thousand eight hundred and one, the several acts for regulating the turnpike roads in Great Britain, which expire at the end of the present session of parliament.—[Dec. 31, 1800.]

WHEREAS it is expedient that the several acts for making, amending, and repairing the turnpike roads in Great Britain, which will expire at the end of the present session of parliament, should be continued for a limited time; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all and every act and acts of parliament for making, amending, and repairing, any turnpike roads in Great Britain, which will expire at the end of the present session of parliament, shall be, and the same is and are hereby continued until the first day of *June* one thousand eight hundred and one.

Preamble.
 Acts for making and repairing turnpike roads, which will expire at the end of the present session, shall be continued until June 1, 1801.

C A P. XXVII.

An act for extending the time for the payment of certain sums of money advanced by way of loan to several persons connected with and trading to the islands of Grenada and Saint Vincent.—[Dec. 31, 1800.]

C A P. XXVIII.

An act to explain, amend, and render more effectual, the several acts made in the thirty-eighth and thirty-ninth years of the reign of his present Majesty, and in the last session of parliament, for the redemption and purchase of the land tax.—[Dec. 31, 1800.]

WHEREAS it is expedient that several of the powers and provisions contained in the several acts for the redemption of the land tax should be explained and enlarged; 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

Where stock is transferred for the redemption of land tax, which ought not to have been, the commissioners for the reduction of the national debt may, on certificate from the commissioners for taxes, re-transfer the same, and the latter commissioners may order money, paid improperly to receiver generals for such redemption, to be repaid to the parties.

of the same, That, where any bodies politick or corporate, or companies, or other person or persons, have transferred, or may hereafter transfer, to the commissioners for the reduction of the national debt, on account of the redemption of land tax, any consolidated or reduced three pounds *per centum* bank annuities, which ought not to be transferred for that purpose, then and in such case, upon a certificate signed by any three or more of the commissioners for the affairs of taxes, that such bank annuities ought not to have been so transferred, it shall be lawful for the said commissioners for the reduction of the national debt, or any one or more of them, and they or he are or is hereby required to re-transfer the said bank annuities unto the bodies politick or corporate, or companies, or other person or persons by whom the same were transferred to them, and wherever it shall appear to the satisfaction of the said commissioners for the affairs of taxes, that any sum or sums of money shall have been paid to any receiver general or his deputy, on account of the redemption of land tax, which ought not to have been so paid, then it shall be lawful for the said commissioners for the affairs of taxes, or any three or more of them, to order and direct such receiver general or his deputy to repay all such monies to the bodies politick or corporate, or companies, or other person or persons who shall appear to have paid the same, and the receipt and receipts of such bodies politick or corporate, or companies, and other person or persons, shall be sufficient discharges for such bank annuities so re-transferred, or monies so repaid as aforesaid, and all such dividends and arrears of dividend shall be issued from the receipt of the exchequer, and be payable at the bank of *England*, for and in respect of the said bank annuities which shall be so re-transferred by the commissioners for the reduction of the national debt, to any bodies politick or corporate, or companies, or other person or persons as aforesaid, as would have been payable thereon, in case the same bank annuities had not been transferred to the said last mentioned commissioners.

39 & 40 Geo. 3. c. 30. f. 10. recited, and the proviso extended to purchases made before the passing of the act, and so much thereof as makes the persons entitled to the rents chargeable with the interest accrued during their estate therein shall

II. *And whereas by an act, passed in the last session of parliament, intituled, An act for extending, from the twenty-fifth day of March one thousand eight hundred, until the twenty-fifth day of March one thousand eight hundred and one, the period of preference, granted and continued by several acts to bodies corporate and persons, for the redemption of land tax, and for enlarging several of the powers contained in the said acts, it is enacted, That when the reversion of any manors, messuages, lands, tenements, or hereditaments, holden by any lease, which is subject to any will or settlement, shall be purchased by or with the proceeds of the person or persons for the time being beneficially entitled to the rents or profits thereof, the immediate estates and interests as well as the reversion expectant thereon, shall be charged with, and made subject to, the re-payment of the principal money to be advanced for the purchase of such reversion, with interest for the same, as the commissioners appointed by letters patent under the great seal shall direct:*

direct: provided, that the persons entitled successively to the rents and profits of such manors, messuages, lands, tenements, and hereditaments respectively shall be made chargeable with the interest accrued during his or her estate therein, and that no greater arrear than for one year shall be recoverable against any person who shall become entitled in remainder for interest accrued during the estate or term of any person or persons entitled to any preceding estate or interest in the premises: now be it enacted and declared, That the said last recited provision shall extend to purchases, and contracts for purchases, made or entered into before the passing of the said last recited act, as well as to those made and entered into after the passing thereof: provided nevertheless, That so much of the said provision, as makes the person entitled to the rents and profits of such manors, messuages, lands, tenements, and hereditaments, chargeable with the interest accrued during his or her estate therein, shall not extend to the case of any person advancing money for the purchase of any such reversion, who shall not be liable to any covenant, engagement, or condition to renew the lease at the accustomed periods, with his or her own monies, or with or out of the rents and profits of the estate, unless he or she shall consent thereto in writing; and in case any such person, not being liable as aforesaid, now hath, or shall hereafter become the purchaser of such reversion, and not signify such consent, the said reversion shall be chargeable with interest, to accumulate from the time of such purchase till the expiration of the existing lease, after deducting out of such interest the annual rent (if any) which shall be payable during the lease, and which shall have been purchased with the reversion.

III. *And whereas*, by the act passed in the thirty-eighth year of the reign of his present Majesty for purchasing and redeeming the land tax, it was enacted, That the manors, messuages, lands, tenements, or hereditaments, which should be sold by auction according to the provisions thereof, should be exempt from any duty payable on sales by auction; but doubts have been entertained, whether the said duty ought not to be paid in respect of the surplus money arising by such sales, where the produce exceeds the sums required to be raised for the purposes of the said act: now, for removing such doubts, be it enacted and declared, That no duty shall be payable in respect of any part of the monies arising by sale of any manors, messuages, lands, tenements, or hereditaments, which already have been or shall hereafter be sold under the powers or provisions contained in any of the acts relating to the redemption and purchase of land tax, with the consent and approbation of any of the commissioners appointed by warrant under the royal sign manual, or by letters patent under the great seal of Great Britain, for the purposes of such respective acts.

IV. And be it further enacted, That any deed or deeds required by the said acts, or any of them, to be enrolled or registered, shall be valid and effectual, although the same shall not have been enrolled or registered within the periods prescribed

not extend to persons advancing money for the purchase of reversions who are not liable to renew leases with their own monies, or out of the rents of the estate, unless they consent thereto; and in case such persons shall become purchasers of such reversions and not signify such contents, the reversion shall be chargeable with the interest to accumulate from the time of purchase till the expiration of the existing lease, &c.

38 Geo. 3.
c. 60.

No auction duty shall be payable for any part of monies arising by sale of lands, &c. with the consent of the commissioners for the purposes of the acts relating to the redemption of the land tax.

Deeds enrolled within six months after passing this act shall be valid.

scribed by the said acts, provided the same be enrolled or registered within six calendar months after the passing of this act.

Persons who have in contracts declared an option to be considered on the footing of persons not interested in the lands, may apply to the commissioners for exonerating the same from land tax, within six months from Dec. 25, 1800.

From what periods the lands shall be exonerated from tax.

V. And be it further enacted, That all persons, bodies, corporations, or companies, who, in their contracts for the redemption of land tax, have declared an option to be considered on the footing of persons not interested in the manors, messuages, lands, tenements, and hereditaments, comprized in such contracts, and who, by an act passed in the thirty-ninth and fortieth years of the reign of his present Majesty, were allowed to make application to the respective commissioners appointed under the King's sign manual, at any time within the space of three calendar months from the twenty-fifth day of *March* one thousand eight hundred, for the purpose of exonerating the said manors, messuages, lands, tenements, and hereditaments from land tax, shall be at liberty to make application for that purpose to the said commissioners respectively at any time within the space of six calendar months from the twenty-fifth day of *December* one thousand eight hundred; and that all such acts, matters, and things shall be done by such persons, bodies, corporations, and companies respectively, for the purpose of exonerating the said manors, messuages, lands, tenements, and hereditaments from land tax, as by the said last mentioned act are required to be done in like cases, within the period of three months, from the twenty-fifth day of *March* one thousand eight hundred: provided always, That in all cases where no additional consideration shall be to be transferred or paid for such exoneration, the said manors, messuages, lands, tenements, and hereditaments shall be exonerated from the said land tax only from the end of the quarter next preceding the day of the date of the certificate of the said commissioners indorsed upon the contract where the declaration of the option therein shall be struck out by them, or next preceding the day of the date of the contract, where the said commissioners shall rescind the contract in which the option shall have been declared, and shall grant a new contract; and in all cases where an additional consideration shall be to be transferred or paid for such exoneration, the said manors, messuages, lands, tenements, and hereditaments, shall be exonerated from the land said tax only from the end of the quarter next preceding the day of the transfer or payment of such additional consideration.

39 & 40 Geo. 3. c. 30. s. 11, recited; and where the reverend persons are not entitled to the rents reserved, the persons so

VI. And whereas by an act, passed in the thirty-ninth and fortieth years of his Majesty's reign, intituled, An act for extending, from the twenty-fifth day of *March* one thousand eight hundred, until the twenty-fifth day of *March* one thousand eight hundred and one, the period of preference, granted and continued by several acts to bodies corporate and persons, for the redemption of land tax, and for enlarging several of the powers contained in the said acts, it is enacted, That it shall be lawful for all

and every person or persons, who is or are or shall, for the time being, be entitled to the immediate reversion or remainder in any manors, messuages, lands, tenements, or hereditaments which shall have been granted by any former owner or owners, for any beneficial lease or leases, or by any copy or copies of court roll, or by any other grant, according to the custom of any manor, for life or lives, or years absolute, or years determinable upon any life or lives, to sell and dispose of the fee simple and inheritance of any such manors, messuages, lands, tenements, and hereditaments, subject to the subsisting interests of the respective lessees, copyholders, or other customary tenants, for the purpose of raising money for the redemption of land tax as therein mentioned, in like manner and under the like restrictions as he, she, or they could or might have done, in case such subsisting leasehold and copyhold estates and interests had been granted by him, her, or them: now be it enacted, That where such immediate reversion or remainder is or shall be vested in any mortgagee or mortgagees, trustee or trustees, or other person or persons not being in the actual receipt or perception of and beneficially entitled to the rents and services reserved, or due or payable in respect of such subsisting interests, then and in such case it shall be lawful for the person or persons who is, or are, or shall, for the time being, be in the actual receipt or perception of, and beneficially entitled to, such rents and services, to sell and dispose of the fee simple and inheritance of such manors, messuages, lands, tenements, or hereditaments, subject, to the subsisting interests for the purpose of and under the restrictions mentioned or referred to in the said last recited act, but nevertheless without prejudice to the rights and interests of such trustee or trustees, mortgagee or mortgagees, or other person or persons in whom the immediate reversion or remainder shall be vested.

VII. And be it further enacted, That where any person or persons hath redeemed or shall hereafter redeem his, her, or their land tax by or out of his, her, or their own personal estate, or by or out of any trust property applicable to such redemption by virtue of the said act, or by any other means than by sale, mortgage, or grant to be made under the provisions of the said acts; and also where any such person or persons shall be entitled under the act passed in the thirty-eighth year of his present Majesty's reign, on the determination of any precedent estate, to demand an assignment of any contract for the redemption of land tax from the person or persons who shall have entered into the same, his, her, or their executors, administrators, or assigns, it shall be lawful for all and every such person or persons, either for the purpose of reimbursing all sums laid out in the redemption of such land tax, or for the purpose of raising money to purchase the assignment of any contract from the proprietor or proprietors thereof, to carry into execution all and every or any of the powers by the said several acts given in order to raise money by mortgage for the redemption of land-tax, in such and the same manner, and under and subject to such and the same rules, restrictions, and

Where persons redeem their land tax by any other means than sale, &c. or demand an assignment from purchasers, they may raise money in the same way as persons authorized to redeem the tax in the first instance.

Mortgage money to be paid under order of the commissioners who authorised the mortgage, to the persons entitled to the benefit thereof, and the remainder paid into the bank.

regulations in all respects, as such person or persons would have been authorised by the said several acts to carry into execution the same powers for the purpose of redeeming any such land tax in the first instance: provided always, That the said mortgage money shall not be paid into the bank of *England*, but shall, under the order of the commissioners who shall have authorised the mortgage, be paid to the person or persons entitled to the benefit thereof, whose receipt or receipts, in pursuance of such order, shall as fully and effectually discharge the mortgagee or mortgagees as the receipt or receipts of the cashier of the bank of *England* would have done, in case the same had been paid into the bank pursuant to the directions of the former acts; but the remainder only (if any) of such mortgage money shall, in pursuance of such order, be paid into the bank of *England* to the same account, and shall be applied in the same manner, and the cashiers of the bank, or one of them, are or is hereby required to give a receipt for the same, and to cause the same to be invested in the purchase of three pounds *per centum* bank annuities, as if the whole mortgage money had been paid into the bank of *England* in pursuance of the said acts.

C A P. XXIX.

An act for further continuing, until the first day of August next thousand eight hundred and seven, an act made in the thirty-seventh year of the reign of his present Majesty, intituled, An act for the better prevention and punishment of attempts to seduce persons serving in his Majesty's forces by sea or land from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience.—[Dec. 31, 1800.]

Preamble.

37 Geo. 3.
c. 70.

WHEREAS an act was passed in the thirty-seventh year of the reign of his present Majesty, intituled, An act for the better prevention and punishment of attempts to seduce persons serving in his Majesty's forces by sea or land from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience, which was to continue in force until the expiration of one month after the commencement of the then next session of parliament; and which said act was further continued by several acts of the thirty-eighth and thirty-ninth years of the reign of his present Majesty, and of the last session of parliament, until the expiration of six weeks after the commencement of the present session of parliament: and whereas the said first mentioned act has been found useful and expedient: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said

Recited act shall be continued until Aug 1, 1807.

first mentioned act shall be, and the same is hereby further continued until the first day of *August* one thousand eight hundred and seven.

C A P. XXX.

An act for explaining and amending an act, passed in the last session of parliament, intituled, An act for erecting a lazaret on Chetney Hill in the county of Kent, and for reducing into one act the laws relating to quarantine, and for making further provision therein, as far as regards the payment of the tonnage duty in the islands of Guernsey, Jersey, Alderney, Sark, or Man.—[Dec. 31, 1800.]

TO remove all doubts whether ships or vessels arriving in the islands of Guernsey, Jersey, Alderney, Sark, or Man, which shall have to perform quarantine, shall be liable to the same tonnage duty as by an act, passed in the last session of parliament, intituled, *An act for erecting a lazaret on Chetney Hill in the county of Kent, and for reducing into one act the laws relating to quarantine, and for making further provisions therein, are imposed upon ships and vessels so arriving in this kingdom*; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the fifth day of *January* one thousand eight hundred and one, there shall be raised, levied, collected, and paid to his Majesty, his heirs and successors, the several and respective duties of customs per ton burthen, which are in the said act imposed on ships and vessels so arriving in this kingdom, upon all ships and vessels wh shall so arrive in the islands of *Guernsey, Jersey, Alderney, Sark, or Man*, in like manner in every respect whatsoever, as if the said islands had been mentioned in the said act for that purpose; and such tonnage duties may be reduced, and may again be raised and increased, and shall be collected, paid, recovered, accounted for, and applied, in the same manner as the tonnage duties imposed by the said act: provided always, That the owner of every such ship or vessel may demand and receive the just and reasonable contribution on the goods imported therein, in the manner prescribed by the said act.

Preamble.

39 & 40 Geo.
3. c. 80.From January
5, 1801, there
shall be levied
under the
recited act,
the same
duties of
customs on
vessels arriving
in Guernsey,
Jersey, &c.
as on vessels
arriving in
this kingdom.

C A P. XXXI.

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 directed by law, and for extending the time limited for those purposes, until the twenty-fifth day of December one thousand eight hundred and one; 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
mistaid,

misaid, and for allowing them, until the twenty-fifth day of December one thousand eight hundred and one, to provide admissions duly stamped; to permit such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors, to make and file the same on or before the first day of Michaelmas one thousand eight hundred and one; and for indemnifying deputy lieutenants and officers of the militia, who have neglected to transmit descriptions of their qualifications to the clerks of the peace within the time directed by law, and for extending the time limited for that purpose, until the first day of September one thousand eight hundred and one.

C A P. XXXII.

An act for further continuing, until six weeks after the commencement of the next session of parliament, several acts, made in the thirty-eighth and thirty-ninth years of his present Majesty's reign, and in the last session of parliament, for empowering his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.—[Dec. 31, 1800.]

Preamble.

39 & 40
Geo. 3.
c. 20.

WHEREAS an act was passed on the twenty-eighth day of February one thousand eight hundred, intituled, An act for further continuing, until the first day of February one thousand eight hundred and one, an act made in the last session of parliament, intituled, 'An act, for further continuing until the first day of March one thousand eight hundred, an act made in the last session of parliament, intituled, "An act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government," which act was to continue in force until the first day of February one thousand eight hundred and one, and no longer: and whereas it is necessary for the publick safety that the provisions of the said act passed on the twenty-eighth day of February one thousand eight hundred, should be continued: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every person who shall be in prison within the kingdom of Great Britain at or upon the day on which this act shall receive his Majesty's royal assent, or at any time after that day, by warrant of his said Majesty's most honourable privy council, signed by six of the said privy council, or by warrant signed by any of his Majesty's principal secretaries of state, for high treason, suspicion of high treason, or treasonable practices, may be detained in safe custody, without bail or mainprize, until the expiration of six weeks after the commencement of the next session of parliament; and that no judge or justice of the peace shall bail or try any such person so committed, without order from his said Majesty's privy council, signed by six of the said privy council, until the expiration of six weeks after the commencement of the next session of parliament; any law or statute to the contrary notwithstanding.

Persons imprisoned for high treason, &c. may be detained till six weeks after the next meeting of parliament.

II. And

II. And be it further enacted, That the act made in *Scotland* in the year of our Lord one thousand seven hundred and one, intituled, *An act for preventing wrongous imprisonment, and against undue delays in trials*, in so far as the same may be construed to relate to cases of treason and suspicion of treason, be suspended until the expiration of six weeks after the commencement of the next session of parliament; and that until the said day no judge, justice of the peace, or other officer of the law in *Scotland*, shall liberate, try, or admit to bail, any person or persons that is, are, or shall be, in prison within *Scotland*, for such causes as aforesaid, without order from his said Majesty's privy council, signed by six of the said privy council.

Act in Scotland of 1701, for preventing wrongous imprisonment, so far as may relate to treason, &c. suspended till six weeks after the next meeting of parliament.

III. Provided always, That, from and after the expiration of six weeks after the commencement of the next session of parliament, the said persons so committed shall have the benefit and advantage of all laws and statutes any way relating to or providing for the liberty of the subjects of this realm.

From six weeks after the next meeting of parliament, persons committed to have subject, &c.

IV. Provided always, and be it enacted, That nothing in this act shall be construed to extend to invalidate the ancient rights and privileges in parliament, or to the imprisonment or detaining of any member of either house of parliament, during the sitting of such parliament, until the matter of which he stands suspected be first communicated to the house of which he is a member, and the consent of the said house obtained for his commitment or detainer.

Privileges of parliament, not invalidated by this act.

V. Provided nevertheless, That any person or persons in prison at the time of passing this act, against whom any bill or bills of indictment for high treason have been already found, shall and may be tried on such indictment, as if this act had never passed.

Persons against whom indictments for high treason are already found, to be tried thereon.

VI. And whereas divers persons are now in custody on charges of high treason, suspicion of high treason, and treasonable practices, under warrants from one of his Majesty's principal secretaries of state, and who have been secured and detained in custody under the authority of the said recited acts; and it may be highly important that such persons as have been or shall be secured and detained on such charges, under the authority of the said recited acts or of this act, should be kept wholly separate and apart from each other, so as to prevent all communication between them and with other persons, except such communication as his Majesty may think fit to permit, and under such restrictions as may be adviseable; and it has been found by experience to be very difficult to keep such persons separate as aforesaid, and to prevent such communication as aforesaid, without sending such persons to different places of confinement; and doubts may arise how far the powers of his Majesty's principal secretaries of state, to change the places of confinement of persons so committed extends, and it is expedient to provide that the same shall not be so exercised as to deprive the persons so committed of any right to be tried or discharged, which they might respectively have had if their respective places of confinement had not been changed: now, to obviate all doubts and difficulty in respect thereof,

The secretary of state may order persons committed for high treason, &c. to be removed to any other gaol.

Persons so removed not to be deprived of right to be tried or discharged.

Persons sent from Ireland to Great Britain for safe custody, may be detained in such place as his Majesty shall think fit, provided they are charged with high treason, &c. by warrant of a secretary of state.

But no person shall be detained so as to prevent his trial or discharge when entitled thereto by the law of Ireland.

thereof, be it further enacted and declared, That it shall be lawful for one of his Majesty's principal secretaries of state, as he shall see occasion, to order any person committed to any gaol, or other prison, on any charge of high treason, suspicion of high treason, or treasonable practices, either before or after indictment found, to be conveyed to and detained in any other gaol or other prison, until discharged by due course of law, and to issue all warrants necessary for such purposes: provided always nevertheless, That no person who shall be removed by any such warrant as aforesaid, shall be, by means of such removal, deprived of such right to be tried or discharged, as such person would by law have been entitled to if not so removed; and in every case in which any such person would have been entitled to have been tried or discharged if such person had continued in the gaol or prison to which such person was before committed, it shall be lawful for such person to apply to be bailed or discharged, in the same manner as such person might have done if such person had remained in the gaol or prison to which such person was before committed as aforesaid.

VII. *And whereas in the disturbed state of the kingdom of Ireland, it has been found necessary to send divers persons who have been committed to prison in Ireland on charges of high treason, suspicion of high treason, or treasonable practices, to Great Britain for safe custody, and for the purpose of preventing improper intercourse between such persons and other persons engaged, or suspected of being engaged, in the said treasons or treasonable practices; and it may be found expedient to send other persons to Great Britain under like circumstances; be it enacted, That every person who hath been sent to Great Britain as aforesaid, before the passing of this act, and every person who, after the passing of this act, shall be sent to Great Britain for safe custody, by order of the lord lieutenant or governor general, or other chief governor or chief governors of Ireland, and of six or more of his Majesty's privy council of the said kingdom, shall and may be detained in custody in this kingdom, in such place of safe custody, as to his Majesty shall seem fit; provided such person shall be charged with high treason, suspicion of high treason, or treasonable practices, by warrant under the hand and seal of one of his Majesty's principal secretaries of state.*

VIII. Provided always nevertheless, That no person shall be detained as aforesaid, so as to prevent the trial or discharge of such person in due course of law, whenever such person shall, by the law of Ireland, be entitled to such trial or discharge; but in all cases in which any person so detained would by the law of Ireland, if in custody in that kingdom, be entitled to be tried or discharged, it shall be lawful for such person to apply to the court of king's bench in England, or to any judge of that court, or to the court of judicature in Scotland, or to any judge of that court, to be discharged; and if it shall appear to such court, or to such judge, that such person, if in custody in Ireland, would be entitled to be tried or discharged, it shall be lawful for such court or such

judge.

judge, to order such person to be discharged, or to be sent to Ireland, to be dealt with according to law.

IX. And whereas many persons engaged in the late rebellion in Ireland, and in other treasonable practices there, have fled from Ireland, and are now in Great Britain; and other persons may come from Ireland to Great Britain under the like circumstances; and it may be expedient not only to arrest such persons for the purpose of sending them to Ireland to be tried for such offences, but also to secure and detain such persons in Great Britain until they can be properly sent to Ireland to be tried or discharged in due course of law: be it further enacted, That it shall be lawful for one of his Majesty's principal secretaries of state, by warrant under his hand and seal, to order any person who shall be in custody upon any charge of high treason, suspicion of high treason, or treasonable practices, done or committed in Ireland, to be secured or detained in Great Britain until such person can be properly sent to Ireland, to be tried or discharged in due course of law.

The secretary of state may order persons in custody for high treason, &c committed in Ireland, to be detained in Great Britain.

X. Provided always nevertheless, That no person shall be detained as aforesaid so as to prevent the trial or discharge of such person in due course of law, whenever such person shall by the law of Ireland be entitled to such trial or discharge; but in all cases in which any person so detained would by the law of Ireland, if in custody in that kingdom, be entitled to be tried or discharged, it shall be lawful for such person to apply to the court of king's bench in England, or to any judge of that court, or to the court of justiciary in Scotland, or to any judge of that court, to be discharged; and if it shall appear to such court or to such judge that such person, if in custody in Ireland, would be entitled to be tried or discharged, it shall be lawful for such court or such judge to order such person to be discharged, or to be sent to Ireland to be dealt with according to law.

But no person shall be detained so as to prevent his trial or discharge when entitled there, to by the law of Ireland.

XI. And be it further enacted, That this act shall continue in force until the expiration of six weeks after the commencement of the next session of parliament, and no longer.

Continuance of act,

PUBLIC LOCAL AND PERSONAL ACTS,

Anno quadragesimo primo GEORGIÏ III. Regis.

Cap. 1.

An act to continue, for twenty-one years, and from thence to the end of the then next session of parliament, the term, and alter and enlarge the powers, of two acts, passed in the thirtieth year of the reign of his late majesty King George the Second, and the eighteenth year of the reign of his present Majesty, for repairing and widening the road from Towcester, through Silverston and Brackley, in the county of Northampton, and Ardley and Middleton Stony, to Weston Gate, in the parish of Weston on the Green, in the county of Oxford.

Cap. 2.

An act to continue, for twenty-one years, and from thence to the end of the then next session of parliament, the term and enlarge the powers of two acts, passed in the thirty-second year of the reign of his late majesty King George the Second, and the twentieth year of the reign of his present Majesty, for repairing and widening the road from a place called The Old Gallows, in the parish of Sunning, in the county of Berks, through Wokingham, New Bracknow, and Sunning Hill, to Virginia Water, in the parish of Egham, in the county of Surrey.

Cap. 3*.

An act for the better relief of the poor in the city of Edinburgh and the suburbs thereof, and certain districts adjoining thereto.—
[Dec. 22, 1800.]

WHEREAS the present scarcity and high price of all kind of provisions render it necessary that immediate relief and assistance should be given to great numbers of the poor inhabitants of the city of Edinburgh and the suburbs thereof, and districts adjoining thereto: and whereas doubts have arisen whether the laws now in being are sufficient to carry into complete execution the said salutary purposes: 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 of this present parliament assembled, and by the authority of the same: That the lord provost, magistrates, and town council of the said city of Edinburgh, ordinary and extraordinary, for the time being together with the lord-lieutenant of the county of Mid-Lothian, the lord president of the court of session, the lord chief baron of the court of exchequer, the lord advocate of Scotland, the senior judge of the court of session, the senior baron of the court of exchequer, the lord justice clerk, the senior judge of the court of judicary, the sheriff general of Scotland, the dean of the faculty of advocates, the clerk and depute keeper of the signet, the president of the society of merchants before the supreme courts of Scotland, the master of the company of merchants, the chairman and deputy chairman of the chamber of commerce, the president of the royal college of physicians, the sheriff depute of the county, the principal of the university, the respective ministers of the ten parishes of the city and of the parishes of Can-

gate and Saint Cuthberts, the commissioners of the eight south districts acting under the authority of an act passed in the eleventh year of the reign of his present Majesty, the resident bailies of Canongate, the resident bailies of Portsburgh, the stent masters of the city, the president of the society of solicitors before the inferior courts of the city and county, and the persons composing the general committee of contributors appointed to manage and distribute the voluntary subscriptions raised during the present year for the relief of the poor of the city and suburbs of Edinburgh, shall be trustees and commissioners for the purpose of carrying into execution this present act; any five of whom regularly assembled at their stated times and places of meeting being hereby appointed to be a quorum.

II. And be it enacted, That the said trustees and commissioners above named shall have power to raise and levy from the inhabitants of the said city of Edinburgh, including the extended royalty thereof, the castle and that part of Princes Street over which the royalty does not extend, together with the following suburbs and surrounding districts, videlicet, Canongate, Calton, Saint Ninians-Row, Leith-Street, Leith Terrace, Saint James's Square, Saint James's Street, East Register Street, West Register Street, Gabriel's Road, Leith Walk, both sides, (excepting that part of it lying within the parish of Leith) Broughton, Broughton Loan, Bonington, and the whole properties lying upon the south side of the water of Leith, from Bonington westward to Coltbridge, the Dean, Whitehouse, Castle Barns and adjacent buildings, Fountain Bridge, Lochrin, Wrights Houses, Barrowmuirhead, the properties on both sides of the road from Wrights Houses to Barrowmuirhead, extending towards the east until they join the properties included in the south districts, Portsburgh, Toll Cross, the districts known by the name of the Eight South Districts, described in an act passed in the eleventh year of the reign of his present Majesty, Saint John's hill, Pleasance, Abbyhill, including Crofrangry and Clockmilk, a sum not exceeding ten thousand pounds sterling; and that by a stent or assessment according to their estimation of the annual substance of such inhabitants.

III. Provided always, and be it further enacted, that the inhabitants of the said city and places aforesaid, possessed of heritable estates situated in other parishes and districts, shall be stented or assessed by the said trustees and commissioners according to the best of their judgement and discretion, in the same manner as other persons always giving deduction for any parochial assessment for the poor which they pay in respect of their said heritable estates.

IV. Provided always, and be it further enacted, That no person shall be assessed in virtue of this act for or in respect of their annual substance, who have not been assessed by the commissioners for carrying into execution the several acts of parliament passed for raising a tax upon income.

V. And be it further enacted, That the said trustees and commissioners shall keep regular minutes of their proceedings; and for that and other purposes shall have power to elect clerks and secretaries, who shall act without fee or reward.

VI. And be it further enacted, That for the more speedy and effectual making and appointing the said stent or assessment, the said trustees and commissioners shall meet within the merchants hall of the city of Edinburgh, on the twenty-fourth day of December, in this present year one thousand eight hundred, and shall have power to adjourn from time to time, and to such places as they shall judge proper; and that at such first and adjourned meetings the majority of the said trustees and commissioners present shall make such orders and regulations for carrying into execution this present act as to them shall seem proper, the same being always consistent with the laws of the land as in force within that part of Great Britain called Scotland.

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VII. And

VII. And be it further enacted, That it shall be lawful for the said trustees and commissioners, at their said first or any adjourned general meeting, to divide themselves into committees of not less than five, three of whom to be a quorum, who shall have powers to prepare a sketch or scheme of the said assessment upon such districts as shall be assigned to them by the general meetings, which sketches the said committees shall report to a general meeting of the said trustees and commissioners, who shall have power, and are hereby ordered and required to revise, correct, and amend the same according to the best of their discretion and judgement; and that from the schemes so amended, the said trustees and commissioners, in their general meetings, shall make out a general rectified scheme of assessment, which shall be the rule for levying the said sum of ten thousand pounds upon the inhabitants of the said city and places aforesaid.

VIII. And be it further enacted, That the said trustees and commissioners, at their first or any adjourned general meeting, shall have power to name a collector or collectors for the purposes of levying and receiving the said assessment, who shall have power to grant receipts for the same; and the said money shall hereafter be paid by the collectors to a general treasurer, to be appointed by the said trustees and commissioners, in order that the same may be applied under the direction of the said trustees or commissioners, for the relief of poor and indigent persons and families within the said city and places aforesaid.

IX. Provided always, That the said trustees and commissioners shall take such security from the said general treasurer and collectors as they shall think proper.

X. And be it enacted, That if any person assessed under the authority of this act shall refuse to pay their proportion of the said assessment laid upon him by the said trustees and commissioners, it shall be lawful for any two or more of the said trustees and commissioners, or a quorum of them, to issue their warrant or warrants for levying the said assessment in the same manner as the rates for lighting the said city are authorized to be levied and recovered by an act made in the twenty-fifth year of the reign of his present Majesty.

XI. And whereas the college of justice have agreed upon this occasion to waive their privileges of exemption from poor rates, be it therefore enacted, That no person shall be exempted from the said assessment by reason of any privileges whatever.

XII. And be it enacted, That the ministers and elders of the different parishes within the said city and places aforesaid, together with such assessors as they may find it necessary to assume, shall have power, and they are hereby authorized and directed to make up lists of all the indigent persons or families within their respective districts, who shall appear to them to require relief during the ensuing year; which lists they shall make up in such manner and according to such forms as shall be furnished to them by the said trustees and commissioners, which lists they shall report to the said trustees and commissioners; and the said ministers and elders, and their assessors aforesaid, shall have power from time to time to make additions to or corrections and amendments of the said lists, which they shall in like manner report to the said trustees and commissioners, from which different lists the said trustees and commissioners shall make out and enter in a book one general list of the whole indigent persons or families who are to receive relief under the authority of this act.

XIII. And be it enacted, That the said trustees and commissioners shall have power to appoint committees, one or more, either from their own number or otherwise; which committees shall have power to determine the quantity or kind of relief which shall be given to each individual or family on the said list.

XIV. And

XIV. And be it further enacted, That the said committees shall keep regular books and accounts; which books and accounts shall be laid before the said trustees and commissioners once every month.

XV. And whereas, in order to enable the said committees to distribute relief in equal and due proportion, it is absolutely necessary that they and the said trustees and commissioners should know the nature and extent of the relief which any of the poor of the said city and places aforesaid may receive from any other charitable fund; therefore be it enacted, That the said trustees and commissioners, or the committees named by them as aforesaid, shall have power to require from the treasurers, or other proper officer of every charitable institution, and from the ministers or treasurer of every church, chapel, meeting house, or other place of worship within the said city, and places aforesaid, an authentic and certified copy of the names of the persons or families receiving relief from their respective funds, together with the nature and amount of the relief afforded to each person or family.

XVI. And be it further enacted, That this present act shall subsist and be in force from the day of the passing thereof until the first day of January, which will be in the year one thousand eight hundred and two; and if on the said first day of January one thousand eight hundred and two, there shall remain in the hands of the said trustees or commissioners any part of the said assessment unapplied to the purposes hereinbefore specified, the said trustees and commissioners are hereby directed and required to pay over the same to the treasurer of the charity workhouse of Edinburgh, to the treasurer of the charity workhouse of Canongate, and to the treasurer of the charity workhouse of the parish of St. Cuthberts, according to such proportions as to the said trustees and commissioners shall appear proper.

XVII. And be it further enacted, That the said several persons appointed and acting as trustees and commissioners under this act, shall be assessed for the purposes of this act by any of the sub-committees before-mentioned, other than the sub-committee of which such persons respectively are members; and that the said several trustees and commissioners shall have no voice in any decision or determination regarding their own assessment.

XVIII. And be it enacted, That if any doubts or difficulties shall occur in the execution of this act, or if any person shall think himself or herself aggrieved by any assessment made under the authority of this act, and shall make complaint thereof to the said trustees or commissioners within fourteen days after the notifying of any such assessment to the person concerned, the said trustees or commissioners are hereby directed and required to cause their clerk or secretary to lay a statement of the same, which shall be first communicated to the parties complaining, before the persons now acting as commercial commissioners, or as commissioners of appeal for the county and city of Edinburgh, under the several acts for charging duties on income, whole orders and directions thereon, after hearing all the parties concerned, shall be final and conclusive to all intents and purposes, and against all persons whatsoever.

XIX. And be it enacted, That this act shall be deemed and taken to be a public act, and shall be judicially taken notice of as such by all persons whomsoever without specially pleading the same.

Cap. 4.

An act for obviating a doubt arising on the power of sale, and exchange contained in a settlement of the estates of the right honourable Henry earl Bathurst.

AN
ALPHABETICAL INDEX
 TO THE
 THIRD PART OF THE XLII^d VOLUME
 OF THE
STATUTES AT LARGE;

Passed in the forty-first Year of the Reign of King GEORGE III. in the Year of our Lord one thousand eight hundred; being the fifth Session of the eighteenth Parliament of *Great Britain*, which began the eleventh Day of *November*, and ended by prorogation the thirty-first Day of *December* one thousand eight hundred.

* * Those references marked thus, Chap. 3*. will be found amongst the Public Local and Personal Acts, at the End of the Session.

A.

Accounts, Publick.

SEE *West Indies*. Chap. 22.

Aliens.

For continuing three acts for establishing regulations respecting aliens arriving in this kingdom, or resident therein. Chap. 24.

American Loyalists.

See *French Emigrants*. Chap. 14.

B.

Barley.

SEE *Malt*. Chap. 6. See *Corn*.
 Chap. 10.

Barracks.

171,200*l.* for the barrack department. Chap. 14.

Beans.

See *Corn*. Chap. 10.

Beer.

For continuing acts relating to the allowing the use of sugar in the brewing of beer. Chap. 5.

Bounties.

See *Corn*. Chap. 10.

Bread.

1. To prevent the manufacturing of any fine flour from wheat or other grain, and making any bread solely from the fine flour of wheat, and to repeal act 36 Geo. 3. c. 22. for permitting bakers to make and sell certain sorts of bread. Chap. 16.
2. To prohibit any person from selling any bread which shall not have been baked twenty-four hours. Chap. 17.

Cape

C.

Cape of Good Hope.

ACT 37 Geo. 3. c. 21. for making regulations respecting the trade to the *Cape of Good Hope*. Chap. 20.

Convicts.

8,000*l.* for convicts at home. Chap. 14.

Corn.

1. To prohibit the use of corn in distilling of spirits or making starch. Chap. 3.
2. For continuing acts relating to the prohibiting the exportation, and permitting the importation of corn, and other articles of provision without payment of duty. Chap. 5.
3. For granting bounties on the importation of wheat, barley, rye, oats, pease, beans, and Indian corn, and of barley, rye, oat and Indian meal, and wheaten flour and rice. Chap. 10.

Curaçao, Island of.

For making the port of *Amsterdam* in the *Island of Curaçao* a free port. Chap. 23.

Customs.

From *Jan. 5, 1801*, there shall be levied under act 39 & 40 Geo. 3. c. 80. the same duties of customs on vessels arriving in *Guernsey, Jersey, &c.* as on vessels arriving in this kingdom. Chap. 30.

E.

Edinburgh.

FOR the better relief of the poor in the city of *Edinburgh* and suburbs. Chap. 3^o.

Exchequer Bills.

1. The treasury may raise 3,500,000*l.* by exchequer bills. Chap. 14.
2. 151,643*l.* 16*s.* 8*d.* for interest on exchequer bills. Same act.

F.

Fish.

50,000*l.* for laying in stores of fish. Chap. 14.

Fisheries.

For protecting persons engaged in fisheries under this act from being pressed into his Majesty's service. Chap. 21.

See *Salt*. Same act.

See *Pilchards*. Same act.

See *White Herrings*. Same act.

French Emigrants.

60,000*l.* for *French* emigrants and *American* loyalists. Chap. 14.

G.

Grenada, Island of.

FOR extending the time for payment of certain sums of money,

ney, advanced by way of loan to several persons connected with and trading to the islands of *Grenada* and *Saint Vincent*. Chap. 27.

Guernsey.

See *Customs*. Chap. 30.

H.

Hemp.

FOR allowing the importation of undressed hemp from any of the countries that lie within the limits of the exclusive trade of the *East India Company* free of duty. Chap. 25.

Herrings.

To permit the importation of herrings and other fish, the produce of the fishery carried on in *Nova Scotia*, *New Brunswick*, *Newfoundland*, and on the coast of *Labrador*, into this kingdom, without payment of duty. Chap. 11.

See *Swedish Herrings*. Chap. 18.

Hops.

For suspending until *Aug. 20, 1801*, the duties on hops imported, and for charging other duties in lieu thereof. Chap. 4.

I.

Jersey.

SEE *Customs*. Chap. 30.

Importation.

Act 39 Geo. 3. c. 112. for per-
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mitting goods to be imported into this kingdom in neutral ships continued. Chap. 20.

India (East) Company.

See *Hemp*. Chap. 25.

Indian Corn.

See *Corn*. Chap. 10.

L.

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1. 2,141,591*l.* for land service. Chap. 14.
2. 562,055*l.* for 58,528 effective men in *Great Britain*, &c. Same act.
3. 501,486*l.* for forces in the plantations, &c. Same act.
4. 110,000*l.* for increased rates of quartering soldiers, &c. Same act.
5. 127,500*l.* for recruiting contingencies, &c. Same act.
6. 150,000*l.* for foreign troops. Same act.

Land Tax.

To explain, amend, and render more effectual several acts for the redemption and purchase of the land tax. Chap. 28.

Low Wines.

For continuing acts relating to the prohibiting the making of low wines or spirits from wheat, and certain other articles in *Scotland*. Chap. 5.

X x x

Malt.

M.

Malt.

1. **F**OR shortening until *March* 25, 1801, the time of keeping in steep for malting barley damaged by rain in the late harvest. Chap. 6.
2. Duties upon malt, mum, cyder and perry, continued for the service of the year 1801. Chap. 7.
3. For granting certain duties upon malt, for the service of the year 1801. Chap. 8.

Melasses.

See *Spirits*. Chap. 5.

Militia.

374,350*l.* for the militia, the miners of *Cornwall* and *Devon*, and the fencible infantry. Chap. 14.

Mutiny.

For continuing act 37 *Geo.* 3. c. 70. for prevention and punishment of attempts to seduce persons serving in his Majesty's forces by sea or land from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience. Chap. 29.

N.

Naval Services.

1. 3,435,000*l.* for naval services. Chap. 14.
2. 666,000*l.* for wages of 120,000 men for three months. Same act.
3. 684,000*l.* for their victualling. Same act.

Navy.

1. 205,000*l.* for ordinary of the navy. Chap. 14.
2. 200,000*l.* for extraordinary of the navy. Same act.

O.

Oats.

SEE *Corn*. Chap. 10.

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2. 457,000*l.* for ordnance for land service. Same act.

P.

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TO enable commissioners to purchase certain buildings for the accommodation of the two houses of parliament Chap. 13.

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See *Corn*. Chap. 10.

Pensions.

For granting a duty on pensions, offices, and personal estates, in *England*, *Wales*, and *Berwick upon Tweed*, for the service of the year 1801. Chap. 8.

Pilchards.

For allowing a bounty on pilchards now cured, whether exported

ed or sold for home consumption.
Chap. 21.

Population.

For taking an account of the population of *Great Britain*, and of the increase or diminution thereof.
Chap. 15.

Poor.

1. To explain and amend act 22 Geo. 3. c. 83. for better relief and employment of the poor.
Chap. 9.
2. For making better provision for the maintenance of the poor, and for diminishing the consumption of bread corn, by directing the manner of applying parish relief.
Chap. 12.
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Prisoners of War.

35,000*l.* for sick prisoners of war.
Chap. 14.

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To authorise his Majesty from time to time to prohibit the exportation of provisions or food.
Chap. 2.

Q.

Qualification.

ACT of qualification for offices, &c. Chap. 31.

R.

Rice.

TO prohibit the exportation of rice, and to indemnify all

persons concerned in preventing the exportation thereof. Chap. 1.

See *Corn*. Chap. 10.

Rye.

SEE *Corn*. Chap. 16.

S.

Salt.

FOR allowing the use of salt duty free, in preserving fish in bulk or in barrels. Chap. 21.

Scotland.

See *Low Wines*. Chap. 5.

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Act 33 Geo. 3. c. 67. for preventing offences in destroying or damaging ships, and obstructing seamen and others from pursuing their lawful occupations, continued. Chap. 20.

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35,000*l.* for secret service. Chap. 14.

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1,080,000*l.* for wear and tear of ships. Chap. 14.

Snuff.

For granting certain duties on snuff, for the service of the year 1801. Chap. 8.

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See *Mutiny*. Chap. 29.

Spirits.

For continuing acts relating to the reducing the duties upon spirits distilled from melasses and sugar. Chap. 5.

See

See *Corn*. Chap. 3.

See *Low Wines*. Chap. 5.

Starch.

So much of act 39 & 40 Geo. 3. c. 8. as relates to the reducing and collecting the import duties on starch revived and continued. Chap. 20.

See *Corn*. Chap. 3.

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For granting certain duties on sugar for the service of the year 1801. Chap. 8.

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See *Spirits*. Chap. 5.

Swedish Herrings.

To permit the importation of *Swedish* herrings into *Great Britain*. Chap. 18.

T.

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For granting certain duties on tobacco for the service of the year 1801. Chap. 8.

Transport Service.

475,000*l.* for transport service and prisoners of war in health. Chap. 14.

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To continue act 39 & 40 Geo. 3. c. 20. for empowering his Majesty to secure and detain such persons, as his Majesty shall suspect are conspiring against his person and government. Chap. 32.

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For continuing until June 1, 1801, the several acts for regulating the turnpike roads in *Great Britain* which expire at the end of the present session of parliament. Chap. 26.

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145,000*l.* for volunteer corps. Chap. 14.

W.

West Indies.

To authorize his Majesty to appoint commissioners for the more effectual examination of accounts of publick expenditure for his Majesty's forces in the *West Indies* during the present war. Chap. 22.

Wheat.

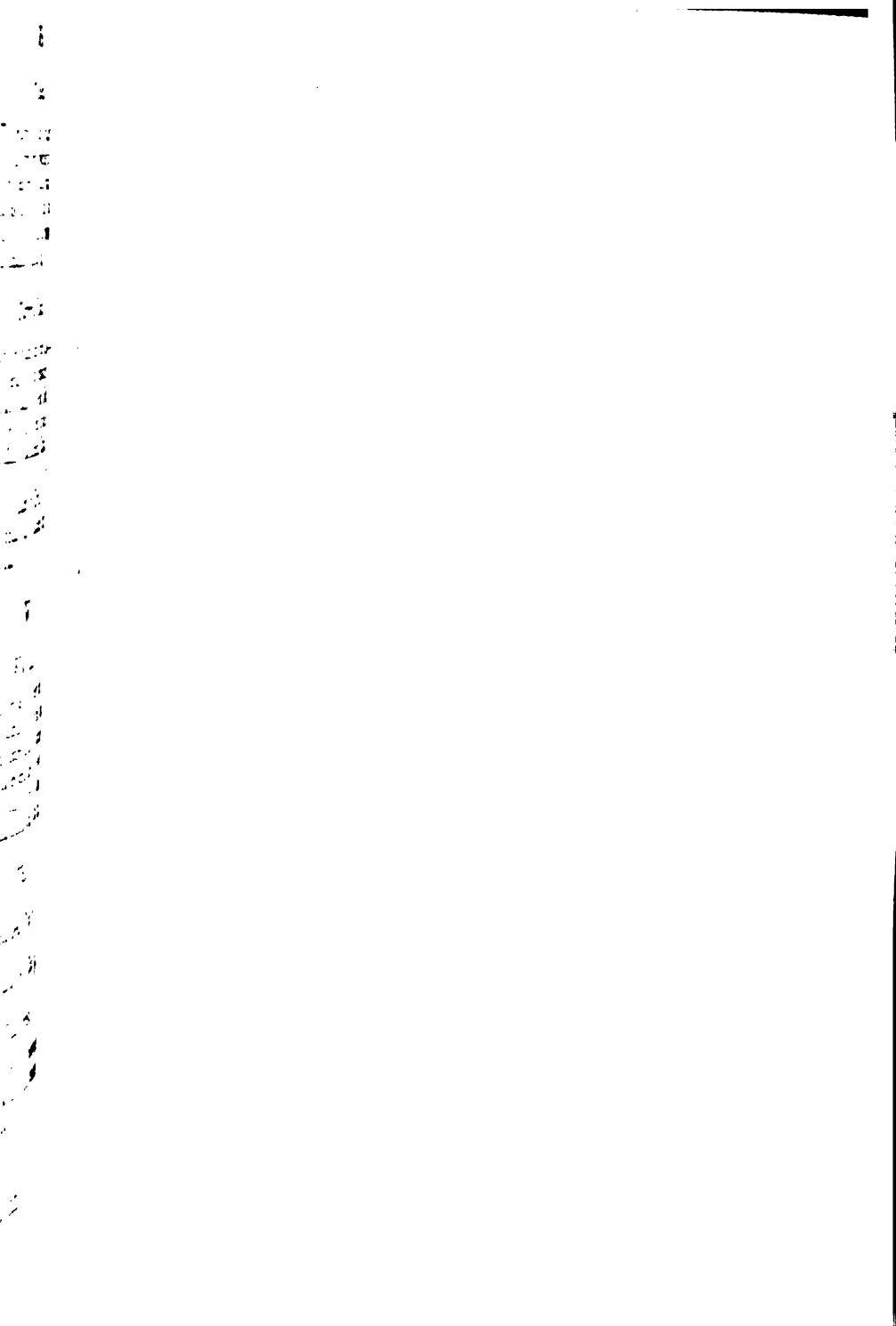
See *Corn*. Chap. 10.

See *Low Wines*. Chap. 5.

White Herrings.

For discontinuing the bounty payable on white herrings exported. Chap. 21.

END OF PART III. VOL. XLII.



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