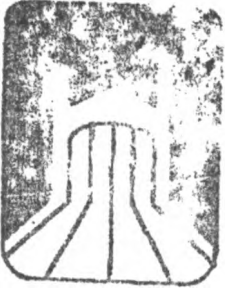


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THE
S T A T U T E S
OF
THE UNITED KINGDOM
OF
GREAT BRITAIN AND IRELAND,
57 GEORGE III. 1817.

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T A B L E

Containing the TITLES of all

THE STATUTES,

Passed in the FIFTH Session of the FIFTH Parliament

OF

The United Kingdom of *Great Britain and Ireland*;

57 GEORGE III.

PUBLIC GENERAL ACTS.

1. AN Act to continue and extend the Provisions of an Act of the Forty-ninth Year of His present Majesty, for regulating the Trade and Commerce to and from *The Cape of Good Hope*, until the Fifth Day of *July* One thousand eight hundred and twenty; and also for regulating the Trade of the Island of *Mauritius*. Page 1
2. An Act for raising the Sum of Twenty-four Millions, by Exchequer Bills, for the Service of the Year One thousand eight hundred and seventeen. [*See Cap. 132. § 12. post.*] 2
3. An Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against His Person and Government. [*See Cap. 55. post.*] 3
4. An Act to extend the Privileges of the Trade of *Malta* to the Port of *Gibraltar*. 5
5. An Act for continuing to His Majesty certain Duties on Malt, Sugar, Tobacco, and Snuff, in *Great Britain*; and on Pensions, Offices, and Personal Estates, in *England*; and for receiving the Contributions of Persons receiving Pensions and holding Offices; for the Service of the Year One thousand eight hundred and seventeen. [*See Cap. 132. § 12. post.*] *Ibid.*
6. An Act to make perpetual certain Parts of an Act of the Thirty-sixth Year of His present Majesty, for the Safety and Preservation of His Majesty's Person and Government against Treasonable and Seditious Practices and Attempts; and for the Safety and Preservation of the Person of His Royal Highness The Prince Regent against Treasonable Practices and Attempts. 8
7. An Act to revive and make perpetual Two Acts of the Thirty-seventh Year of His present Majesty, the one in the Parliament of *Great Britain*, and the other in the Parliament of *Ireland*, for the better Prevention and Punishment of Attempts to seduce Persons serving in His Majesty's Forces by Sea or Land from their

- their Duty and Allegiance to His Majesty, or to incite them to Mutiny or Disobedience. Page 10
8. An Act to continue, until the Fifth Day of *April* One thousand eight hundred and twenty, an Act of the Fifty-second Year of His present Majesty, to regulate the Separation of damaged from sound Coffee, and to permit Dealers to send out any Quantity of Coffee not exceeding Eight Pounds Weight without Permit. 11
9. An Act for vesting all Estates and Property occupied for the Barrack Service in the Comptroller of the Barrack Department; and for granting certain Powers to the said Comptroller. *Ibid.*
10. An Act to regulate the Vessels carrying Passengers from the United Kingdom to certain of His Majesty's Colonies in *North America*. 16
11. An Act to facilitate the Progress of Business in the Court of King's Bench in *Westminster Hall*. 19
12. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. [*See Cap. 35. post.*] 20
13. An Act for the regulating of His Majesty's Royal Marine Forces while on Shore. 30
14. An Act to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and for extending the Time limited for those Purposes respectively until the Twenty-fifth Day of *March* One thousand eight hundred and eighteen; and to permit such Persons in *Great Britain* 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 *Hilary* Term One thousand eight hundred and eighteen. 31
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16. An Act for raising the Sum of Eighteen Millions, by Exchequer Bills, for the Service of the Year One thousand eight hundred and seventeen. [*See Cap. 132. § 12. post.*] 32
17. An Act to repeal, during the Continuance of Peace, so much of an Act of the Ninth Year of His present Majesty as prohibits the Exportation of Pig and Bar Iron, and certain Naval Stores, unless the Preemption thereof be offered to the Commissioners of His Majesty's Navy. *Ibid.*
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20. An Act for making further Regulations in respect to the Pay of the Officers of the Royal Navy, in certain cases therein mentioned. 50
21. An Act to revive and continue for Two Years, and from thence until the End of the then next Session of Parliament, Two Acts made in the Forty-seventh and Fiftieth Years of His present Majesty, for the preventing improper Persons from having Arms in *Ireland*. 58
22. An Act to amend Two Acts of the Fifty fourth and Fifty fifth Years of His Majesty's Reign, to provide for the better Execution

Execution of the Laws in *Ireland*, by appointing Superintending Magistrates and additional Constables in Counties in certain cases.

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23. An Act to further continue, until the Twenty fifth Day of *March* One thousand eight hundred and twenty, an Act of the Seventh Year of King *George* the Second, for the free Importation of *Cochineal* and *Indigo*. 60
24. An Act to alter and enlarge the Powers of an Act, passed in the Fifty fourth Year of His present Majesty, intituled *An Act for the further Improvement of the Land Revenue of the Crown*. 61
25. An Act to explain and amend an Act, made in the Forty eighth Year of His present Majesty, for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof; and to exempt such Dwelling Houses as may be employed for the sole Purpose of Trade, or of lodging Goods, Wares or Merchandize, from the Duties charged by the said Act. 67
26. An Act to amend and render more effectual Four several Acts passed in the Forty eighth, Forty ninth, Fifty second and Fifty sixth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities. 70
27. An Act for repealing the Duties of Customs on Buck Wheat imported into this Kingdom, and for granting other Duties, until the Twenty fifth Day of *March* One thousand eight hundred and twenty one, in lieu thereof. 76
28. An Act to extend the Powers of Two Acts, for allowing *British* Plantation Sugar and Coffee, and other Articles imported into *Bermuda* in *British* Ships, to be exported to *America* in Foreign Vessels, and to permit Articles, the Produce of *America*, to be imported into the said Island in Foreign Ships, to certain other Articles. 77
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30. An Act to regulate the Interests and Periods of Payment of Navy, Victualling and Transport Bills. 79
31. An Act for granting to His Majesty a Sum of Money to be raised by Lotteries. [See Cap. 132. § 12. post.] *Ibid.*
32. An Act to repeal the Duties of Excise on Stone Bottles, and charge other Duties in lieu thereof. [See Cap. 119. post.] 80
33. An Act to reduce the Allowance of Spirits, Tea and Tobacco for the Use of the Seamen on board certain Ships or Vessels making short Voyages. 83
34. An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in *Great Britain*, in manner therein mentioned. 85
35. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. 109
36. An

36. An Act to regulate the Trade to and from the Places within the Limits of the Charter of the *East India Company*, and certain Possessions of His Majesty in the *Mediterranean*. Page 110
37. An Act to explain and amend an Act of the Fifty third Year of His present Majesty, relating to Tolls on Carriages used in Husbandry, and to remove Doubts as to Exemption of Carriages, not wholly laden with Manure, from Payment of Toll. 116
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39. An Act to extend certain Provisions of the Acts of the Thirty sixth and Fifty second Years of the Reign of His present Majesty to Matters of Charity and Friendly Societies. *Ibid.*
40. An Act to authorize the rewarding Officers of the Customs for their Services in preventing illicit Distillation in *Scotland*, under an Act passed in the last Session of Parliament. 118
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45. An Act for the Continuation of all and every Person or Persons in any and every Office, Place or Employment, Civil or Military, within the United Kingdom of *Great Britain* and *Ireland*, Dominion of *Wales*, Town of *Berwick upon Tweed*, Isles of *Jersey*, *Guernsey*, *Alderney*, *Sarke* and *Man*, and also in all and every of His Majesty's Foreign Possessions, Colonies or Plantations, which he or she shall hold, possess or exercise during the Pleasure of the Crown, at the time of the Death or Demise of His present Majesty, until removed or discharged therefrom by the succeeding King or Queen of this Realm. 124
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47. An Act for settling and securing Annuities on Lord *Colchester*, and on the next Person to whom the Title of Lord *Colchester* shall descend, in Consideration of his eminent Services. 131
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Accounts of the Consolidated Fund of the United Kingdom, and for making good any occasional Deficiency which may arise in the said Fund in *Great Britain* or *Ireland* respectively; and to direct the Application of Monies by the Commissioners for the Reduction of the National Debt.

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49. An Act for altering and amending the Laws of Excise with respect to Salt and Rock Salt. 141
50. An Act to continue an Act made in the Fifty-fourth Year of His present Majesty's Reign, intituled, *An Act to provide for the preserving and restoring of Peace in such Parts of Ireland as may at any time be disturbed by seditious Persons, or by Persons entering into unlawful Combinations or Conspiracies.* 180
51. An Act to regulate the Celebration of Marriages in *Newfoundland.* 181
52. An Act to alter an Act passed in the Eleventh Year of the Reign of King *George* the Second, for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants. *Ibid.*
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55. An Act to continue an Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against His Person and Government. 193
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57. An Act to empower His Majesty to suspend Training, and to regulate the Quotas of the Militia. 207
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83. An Act to amend an Act, made in the last Session of Parliament, for providing for the Charge of certain Additions to the Public Debt of *Ireland*. 272

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99. An Act to consolidate and amend the Laws relating to Spiritual Persons holding of Farms; and for enforcing the Residence of Spiritual Persons on their Benefices; and for the Support and Maintenance of Stipendiary Curates in *England*. [*By this Act, § 1. the 13 Eliz. c. 20. as to certain Particulars therein mentioned, is repealed;*

- repealed; but the whole of that Act, together with all Explanations, Additions and Alterations thereof, was previously repealed by 43 G. 3. c. 84. § 10.]* Page 343
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101. An Act to continue an Act, intituled *An Act further to extend and render more effectual certain Provisions of an Act passed in the Twelfth Year of the Reign of His late Majesty King George the First*, intituled *'An Act to prevent frivolous and vexatious Arrests;'* and of an Act passed in the Fifth Year of the Reign of His Majesty King George the Second, to explain, amend and render more effectual the said former Act; and of Two Acts, passed in the Nineteenth and Forty third Years of the Reign of His present Majesty, extending the Provisions of the said former Acts. 385
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103. An Act for defraying, until the Twenty fifth Day of *June* One thousand eight hundred and eighteen, the Charge of the Pay and Cloathing of the Militia of *Ireland*; and for making Allowances in certain cases to Subaltern Officers of the said Militia during Peace. 392
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112. An Act to amend an Act of the Twenty fifth Year of the Reign of His present Majesty, for better regulating the Office of Treasurer of His Majesty's Navy, as far as respects the Mode of Applications for certain Services in the Victualling Department. 438
113. An

113. An Act to prevent the further Circulation of Dollars and Tokens, issued by the Governor and Company of the Bank of England, for the Convenience of the Public. Page 439
114. An Act to continue, until the First Day of August One thousand eight hundred and eighteen, Two Acts of His present Majesty, allowing the bringing of Coals, Culm and Cinders to London and Westminster. 443
115. An Act to extend the Provisions of an Act of the Twelfth Year of His late Majesty King George the First, and an Act of the Twenty second Year of His late Majesty King George the Second, against Payment of Labourers in Goods or by Truck, and to secure their Payment in the lawful Money of this Realm, to Labourers employed in the Manufacture of Articles made of Steel, or of Steel and Iron combined, and of Plated Articles, or of other Articles of Cutlery. 444
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122. An Act to extend the Provisions of an Act of the Twelfth Year of His late Majesty King George the First, and an Act of the Twenty second Year of His late Majesty King George the Second, against Payment of Labourers in Goods or by Truck, and to secure their Payment in the lawful Money of this Realm, to Labourers employed in the Collieries, or in the working and getting of Coal, in the United Kingdom of Great Britain and Ireland; and for extending the Provisions of the said Acts to Scotland and Ireland. 457
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- Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor. Page 470
125. An Act to authorize the driving and keeping a Hackney Coach or Chariot under the same Licence. 476
126. An Act to repeal an Act, passed in the Fifty fourth Year of His present Majesty, for the Punishment of Persons destroying Stocking or Lace Frames, and Articles in such Frames; and to make, until the First Day of *August* One thousand eight hundred and twenty, other Provisions in lieu thereof. 478
127. An Act to settle the Share of Prize Money, Droits of Admiralty, and Bounty Money payable to *Greenwich* Hospital, and for securing to the said Hospital all unclaimed Shares of Vessels found derelict, and of Seizures for Breach of Revenue, Colonial, Navigation and Slave Abolition Laws. 479
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130. An Act to encourage the Establishment of Banks for Savings in *England*. 495
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132. An Act for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and seventeen, and for further appropriating the Supplies granted in this Session of Parliament. 518.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

- i. AN Act to extend the Limits of an Act, made in the last Session of Parliament, for preventing Frauds in the Admeasurement of Coals in certain Parishes in the Counties of *Middlesex* and *Essex*. Page 532
- ii. An Act for paving the Footways, and for lighting and cleaning the Streets, Lanes and public Places within the Town and Borough of *Tisbury*, in the County of *Gloucester*, and for preventing Nuisances therein. 534
- iii. An Act for continuing the Term and enlarging the Powers of Two Acts of the Seventeenth and Thirty eighth Years of His present

- present Majesty, for repairing the Roads from *Henfield* to *Brighthelmstone*, and from *Poyning's Common* to *High Cross*, in the County of *Suffex*; and for repealing so much of the said Acts as relates to certain Parts of the said Roads. Page 534
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- v. An Act for repairing the Road from the *Cross Hands*, on the *Worcester* and *Oxford* Turnpike Road, to *Halford Bridge*, and other Roads therein mentioned, in the Counties of *Gloucester*, *Warwick* and *Worcester*. *Ibid.*
- vi. An Act for enlarging the Term and Powers of several Acts of His late and present Majesty, for repairing the Road from the Town of *Shrewsbury* to *Bridgnorth*, and several other Roads near or adjoining thereto, in the Counties of *Salop* and *Stafford*. *Ibid.*
- vii. An Act for making better Provision for the Support and Maintenance of the Rector of the Parish of *Saint Olave*, in the Town and Borough of *Southwark*; and for providing a more convenient Rectory or Parsonage House for the said Rector. *Ibid.*
- viii. An Act for further continuing, until the First Day of *August* One thousand eight hundred and eighteen, and from thence to the End of the then next Session of Parliament, the Powers given by an Act of the Forty sixth Year of His present Majesty, for enabling the Commissioners acting in Execution of an Agreement made between the *East India* Company and the private Creditors of the Nabobs of the *Carnatic*, the better to carry the same into Effect. *Ibid.*
- ix. An Act for providing a convenient House, with suitable Accommodations, for His Majesty's Judges at the Assizes for the County of *Northampton*. *Ibid.*
- x. An Act for more effectually repairing and improving the Road from *West Houghton* to *Duxbury Stocks*, in the County of *Lancaster*. 544
- xi. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road leading from *Towcester* to the Turnpike Road in *Cotton End*, in the Parish of *Hardington*, in the County of *Northampton*. *Ibid.*
- xii. An Act for making and maintaining a Turnpike Road from and out of the Turnpike Road at the Bottom of *Coalbrook Dale*, in the Parish of *Madeley*, into the Turnpike Road leading from *Shiffnall* to *Shrewsbury*, at or near a Place called *Watling Street*, in the Parish of *Wellington*, all in the County of *Salop*. 545
- xiii. An Act for making and maintaining a Turnpike Road from the Town of *Cromford* to the Town of *Belper*; and for making a Branch of Road from and out of the said Road near the River *Amber*, to join the Turnpike Road at *Bull Bridge*, all in the County of *Derby*. *Ibid.*
- xiv. An Act for lighting and watching *Kentish Town* in the Parish of *Saint Pancras* in the County of *Middlesex*. *Ibid.*
- xv. An Act to enable the Company of Proprietors of the *Stratford upon Avon* Canal Navigation to raise Money to discharge their Debts, and to complete the said Canal. *Ibid.*
- xvi. An

- xvi. An Act for enlarging the Term and Powers of several Acts of the Seventeenth and Thirty seventh Years of His present Majesty, for repairing the Road from *Halifax* to *Sheffield*, in the West Riding of the County of *York*, so far as relate to the Road from *Penistone* to *Sheffield*. Page 545;
- xvii. An Act to continue and amend an Act passed in the Thirty fifth Year of His present Majesty, for amending, widening, altering, improving and keeping in Repair the Road leading out of the Turnpike Road between *Aylesbury* and *Wendover*, through *Prince's Risborough*, to *West Wycombe*, in the County of *Buckingham*. Ibid.
- xviii. An Act for enlarging the Term and Powers of several Acts passed for repairing and widening the Roads from the East End of *Brough under Stainmoor* in the County of *Westmorland*, by the End of *Appleby Bridge*, to *Eamont Bridge* in the said County. Ibid.
- xix. An Act to amend an Act of the Fifty fifth Year of His present Majesty, for building a new Church and Workhouse in the Parish of *Bathwick*, in the County of *Somerset*. 546
- xx. An Act for improving and maintaining the Harbour of *Ayr*, and for regulating Vessels resorting thereto. Ibid.
- xxi. An Act for providing an additional Burial Ground for the Parish of *Sculcoates* in the East Riding of the County of *York*. Ibid.
- xxii. An Act for amending an Act of His present Majesty, for rebuilding *Newton Chapel*, in the County Palatine of *Lancaster*. Ibid.
- xxiii. An Act for better lighting the Streets and Houses of the Metropolis with Gas. Ibid.
- xxiv. An Act to amend an Act, of the last Session of Parliament, for the better repairing the several Roads leading into and from the City of *Worcester*. 566
- xxv. An Act to continue and amend Two Acts of the Fifteenth and Thirty fifth Years of His present Majesty, for amending and widening the Road leading from *Tarmouth Bridge* through *Little Tarmouth*, to *Gorleston*, in the County of *Suffolk*. Ibid.
- xxvi. An Act for amending the Roads leading from *Basingstone*, near *Bagshot*, through *Farnham*, in the County of *Surrey*, and *Alton*, and *New Alresford*, to *Winchester*, in the County of *Southampton*. 567
- xxvii. An Act for more effectually improving the Road from *Richmond*, in the County of *York*, to *Lancaster*, in the County of *Lancaster*, and the Road from *Richmond* to *Lucy Cross*, and from *Gilling* to the Turnpike Road on *Gatherley Moor*, in the County of *York*. Ibid.
- xxviii. An Act for continuing and amending an Act of His present Majesty, for repairing the Road from the Town of *Bedford*, in the County of *Bedford*, to *Kimbolton* in the County of *Huntingdon*. Ibid.
- xxix. An Act for better paving, improving and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein. Ibid.
- xxx. An Act to regulate the loading of Ships with Coals in the Port of *Newcastle upon Tyne*. 681
- xxxi. An

- lxi. An Act for fixing the Dues, Duties and Payments for all Goods, Wares and Merchandize landed on or shipped from the Pier or Quay of the Town of *Penzance* in the County of *Cornwall*, and on all Ships and Vessels resorting to the said Pier or Quay, or to the Harbour of *Penzance*. Page 682
- lxii. An Act for the further Improvement of the Town and Harbours of *Greenock*; for establishing and supporting a Harbour Police, and for the better regulating the Poor of the Three Parishes of *Greenock*. Ibid.
- lxiii. An Act for altering and amending an Act of the Fifty second Year of His present Majesty, for regulating the Police of the City of *Edinburgh* and the adjoining Districts, and for other Purposes relating thereto. Ibid.
- lxiv. An Act for making the Hamlet of *Poplar* and *Blackwall*, in the County of *Middlesex*, a separate and distinct Parish; and for erecting a Parish Church therein, and other Purposes relating thereto. Ibid.
- lxv. An Act for enlarging the Church Yard of the Parish of *Christ Church* in the County of *Surrey*; and for other Purposes relating thereto. Ibid.
- lxvi. An Act for enlarging the Church Yard, and providing additional Burying Ground, for the Parish of *Bradford*, in the West Riding of the County of *York*. Ibid.
- lxvii. An Act for making and maintaining a Railing or Tram Road from *Bull's Head Lane*, in the Parish of *Mansfield*, in the County of *Nottingham*, to communicate with the *Cromford* Canal at *Pinxton* Basin, in the Parish of *Pinxton*, in the County of *Dorby*. Ibid.
- lxviii. An Act for inclosing Lands within the Parishes of *Norton* and *Heckingham*, in the County of *Norfolk*; and for draining certain Lands in the said Parish of *Norton*. Ibid.
- lxix. An Act to amend an Act, passed in the Forty seventh Year of His present Majesty, for improving and rendering more commodious such Parts of the County and County of the City of *Dublin* as are situate on the South Side of the River *Anna Liffey*, and West of His Majesty's Castle of *Dublin*; and for the Appointment of an Inspector of the Presentments and other Accounts of the County of the City of *Dublin*. Ibid.
- li. An Act for continuing the Term and enlarging the Powers granted to the Principal Land Coal Meters for the City and Liberty of *Westminster*; and for extending the Limits of their Office to the Parish of *Saint Luke Chelsea*. 687
- li. An Act for lighting the City and Suburbs of *Glasgow* with Gas, and for other Purposes relating thereto. 692
- lii. An Act to repeal an Act made in the last Session of Parliament, for preventing Frauds in the Admeasurement and Delivery of Coals within the several Parishes lying contiguous to the Water Side in the County of *Kent*. Ibid.
- liii. An Act to continue and amend an Act, made in the Forty second Year of His present Majesty, for repairing the Road from *Caulerway Head*, near *Sirling*, through the County of *Glatthamman*, towards *Queen's Ferry*, and certain Roads branching out of the same. Ibid.
- liiv. An

- xliv. An Act for enlarging the Term and Powers of several Acts of His present Majesty, for repairing certain Roads leading from *Truro*, and other Roads communicating therewith, in the County of *Cornwall*; and for building and keeping in Repair a Bridge over the River there. *Page 692*
- xlv. An Act for making and keeping in Repair a Carriage Road from or near the Town of *Brough under Stainmore*, in the County of *Westmorland*, to *Middleton Bridge*, in the Parish of *Romaldkirk*, in the North Riding of the County of *Tork*, with a Branch from or near *Chapel House* to *Eggleston Bridge*, in the same Parish. 693
- xlvi. An Act for continuing and amending an Act of His present Majesty, for repairing the Road from *Stamford*, in the County of *Lincoln*, through *Oakham*, to the Great North Road, in the Parish of *Greetham*, in the County of *Rutland*. *Ibid.*
- xlvii. An Act for making and keeping in Repair a Carriage Road from the Township of *Manchester* to *Newton Chapel* in the Township of *Newton*, with a Branch to the River *Medlock* in the Township of *Droylsden*, in the County Palatine of *Lancaster*. *Ibid.*
- xlviii. An Act for shutting up and discontinuing a certain Way or Passage called *Old Paris Garden Lane*, situate in the Parish of *Christ Church* in the County of *Surrey*, and for selling and disposing of the Ground and Soil thereof. *Ibid.*
- xlix. An Act to continue an Act, passed in the Parliament of *Ireland* in the Thirty fifth Year of His present Majesty, for improving and repairing the Turnpike Road leading from *Dublin* to *Mullingar*, and for repealing the several Laws theretofore made relating to the said Road. *Ibid.*
- i. An Act to continue the Term and alter and enlarge the Powers of an Act of His present Majesty, for keeping in Repair the Road leading from the Town of *Rochdale*, in the County Palatine of *Lancaster*, to the Town of *Burnley*, in the said County, and for making Two new Branches of Road to communicate therewith. *Ibid.*
- ii. An Act for making and maintaining a Road from *Quebec*, in the Parish of *Leeds*, in the West Riding of the County of *Tork*, to *Homesfield Lane End*, in the same Parish, with a Bridge or Bridges on the Line of such Road. 694
- iii. An Act for more effectually repairing the Road from the Bridge of *Dee* Southward, through the County of *Kincardine*, to *Stonehaven*; and from thence, by *Inverbervie* and by *Laurencekirk*, to the Lower and Upper Bridges over the River *North Esk*; and for making and repairing other Roads in the said County. *Ibid.*
- liii. An Act for settling the Right of Patronage or Presentation of or to a Chapel to be called *Stansted Chapel*, in the Parish of *Stoughton*, in the County of *Suffex*. *Ibid.*
- liiv. An Act for making and maintaining a Turnpike Road from the Town of *Crowland*, in the County of *Lincoln*, to the Town of *Eye*, in the County of *Northampton*. *Ibid.*
- lv. An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for repairing the Road from *Wrotham Heath* to *Foots Cray*, and from *Wrotham Heath* to *Maidstone*, in the County of *Kent*; and the Road from the said Road into the Turnpike Road from *Mereworth* to *Hadlow* in the said County. *Ibid.*

- lvi. An Act for making and maintaining a Navigable Canal from the *Lothian Road*, near the City of *Edinburgh*, to join the *Forth* and *Clyde* Navigation near *Falkirk*, in the County of *Stirling*. Page 694
- lvii. An Act for giving further Powers to the President and Assistants of the Charitable Society of the Town of *Belfast*, in the County of *Antrim*, to supply the said Town with Water, and to improve their Estates. *Ibid.*
- lviii. An Act for building a Bridge across the River *Irwell*, from *Water Street*, in the Township of *Salford*, to *Saint Mary's Gate*, in the Township of *Manchester*, all in the County of *Lancaster*, and for making proper Avenues thereto. *Ibid.*
- lix. An Act for granting further Powers for improving the Town of *Great Bolton*, in the County of *Lancaster*. 695
- lx. An Act for granting an Equivalent for the Diminution of the Profits of the Office of Gauger of the City of *London*, and increasing the Payments to be made by Brokers. *Ibid.*
- lxi. An Act to enable *Pietro William Tomkins* of *New Bond Street*, in the City of *Westminster*, Engraver to The Queen's Most Excellent Majesty, to dispose of his Collection of Paintings, Drawings and Engravings, together with several Copies of certain Books therein mentioned, and the Lease of the Premises called *The Britijh Gallery of Pictures*, by way of Lottery. 698
- lxii. An Act to amend Two Acts for maintaining and improving the Commercial Docks, in the Parish of *Saint Mary Rotherhithe*, in the County of *Surrey*. *Ibid.*
- lxiii. An Act for making and maintaining a Navigable Canal from the River *Arun* to *Chichester* Harbour, and from thence to *Langstone* and *Portsmouth* Harbours, with a Cut or Branch from *Hunston* Common to or near the City of *Chichester*; and for improving the Navigation of the Harbour of *Langstone* and Channels of *Langstone* and *Thorney*. 710
- lxiv. An Act to amend and enlarge the Powers of Two Acts of His present Majesty, for improving the Navigation of the River *Hull* and *Frodingham Beck*, and extending the same to the Town of *Great Driffeld*, in the County of *York*. 711
- lxv. An Act for enlarging the Market Place, and regulating the Market in the Town of *Taunton*, in the County of *Somerset*, and for improving the said Town; and for amending an Act of His present Majesty relative thereto. *Ibid.*
- lxvi. An Act to amend and continue an Act of the Thirty sixth Year of His present Majesty, for improving certain Roads in and through the Forest of *Dean*, in the County of *Gloucester*, and several other Roads therein mentioned. *Ibid.*
- lxvii. An Act for continuing and amending Two Acts of His present Majesty, for repairing several Roads leading from the Town of *Taunton* in the County of *Somerset*. *Ibid.*
- lxviii. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Cambridge* to the *Old North Road*, near *Arrington Bridge*, in the County of *Cambridge*. *Ibid.*
- lxix. An Act for amending and rendering more effectual an Act of His present Majesty, for draining Lands in *South Holland*; and for continuing and amending another Act of His present Majesty, for maintaining and repairing a certain Bank, and the Road thereon, from

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- from *Spalding High Bridge to Brothor House*, all in the County of *Lincoln*. Page 711
- lxx. An Act for improving the Harbour of *Blakeney*, within the Port of *Blakeney and Clay*, in the County of *Norfolk*. 712
- lxxi. An Act for amending and rendering more effectual an Act of His late Majesty King *William the Third*, for making the River *Lark* alias *Burn* navigable. *Ibid.*
- lxxii. An Act for rebuilding the Church, and improving the Church Yard of the Parish of *Saint Paul Shadwell*, in the County of *Middlesex*. *Ibid.*
- lxxiii. An Act for raising Money, by Annuities or otherwise, for the Purpose of erecting a Workhouse for the Use of the Poor of the Parish of *Saint John of Wapping*, in the County of *Middlesex*. *Ibid.*
- lxxiv. An Act for more effectually repairing the Road from the *Neath* Turnpike Road, at or near *Abernant*, through *Merthyr Tidvill*, in the County of *Glamorgan*, to join the Turnpike Road within the *Abergavenny* District near *Rhyd y Blew House*, in the County of *Monmouth*. *Ibid.*
- lxxv. An Act to continue and amend an Act passed in the Thirty sixth Year of His present Majesty, for altering the Road from *Macclesfield to Congleton*, in the County of *Chester*. *Ibid.*
- lxxvi. An Act to empower the Commissioners of the Royal Naval Asylum to make use of any Part of the Accumulation of the Interest of the Monies which were given by the Committee for managing the Patriotic Fund to the said Commissioners, for the Purposes of the said Asylum. *Ibid.*

PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN EVIDENCE.

1. AN Act for inclosing Lands in the Parish of *Drayton*, in the County of *Somerset*. 714
2. An Act for inclosing Lands in the Parish of *Eriswell*, in the County of *Suffolk*. *Ibid.*
3. An Act for inclosing Lands within the Manor of *Emley*, in the County of *York*. *Ibid.*
4. An Act for inclosing Lands in the Parish of *Cofton*, otherwise *Cofton Hackett*, in the County of *Worcester*. *Ibid.*
5. An Act for repealing certain Parts of an Act of His present Majesty, for inclosing Lands in the Manor of *Aspatria*, and in the several Parishes of *Aspatria*, *Brumfield* and *Allballows*, in the County of *Cumberland*, and for amending the said Act. *Ibid.*
6. An Act for inclosing Lands in the Parish of *Orleton*, in the County of *Hereford*. *Ibid.*
7. An Act for inclosing Lands in the Township of *Burton Salmon* in the Parish of *Monkfrystone*, in the County of *York*. 715
8. An

8. An Act for inclosing Lands in the Township of *Willey*, in the Parish of *Presteign*, in the County of *Hereford*. Page 715
9. An Act for vesting Part of the Settled Estates of *Edward Gilbert Esquire*, otherwise *Edward Scott Esquire*, in Trustees, to be sold; and for applying the Produce in or towards the Discharge of the Incumbrances on the said Estates. *Ibid.*
10. An Act for inclosing Lands in the Manor of *Meltham*, in the Parish of *Almondbury*, in the West Riding of the County of *York*. *Ibid.*
11. An Act for allotting Lands in the Township or Liberty of *Lit-tlemore*, in the Parishes of *Saint Mary the Virgin* and *Yestley*, otherwise *Iffley*, in the County of *Oxford*. *Ibid.*
12. An Act for inclosing and exonerating from Tithes Lands in the Parish of *Easton on the Hill*, in the County of *Northampton*. *Ibid.*
13. An Act for inclosing Lands in the Township of *Trawden*, in the Chapelry of *Colne*, and Parish of *Whalley*, in the County of *Lancaster*. *Ibid.*
14. An Act for inclosing Lands within the Manors, Townships or Divisions of *Underbarrow* and *Bradleyfield*, in the Parish of *Kirkby in Kendal*, in the County of *Westmorland*. *Ibid.*
15. An Act for vesting certain Estates devised by the Will of *John Seacome*, and now held in undivided Shares, in Trustees, to be sold, and for investing the Purchase Monies of the Shares of such of the Parties interested as are Infants in the Purchase of other Estates, to be conveyed to them according to their respective Rights and Interests in lieu of such Shares. *Ibid.*
16. An Act to enable the Trustees for the time being of the Charity Estates of *William Hickey*, deceased, situate in *Richmond*, in the County of *Surrey*, to grant Building and Repairing Leases thereof. 716
17. An Act for confirming and establishing the Sales made by *Ann Fish* Widow, and *Frederick Klein*, of the Estates devised to them for Sale by the Will of *John Fish* Esquire. *Ibid.*
18. An Act for inclosing *Ramsdown* and *Liddaton Down Common*, in the Parish of *Milton Abbott*, in the County of *Devon*. *Ibid.*
19. An Act for dividing and inclosing *Heworth Moor*, in the Manor or Township of *Heworth*, in the North Riding of the County of *York*; and for extinguishing the Rights of Stray and Average over certain Lands called Half Year Lands, situate in the Suburbs or Precincts of the City of *York*. *Ibid.*
20. An Act for inclosing and exonerating from Tithes Lands in the Parishes of *Fornham Saint Martin* and *Fornham Saint Genoveve*, otherwise *Fornham Saint Genovieve*, in the County of *Suffolk*. *Ibid.*
21. An Act for vesting in Trustees in Fee Simple, in Trust for *Samuel Robert Gaussen* Esquire, discharged from certain Entails created therein, and from other Rights and Interests, a Fee Farm Rent of Seven hundred and fifteen Pounds and Eleven pence Three Farthings, heretofore the Estate of the Right Honourable *John Lord Ofsulston* deceased. *Ibid.*
22. An Act for vesting the Settled Estates of *William Lister Fenton Scott* Esquire in Trustees, in Trust to be sold, and for laying out the Purchase Monies arising from such Sale in the Purchase of other Estates, to be settled to the same Uses. *Ibid.*

23. An Act for empowering the Judges of the Court of Session in *Scotland* to sell such Parts of the Estates of *Seaforth* and others, situated in the County of *Ross*, which were entailed by *Francis Lord Seaforth* deceased, as shall be sufficient for Payment of the Debts and Provisions which affect or may be made to affect the said Entailed Estates, and for granting certain Powers relative to Leases and Feus of Parts of the said Entailed Estates. *Page 717*
24. An Act to authorize the Trustees of the deceased *James Schaw* to grant Building Leases and Feus of certain Parts of the Lands and Barony of *Presston*, to sell the Superiority thereof, and for other Purposes relating thereto. *Ibid.*
25. An Act for inclosing Lands in the Township of *Hollington*, in the several Parishes of *Longford* and *Brailsford*, in the County of *Derby*. *Ibid.*
26. An Act for inclosing Lands in the Parish of *Fulbrook*, in the County of *Oxford*. *Ibid.*
27. An Act to enable *James Rocbeid* Esquire, and the Heirs of Entail succeeding to him in the Estate of *Inverleith*, to grant Feus thereof upon certain Terms and Conditions. *Ibid.*
28. An Act for exchanging an Estate in the County of *Kent*, belonging to the Earl of *Thanet*, for an Estate in the same County, devised by the Will of *Thomas Holmes*. *Ibid.*
29. An Act for making a Partition of the Estates of *Loflock*, *Anderton*, *Heaton*, *Horwich*, *Rumworth* and *Adlington*, in the County Palatine of *Lancaster*, of the late *Henry Blundell* Esquire. *Ibid.*
30. An Act for confirming an Exchange made by *Philip Gell* Esquire, of certain of the Settled Estates of *Philip Gell* Esquire deceased, in the County of *York*, for other Estates in the County of *Derby*. *718*
31. An Act for effectuating an Exchange between *Richard Peter Whish* Clerk, Rector of the Rectory and Parish Church of *Meesden*, otherwise *Missenden*, in the County of *Hertford*, and *Armytage Gaussen* Esquire, of the Rectory House and Part of the Glebe Lands of the said Rectory, for a House and Lands in the said Parish of *Meesden*, otherwise *Missenden*, belonging to the said *Armytage Gaussen*. *Ibid.*
32. An Act for vesting certain Estates devised by the Will of Sir *James Tylney Long*, in the Counties of *Dorset* and *York*, in Trustees, to be sold; and for laying out the Money thence arising (after Payment of certain specific Incumbrances) in the Purchase of other Estates, to be settled in lieu thereof, to the same Uses. *Ibid.*
33. An Act to enable the Prebendary of the Prebend of *The Moor*, in the City of *London*, founded in the Cathedral Church of *Saint Paul* in *London*, to grant a Lease of certain Messuages, Buildings, Lands and Hereditaments, situate in the Parish of *Saint Giles without Cripplegate*, in the said City, Parcel of the said Prebend, in manner therein mentioned; and to enable the granting of Sub Leases for repairing and otherwise improving the same. *Ibid.*
34. An Act for inclosing Lands in the Manor of *Barlow*, in the Townships of *Great Barlow* and *Little Barlow*, in the Parishes of *Stavely* and *Dronfield*, in the County of *Derby*. *Ibid.*
35. An Act for improving a certain Piece of Land called *Common Wood*,

Wood, in the Liberty of the Borough of Holt, otherwise Lyons, in the County of Denbigh. Page 719

36. An Act for vesting a certain Estate, late of Peter Walkden of Chorley in the County of Chester, Yeoman, deceased, situate in Chorley aforesaid, in Trustees, in Trust to be sold for paying off Incumbrances thereon; and for purchasing other Estates, to be settled to the same Uses. *Ibid.*
37. An Act to enable the Vicar for the time being of the Parish of Bolton, in the County Palatine of Lancaster, to sell and convey in Fee Simple a certain Portion of the Glebe Land belonging to the Vicarage of Bolton. *Ibid.*
38. An Act for confirming an Agreement relating to the Reversion Expectant of certain Estates in the Counties of Warwick and Chester, late of Sir Lister Holte Baronet, deceased, and Property belonging to Abraham Bracebridge Esquire; and for vesting such Estates and Property in Trustees, to convey and assure the same according to the said Agreement. *Ibid.*

PRIVATE ACTS,

NOT PRINTED.

39. AN Act for inclosing Lands within the Parish of Harbridge in the County of Southampton.
40. An Act for naturalizing Ulric Theodore Hemmingson.
41. An Act for inclosing Lands in the Parish of Fulstow, in the County of Lincoln.
[And for making Compensation for Tithes.]
42. An Act for inclosing Lands in the Parish of Portsea, in the County of Southampton.
[Proviso for Right to Tithes.]
43. An Act for inclosing Lands in the Parish of Studley, in the County of Warwick.
[And for making Compensation for Tithes.]
44. An Act for inclosing Lands in the Township of Worsbrough in the County of York.
45. An Act for inclosing Lands in the Parish of Emneth, in the County of Norfolk.
[Any Allotment made to His Majesty may be sold before or after the Execution of the Award. Commissioner to make an Extract of so much of his Award as describes His Majesty's Allotment, and transmit the same to the Commissioners of His Majesty's Woods, &c.]
46. An Act to amend and render more effectual an Act made in the Thirty-fifth Year of His present Majesty, for inclosing the Commonable Lands in the Parish of Hanley Castle, in the County of Worcester.
47. An Act for inclosing Lands in the Parish of Hempnall, in the County of Norfolk.
48. An Act for vesting certain Parts of the Barony of Pittligo, in the County of Aberdeen, comprized in a Deed of Entail executed by Francis Garden of Troup Esquire, deceased, in Trustees, to be

The TITLES of the STATUTES,

be sold, and for applying the Purchase Money in the Acquisition of other Estates, to be settled upon the same Series of Heirs, and under the Conditions and Limitations contained in the said Deed of Entail.

49. An Act for empowering the Judges of the Court of Session in *Scotland* to sell such Parts of the Entailed Estate of *Tranent*, and others, in the Constabulary of *Haddington* and Sheriffdom of *Edinburgh*, belonging to *William Cadell Esquire*, as shall be sufficient for Payment of the Debts affecting the same.
50. An Act for inclosing Lands in the Manor of *Salt and Enson*, in the Parish of *Saint Mary*, in the Borough of *Stafford*.
[*And for making Compensation for Tithes.*]
51. An Act for inclosing and exonerating from Tithes Lands in the Township of *Beadlam*, in the Parish of *Helmfleay*, in the North Riding of the County of *York*.
[*And for making Compensation for Tithes.*]
52. An Act to dissolve the Marriage of *William Morris Bailey Esquire*, Major in His Majesty's Thirtieth Regiment of Foot, and a Lieutenant Colonel in the Army, and Companion of the Most Honourable Order of the Bath, with *Henrietta Bailey* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
53. An Act to dissolve the Marriage of *Sir Edward William Campbell Rich Owen* with *Dame Elizabeth Owen* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
54. An Act to exonerate from Portions certain Hereditaments in *Waters Upton*, in the County of *Salop*, belonging to *Richard Emery Esquire*.
55. An Act to enable the Rector of the Parish and Parish Church of *Clapham*, in the County of *Surrey*, to accept a Surrender of the existing Lease, and to grant more extensive Leases of Part of the Glebe belonging to the said Rectory.
56. An Act for inclosing Lands in the Parish of *Leek Wootton*, in the County of *Warwick*.
[*Allotment for Great and Small Tithes. Proprietors not having an Interest in the Lands to be inclosed sufficient to commute for the Tithes, to pay the Value of the Deficiency for the Benefit of the Owners of Land taken to make up such Deficiency. Proprietors of certain old inclosed Lands may give up Part to discharge Remainder thereof from Tithes. Enabling Commissioner, with Consent of Parties, to fix a Compensation in Money for Corn Tithes of certain inclosed Lands.*]
57. An Act to dissolve the Marriage of *Richard Oliver Smith Esquire* with *Harriet* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
58. An Act for naturalizing *Matthew Seyzinger*.
59. An Act for empowering the Judges of the Court of Session to sell the Entailed Estate of *Pitlochis*, lying in the County of *Fife*, belonging to *William Murray Esquire*, of *Toucbadam* and *Pitlochie*, and to apply the Money to arise by such Sale in the Purchase of the Lands and Estate of *Cockspow*, in the County of *Stirling*, belonging to the said *William Murray*, in Fee Simple, and lying contiguous to certain other Entailed Estates belonging to the said
William

William Murray, to be entailed in lieu of the said Estate of *Pitlochie*.

60. An Act to amend an Act made in the Fifty fourth Year of His present Majesty, for inclosing Lands in the Parish of *Strensbam*, in the County of *Worcester*.

[*And for making Compensation for Tithes.*]

61. An Act for settling and securing certain Parts of the Lands and Estate of *Kinninmonth* or *Kinmount* and others, in the County of *Dumfries*, to and in favour of *Charles Marquis of Queensberry*, and the Series of Heirs entitled to take by a certain Deed of Entail made by *Charles Duke of Queensberry* and *Dover*, deceased, and under the Conditions and Limitations contained in the said Deed; and for vesting in lieu thereof certain Parts of the Lands and Barony of *Tinwall*, *Moufswald*, and others, in the said County, in the said *Charles Marquis of Queensberry*, and his Heirs and Assigns, in Fee Simple.

62. An Act to enable *Edward Bevor* the Elder, Esquire, and his Issue, to take, use and bear the Surname and Arms of *Lombe*, pursuant to the Will of *Sir John Lombe* Baronet, deceased.

63. An Act for inclosing Lands in the several Parishes of *Llandilofawr* and *Talley*, in the County of *Carmarthen*.

[*Commissioner to make an Extra^d of Award for His Majesty. Any Allotments to His Majesty may be sold before or after Execution of Award.*]

64. An Act to explain and amend an Act passed in the last Session of Parliament, intituled *An Act to dissolve the Marriage of Lieutenant General William Dyott with Elinor otherwise Eleanor his now Wife*, and to enable him to marry again; and for other Purposes therein mentioned.
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THE
STATUTES AT LARGE.

Anno Regni GEORGII III. Britanniarum Regis,
Quinquagesimo Septimo.

‘ **A**T the Parliament begun and holden at *Westminster*, the
‘ Twenty fourth Day of *November*, Anno Domini 1812, in
‘ the Fifty third Year of the Reign of our Sovereign Lord
‘ *GEORGE* the Third, by the Grace of God, of the United
‘ Kingdom of *Great Britain* and *Ireland*, King, Defender of the
‘ Faith; And from thence continued, by several Prorogations, to the
‘ Twenty eighth Day of *January* 1817, being the Fifth Session of
‘ the Fifth Parliament of the United Kingdom of *Great Britain*
‘ and *Ireland*.’

C A P. I.

An Act to continue and extend the Provisions of an Act of
the Forty ninth Year of His present Majesty, for regulating
the Trade and Commerce to and from *The Cape of Good
Hope*, until the Fifth Day of *July* One thousand eight hundred
and twenty; and also for regulating the Trade of the
Island of *Mauritius*. [24th February 1817.]

‘ **W**HEREAS the Law hereinafter mentioned is near expiring,
‘ and fit to be continued for a limited Period;’ Be it therefore
enacted by The King’s Most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and Commons,
in this present Parliament assembled, and by the Authority of
the same, That an Act made in the Forty ninth Year of the Reign of
His present Majesty, intituled *An Act to authorize His Majesty, during
the present War, to make Regulations respecting the Trade and Com-
merce to and from The Cape of Good Hope*; which was revived and
continued from the Expiration thereof, until the Fifth Day of *July*
One thousand eight hundred and seventeen, by two Acts of the Fifty
fourth and Fifty sixth Years of His present Majesty, shall be and the
same is hereby further continued for the Term hereinafter mentioned.

49 G. 3. c. 17.
continued.

‘ II. And Whereas it is expedient, under the present Circum-
‘ stances, that the Trade and Commerce to and from all Islands, Co-
‘ lonies or Places, and the Territories and Dependencies thereof, to
‘ His Majesty belonging or in His Possession, in *Africa* or *Asia*
‘ the Eastward of the *Cape of Good Hope*, excepting only the Pos-
‘ sessions of the *East India* Company, should also be regulated for a
‘ certain time in such manner as shall seem proper to His Majesty,
‘ by and with the Advice of His Privy Council, notwithstanding
‘ the special Provisions of any Act or Acts of Parliament that may

Trade to the Eastward of the Cape of Good Hope, to be regulated by Order in Council.

12 C. 2. c. 18.

7 & 8 W. 3. c. 22.

Goods imported or exported contrary to Order in Council forfeited, as also the Vessels.

Proviso for East India Company.

Continuance of Act.

‘ be construed to affect the same;’ Be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful for His Majesty, by and with the Advice of His Privy Council, by any Order or Orders to be issued from time to time, to give such Directions and make such Regulations touching the Trade and Commerce to and from the said Islands, Colonies or Places, and the Territories and Dependencies thereof, as to His Majesty in Council shall appear most expedient and salutary; any Thing contained in an Act passed in the Twelfth Year of the Reign of His Majesty King Charles the Second, intituled *An Act for the encouraging and increasing of Shipping and Navigation*, or in an Act passed in the Seventh and Eighth Years of the Reign of His Majesty King William the Third, intituled *An Act for preventing Frauds and regulating Abuses in the Plantation Trade*, or any other Act or Acts of Parliament now in force relating to His Majesty’s Colonies and Plantations, or any other Act or Acts of Parliament, Law, Usage or Custom to the contrary in anywise notwithstanding.

III. And be it further enacted, That if any Goods, Wares or Merchandize whatever shall be imported into or exported from any of the said Islands, Colonies or Places, or the Territories and Dependencies thereof, or shall be exported from any Part of His Majesty’s Dominions to any of the said Islands, Colonies or Places, or the Territories and Dependencies thereof, or if any Goods, Wares or Merchandize shall be so imported or exported in any manner whatever contrary to any such Order or Orders of His Majesty in Council, the same shall be forfeited, together with the Ship or Vessel in which such Goods, Wares or Merchandize shall respectively be imported or exported, with all her Guns, Ammunition, Furniture, Tackle and Apparel; and every such Forfeiture shall and may be sued for, prosecuted and recovered by such and the like Way, Means and Methods as any Forfeiture incurred by any Law respecting the Revenue of Customs may be sued for, prosecuted and recovered in Places where respectively the Offences shall be committed; and the Produce thereof shall be disposed of, paid and applied in like manner in the said Places respectively; any Law, Custom or Usage to the contrary in anywise notwithstanding: Provided always, that nothing herein contained shall in any manner be construed to infringe the Rights, Privileges, and Advantages belonging to the United Company of Merchants of England trading to the East Indies as now by Law established.

IV. And be it further enacted, That this Act shall continue in force until the Fifth Day of July One thousand eight hundred and twenty.

C A P. II.

An Act for raising the Sum of Twenty four Millions, by Exchequer Bills, for the Service of the Year One thousand eight hundred and seventeen. [24th February 1817.]

“ TREASURY may raise 24,000,000l. by Exchequer Bills, in
 “ manner prescribed by 48 G. 3. c. 1. — § 1. The Clauses, &c. in
 “ recited Act extended to this Act. § 2. Treasury to apply the
 “ Money raised. § 3. Exchequer Bills payable out of the Supplies
 “ for next Session. § 4. Interest $3\frac{1}{2}$ d. per Cent. per Diem. § 5. Ex-
 “ chequer

“chequer Bills current at the Exchequer after *April 5, 1818.*—
 “§6. Bank of *England* may advance 15,000,000*l.* on Credit of A*ct*,
 “notwithstanding the 5 & 6 W. & M.—§7. A*ct* altered, amended
 “or repealed this Session. §8.

C A P. III.

An A*ct* to empower His Majesty to secure and detain such
 Persons as His Majesty shall suspect are conspiring against
 His Person and Government. [4th *March* 1817.]

WHEREAS a traiterous Conspiracy has been formed for the
 Purpose of overthrowing by means of a general Insurrec-
 tion, the established Government, Laws and Constitution of this
 Kingdom: And Whereas Designs and Practices of a treasonable
 and highly dangerous Nature are now carrying on in the Metro-
 polis, and in many other Parts of *Great Britain*: Therefore, for
 the better Preservation of His Majesty's sacred Person, and the sa-
 cred Person of His Royal Highness The Prince Regent, and for se-
 curing the Peace and Laws and Liberties of 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 Autho-
 rity of the same, That all or any Person or Persons that are or shall
 be in Prison within that Part of the United Kingdom, called *Great
 Britain*, at or upon the Day on which this A*ct* shall receive His
 Majesty's Royal Assent, or after, by Warrant of His said Majesty's
 Most Honourable Privy Council, signed by Six of the said Privy
 Council, for High Treason, Suspicion of High Treason, or Treason-
 able Practices, or by Warrant signed by any of His Majesty's Secre-
 taries of State, for such Causes as aforesaid, may be detained in safe
 Custody, without Bail or Mainprize, until the First Day of *July*
 One thousand eight hundred and seventeen; and that no Judge or
 Justice of the Peace shall bail or try any such Person or Persons so
 committed, without Order from His said Majesty's Privy Council,
 signed by Six of the said Privy Council, until the First Day of *July*
 One thousand eight hundred and seventeen; any Law or Statute
 to the contrary notwithstanding.

II. And be it further enacted by the Authority aforesaid, That
 the A*ct* made in *Scotland* in the Year of our Lord One thousand
 seven hundred and one, intituled *An A*ct* for preventing wrongous
 Imprisonment, and against undue Delays in Trials*, in so far as the
 same may be construed to relate to the cases of Treason and Sus-
 picion of Treason, with respect to Persons so committed as aforesaid,
 be suspended until the First Day of *July* One thousand eight hun-
 dred and seventeen; and that until the First Day of *July* One thou-
 sand eight hundred and seventeen no Judge, Justice of 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 *Scot-
 land*, under a Warrant or Warrants so signed as aforesaid, for such
 Causes as aforesaid, without Order from His said Majesty's Privy
 Council, signed by Six of the said Privy Council.

III. Provided always, That from and after the First Day of
July One thousand eight hundred and seventeen, the said Persons so
 committed

Persons impris-
 oned for High
 Treason, &c.
 may be detained
 till July 1, 1817,
 and shall not be
 bailed or tried
 without an
 Order from the
 Privy Council.

A*ct* in *Scotland*
 of 1701, so far
 as relates to
 Treason, sus-
 pended.
 Persons commit-
 ted there not to
 be tried, &c.
 without such Or-
 der as aforesaid.

Proviso for Per-
 sons committed

after July 1,
1817.

Priviso for Pri-
vileges of Mem-
bers of either
House of Par-
liament.

Priviso for Per-
sons against
whom Indict-
ments for High
Treason already
found.

Secretary of
State may order
Persons com-
mitted for High
Treason, &c. to
be removed to
any other Gaol.
Persons so re-
moved not to be
deprived of
Right to be tried
or discharged.

Continuance of
Act.

Act altered, &c.
this Session.

committed shall have the Benefit and Advantage of all Laws and Statutes in 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 of 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 Detaining.

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 the said Indictment as if this Act had never passed.

VI. And Whereas divers Persons are now in Custody on Charges of High Treason and Suspicion of High Treason, under Warrants from One of His Majesty's Principal Secretaries of State, or from His Majesty's Privy Council, and it may be highly important that such Persons as have been or shall be secured and detained on such Charges under and by virtue of such Warrant or Warrants 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 advisable, 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 extend; 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 Difficulties 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 be it further enacted, That this Act shall continue in force until the First Day of July One thousand eight hundred and seventeen.

VIII. 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.

C A P. IV.

An Act to extend the Privileges of the Trade of *Malta* to the Port of *Gibraltar*. [4th March 1817.]

‘ **W**HEREAS it is expedient to extend to the Port of *Gibraltar* all the Privileges which were granted to the Trade of *Malta* by an Act passed in the Fifty fifth Year of the Reign of His pre-^{55 G. 3. c. 29.} sent Majesty, intituled *An Act to regulate the Trade between Malta and its Dependencies and His Majesty's Colonies and Plantations in America; and also between Malta and the United Kingdom;* Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That from and after the passing of this Act the Trade between *Gibraltar* and His Majesty's Colonies and Plantations in *America*, and also between *Gibraltar* and the United Kingdom, shall and may be carried on in like manner and under the like Rules, Regulations, and Restrictions, and subject to the like Penalties and Forfeitures; as are provided by the said recited Act with respect to *Malta* and His Majesty's Colonies and Plantations in *America*, and also between *Malta* and the United Kingdom, as if the same were particularly and expressly repeated and re-enacted in the Body of this Act; any Thing in any Act or Acts to the contrary notwithstanding.

The Trade of Gibraltar to be carried on as the Trade of Malta under recited Act.

C A P. V.

An Act for continuing to His Majesty certain Duties on Malt, Sugar, Tobacco and Snuff in *Great Britain*; and on Pensions, Offices and Personal Estates, in *England*; and for receiving the Contributions of Persons receiving Pensions and holding Offices; for the Service of the Year One thousand eight hundred and seventeen. [4th March 1817.]

[*This Act is the same as 56 G. 3. c. 3. except as to Dates, and as to the Sections that are here retained.*]

‘ **XXXVIII.** And Whereas His Royal Highness The Prince Regent has been graciously pleased to direct certain Sums to be contributed and paid, from the Civil List Revenue, in aid of the Public Service of the Year One thousand eight hundred and seventeen: And Whereas many Persons holding Offices and Places in His Majesty's Service, and others having or holding Pensions or other Emoluments derived from the Public, are desirous of contributing Proportions of their respective Official Incomes, Salaries, Pensions or other Emoluments, for the same Purpose;’ Be it therefore enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, or for the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the time being, to give such Directions, for One Year, commencing the Fifth Day of *April* One thousand eight hundred and seventeen, to the Officers of the Exchequer, and of the several Departments of the Civil List of *Great Britain* respectively, as may be necessary for

Empowering the Lords of the Treasury to effect His Royal Highness The Prince Regent's and other Persons' Intentions, towards the Public Service.

giving Effect to the most Gracious Intention of His Royal Highness in such Contribution, and for executing the Intentions of such other Persons as aforesaid; and no Deduction shall be made, or Fee, Emolument, or Allowance taken, by any Person retaining, receiving, or paying any such Contributions as aforesaid.

XL. And Whereas by the said A& passed in the Thirty eighth Year of the Reign of His present Majesty, intituled *An A& 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*, it was enacted, that the several Duties imposed on Sugar by Three A&ts of the Twenty seventh, Thirty fourth, and Thirty seventh Years of the Reign of His present Majesty, on Malt, by an A& made in the Twenty seventh Year of the Reign of His present Majesty, and the Duties of Excise on Tobacco and Snuff, by an A& made in the Twenty ninth year of the Reign of His present Majesty, should continue in force until the Twenty fifth Day of *March* One thousand seven hundred and ninety-nine and no longer, but should from thenceforth cease and determine, unless the same should be specially continued by Parliament; which said several Duties were by an A& made and passed in the Thirty ninth Year of the Reign of His present Majesty, intituled *An A& for continuing and granting to His Majesty a Duty on Pensions, Offices, and Personal Estates, in England, Wales, and the Town of Berwick upon Tweed, and certain Duties on Sugar, Malt, Tobacco and Snuff, for the Service of the Year One thousand seven hundred and ninety nine*, further continued until the Twenty fifth Day of *March* One thousand eight hundred; and which, by several subsequent A&ts, were further continued until the Twenty fifth Day of *March* One thousand eight hundred and eleven: And Whereas by an A& passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An A& for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*; and by one other A& made in the Fifty fourth Year of the Reign of His present Majesty, intituled *An A& to repeal the Duties of Customs payable on Goods, Wares and Merchandize imported into Great Britain from any Port or Place within the Limits of the Charter granted to the United Company of Merchants of England trading to the East Indies, and to grant other Duties in lieu thereof; and to establish further Regulations for the better Security of the Revenue on Goods so imported; and to alter the Periods for making up and presenting certain Accounts of the said Company to Parliament; to continue in force until the Tenth Day of April One thousand eight hundred and nineteen*; the said several Duties on Sugar imported from the *East Indies* were repealed, and other Duties granted on Sugar so imported in lieu thereof: And Whereas by another A&ct, passed in the Forty third Year of the Reign of His present Majesty, intituled *An A& to repeal the Duties of Excise payable in Great Britain, and to grant other Duties in lieu thereof*, certain of the said Duties on Licences to be taken out by Dealers in Tobacco and Snuff, and certain Duties on Tobacco, were repealed, and other Duties granted in lieu thereof: And Whereas the said Duties on Sugar, and the said Duties on Malt, Tobacco and Snuff, together with the said

‘ Duties relating to Licences and Tobacco, were further continued ‘ until the Twenty fifth Day of *March* One thousand eight hundred ‘ and seventeen ;’ Be it further enacted, That the said several Duties on Sugar, Malt, Tobacco and Snuff, and the said Acts granting and continuing the same, and all the Provisions thereof, shall be and the same are hereby severally and respectively further continued from and after the Expiration of the Time limited as aforesaid until the Twenty fifth Day of *March* One thousand eight hundred and eighteen ; and all the Monies arising thereby, which shall be paid into the Receipt of the Exchequer, shall be entered separate and distinct from all other Monies paid and payable to His Majesty.

The Duties on Sugar, Malt and Tobacco, further continued.

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

Monies paid into the Exchequer under this Act to be entered separate from other Payments.

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

Exchequer Bills to be charged upon the Rates and Duties granted by this Act.

LI. And be it further enacted, That the Surplus of the Monies arising from the Rates, Duties and Assessments granted and imposed by this Act, and all Sums contributed and paid from His Majesty’s Civil List Revenue, and all voluntary Contributions, after paying off and satisfying all the Exchequer Bills issued by virtue of this Act, together with the Interest that may become due thereon, and the Charges of exchanging and circulating the same, shall, as the Surplus of any such Monies respectively shall be paid into the Receipt of the Exchequer at *Westminster*, be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Surplus Monies to be carried to Consolidated Fund.

C A P. VI.

An Act to make perpetual certain Parts of an Act of the Thirty-sixth Year of His present Majesty, for the Safety and Preservation of His Majesty's Person and Government against Treasonable and Seditious Practices and Attempts; and for the Safety and Preservation of the Person of His Royal Highness The Prince Regent against Treasonable Practices and Attempts. [17th March 1817.]

36 G. 3. c. 7.
§ 1.

WHEREAS by an Act passed in the Thirty sixth Year of His present Majesty's Reign, intituled *An Act for the Safety and Preservation of His Majesty's Person and Government against Treasonable and Seditious Practices and Attempts*, it was amongst other Things enacted, that if any Person or Persons whatsoever, after the Day of the passing of that Act, during the natural Life of His Majesty, and until the End of the next Session of Parliament after the Demise of the Crown, should, within the Realm or without, compass, imagine, invent, devise or intend Death or Destruction, or any bodily Harm tending to Death or Destruction, Maim or Wounding, Imprisonment or Restraint of the Person of His Majesty, His Heirs and Successors, or to deprive or depose Him or them from the Stile, Honour or Kingly Name of the Imperial Crown of this Realm, or of any other of His Majesty's Dominions or Countries, or to levy War against His Majesty, His Heirs and Successors, within this Realm, in order by Force or Constraint to compel Him or them to change His or their Measures or Counsels, or in order to put any Force or Constraint upon or to intimidate or overawe both Houses or either House of Parliament, or to move or stir any Foreigner or Stranger with Force to invade this Realm or any other His Majesty's Dominions or Countries under the Obedience of His Majesty, His Heirs and Successors, and such Compassings, Imaginations, Inventions, Devices or Intentions, or any of them, should express, utter or declare, by publishing any Printing or Writing, or by any overt Act or Deed, being legally convicted thereof upon the Oaths of Two lawful and credible Witnesses upon Trial, or otherwise convicted or attainted by due Course of Law, then every such Person and Persons so as aforesaid offending should be deemed, declared and adjudged to be a Traitor and Traitors, and should suffer Pains of Death, and also lose and forfeit as in cases of High Treason: And Whereas it is necessary and expedient that such of the Provisions of the said Act as would expire at the End of the next Session of Parliament after the Demise of the Crown should be further continued and made perpetual; 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 the hereinbefore recited Provisions which relate to the Heirs and Successors of His Majesty, the Sovereigns of these Realms, shall be and the same are hereby made perpetual.

The said Provisions made perpetual.

II. And Whereas, in consequence of the daring Outrages offered to the Person of His Royal Highness the Prince Regent of the United

‘ United Kingdom of *Great Britain and Ireland*, in the Exercise and Administration of the Royal Power and Authority to the Crown of these Realms belonging, in His Passage to and from the Parliament, at the Opening of this present Session, it is expedient, for the Security and Preservation of the Person of the same His Royal Highness The Prince Regent, to extend certain of the Provisions of the said Act;’ Be it therefore enacted, That if any Person or Persons whatsoever, after the Day of passing this Act, during the Period in which His Royal Highness The Prince Regent shall remain in the Personal Exercise of the Royal Authority, shall, within the Realm or without, compass, imagine, invent, devise or intend Death or Destruction, or any bodily Harm tending to Death or Destruction, Maim or Wounding, Imprisonment or Restraint, of the Person of the same His Royal Highness The Prince Regent, and such Compassings, Imaginations, Inventions, Devices or Intentions, or any of them, shall express, utter or declare, by publishing any Printing or Writing, or by any overt Act or Deed, being legally convicted thereof upon the Oaths of Two lawful and credible Witnesses upon Trial, or otherwise convicted or attainted by due Course of Law, then every such Person and Persons so as aforesaid offending shall be deemed, declared and adjudged to be a Traitor and Traitors, and shall suffer Pains of Death, and also lose and forfeit as in cases of High Treason.

Compassing, &c. the Death, Bodily Harm, &c. of The Prince Regent, and expressing the same by Printing, &c.

High Treason.

‘ III. And Whereas it is expedient to extend the Provisions of a certain Act passed in the Thirty ninth and Fortieth Years of the Reign of His present Majesty, intituled *An Act for regulating Trials for High Treason and Misprison of Treason in certain cases* ;’ Be it therefore enacted, That from and after the passing of this Act, all and every the Clauses, Provisions and Regulations in the said Act contained shall extend and be deemed, taken and construed to extend, to all and every case of High Treason in compassing or imagining the Death of His Royal Highness The Prince Regent, and Misprison of such Treason, where the overt Act or overt Acts which shall be alleged in the Indictment for such Offence shall be Assassination or Killing of His Royal Highness The Prince Regent, 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.

Extending Provisions of 39 & 40 G. 3. c. 93. to His Royal Highness The Prince Regent.

IV. Provided, and be it further enacted, That all and every Person and Persons that shall at any Time be accused, or indicted or prosecuted for any Offence made or declared to be High Treason by this Act, shall be entitled to the Benefit of the Act made in the Seventh Year of His late Majesty King *William the Third*, intituled *An Act for regulating of Trials in Cases of Treason and Misprison of Treason*; and also to the Provisions made by another Act, passed in the Seventh Year of Her late Majesty Queen *Anne*, intituled *An Act for improving the Union of the Two Kingdoms*; save and except in cases of High Treason in compassing or imagining the Death of any Heir or Successor of His Majesty, or the Death of His Royal Highness The Prince Regent, and of Misprison of such Treason, where the overt Act or overt Acts of such Treason which shall be alleged in the Indictment for such Offence shall be Assassination or Killing of any Heir or Successor of His Majesty, or Assassination or Killing of His Royal Highness The Prince Regent, or any direct Attempt

Persons accused of High Treason entitled to the Benefit of 7 & 8 W. 3. c. 3. and 7 Ann. c. 21. except in cases herein mentioned.

Attempt against the Life of any Heir or Successor of His Majesty, or any such Attempt against the Life of the Prince Regent, or any direct Attempt against the Person of any Heir or Successor of His Majesty, or against the Person of The Prince Regent, whereby the Life of such Heir or Successor, or the Life of The Prince Regent, may be endangered, or the Person of such Heir or Successor, or of The Prince Regent, may suffer bodily Harm.

Proviso for Prosecutions to which Persons would be liable if this Act had not passed.

V. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent or affect any Prosecution, by Information or Indictment, to which any Person or Persons would have been or would be liable if this Act had not been enacted, for any Offence within the Provisions of this Act, unless the Party shall have been first prosecuted under this Act.

54 G. 3. c. 146. as to Judgments extended to this Act.

VI. Provided also, and be it enacted, That the Statute of the Fifty fourth Year of His Majesty's Reign, intituled *An Act to alter the Punishment in certain cases of High Treason*, shall have the same Effect as to Sentences and Judgments to be pronounced and awarded under this Act, as if this Act had been made and passed before the said Act of the Fifty fourth Year of His Majesty's Reign.

C A P. VII.

An Act to revive and make perpetual Two Acts of the Thirty seventh Year of His present Majesty, the one in the Parliament of *Great Britain*, and the other in the Parliament of *Ireland*, 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.

[17th March 1817.]

37 G. 3. c. 70. G. B. and 37 G. 3. I.

WHEREAS Two Acts were passed in the Thirty seventh Year of His present Majesty's Reign, the one in the Parliament of *Great Britain*, the other in the Parliament of *Ireland*, each of them being 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*: And Whereas the said Acts were afterwards continued, but are now expired; and it is expedient and necessary that the same should be revived and made perpetual; 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 hereinbefore mentioned Acts of the Thirty seventh Year of His Majesty's Reign, and all and every the Clauses, Powers, Punishments and Provisions therein contained, save the Clauses or Provisions therein respectively contained limiting the Continuance of the said Acts respectively, shall be and the same are hereby revived and made perpetual.

revived and made perpetual.

C A P. VIII.

An Act to continue, until the Fifth Day of *April* One thousand eight hundred and twenty, an Act of the Fifty second Year of His present Majesty, to regulate the Separation of damaged from sound Coffee, and to permit dealers to send out any Quantity of Coffee not exceeding Eight Pounds Weight without Permit.

[17th *March* 1817.]

WHEREAS an Act was passed in the Fifty second Year of His present Majesty intituled *An Act to regulate the Separation of damaged from sound Coffee, and to permit Dealers to send out any Quantity of Coffee not exceeding Eight Pounds Weight without Permit, until the End of Two Years from the passing of this Act*: And Whereas the said Act was by an Act made in the Fifty fourth Year of His present Majesty continued in force until the Twenty fifth Day of *March* One thousand eight hundred and seventeen: And Whereas it is expedient that the said first mentioned 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 first mentioned Act shall be and the same is hereby further continued until the Fifth Day of *April* One thousand eight hundred and twenty.

52 . 3. c. 149.

further continued.

C A P. IX.

An Act for vesting all Estates and Property occupied for the Barrack Service in the Comptroller of the Barrack Department; and for granting certain Powers to the said Comptroller.

[17th *March* 1817.]

WHEREAS an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled *An Act for vesting in the Barrack Master General for the Time being Estates held or occupied for the Barrack Service, and authorizing him to sell the same, with the Consent of the Lords Commissioners of His Majesty's Treasury*: And Whereas another Act passed in the forty eighth Year of the Reign of His present Majesty, intituled *An Act for vesting all Estates and Property occupied for the Barrack Service in the Commissioners for the Affairs of Barracks, and for granting certain Powers to the said Commissioners*: And Whereas another Act passed in the said Forty eighth Year aforesaid, intituled *An Act to enable the Commissioners for auditing Public Accounts, and the Commissioners for the Affairs of Barracks respectively, to send and receive Letters and Packets on the Business of their Offices, free of Postage*: And Whereas the Affairs of the Barrack Department are now under the Management of a Comptroller of the Barrack Department, appointed for that purpose by His Majesty, and it is therefore necessary that all Messuages, Lands, Tenements and Hereditaments which were by the said Act or have since become vested in the said Commissioners, and all other Messuages, Lands, Tenements and Hereditaments in any manner used and occupied for the Service of the Barrack Department, should

45 G. 3. c. 69.

48 G. 3. c. 122.

48 G. . c. 90.

be

Premises vested in Commissioners for the Affairs of Barracks, under-recited Act, and all Messuages, &c. since purchased, or which may be purchased for the Barrack Department, shall be vested in the Comptroller of the Barrack Department;

‘ be vested in the said Comptroller, and that the said Comptroller should be enabled to maintain and defend Actions and Suits in relation to all Contracts made for the Service of the Barrack Department, or in any manner relating thereto;’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That immediately from and after the passing of this Act all Messuages, Lands, Tenements and Hereditaments which were by the said Act vested in the Commissioners for the Affairs of Barracks for the time being, and also all Messuages, Lands, Tenements and Hereditaments which have since been purchased or taken or are in any manner now held by any Person or Persons whatever in Trust for or for the Use of His Majesty, His Heirs and Successors, for the Service of the Barrack Department, either in Fee or for any Lives, or any Term of Years of any other or lesser Interest, and all Erections and Buildings which now are or which shall be hereafter erected and built thereon, together with the Rights, Members, Easements and Appurtenances to the same respectively belonging, (other than and except such Messuages, Lands, Tenements and Hereditaments as may be of Copyhold Tenure,) and from and after the Purchase and Conveyance, Grant or Demise thereof, all other Messuages, Lands, Tenements and Hereditaments which shall at any time or times hereafter be purchased by the Comptroller of the Barrack Department for the time being, or by any other Person or Persons by his Order, for the Service of the Barrack Department, and all Erections and Buildings which now are or which shall hereafter be erected and built thereon, with the Rights, Members, Easements and Appurtenances to the same respectively belonging, shall be and become, and remain and continue vested in the Comptroller of the Barrack Department for the time being, and his Successor in the said Office, according to the Nature and Quality and Estate and Interest of and in the same Hereditaments and Premises respectively; and that upon the Death, Resignation or Removal of the present Comptroller, or of any future Comptroller or Comptrollers, all such Messuages, Lands, Tenements and Hereditaments respectively (other than and except as aforesaid) shall become vested in and be held by the succeeding Comptroller, and so in perpetual Succession according to the Nature and Quality and Estate and Interest of and in the same respectively, in Trust for His Majesty, His Heirs and Successors, for the Service of the Barrack Department, or for such other Public Service or Services as His Majesty, His Heirs and Successors, shall from time to time be pleased to direct: Provided always, that nothing herein contained shall be construed to vest the said Premises upon other terms, with respect to former Proprietors, than those on which the same are now vested in the Person or Persons holding the same in Trust for His Majesty.

but on the same Terms as they are now held in Trust for His Majesty.

Comptroller, with Consent of the Treasury, may sell Premises,

II. And be it further enacted, That it shall be lawful for the said Comptroller for the time being, with the Consent and Approbation of the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three or more of them, (such Consent and Approbation to be certified by One of the Secretaries to the said Commissioners by Writing under his Hand,) to sell, or in any manner to dispose of, or let or demise any of the Mes-

Messuages, Lands, Tenements or Hereditaments which shall be vested in the said Comptroller for the time being, with their respective Appurtenances, either by public Auction or private Contract; and in due form of law, to convey, assign and make over the same to any Person or Persons who shall be willing to purchase or take the same respectively; and also to do any other Act, Matter or Thing, in relation to any such Messuages, Lands, Tenements and Hereditaments, which shall be deemed beneficial by the said Comptroller and the said Commissioners to the Public Service, in relation thereto or for the better Management thereof, which might be done by any Person having a like Interest in Messuages, Lands, Tenements or Hereditaments; and no Contracts, Assignments and Conveyances, in Law or Equity, heretofore made by the said Commissioners for Affairs of Barracks, shall be deemed invalid, or be in any manner impeached by reason of no Offer having been first made to any Person having adjoining Lands, or of whom the same were first purchased; any thing in the said recited Acts to the contrary notwithstanding.

III. And be it further enacted, That the Monies to arise and be produced by the Sale of any of the said Messuages, Lands, Tenements or Hereditaments which shall be sold under the Provisions of this present Act, shall be paid by the respective Purchaser or Purchasers thereof into the Bank of *England*, and shall be there placed to the Account of the Comptroller of the Barrack Department for the time being, or to such other Account in the Bank of *England* as the said Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, shall direct; and the Receipt of any One of the Cashiers of the Bank of *England* for such Monies shall effectually discharge the Purchaser or Purchasers by whom or on whose Account the same shall be so paid into the Bank of *England*.

IV. And be it further enacted, That it shall be lawful for the Comptroller of the Barrack Department for the time being, and he is hereby authorized and empowered, to bring, prosecute, maintain or defend any Action or Suit in respect of or in relation to any Messuages, Lands, Tenements or Hereditaments by this Act vested in him as aforesaid, or of any Trespas committed thereon, or Damage or Injury done thereto, and also in respect of or in relation to any Furniture, Stores or other Articles, Matters or Things, or any Goods or Chattels whatever belonging to the Barrack Department, or in the Custody or Charge of or used by any Officer of the Barrack Department or Person employed therein, and also for the Breach or Non Performance of any Contract or Agreement, or of any Covenant therein, or for any Matter or Thing in respect of or in relation to any Contract or Agreement made by any Person or Persons whatever for the Service of the Barrack Department, or any other Matter or Thing relating to any of the Affairs under the Management or Control of the said Comptroller; and in every such Action or Suit the said Comptroller for the time being shall be called "The Comptroller of the Barrack Department," without naming him; and no such Suit or Proceeding commenced before the passing of this Act by the Commissioners for the Affairs of Barracks shall abate, but shall and may after the passing thereof be carried on and proceeded in by or in the Name of the said Comptroller,

and to do any other Act in relation to the Premises that shall be deemed beneficial for the Public Service.

Purchase Money to be paid into the Bank.

Receipt of Cashier to be a Discharge.

Comptroller may bring and defend Actions.

How Comptroller to be styled in such Action.

as

as he may deem fit; and no Suit or Proceeding hereafter commenced shall abate by the Death, Resignation or Removal of such Comptroller, any thing in any Act or Acts of Parliament or Law or Laws to the contrary notwithstanding.

Comptroller
may administer
Oaths.

V. And be it further enacted, That wherever any Accounts, or other Matters or Things relating to any Business or other Subjects or Transactions under the Management of the Comptroller of the Barrack Department, shall be to be verified by any Oath or Affidavit of any Person or Persons, it shall be lawful for the said Comptroller of the Barrack Department, the Deputy Comptroller of the Barrack Department, or any Assistant Inspector General of Barracks, or for any Justice of the Peace or Magistrate, to administer an Oath and take an Affidavit in that Behalf.

On Comptroller
quitting Office,
Money standing
in his Name to
be vested in new
Comptroller.

VI. And be it further enacted, That all Monies which shall at any time hereafter stand or remain at the time of the Death or Resignation or quitting of Office of any Comptroller of the Barrack Department, in the Bank of *England*, in the Name of such Comptroller, shall forthwith vest in the Comptroller for the time being; and from and after the Appointment of another Comptroller, all such Money shall forthwith vest in such Comptroller; and so from time to time in Succession.

Letters and
Packets to
Comptroller of
the Barrack De-
partment, or
sent by him or
Deputy, to be
free of Postage.

VII. And be it further enacted, That all Letters and Packets addressed to the Comptroller of the Barrack Department respectively for the time being, upon any Business or Affairs relating to the Duties of the Office of the said Comptroller, shall be free from the Duty of Postage; and also that all Letters and Packets sent by the Comptroller of the Barrack Department, or the Deputy Comptroller for the time being respectively, upon any Business or Affairs relating to any of the Duties of the Barrack Department respectively, in manner and form hereinafter directed, shall be sent free from the said Duty of Postage; and all such Letters and Packets respectively shall be under Cover, with the Words " Pursuant to Act of Parliament," and " Barrack Office," printed upon the same; and the Comptroller or his Deputy, or some Person to be nominated from time to time for that purpose by such Comptroller, and whose Appointment for that purpose shall be transmitted to the Post Office, shall write his Name under the same; and they and each of them are and is hereby strictly prohibited from enclosing or sending under such Covers any Writing, Paper, or Parcel whatever, excepting such as relate to the Duties of the said Office.

Sending any
thing under
Cover not relat-
ing to the Duties
of the Office,
Penalty 100l.

VIII. And be it further enacted, That if any such Comptroller or Deputy or Clerk as aforesaid respectively shall presume to send or convey under any of the Covers aforesaid any Writing, Paper or Parcel other than those relating to the Duties of the Department, he shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered with full Costs of Suit by any Person or Persons by Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Effoign, Privilege, Protection, Wager of Law or more than one Impar lance shall be allowed; one Moiety of which Penalty shall go to the Person who shall sue for the same, and the other Moiety thereof to and for the Use of His Majesty.

Bodies Politic,
&c. may agree
for Enfranchise-

IX. And be it further enacted, That it shall be lawful for all Bodies Politic or Corporate, Ecclesiastical or Civil, and all Feoffees or

or Trustees for charitable or other public Purposes, and for all Tenants for Life and Tenants in Tail, and for the Husbands, Guardians, Trustees, Committees, Curators or Attornies, or such of the Owners or Proprietors of or Persons interested in any Lands or Hereditaments which have been taken or are now or which may hereafter be held by His Majesty, or by any Person in Trust for His Majesty, or in Trust for the Public Service, as shall be Females Covert, Infants, Lunatics, Idiots or Persons beyond the Seas, or otherwise incapable of acting for themselves, to contract and agree with such Comptroller or other Person or Persons authorized by him, either for the absolute Sale of any such Lands or Hereditaments, or for the Enfranchisement of any Copyhold, or Sale of any Reversion after any Estate or Estates for Lives, or for the Grant of any Lease, either for any Term of Years certain therein, or for such Period as the Exigency of the Public Service shall require, and to convey, surrender, demise or grant the same accordingly; and all such Contracts, Sales, Conveyances, Enfranchisements, Surrenders, Leases and Agreements shall be valid and effectual in Law to all Intents and Purposes whatsoever.

ment and for
Sale of Lands.

Such Contracts,
&c. valid.

X. And be it further enacted, That in every such case of Purchase of any Lands or Hereditaments, or of any such Reversion as aforesaid, or of the Enfranchisement of any Copyhold, or Purchase of any other Interest belonging to any such Body or other Person or Persons under any Disability or Incapacity, or not having the absolute Interest therein, the same shall be paid into the Hands or into the Name of the Deputy of the King's Remembrancer of His Majesty's Court of Exchequer at *Westminster, Edinburgh, or Dublin* respectively, for the time being, for the Use and Benefit of the Owners and Proprietors of such Lands and Hereditaments, who is hereby authorized and required to receive or accept and to give a Discharge for the same, and upon the Acceptation or Receipt thereof to sign a Certificate to the Barons or Judges of the said Courts of Exchequer respectively under his Hand, purporting and signifying that such Money or other Consideration was received or accepted by and paid to him in pursuance of this Act, for the Use and Benefit of such Owners or Proprietors who shall be named and described in such Certificate; and the said Certificate shall be filed or deposited in the said Court of Exchequer at *Westminster, Edinburgh or Dublin* respectively; and a true Copy thereof, signed by the Deputy Remembrancer of such Court, shall and may be read and allowed as Evidence for the Purposes hereinafter mentioned; and the said Deputy Remembrancer is hereby required, upon Receipt of any such Sum or Sums of Money as aforesaid, to pay the same into the Bank of *England*, or Bank of *Scotland* or Royal Bank of *Scotland*, or Bank of *Ireland*, as the case may require; and immediately upon the filing or depositing of such Certificate the said Lands or Hereditaments shall be and become vested in the said Comptroller or other Person for the Public Service, to the Use of His Majesty, His Heirs and Successors.

Purchase Money
to be paid to
Deputy Re-
membrancer of
Exchequer, for
Owners of Lands,
&c. and to be
certified to the
Exchequer;

Copy of Certifi-
cate signed by
Deputy Re-
membrancer
Evidence.

XI. And be it further enacted, That the Barons or Judges of His Majesty's Court of Exchequer at *Westminster, Edinburgh or Dublin*, of the Degree of the Coif, for the time being respectively, or any one or more of them, shall be and they are hereby authorized and empowered in a summary way, upon Motion or by Petition for and

One of the Ba-
rons of the Ex-
chequer may
give Directions
as to the Appli-
cation of the
Money on Peti-
tion or Motion.

on behalf of any Person or Persons interested in or entitled to the Benefit of the Money so paid to and received by the Deputy Remembrancer, or the Interest or Produce thereof, and upon reading the Certificate directed to be signed by the said Deputy Remembrancer concerning the same as aforesaid, and receiving such further Satisfaction as they shall think necessary, to make and pronounce such Orders and Directions for paying the said Money or any Part of the same, or for placing out such Part thereof as shall be Principal in the Public Funds, or upon Government or Real Securities, and for Payment of the Dividends or Interest thereof, or any Part thereof, to the respective Persons entitled to receive the same, or for laying out the Principal or any Part thereof in the Purchase of other Lands or Hereditaments, to be conveyed and settled to, for and upon the same Uses, Trusts, Intents and Purposes as the said Lands and Hereditaments so taken stood settled at the time of the Payment of such Money as aforesaid, as near as the same can be done, or otherwise concerning the disposing of the said Money or any Part thereof, and the Interest of the same or any Part thereof, for the Benefit of the Person and Persons entitled to and interested in the same respectively, or for appointing any Person or Persons to be Trustee or Trustees for all or any of such Purposes, as the said Court shall think just and reasonable.

On Death, or Removal of Deputy Remembrancer, Money &c. to vest in Successor.

XII. And be it further enacted, That upon the Death or Removal of any such Deputy Remembrancer, all Stocks and Securities vested in him by virtue of this Act shall vest in the succeeding Deputy Remembrancer, for the Purposes hereinbefore mentioned, without any Assignment or Transfer; and all Monies paid into the said Banks respectively in pursuance of this Act, or remaining in the Hands of any Deputy Remembrancer at his Death or Removal, and not vested in the Funds, or placed out on Securities as aforesaid, shall be paid over to the succeeding Deputy Remembrancer for the time being.

The Powers of Deputy Remembrancer to vest in the King's Remembrancer executing the Office in Person.

XIII. And be it further enacted and declared, That if in any case the King's Remembrancer shall execute the said Office in Person, then and in such case the several Trusts, Powers and Authorities by this Act vested in the said Deputy Remembrancer and his Successors, shall, during such time as no Deputy Remembrancer shall be appointed, be vested in and be executed by the said King's Remembrancer for the time being.

C A P. X.

An Act to regulate the Vessels carrying Passengers from the United Kingdom to certain of His Majesty's Colonies in *North America*. [17th March 1817.]

43 G. 3. c. 56.

‘ WHEREAS by an Act passed in the Forty third Year of His present Majesty, intituled *An Act for regulating the Vessels carrying Passengers from the United Kingdom to His Majesty's Plantations and Settlements abroad or to Foreign Parts, with respect to the Number of such Passengers*, certain Regulations were made with respect to the Number of Passengers to be conveyed on board *British* and Foreign Vessels, from the United Kingdom to His Majesty's Colonies abroad, and to Foreign Countries: And Whereas it is expedient to make special Regulations with respect to

' to the Conveyance of Passengers to certain of His Majesty's Colonies in *North America*;' 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 nothing in the aforesaid Act of the Forty third Year of His present Majesty shall be deemed or taken to apply to any *British* Ship or Vessel carrying Passengers to the Provinces of *Upper or Lower Canada, Nova Scotia, New Brunswick, Cape Breton or Prince Edward's Island*; any thing in the said Act to the contrary notwithstanding.

II. And be it further enacted, That from and after the passing of this Act no Ship or Vessel shall sail with Passengers from any Port or Place in the United Kingdom to any Port or Place in *Upper or Lower Canada, Nova Scotia, New Brunswick, Cape Breton, or Prince Edward's Island*, unless the Master or other Person having or taking the Charge or Command of every such Ship or Vessel, and the Owner or Owners thereof, shall, before the sailing of such Ship or Vessel from any Port or Place as aforesaid, enter into Security by Bond to His Majesty, His Heirs and Successors, in the Penalty of Five hundred Pounds, with Condition that there shall not be taken on board any such Ship or Vessel any more such Passengers than are hereinafter permitted and allowed, and that every Passenger, if alive, shall be landed at the Port or Place to which such Passenger shall have contracted to be conveyed; which Bond shall be taken by and deposited with the Collector and Comptroller or other Principal Officer of His Majesty's Customs at the Port from which such Ships or Vessels shall sail; and the Master or other Person having or taking the Charge or Command of such Ship or Vessel, previous to his leaving the said Port, shall and is hereby required to deliver to the said Collector and Comptroller or other Principal Officer of His Majesty's Customs at the said Port, a List containing the Number of the said Passengers, with their Names, Ages and Descriptions, and the Places to which they are to be respectively conveyed, for the Purpose of being registered at such Port, together with a Copy of the same, which Copy shall be certified by the said Officers as being correct and true, and delivered to the Master or other Person having or taking the Charge or Command of such Ship or Vessel, to be by him kept on board the said Vessel, and subject to the Inspection of any of His Majesty's Ships of War or Vessels in the Service of His Majesty's Customs or Excise during his Voyage to the aforesaid Colonies; and upon the Arrival of such Ship or Vessel at either of the aforesaid Colonies the said Master or other Person having or taking the Charge or Command of such Ship or Vessel shall deliver the aforesaid Copy of the List to the Governor of such Place or other Person acting for him, or to the Naval Officer or Chief Officer of the Customs at the Port of Arrival, or to the nearest Justice of the Peace, who shall be required to examine the Passengers within Twenty four Hours after their Arrival; and no such Passenger as aforesaid shall be allowed to land until such List is compared with the Passengers by the Governor or other Person acting for him, or some Person authorized by either of them for that Purpose.

III. And be it further enacted, That if the Master or other Person

57 GEO. III.

C

Not to apply to British Vessels carrying Passengers to Canada, &c.

No Vessel shall sail to Canada, &c. unless the Master enter into Bond that there shall not be taken on board more Passengers than by this Act allowed, &c.

List of Passengers to be delivered in manner herein mentioned.

And a Copy thereof to be certified by Officer of Customs, and delivered to the Master, to be kept by him for the Inspection of Ships of War, &c.

Taking more Passengers than

Number allowed, Penalty 5*l*.
 Person having or taking the Charge or Command of such Ship or Vessel shall take or have on board his Ship or Vessel, or if the Owner or Owners of such Ship or Vessel shall engage to take on board, more Persons than the Number allowed, they shall respectively forfeit the Sum of Fifty Pounds for each Person so taken or engaged to be taken on board.

Passengers to be apportioned according to the Tonnage of the Vessel.
 IV. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Ship or Vessel from any Place in the United Kingdom of *Great Britain* and *Ireland*, or from *Guernsey* and *Jersey*, to carry to any Port or Place in *Upper* or *Lower Canada*, *Nova Scotia*, *New Brunswick*, *Cape Breton* or *Prince Edward's Island*, a greater Number of Passengers than in the Proportion of One adult Person or of Three Children under Fourteen Years of Age for every One Ton and a Half of the Burthen of such Ship or Vessel; and every such Ship and Vessel shall

How Tonnage of Vessels to be taken.

be taken to be of such Tonnage or Burthen as is described and set forth in the respective Certificate of the Registry of each and every such Ship or Vessel granted in pursuance of the several Acts in force in *Great Britain* and *Ireland* respectively relating to such Certificates; and if any such Ship or Vessel shall be partly laden with Goods, Wares or Merchandize, then it shall not be lawful for the Master or other Person having the Charge or Command of such Ship or Vessel to receive or take on board a greater Number of Persons than in the Proportion of One adult Person or of Three Children under Fourteen Years of Age for every One Ton and a Half of that Part of such Ship or Vessel remaining unladen.

Water and Provisions how to be apportioned.

V. And be it further enacted, That every such Ship or Vessel shall be furnished at the time of her Departure to commence the Voyage with at least Twelve Weeks' Supply of good and wholesome Water, so as to furnish a Supply of Five Pints of Water *per Day* for every such Passenger exclusive of the Crew; and the said Supply of Water shall be stowed below the Deck; and every such Ship or Vessel shall also be furnished with such a Supply of Provisions as will afford an Allowance for every such Passenger, exclusive of the Crew, during the said Period of Twelve Weeks, of One Pound of Bread or Biscuit and One Pound of Beef or Three Quarters of a Pound of Pork *per Day*, and also Two Pounds of Flour, Three Pounds of Oatmeal, or Three Pounds of Peas or Pearl Barley, and Half a Pound of Butter Weekly; the Weekly Allowance to commence on the Day the Vessel puts to Sea.

Not giving out Allowance of Provisions, Penalty 1*0l*.

VI. And be it further enacted, That the Master or other Person having or taking the Charge or Command of any Ship or Vessel failing to give out the Allowance of Provisions and Water hereinbefore specified shall forfeit the Sum of Ten Pounds of lawful Money for each and every such Neglect and Omission.

Abstract of Act to be exposed in the Vessel.

VII. And be it further enacted, That an Abstract of this Act, stating the Number of Passengers allowed to be taken, and the Daily and Weekly Allowance of Water and Provisions, shall be exposed in some conspicuous Part of the Ship or Vessel to which the said Passengers have Recourse; in failure of which the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall forfeit the Sum of Ten Pounds.

Penalty 1*0l*.

Penalties how to be recovered and applied.

VIII. And be it further enacted, That all Penalties and Forfeitures to be incurred under this Act shall and may be recovered in a sum-

a summary Way on the Oath of One or more Witnesses or Witnesses before any One or more of His Majesty's Justice or Justices of the Peace of any County, County of a City, Riding, Shire or Place in the United Kingdom, where such Ship or Vessel shall depart from or come to in or during such Voyage, or in a summary Way in any Court or Courts of Session having Jurisdiction in the Port or Place at which such Ship or Vessel shall arrive; and One Moiety of every Penalty to be recovered by virtue of this Act shall go and be applied to the Use of His Majesty, His Heirs and Successors, and the other Moiety to the Use of such Person or Persons as shall first sue for the same.

IX. Provided always, and be it further enacted, That nothing in this Act shall extend or be construed to extend to repeal, alter or affect any Law, Statute, Usage or Custom now in force in the United Kingdom or within *Great Britain* or *Ireland* respectively, for the Restriction or Regulation of Artificers and others from or in going or passing from any Part of the United Kingdom to Parts beyond Sea, or to regulate the Ships or Vessels carrying or conveying such Artificers, or the Masters or Commanders or Persons having Charge of such Ships or Vessels; but that all such Laws, Usages and Customs shall remain in full Force and Effect to all Intents and Purposes as if this Act had not been made.

Proviso for Laws for the Regulation of Artificers, &c. leaving the Kingdom.

C A P. XI.

An Act to facilitate the Progress of Business in the Court of King's Bench in *Westminster Hall*. [17th March 1817.]

WHEREAS the Court of King's Bench at *Westminster*, by reason of the great Increase of Business therein, has of late been much occupied during Term in the adding and justifying of Special Bail, whereby other Business of great public Concern has been much obstructed and delayed; and the same Inconvenience is likely still to continue unless some Remedy is provided for the same: And Whereas it would tend materially to remedy this Inconvenience if One of the Judges of the same Court should be enabled to sit and proceed, when Occasion should so require, upon the said Business of adding and justifying Bail in some Place in or near to *Westminster Hall* other than the usual Place of Sitting for the whole Court, whilst others of the Judges of the same Court should proceed in the Dispatch of the other Business of the same Court in their ordinary Place of Sitting in *Westminster Hall*; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any One of the Judges of the Court of King's Bench at *Westminster*, when Occasion shall so require, to sit apart from the other Judges of the same Court, in some Place in or near to *Westminster Hall*, for the Business of adding and justifying Special Bail in Causes depending in the same Court, whilst others of the Judges of the same Court are at the same time proceeding in the Dispatch of the other Business of the same Court in Bank, in its usual Place of Sitting for that purpose in *Westminster Hall*; and that the Proceedings so had by and before such One of the Judges so sitting apart for those Purposes shall be as good

One of the Judges of K. B. may sit apart for adding and justifying Special Bail, whilst others of the Judges are sitting.

and effectual in the Law to all Intents and Purposes as if the same were had before the Court assembled and fitting as usual in its ordinary Place of Sitting in *Westminster Hall*.

C A P. XII.

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

[21st March 1817.]

[*This Act is the same as 56 G. 3. c. 10. except as to Dates, Numbers of Forces, &c. and the Sections that are here retained, and except also as to Schedule (N).*]

Sentence of Transportation in India, &c. to be notified by the Officer commanding in Chief to some Judge of one of the Supreme Courts, who shall make Order for such Transportation.

XII. Provided always, and be it further enacted, That whenever any Sentence of Transportation passed by any Court Martial holden in the *East Indies*, or in *Saint Helena*, or in His Majesty's Settlements of the *Cape of Good Hope* or *Ceylon*, or in any Settlement occupied by His Majesty's Forces beyond the *Cape of Good Hope*, is to be carried into execution, or Mercy shall be extended to any Offender liable to the Punishment of Death by the Sentence of any such Court Martial, upon Condition of Transportation, the same shall be notified in Writing by the Officer commanding in Chief His Majesty's Forces in *India*, or in *Saint Helena*, or at the *Cape of Good Hope*, or in the Island of *Ceylon*, or at any other Foreign Settlement, Island, Territory or Country belonging to His Majesty, within the Limits of the Charter of the United Company of Merchants of *England* trading to the *East Indies*, or in the Absence of the Officer commanding in Chief, then by the Adjutant General for the time being, to some Judge of One of the Supreme Courts of Judicature of the Presidencies of *Fort William*, *Fort Saint George*, or *Bombay*, or the Chief Justice or other Judge at the Island of *Ceylon* or the *Cape of Good Hope*, or any such other Settlement, Island, Territory or Country respectively as aforesaid; and thereupon such Judge shall make an Order for the Transportation of such Offender upon the Terms and for the time which shall be specified in such Notification; and shall also make such other Order or Orders, and do all such other Acts consequent upon the same, as any such Judge is authorized to make or do with respect to Offenders ordered to be transported by Sentence of the Criminal Courts in *India*; and the Governor and Council of such Presidency, or Governor of such Settlement, Island, Territory or Country respectively, shall and they are hereby required to take Order for the Transportation of all such Offenders accordingly.

Officers and Soldiers imprisoned upon a Charge of a Criminal Offence, shall forfeit Right to Pay during their Confinement, &c.

XIX. And be it further enacted, That no Officer, Non Commissioned Officer or Soldier, who shall be arrested and committed to Prison upon a Charge of any Criminal Offence, shall receive any Part of his Pay from the Day of such Commitment till the Day of his Return to the Regiment, Troop, Company or Detachment to which he shall belong, or which he shall be ordered to join; provided that if he shall be acquitted of the Offence for which he was committed, he shall upon his Return to his Corps be entitled to receive all Arrears of Pay which were growing due during the time of his Confinement; but if he shall be convicted he shall forfeit all Right to any Pay from the Day of his Commitment during the time of his Con-

Confinement as well under the original Commitment as under any Commitment consequent upon such Conviction, and until the Day of his Return to the Regiment, Troop, Company or Detachment to which he shall belong, or which he shall be ordered to join : Provided always, that it shall be lawful for the Secretary at War for the time being, or if in *Ireland* the Chief Secretary, or in his Absence the under Secretary for the Military Department, to order the Issue and Payment to any such Officer, Non Commissioned Officer or Soldier, during any such Commitment or Imprisonment, or either of them, or any Part thereof, of the Pay of any such Officer, Non Commissioned Officer or Soldier, or of any Proportion of such Pay, or of any Arrears thereof, either during such Commitment or Imprisonment, or after the Discharge of such Officer, Non Commissioned Officer or Soldier, after Conviction, or otherwise, as shall appear to the Secretary at War, or if in *Ireland* to such Chief or Under Secretary as aforesaid, to be proper ; and the Order of the Secretary at War, or such Chief or Under Secretary in *Ireland*, as the case may require, for the Payment of such Pay or Arrears, shall be a sufficient Discharge for such Payment.

Proviso for liberty to Secretary at War, &c. to issue Pay during Imprisonment or after Discharge.

XXIV. Provided always, and be it further enacted, That it shall be lawful for any such General Courts Martial, by their Sentence or Judgment, to inflict Imprisonment, solitary or otherwise, or Corporal Punishment, not extending to Life or Limb, as such Court shall think fit, on any Non Commissioned Officer or Soldier for Immoralities, Misbehaviour or Neglect of Duty, or to adjudge a Forfeiture of all Benefit or Advantage as to Increase of Pay, or as to Pension which might otherwise have accrued to such Non Commissioned Officer or Soldier from the Length or Nature of his Service : Provided always, that it shall not be lawful for any General Regimental Court Martial to award such Forfeiture of Benefit or Advantage as to Increase of Pay or as to Pension as aforesaid, except in cases of Desertion as before provided for.

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

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

Officers to be sworn.

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

‘ So help you GOD.’

‘ I do swear, That I will duly administer Justice, according to the Rules and Articles for the better Government of His Majesty’s Forces, and according to an Act of Parliament now in force for the Punishment of Mutiny and Desertion, and other Crimes therein mentioned, without Partiality, Favour or Affection ; and if any Doubts shall arise, which is not explained by the said Articles, or Act of Parliament, according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases : And I further swear, That I will not divulge the Sentence of the Court until it shall be approved by His Majesty, or by some Person duly authorized by Him ; neither will I, upon any account, at any time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court Mar-

Oaths to be taken by all Members of a General Court Martial.

‘ tial, unless required to give Evidence thereof as a Witness, by a
‘ Court of Justice or a Court Martial, in a due Course of Law.

‘ So help me GOD.’

The Judge Ad-
vocate to be
sworn.

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

The Oath.

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

‘ So help me GOD.’

In Sentences of
Death, what
Number of Of-
ficers shall
concur, &c.

And no Sentence of Death shall be given against any Offender in such case by any General Court Martial, unless Nine Officers present shall concur therein ; (except such General Court Martial shall be holden in any Place beyond the Seas, out of His Majesty's Dominions, or out of any of the Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, or in *Africa*, or in *New South Wales* as aforesaid ;) and in all cases where a Court Martial shall consist of more Officers than Thirteen, and also in any Place beyond the Seas out of His Majesty's Dominions, or out of any of the Settlements belonging to the United Company of Merchants of *England* trading to the *East Indies*, or in *Africa* and in *New South Wales* as aforesaid, when the same shall consist of a lesser Number of Officers, then such Judgment shall pass by the Concurrence of Two thirds at the least of the Officers

Hours of Trial.

present ; and no Proceeding or Trial shall be had upon any Offence but between the Hours of Eight of the Clock in the Morning and Three in the Afternoon, except in cases which require an immediate Example : Provided also, that all Witnesses duly summoned by the Judge Advocate, or the Person officiating as such, shall, during their necessary Attendance in such Courts, and in going to and returning from the same, be privileged from Arrest in like manner as Witnesses attending any of His Majesty's Courts of Law are privileged ; and that if any such Witness shall be unduly arrested, he shall be discharged from such Arrest by the Court out of which the Writ or Process issued by which such Witness was arrested ; or if the Court out of which the Writ or Process issued be not fitting, then by any Judge of the Court of King's Bench in *London* or in *Dublin*, or Court of Sessions in *Scotland*, or Courts of Law in the *West Indies*, according as the case shall require, upon its being made appear to such Court or Judge, by affidavit in a summary Way, that such Witness was arrested in going to or returning from, or attending upon such Court Martial ; and that all Witnesses so duly summoned as aforesaid, who shall not attend on such Courts, shall be liable to be attached in the Court of King's Bench in *London* or *Dublin*, or Court of Session or Sheriff's Depute or Steward's Depute, or their respective Substitutes, within their several Shires and Stewartries, in *Scotland*, or Courts of Law in the *West Indies* respectively, upon Complaint made to the said Courts of King's Bench, or Court of Session in *Scotland*, or Courts of Law in the *West Indies*, in like manner as if such Witness had neglected to attend on a Trial in any Criminal Proceeding in that Court.

Witnesses at-
tending Courts
Martial to be
privileged from
Arrest.

Witnesses not
attending liable
to be attached.

XXXIX. Povided always, and be it further enacted, That if any Officer or Soldier, or any other Person subject to the Provisions of this Act shall in any of His Majesty's Dominions beyond the Seas, or elsewhere beyond the Seas, commit any of the Offences for which he may be liable to be tried by Courts Martial by virtue of this Act, and shall after the Commission of any such Offence go or be sent to any other Station or Part of His Majesty's Dominions in the Course of Service abroad, or come or be brought into this Realm, or into *Jersey, Guernsey, Alderney, Sark or Man*, or the Islands thereto belonging, before he be tried by a Court Martial for such Offence, such Officer or Soldier or other Person shall be tried and punished for the same at such other Station or Part of His Majesty's Dominions, or within the Realm, or any such Island as aforesaid, as if the Offence had been committed where such Trial shall take place.

Offenders beyond Sea, &c. may be tried here, &c.

LII. And be it further enacted, That it shall be lawful for any Two Justices of the Peace, or any Two Magistrates, within their respective Jurisdictions, to grant or transfer any Licence for selling Ale by Retail, or Cyder or Perry, to be drank or consumed in any House or Houses or Premises where more Houses or Premises than one shall be held together by the same Person or Persons as a Canteen, or any Licence to sell Spirituous Liquors, or Strong Waters, or Wine or Liquor by Retail, to any Person or Persons applying for the same, who shall hold any Canteen under any Lease thereof, or any Agreement or other Authority from any Two of the principal Officers of the Board of Ordnance, or from any Two of the late Commissioners for the Affairs of Barracks, or from the Comptroller or other proper Officer of the Barrack Department, without regard to the time of Year, or any Notices or Certificates specified or required in relation to the applying for or granting any such Licences, any thing in any Act or Acts of Parliament to the contrary notwithstanding; and it shall also be lawful for His Majesty's Commissioners of Excise in *England, Ireland and Scotland* respectively, or any Person appointed or employed by the said Commissioners in *England or Ireland* respectively in that Behalf, or for any Collectors or Supervisors of Excise within their respective Districts, and they are hereby required to grant Licences for selling Beer or Ale by Retail, or Cyder or Perry to be drank or consumed in the Houses or Premises occupied as a Canteen of the Person or Persons applying for such Licence, or any Licence to sell Spirituous Liquors or Strong Waters, or Wine or Liquors by Retail, to any such Person or Persons who shall hold any such Canteen under any such Licence or Transfer of any such Licence of any Justice or Magistrate as aforesaid; and it shall also be lawful for any Person or Persons holding any such Canteen under any such Lease, Agreement or Authority as aforesaid, and having such Licences as aforesaid, to keep such Canteen, and to utter and sell therein, and in the Premises thereto belonging, and not elsewhere, Victuals and all such exciseable Liquors as he and they shall be licensed and empowered to sell under the Authority and Permission of any such Excise Licence as aforesaid, without being subject to any Penalty or Forfeiture; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

Licences may be granted for keeping Canteens, by two Justices, &c.

Persons who may apply for such Licences.

What Articles Persons keeping Canteens may sell.

LXXI. And be it further enacted, That for the better and more regular Provision of Carriages for His Majesty's Forces in their Marches, or for their Arms, Clothes or Accoutrements in *England, Ireland and Wales*, and the Town of *Berwick upon Tweed*, all

For the providing Carriages for the Forces marching in England and Ireland.

Justices of the Peace, within their several Counties, Ridings, Divisions, Shires, Liberties, and Precincts, being duly required thereunto by an Order from His Majesty, or the General of His Forces, or the Master General or Lieutenant General of His Majesty's Ordnance, if in *England, Wales or Berwick upon Tweed*, or by an Order from the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or from the Officer commanding His Majesty's Forces in *Ireland*, or other Person duly authorized in that Behalf, shall, as often as such Order is brought and shewn unto One or more of such Justices by the Quartermaster, Adjutant, or other Officer or Non Commissioned Officer of the Regiment, Detachment, Troop or Company so ordered to march, issue out his or their Warrant or Warrants to the Constables or Petty Constables of, or to any Constable or Constables acting or having Authority to act in the Division, Riding, City, Liberty, Hundred and Precinct, from, through, near or to which such Regiment, Detachment, Troop or Company shall be ordered to march; requiring them to make such Provision of Carriages, and Horses or Oxen, with able Men to drive the same, as is mentioned in the said Warrant, allowing them sufficient time to do the same, that the neighbouring Parts may not always bear the Burthen; and specifying in such Warrants the Place or Places from and to which the said Carriages shall, by virtue of such Orders as aforesaid, be required to travel, also specifying the Number of Miles between the Places, for which Number of Miles only so specified Constables or Petty Constables are authorized to demand Payment, which shall not exceed the Day's March of the Troops, as prescribed in the Order produced to the Magistrate, unless in case of pressing Emergency or Necessity, and shall in no case whatever exceed Twenty-five Miles from the Place at which the March shall commence; and in case sufficient Carriages cannot be provided within any such Liberty, Division or Precinct, then the Justice or Justices of the Peace of the next adjoining County, Riding or Division shall, upon such Order as aforesaid being brought or shewn to One or more of them by any of the Officers aforesaid, issue his or their Warrant to the Constables or Petty Constables of such next County, Riding, Liberty, Division or Precinct, as shall be most convenient for the Purposes aforesaid, according to their respective Jurisdictions, to make up such Deficiency; and the aforesaid Officer or Officers, who, by virtue of the aforesaid Warrant from the Justices of the Peace, are to demand the Carriage or Carriages therein mentioned of the Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sums hereinafter mentioned respectively, for which respective Sums so received the said Constable or Petty Constable is hereby required to give a Receipt in Writing (which Receipt need not be stamped) to the Person or Persons paying the same; and such Constable or Petty Constable shall order and appoint such Person or Persons having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Horses, and Oxen and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly; and no Person owning or driving or causing to be driven any such Waggon, Wain, Cart or other Carriage shall be subject to any Penalty or Forfeiture, nor

Warrants to specify the Places to and from which the Carriages shall travel, and the Number of Miles, &c.

Sums for Hire to be paid in Hand at the same time.

No Penalty or Detention on account of Weight.

nor shall any such Waggon, Wain, Cart or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner of any such Waggon, Wain, Cart or other Carriage, to put any additional Number of Horses or Oxen to those prescribed or paid for under this Act; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or any particular Highway or Road, to the contrary notwithstanding; and if any Military Officer or Officers, for the Use of whose Regiment, Detachment, Troop or Company the Carriage was provided, shall force and constrain any Waggon, Wain, Cart or Carriage to travel beyond the Distance specified in the Magistrate's Warrant, or shall not discharge the same in due time for their return Home on the same Day, if it be practicable, or shall suffer any Soldier or Servant (except such as are sick), or any Woman to ride in the Waggon, Wain, Cart or Carriage aforesaid; or shall force any Constable or Petty Constable, by threatening or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants or Soldiers, every such Officer for every such Offence shall forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the Secretary of War in *England*, or if in *Ireland* to the Chief Secretary, or in his Absence the Under Secretary for the Military Department, who is hereby authorized and required to give Orders for the Payment of the aforesaid Sum of Five Pounds, according to the Order and Appointment under the Hands and Seals of the aforesaid Justices of the Peace of the same County or Riding, and for deducting the same out of such Officer's Pay.

Officers forcing Waggon's to travel more than Magistrate's Warrant specifies, or not discharging in due time, or forcing Constables, &c. to provide Saddle Horses, &c.

Penalty 5l.

' LXXV. And Whereas it may sometimes become necessary, in cases of Emergency, to provide proper and speedy Means for the Carriage and Conveyance, not only of the Arms, Clothes, Accoutrements, Tents, Baggage and other Equipage of and belonging to His Majesty's Forces in their Marches, but also of the Officers, Soldiers, Servants, Women, Children and other Persons of and belonging to such Forces: And Whereas it is expedient that Provisions should be made for enforcing prompt Obedience to such Orders as His Majesty or the Lord Lieutenant or other Chief Governor in *Ireland* may in such cases think fit to issue, in pursuance of the Powers by Law vested in him for the Advancement of the general Good and public Welfare of the Realm; Be it therefore further enacted, That it shall be lawful for His Majesty, or such Lord Lieutenant or Chief Governor or Governors in *Ireland*, by His or their Order, distinctly stating that such case of Emergency doth exist, signified by the Secretary at War, or if in *Ireland*, by the Chief Secretary, or in his Absence by the Under Secretary for the Military Department for the time being, to any General or Field Officer commanding His Majesty's Forces in any District or Place, or to the Agent for the Supply of Stores and Provisions at Home, or Person acting in that Capacity, to authorize such General or Field Officers or Agent as aforesaid or Person aforesaid, by Writing under his Hand, reciting such Order of His said Majesty, or Lord Lieutenant or Chief Governor aforesaid, to require all Justices of the Peace within their several Counties, Ridings, Divisions, Cities, Liberties and

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

and Precincts in *England, Ireland, Wales* and Town of *Berwick upon Tweed*, to issue his or their Warrant or Warrants for any of the Purposes hereinafter mentioned; and such Justice or Justices shall, when and as often as such Requisition in Writing as last mentioned shall be brought and shewn unto any One or more of such Justices, by the Quarter Master, Adjutant or other Officer of the Regiment, Detachment, Troop or Company so ordered to be conveyed, or by any Officer in the Commissariat Department, to issue out his or their Warrant or Warrants to the Constables or Petty Constables of the County, Division, Riding, City, Liberty, Hundred and Precinct, from, through, near or to which such Regiment, Detachment, Troop or Company shall be so ordered to be conveyed, requiring them to make such Provision, not only of Waggon, Wains, Carts and Cars kept by or belonging to any Person or Persons, and for any Use or Purpose whatsoever, but also of Saddle Horses, Coaches, Chaises, and other Four wheeled Carriages usually let to Hire, or kept for that Purpose; and also of Boats, Barges, and other Vessels used for the Carriage of Coals, Stone, Lime, Manure, or of Goods, Wares or Merchandizes, or any other Articles or Commodity whatsoever, upon any Canal or navigable River, with able Men and Horses to drive, navigate and draw the same, as shall be mentioned in the said Warrant or Warrants therein specifying the Place or Distance to which such Horses, Carriages, Boats, Barges or other Vessels and Men shall go and be conveyed, and allowing such Constables sufficient time to make such Provision, that the neighbouring Parts may not always bear the Burthen; and in case such sufficient Carriages, Horses, Boats, Barges or other Vessels and Men cannot be provided within any such County, Riding, Division, Hundred, City, Liberty or Precinct, then the next Justice or Justices of the Peace of the next County, Riding, Division, City, Liberty or Precinct shall, upon such Requisition in Writing as last aforesaid being brought or shewn to any One or more of them, by any of the Officers aforesaid, issue his or their Warrant or Warrants to the Constables or Petty Constables of such next County, Riding, City, Liberty, Division, Hundred or Precinct, for the Purposes last aforesaid, to make up such Deficiency; and the aforesaid Officer or Officers who, by virtue of the aforesaid Warrant or Warrants from the Justice or Justices of the Peace, are to demand the Carriages, Horses, Boats, Barges or other Vessels therein mentioned, of the Constable or Petty Constable to whom the said Warrant or Warrants shall be directed, is and are hereby required at the same time to pay down in hand to the said Constable or Petty Constable, for the Use of the Person or Persons who shall provide such Carriages, Horses, Boats, Barges or other Vessels, and Men, such reasonable Sum and Sums of Money as the said Justice or Justices shall in and by his or their said Warrant or Warrants order and direct, not exceeding the usual Rate and Hire of such and the like Carriages, Horses, Boats, Barges or other Vessels, and Men, according to the Length of the Journey or Voyage in each particular case, but making no Allowance for Post Horse Duty, or Turnpike, Canal, River or Lock Tolls (which Duty or Tolls are hereby declared not to be demandable or payable in such and the like cases, for any such Carriages, Horses, Boats, Barges and other Vessels, whilst employed in such Service, or returning therefrom); for which said respective Sum and Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing

Officers demanding them, to pay in hand for their Hire such Sums as the Justices shall direct.

Constable to give a Receipt with-

Writing (but without any Stamp) to the Person or Persons paying the same, and such Constable or Petty Constable shall order and appoint such Person or Persons having such Horses, Carriages, Boats, Barges or other Vessels, and Men, within their respective Liberties, as they shall think proper, to provide and furnish such Horses, Carriages, Boats, Barges or other Vessels, and Men, according to the Warrant or Warrants aforesaid, who are hereby required to provide and furnish the same accordingly; and it shall and may be lawful in such cases, to and for all and every Military Officer and Officers, for the Use of whom, or of whose Regiment, Detachment, Troop or Company, such Horses, Carriages, Boats, Barges or other Vessels shall be provided, in such cases to carry and convey, and permit to be carried and conveyed, on the same respectively, not only the Arms, Clothes, Accoutrements, Baggage, Tents, and other Equipage of such Regiment, Detachment, Troop or Company, but also the Officers, Soldiers, Servants, Women, Children and other Persons of and belonging to the same, any thing herein contained to the contrary thereof notwithstanding; but if any such Officer or Officers shall force and constrain any Horse, Carriage, Boat, Barge or other Vessel to travel or proceed beyond the Distance or Place to be allowed and specified in such Warrant or Warrants, without the special Licence or Order of One or more other such Justice or Justices of the Peace in that Behalf, and which Licence or Order One or more of such Justices is and are hereby authorized and required to give and make at his and their reasonable Discretion, every such Officer for every such Offence shall forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace of the same County, or Riding, Division, City, Liberty or Precinct, who are to certify the same to the Secretary at War, or if in *Ireland* to the Chief Secretary, or in his Absence the Under Secretary for the Military Department, who is hereby authorized and required to give Order for Payment of the aforesaid Sum of Five Pounds, according to the Order and Appointment under the Hands and Seals of the aforesaid Justices of the Peace of the same County, Riding, Division, City, Liberty or Precinct, and for deducting the same out of such Officer's Pay.

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

CXIX. And Whereas Soldiers absent from their Regiments on Furlough granted to them by their Commanding Officers are sometimes

out Stamp, and to order the Horses, &c. to be provided.

Military Officers may convey on them Arms, Clothes, Accoutrements, Baggage, Equipage, and also the Officers, Soldiers, Servants, Women, Children and other Persons. Officers forcing Horses, &c. to travel beyond the Distance specified in Warrant without Licence.

Penalty 5l.

Number of Carriages for each Troop in *Ireland* to be regulated by the Lord Lieutenant.

‘ sometimes prevented by Sicknefs or other unavoidable Cafualty
 ‘ from returning to their Duty before the Expiration of the time
 ‘ limited by fuch Furlough, and Doubts have arifen whether in fuch
 ‘ cafes the Extension of a Soldier’s Furlough by a Juftice of the
 ‘ Peace be sanctioned by legal Authority and effectual for prevent-
 ‘ ing fuch Soldier from being apprehended upon Suspicion of his
 ‘ having deferted his Regiment;’ Be it further enacted, That any
 Inspecting Field Officer ftationed on the Recruiting Service, or any
 Officer of the Rank of Captain, or of fuperior Rank, or any Adju-
 tant of the Regular Militia, ftationed within the Diftrict, or in cafe
 there be no fuch Officer as aforefaid within a convenient Diftance,
 any Juftice of the Peace may, and is hereby authorized to grant, in
 Writing under his Hand, an Extension of Furlough to any Non
 Commiffioned Officer or Soldier applying for the fame on account
 of Sicknefs or other Cafualty, which fhall on due Enquiry appear to
 render fuch Extension neceffary; and that every fuch Officer or
 Juftice of the Peace, who fhall grant to any Non Commiffioned
 Officer or Soldier an Extension of Furlough as aforefaid, fhall im-
 mediately certify the fame, with the Caufe of its being fo granted
 to the Officer commanding the Corps, Depôt or Detachment to
 which the Man belongs, if known, if not, then to the Agent of the
 Regiment, in order that the Proportion of Pay, to which the
 Man fhall be entitled, may be remitted to him according to the Rules
 eftablifhed in that refpect.

Certain Officers
 and Juftices may
 grant an Exten-
 fion of Furlough
 to any Non
 Commiffioned
 Officer or Soldier
 applying for the
 fame, on account
 of Sicknefs, &c.
 on Certificate.

Non Commiffioned Officer or
 Soldier whole
 Furlough fhall
 have been ex-
 tended, fhall not
 be liable to be
 apprehended as
 a Deferter, &c.

CXX. And be it further enacted, That fuch Non Commiffioned
 Officer or Soldier, during the Period to which his Furlough fhall
 have been fo extended as aforefaid, fhall not be liable to be appre-
 hended or otherwife molefted on the ground of his having deferted
 the Regiment to which he fhall appear by his Furlough to belong,
 or of criminally abfenting himfelf from the fame: Provided always,
 that nothing in this Act contained fhall be conftrued to exempt
 any Non Commiffioned Officer or Soldier, whole Furlough fhall
 have been fo extended as aforefaid, from being proceeded againft
 and punifhed according to the Provisions of this Act, fhould it
 thereafter appear that fuch Non Commiffioned Officer or Soldier
 had obtained the Extension of his Furlough by falfe Representation
 made to fuch Officer or Juftice of the Peace as aforefaid, or in ap-
 plying for and obtaining the fame had committed any Offence to
 the Prejudice of good Order and Military Difcipline: Provided
 alfo, that no fuch Furlough fhall be extended by any fuch Officer or
 Juftice of the Peace as aforefaid for any longer Period than One
 Month, unlefs with the Approbation of the General or other Officer
 commanding in the Diftrict where fuch Soldier fhall be, or of the
 Officer commanding the Corps, Depôt or Detachment to which the
 Non Commiffioned Officer or Soldier fhall belong.

Provido as to
 Length of Ex-
 tenfion.

CXXI. Provided always, and be it further enacted, That from
 and after the paffing of this Act the Subfiftence of Men on Fur-
 lough fhall be iffued according to the Rules which have been or fhall
 be prefcribed by His Majefty’s Regulations.

Provido as to
 Subfiftence of
 Men on Fur-
 lough.

CXXIV. And be it further enacted, That from the paffing of
 this Act no Soldier being arrefted or confined for Debt in any
 Prifon, Gaol or other Place, fhall be entitled to any Part of his Pay
 from the Day of fuch Arreft or Confinement until the Day of his
 Return to the Regiment, Troop, Company or Detachment to which
 he fhall belong, or fhall be ordered to join.

Soldiers while
 confined for Debt
 not entitled to
 Pay.

SCHEDULE (N.)
DESCRIPTION RETURN of _____ **on the**
Day of _____ **as a Defeter from the** _____ **Regiment of**
committed to Confinement at _____ **Battalion of the**

Age.	Size.		Complexion.	Colour of		Marks.	Probable Date of Imilitment, and in what District.	Probable Date of Defetion, and from whence.	Name, Occupation and Ad-drefs of Perfon by whom ap-prehended.	Reasons for fuf-pecting the Pri-foner to be a Defeter.
	Feet.	Inches.		Hair.	Eyes.					

I do hereby certify that the Prifoner has been duly examined before me, as to the Circumftances herein ftated, and has declared in my Prefence that he a Defeter from the before-mentioned Corps.

Enquiry* having been made as to the Prifoner's Health, it has been reported to me that he in a fit ftate to be removed. _____ Signature of Magiftrate.

_____ Signature and Adrefs of Magiftrate.
 _____ Signature of Prifoner.
 _____ Signature of Informant.

* If any Military Medical Officer be at or near the Place, he will infpect the Defeter, and report as to his Fitnefs for Military Service.

C A P. XIII.

An Act for the regulating of His Majesty's Royal Marine Forces while on Shore. [21st March 1817.]

WHEREAS it may be necessary, for the Safety of the United Kingdom, and the Defence of the Possessions of the Crown of Great Britain and Ireland, that a Body of Royal Marine Forces should be employed in His Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland: And Whereas the said Royal Marine Forces may frequently be quartered on Shore, or sent to do Duty on board Transport Ships or Merchant Ships or Vessels, or Ships or Vessels of His Majesty not being in Commission, where they will not be subject to the Laws relating to the Government of His Majesty's Forces by Sea; yet nevertheless it being requisite, for the retaining of such Forces in their Duty, that an exact discipline be observed; and that Marines who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, be brought to a more exemplary and speedy Punishment than the Law will allow; Be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fifth Day of March One thousand eight hundred and seventeen, if any Person being entered or in Pay as an Officer of Royal Marines, or who is or shall be listed or in Pay as a Non Commissioned Officer or Private Man in any Division of Royal Marines in His Majesty's Service, and on the Twenty fifth Day of March One thousand eight hundred and seventeen, shall remain in such Service, or during the Continuance of this Act shall be voluntarily entered and in pay as a Marine Officer or Private Man in His Majesty's Service, and being ordered or employed in such Service at any time during the Continuance of this Act, on Shore in any Place within the said Kingdom, or in any other of His Majesty's Dominions, or in Foreign Parts, or on board any Transport Ship or Merchant Ship or Vessel, shall begin, excite, cause or join in any Mutiny or Sedition in the Company to which he doth or shall belong, or in any other Company, Troop or Regiment, either of Marine or Land Forces, in His Majesty's Service; or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any such Mutiny or intended Mutiny, shall not, without Delay, give information thereof to His Commanding Officer; or shall desert His Majesty's Service; or being actually entered as a Marine in any Company, shall list himself in any other Company, Troop or Regiment, or enter as a Seaman in His Majesty's Service, without first having a Discharge in Writing from the Officer commanding in Chief the Company in which he last served as a Marine, in which case he shall be reputed a Deserter; or shall be found sleeping upon his Post; or shall leave it before relieved; or shall hold Correspondence with any Rebel or Enemy of His Majesty, or give them Advice or Intelligence of any Kind, by any ways or means, or in any manner whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without His Majesty's

After March 25, 1817, every Marine Officer, Non Commissioned Officer and Private Man,

who shall mutiny or desert, &c.

or list in any other Regiment, &c.

or shall be found sleeping on or shall desert his Post, &c.

jeſty's Licence, or Licence of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or Three or more of the Commiſſioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain and Ireland* for the time being; or ſhall ſtrike or uſe any violence againſt his Superior Officer being in the Execution of his Office; or ſhall diſobey any lawful command of his Superior Officer; all and every Perſon and Perſons ſo offending in any or either of the Matters before mentioned on Shore, in any Part of this Kingdom, or in any other of His Ma- jeſty's Dominions, or in Foreign Parts, or on board any Transport Ship or Merchant Ship or Veſſel, ſhall ſuffer Death, or ſuch other Punishment as by a Court Martial ſhall be inflicted.

or ſhall ſtrike or diſobey his Superior Officer; to ſuffer Death, or ſuch Punishment as a Court Martial ſhall inflict.

[*This Act is the ſame as 56 G. 3. c. 11. except as to Dates, &c. and the Section that is retained.*]

C A P. XIV.

An Act to indemnify ſuch Perſons in the United Kingdom as have omitted to qualify themſelves for Offices and Employments, and for extending the time limited for thoſe purpoſes reſpectively, until the Twenty fifth Day of *March* One thouſand eight hundred and eighteen; and to permit ſuch Perſons in *Great Britain* 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 Hilary Term* One thouſand eight hundred and eighteen.

[*21ſt March 1817.*]

[*This Act is the ſame as 56 G. 3. c. 33. except as to Dates.*]

C A P. XV.

An Act to continue, until the Fifth Day of *July* One thouſand eight hundred and eighteen, an Act of the Forty ſixth Year of His preſent Maſteſty, for granting an additional Bounty on the Exportation of the Silk Manufactures of *Great Britain*.

[*21ſt March 1817.*]

WHEREAS it is expedient that an Act made in the Forty ſixth Year of His preſent Maſteſty's Reign, intituled *An Act for granting, during the Continuance of the preſent War and until Six Months after the Ratification of a Deſinitive Treaty of Peace, an additional Bounty on the Exportation of the Silk Manufactures of Great Britain*; which was continued by an Act of the laſt Seſſion of Parliament until the Fifth Day of *July* One thouſand eight hundred and ſeventeen, ſhould be further continued; Be it therefore enacted by The King's Moſt Excellent Maſteſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act of the Forty ſixth Year of His preſent Maſteſty's Reign ſhall be further continued until the Fifth Day of *July* One thouſand eight hundred and eighteen.

46 G. 3. c. 110. continued.

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

Act may be altered, &c. this Seſſion.

C A P.

C A P. XVI.

An Act for raising the Sum of Eighteen Millions, by Exchequer Bills, for the Service of the Year One thousand eight hundred and seventeen. [29th March 1817.]

“ TREASURY may raise 18,000,000l. by Exchequer Bills, in
 “ manner prescribed by 48 G. 3. c. 1.— § 1. The Clauses, &c. in
 “ recited Act extended to this Act. § 2. Treasury to apply the
 “ Money raised. § 3. Exchequer Bills payable out of Supplies
 “ for next Session. § 4. Interest not exceeding 3 ¹/_{d.} *per Cent. per*
 “ *Diem.* § 5. Exchequer Bills to be current at the Exchequer after
 “ April 5, 1818.— § 6. Bank of England may advance 12,000,000l.
 “ on Credit of Act, notwithstanding 5 & 6 W. & M. c. 20.— § 7. Act
 “ may be altered, amended or repealed this Session. § 8.

C A P. XVII.

An Act to repeal, during the Continuance of Peace, so much of an Act of the Ninth Year of His present Majesty as prohibits the Exportation of Pig and Bar Iron, and certain Naval Stores, unless the Preemption thereof be offered to the Commissioners of His Majesty's Navy. [29th March 1817.]

9 G. 3. c. 35. § 3.

“ **W**HEREAS by an Act passed in the Ninth Year of the Reign
 “ of his present Majesty, intituled *An Act for discontinuing,*
 “ *upon the Exportation of Iron imported in Foreign Ships, the Draw-*
 “ *back of such Part of the Duties payable thereon as exceeds the Duties*
 “ *payable upon Iron imported in British Ships; to prohibit the Expor-*
 “ *tation of Pig and Bar Iron, and certain Naval Stores, unless the*
 “ *Preemption thereof be offered to the Commissioners of the Navy; to*
 “ *repeal so much of an Act made in the Sixth Year of His present Ma-*
 “ *jefty's Reign, as discontinued the Drawback upon Foreign Rough*
 “ *Hemp exported; for providing a Compensation to the Clerks in the*
 “ *Offices of the Principal Secretaries of State, for the Advantages such*
 “ *Clerks enjoyed before the Commencement of an Act, made in the*
 “ *Fourth Year of the Reign of His present Majesty, for preventing*
 “ *Frauds and Abuses in relation to the sending and receiving Letters*
 “ *and Packets free from the Duty of Postage; and to explain and amend*
 “ *the said Act; it is amongst other Things enacted, that the Pre-*
 “ *emption or Refusal of all Pig and Bar Iron, Malts, Yards, Bow-*
 “ *sprits, Tar, Pitch, Turpentine, Hemp, rough and undressed Flax,*
 “ *and Tow, shall be offered and tendered to the Commissioners of*
 “ *His Majesty's Navy; and that such Goods shall not be exported,*
 “ *or entered or laden on board for Exportation, before such Tender,*
 “ *or before a Certificate of such Tender and Refusal, shall be pro-*
 “ *duced and delivered to the Officer of the Customs, under the Penal-*
 “ *ties and Forfeitures therein mentioned: And Whereas it appears*
 “ *no longer necessary to provide, in time of Peace, a Supply of Naval*
 “ *Stores for the public Use by such Restraint on Exportation; 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 during the Continuance of Peace, so much of the said Act as*
 “ *relates*

So much of
 recited Act as
 relates to Pre-

relates to such Tender and Refusal of Preemption shall be and the same is hereby repealed. emption, repealed.

C A P. XVIII.

An Act to facilitate the hearing and determining of Suits in Equity in His Majesty's Court of Exchequer at *Westminster*.

[29th March 1817.]

‘ **W**HEREAS the Proceedings on the Common Law Side of the Court of Exchequer have of late Years greatly increased, by reason whereof a sufficient Proportion of time cannot be allotted for hearing and determining Suits in Equity in the said Court : And Whereas the Business of that Court might be more easily dispatched if the Lord Chief Baron, or One other of the Barons of the Degree of the Coif, were duly authorized to hear and determine Suits and Proceedings on the Equity Side thereof, as is hereinafter enacted;’ 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 Lord Chief Baron of the said Court for the time being shall have Power to hear and determine all Causes, Matters and Things which shall be at any time depending in the said Court of Exchequer as a Court of Equity; and that if the said Lord Chief Baron shall by Sickness, or other unavoidable Cause, be prevented from sitting for the Purposes aforesaid, then it shall and may be lawful for His Majesty and His Successors to nominate and appoint from time to time, by Warrant under the Royal Sign Manual, revocable at Pleasure, any one other of the Barons of the Degree of the Coif of the said Court for the time being to hear and determine such Causes, Matters and Things.

The Lord Chief Baron empowered to determine Suits in Equity. If hindered, the King may appoint one other of the Barons.

II. And be it further enacted by the Authority aforesaid, That the said Lord Chief Baron, or the Baron so to be appointed shall sit at such times as the Lord Chief Baron and such Baron shall respectively, with regard to Matters to be heard before them respectively, appoint, and whether the rest of the Barons of the said Court shall be sitting or not; and that all Decrees, Orders, and Acts of the said Lord Chief Baron, or of such Baron so appointed as aforesaid, shall be deemed and taken to be respectively, as the Nature of the Case shall require, Decrees, Orders and Acts of the said Court of Exchequer, and shall have Force and Validity and be executed accordingly; subject only to be reversed, discharged or altered by the House of Lords, upon Appeal thereto, and as hereinafter mentioned.

To sit as the Lord Chief Baron, &c. shall appoint. Decrees to have full Force; subject to Appeal to House of Lords.

III. Provided that it shall and may be lawful for the said Lord Chief Baron, upon Petition by any of the Parties concerned, to rehear any Cause or Matter before decided, ordered, adjudged or decreed by such Lord Chief Baron, or by any other Baron appointed as aforesaid; and also for any Baron appointed as aforesaid, upon such Petition as aforesaid, to rehear any Cause or Matter before decided, ordered, adjudged or decreed by him the same Baron, and respectively thereupon to make such Order as may be just.

Lord Chief Baron or Baron may on Petition rehear Causes, &c.

C A P. XIX.

An Act for the more effectually preventing Seditious Meetings and Assemblies. [31st March 1817.]

‘ WHEREAS Assemblies of divers Persons, collected for the Purpose or under the Pretext of deliberating on public Grievances, and of agreeing on Petitions, Complaints, Remonstrances, Declarations or other Addresses to His Royal Highness The Prince Regent, or to both Houses or either House of Parliament, have of late been made use of to serve the Ends of factitious and seditious Persons, to the great Danger and Disturbance of the Public Peace, have produced Acts of Riot, Tumult and Disorder, and may become the Means of producing Confusion and Calamities in the Nation ;’ 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 Meeting of any Description of Persons exceeding the Number of Fifty Persons, (other than and except any Meeting of any County, Riding or Division, called by the Lord Lieutenant, Custos Rotulorum, or Sheriff of such County, or a Meeting called by the Convener of any County or Stewartry in that Part of *Great Britain* called *Scotland*, or any Meeting called by Two or more Justices of the Peace of the County or Place where such Meeting shall be holden, or any Meeting of any County having different Ridings or Divisions, called by any Two Justices of any One or more of such Ridings or Divisions, or any Meeting called by the major Part of the Grand Jury of the County, or of the Division of the County where such Meeting shall be holden, at their General Assizes or General Quarter Sessions of the Peace, or any Meeting of any City or Borough or Town Corporate, called by the Mayor or other Head Officer of such City or Borough or Town Corporate, or any Meeting of any Ward or Division of any City, called by the Alderman or other Head Officer of such Ward or Division, or any Meeting of any Corporate Body), shall be holden for the Purpose or on the Pretext of considering of or preparing any Petition, Complaint, Remonstrance or Declaration, or other Address to The King, or to His Royal Highness The Prince Regent, or to both Houses or either House of Parliament, for Alteration of Matters established in Church or State, or for the Purpose or on the Pretext of deliberating upon any Grievance in Church or State, unless Notice of the Intention to hold such Meeting, and of the time and Place when and where the same shall be proposed to be holden, and of the Purpose for which the same shall be proposed to be holden, shall be given, in the Names of Seven Persons at the least, being Householders resident within the County, City or Place where such Meeting shall be proposed to be holden, whose Places of Abode and Descriptions shall be inserted in such Notice, and which Notice shall be given by public Advertisement in some public Newspaper usually circulated in the County and Division where such Meeting shall be holden, Five Days at the least before such Meeting shall be holden, or shall be delivered in manner hereinafter mentioned ; and that such Notice shall not be inserted in any such Newspaper unless the Authority to insert such Notice shall

Meetings of more than Fifty Persons, (except County Meetings, &c. as here-in mentioned,)

not to be holden without Notice being given in some Newspaper signed by Seven Housekeepers at the least.

shall be signed by Seven Persons at the least, being Householders resident within the County, City or Place where such Meeting shall be proposed to be holden, and named in such Notice, and unless such Authority so signed shall be written at the Foot of a true Copy of such Notice, and shall be delivered to the Person required to insert the same in any such Newspaper as aforesaid, which Person shall cause such Notice and Authority to be carefully preserved, and shall also at any time after such Notice shall have been inserted in such Paper, and within Fourteen Days after the Day on which such Meeting shall be had, produce such Notice and Authority, and cause a true Copy thereof (if required) to be delivered to any Justice of the Peace for the County, City, Town or Place where such Person shall reside, or where such Newspaper shall be printed, and who shall require the same; and in case any Person shall insert any such Notice in any Newspaper without such Authority as aforesaid, or in case any Person to whom any such Notice and Authority shall have been delivered for the Purpose of inserting such Notice in any such Newspaper as aforesaid shall refuse to produce such Notice and Authority, or to deliver a true Copy thereof, being thereunto required as aforesaid, within Three Days after such Production and Copy or either of them shall have been so required, every such Person, for every such Offence, shall forfeit the Sum of Fifty Pounds to any Person who shall sue for the same.

Such Authority signed to be written at the Foot of a true Copy of Notice, &c.

Inserting such Notice without Authority, &c.

Penalty 50l.

II. Provided always notwithstanding, and be it further enacted, That it shall be lawful to deliver any such Notice as aforesaid, signed by the Seven Persons in whose Names such Notice shall be given, with their Places of Abode and Description, Five Days at the least before the Day on which such Meeting shall be holden, to the Clerk of the Peace of the County, Riding or Division, within which such Meeting shall be proposed to be holden; and such Notice so given by such Means as aforesaid shall be as effectual to all Intents and Purposes as if the same had been given by Public Advertisement inserted in any such Newspaper as aforesaid; and such Clerk of the Peace shall forthwith and without Delay, send a true Copy of such Notice, with such Signatures and Additions as aforesaid, to Three Justices of the Peace at the least, of such County, Riding, or Division, or in case the Justices of the Peace of the City, Borough or Town where such Meeting shall be proposed to be holden, shall have exclusive Jurisdiction, then to Three of such Justices, if so many shall then be resident within such Jurisdiction, and if not, then to so many of such Justices as shall be resident within such exclusive Jurisdiction.

Notice may be given to Clerk of the Peace, who shall send a Copy to Three Justices at the least.

III. And be it further enacted, That all Meetings of any Description of Persons, exceeding the Number of Fifty Persons, other than and except as aforesaid, which shall be holden without such previous Notice as aforesaid, for the Purpose or on the Pretext of considering of or preparing any Petition, Complaint, Remonstrance, Declaration or other Address to The King, or Prince Regent, or both Houses or either House of Parliament, for Alteration of Matters established in Church or State, or for the Purpose or on the Pretext of deliberating on any Grievance in Church or State, shall be deemed and taken to be unlawful Assemblies.

Meetings without Notice to be deemed unlawful Assemblies.

IV. And be it further enacted, That it shall not be lawful to adjourn any Meeting that shall be holden under and by virtue of such previous Notice, to any time after the Day specified in such

Respecting Adjournments of Meetings, &c.

Notice, for holding such Meeting, or to any other Place than that at which such Meeting shall first be holden in pursuance of such previous Notice; and that any Meeting of any Description of Persons, exceeding the Number of Fifty Persons (except as aforesaid), which shall be holden by way of or under Pretence of being an Adjourned Meeting, for the Purpose of or on the Pretext of considering of or preparing any Petition, Complaint, Remonstrance, Declaration or other Address to The King, or Prince Regent, or both Houses or either House of Parliament, for Alteration of Matters established in Church or State, or for the Purpose or on the Pretext of deliberating on any Grievance in Church or State, shall be deemed and taken to be an unlawful Assembly.

Assembling contrary to Act, not dispersing within one Hour after being required so to do by Proclamation to the Number of Twelve or more,

V. And be it further enacted, That if any Persons exceeding the Number of Fifty shall be assembled contrary to the Provisions hereinbefore contained, it shall and may be lawful for any One or more Justice or Justices of the Peace, or the Sheriff of the County in which such Assembly shall be, or his Under Sheriff, or the Mayor or other Head Officer or Justice of the Peace or Magistrate of any City or Town Corporate where such Assembly shall be, by Proclamation to be made in The King's Name, in the Form hereinafter directed, and he and they are hereby required to make or cause to be made Proclamation in the King's Name, to command all Persons there assembled to disperse themselves, and peaceably to depart to their Habitations, or to their lawful Business; and if any such Persons shall, to the Number of Twelve or more, notwithstanding such Proclamation made, remain or continue together by the Space of One Hour after such Proclamation made, that then such continuing together to the Number of Twelve or more shall be adjudged Felony without Benefit of Clergy, and the Offenders therein shall be adjudged Felons, and shall suffer Death as in cases of Felony without Benefit of Clergy.

Death.

Form of Proclamation.

VI. And be it further enacted, That the Order and Form of the Proclamation to be made as aforesaid, shall be as hereafter following; (that is to say,) the Justice of the Peace, or other Person, or One of the Justices of Peace, or One of the other Persons authorized by this Act to make the said Proclamation, shall, among the said Persons assembled, or as near to them as he can safely come, with a loud Voice, command or cause to be commanded Silence to be while Proclamation is making; and after that shall openly and with loud Voice make or cause to be made Proclamation in these Words, or like in Effect:

“ Our Sovereign Lord the King chargeth and commandeth
 “ all Persons here assembled immediately to disperse themselves, and peaceably to depart to their Habitations or
 “ to their lawful Business, upon Pain of Death.

“ GOD SAVE THE KING !”

Meetings held in pursuance of Notice, where Notice expresses certain Particulars herein mentioned, to be dispersed by Proclamation.

VII. And be it further enacted, That in case any Meeting shall be holden in pursuance of any such Notice as aforesaid, and such Notice, or any Matter which shall be in such Notice proposed to be propounded or deliberated upon at such Meeting shall express or purport that any matter or thing by law established may be altered, otherwise than by the Authority of The King, Lords and Commons, in Parliament assembled, or such Notice, or any matter therein contained, shall tend to incite or stir up the People to Hatred or Contempt

Contempt of the Person of His Majesty, His Heirs or Successors, or of the Government and Constitution of this Realm as by Law established, it shall be lawful for One or more Justice or Justices of the Peace, or the Sheriff of the County where such Meeting shall be, or his Under Sheriff, or for the Mayor or other Head Officer, or any Justice of the Peace or Magistrate of any City or Town Corporate where any such Meeting shall be, by Proclamation in The King's Name, in the manner and Form hereinbefore set forth, to command the Persons there assembled to disperse themselves, and peaceably to depart to their Habitations, or to their lawful Business; and if any Persons, to the Number of Twelve or more, being so commanded by Proclamation made, to disperse themselves and peaceably to depart to their Habitations or to their lawful Business, shall, to the Number of Twelve or more, notwithstanding such Proclamation made, remain or continue together by the Space of One Hour after such Proclamation made, that then such continuing together, to the Number of Twelve or more, shall be adjudged Felony without Benefit of Clergy, and the Offenders therein shall be adjudged Felons, and shall suffer Death as in cases of Felony, without Benefit of Clergy.

Persons to the Number of Twelve or more, not dispersing within one Hour after Proclamation made,

Death.

VIII. And be it further enacted, That if any one or more Justice or Justices of the Peace, or the Sheriff or Under Sheriff of the County, present at any Meeting therein requiring such Notice as aforesaid, or the Mayor or other Head Officer, or Justice of the Peace or Magistrate of any City or Town Corporate, present at any Meeting therein requiring such Notice as aforesaid, shall see Cause to order, and shall order any Person or Persons who shall at such Meeting proceed to propound or maintain any Proposition for altering any thing by Law established, otherwise than by the Authority of The King, Lords and Commons, in Parliament assembled, or shall wilfully and advisedly make any Proposition, or hold any Discourse for the Purpose of inciting and stirring up the People to Hatred or Contempt of the Person of His Majesty, His Heirs or Successors, or the Government and Constitution of this Realm as by Law established, to be taken into Custody to be dealt with according to Law; then and in case the said Justice or Justices, Sheriff or Under Sheriff, Mayor, Head Officer or Magistrate present at such Meetings respectively, or any of them respectively, or any Peace Officer acting under their or any of their Orders, shall be obstructed in taking into Custody any Person or Persons so ordered to be taken into Custody, it shall be lawful for any such Justice or Justices, Sheriff, Under Sheriff, Mayor, Head Officer or Magistrate respectively, thereupon to make or cause to be made such Proclamation as aforesaid in manner and Form aforesaid; and if any Persons to the Number of Twelve or more, being commanded by such Proclamation to disperse themselves and peaceably to depart as aforesaid; shall to the Number of Twelve or more, notwithstanding such Proclamation made, remain or continue together by the Space of One Hour after Proclamation made, that then such continuing together to the Number of Twelve or more shall be adjudged Felony without Benefit of Clergy, and the Offenders therein shall be adjudged Felons, and shall suffer Death as in case of Felony, without Benefit of Clergy.

Obstructing Justices, &c. in taking Offenders into Custody,

and Proclamation as aforesaid being thereupon made, and Persons to the Number of Twelve or more remaining longer than One Hour, Death.

IX. And be it further enacted, That every Justice and Justices of the Peace, Sheriff, Under Sheriff, Mayor and other Head Officer

Power to Justices to resort to Assemblies, and

require Assistance of Civil Power.

and Magistrate aforesaid, is and are hereby respectively authorized and empowered, on Notice or Knowledge of any such Meeting or Assembly as is hereinbefore mentioned, to resort to the Place where such Meeting or Assembly shall be, or shall be intended to be holden, or to any Part thereof, and there to do or order, or cause to be done, all such Acts, matters and things as the case may require, which they are hereby enabled to do or order to be done, or which they are otherwise by Law enabled to do or order to be done; and it shall be lawful for all and every Justices of the Peace, Sheriff, Under Sheriff, Mayor, Head Officer and Magistrate respectively as aforesaid, to take and require the Assistance of any Number of Constables or other Officers of the Peace within their respective Districts, or within the District or Place wherein every such Meeting as hereinbefore mentioned shall be holden, which Constables and other Officers of the Peace are hereby required to attend accordingly, and to give such Assistance as shall be necessary for the due Execution of this Act.

Persons not dispersing within One Hour to be apprehended and proceeded against.

X. And be it further enacted, That if such Persons so assembled as aforesaid, or Twelve or more of them, after Proclamation made in manner and Form aforesaid, shall continue together and not disperse themselves within One Hour, that then it shall and may be lawful to and for every Justice of the Peace, Sheriff or Under Sheriff of the County where such Assembly shall be, and also to and for every High or Petty Constable, and other Peace Officer within such County, and also to and for every Mayor, Justice of the Peace, Head Officer, Magistrate, High or Petty Constable, and other Peace Officer, of any City or Town Corporate where such Assembly shall be, and to and for such other Person and Persons as shall be commanded to be assisting unto any such Justice of the Peace, Sheriff or Under Sheriff, Mayor, Head Officer and Magistrate respectively as aforesaid, who are hereby authorized and empowered to command all His Majesty's Subjects, of Age and Ability, to be assisting to them therein, to seize and apprehend, and they are hereby required to seize and apprehend such Persons so assembled and continuing together after Proclamation made as aforesaid, and forthwith to carry the Person or Persons so apprehended before One or more of His Majesty's Justices of the Peace of the County or Place where such Person or Persons shall be so apprehended, in order to his, her or their being proceeded against for such Offences according to Law; and that if the Persons so assembled, or any of them, shall happen to be killed, maimed or hurt, in the dispersing, seizing or apprehending, or endeavouring to disperse, seize or apprehend them, by reason of their resisting the Persons so dispersing, seizing or apprehending, or endeavouring to disperse, seize or apprehend them, that every such Justice of the Peace, Sheriff, Under Sheriff, Mayor, Head Officer, Magistrate, High or Petty Constable or other Peace Officer, and all and singular Persons being aiding and assisting to them or any of them, shall be free, discharged and indemnified, as well against The King's Majesty, His Heirs and Successors, as against all and every other Person and Persons, of, for or concerning the killing, maiming or hurting of any such Person or Persons so continuing together as aforesaid that shall happen to be so killed, maimed or hurt as aforesaid.

Justices, &c. indemnified in case of killing or maiming.

XI. Pro-

XI. Provided always, and be it further enacted, That if any Person or Persons do or shall, with Force and Arms, wilfully and knowingly oppose, obstruct, or in any manner wilfully and knowingly let, hinder or hurt any Justice of the Peace, or other Person authorized as aforesaid, who shall attend any such Meeting as aforesaid, or who shall be going to attend any such Meeting, or any Person or Persons who shall begin to proclaim, or go to proclaim, according to any Proclamation hereby directed to be made, whereby such Proclamation shall not be made, that then every such opposing, obstructing, letting, hindering or hurting any such Justice or other Persons so authorized as aforesaid, and so attending or going to attend any such Meeting, or any such Person or Persons so beginning or going to make any such Proclamation as aforesaid, shall be adjudged Felony, without Benefit of Clergy; and the Offenders therein shall be adjudged Felons, and shall suffer Death as in case of Felony, without Benefit of Clergy; and that also every such Person or Persons so being assembled as aforesaid, to the Number of Fifty or more as aforesaid, to whom any such Proclamation as aforesaid should or ought to have been made, if the same had not been hindered as aforesaid, shall likewise, in case they or any of them, to the Number of Twelve or more, shall continue together and not disperse themselves within One Hour after such Let or Hindrance so made, having Knowledge of such Let or Hindrance so made, shall be adjudged Felons, and shall suffer Death as in case of Felony, without Benefit of Clergy; and that also if any Person or Persons so being at any such Assembly as aforesaid, shall with Force and Arms wilfully and knowingly oppose, obstruct, or in any manner wilfully and knowingly let, hinder or hurt any Justice of the Peace or other Magistrate, or any Peace Officer, in apprehending or taking into Custody, in Execution of any of the Provisions of this Act hereinbefore contained, any Person or Persons, or endeavouring so to do, that then every such opposing, obstructing, letting, hindering or hurting, shall be adjudged Felony, without Benefit of Clergy; and the Offenders therein shall be adjudged Felons, and shall suffer Death as in case of Felony, without Benefit of Clergy.

Persons obstructing Justices, &c.

Death.

Persons so assembled, to whom Proclamation, if not obstructed, would have been made, knowingly remaining, Death.

Such Persons obstructing Justices, &c.

Death.

XII. And be it further enacted, That the Sheriffs, Depute and their Substitutes, Stewards Depute and their Substitutes, Justices of the Peace, Magistrates of Royal Boroughs and all other inferior Judges and Magistrates, and also all High and Petty Constables or other Peace Officers of any County, Stewartry, City or Town, within that Part of *Great Britain* called *Scotland*, shall have such and the same Powers and Authorities for putting this present Act in Execution within *Scotland*, as the Justices of the Peace and other Magistrates and Constables aforesaid respectively have by virtue of this Act, within and for the other Parts of his Kingdom; and that all and every Person and Persons who shall at any time be convicted of any of the Felonies aforesaid, within that Part of *Great Britain* called *Scotland*, shall for every such Offence incur and suffer the Pains of Death and Confiscation of Moveables.

Sheriffs Depute in Scotland to have the same Powers as Magistrates in England.

XIII. Provided always, and be it enacted and declared, That nothing herein contained shall be deemed or construed to render lawful any Notice, or the Act of giving or publishing any Notice, according to the Provisions hereinbefore contained, which Notice or

Notices contrary to Law not hereby rendered lawful.

Act would have been contrary to Law if this Act had not been made.

Places for Lectures or Debates, receiving Money, &c. unless previously licensed, deemed to be disorderly Places.

XIV. And Whereas divers Places have of late been used for delivering Lectures or Discourses, and holding Debates, which Lectures, Discourses or Debates have in many Instances been of a seditious and immoral Nature; Be it further enacted, That every House, Room, Field or other Place, at or in which any Lecture or Discourse shall be publicly delivered, or any public Debate shall be had, on any Subject whatever, for the Purpose of raising or collecting Money or any other valuable thing, from the Persons admitted, or to which any Person shall be admitted by Payment of Money, or by any Ticket or Token of any Kind delivered in consideration of Money, or any other valuable thing, or in consequence of paying or giving, or having paid or given, or having agreed to pay or give, in any manner, any Money or other valuable thing, or where any Money or other valuable thing shall be received from any Person admitted, either under Pretence of paying for any Refreshment or other thing, or under any other Pretence, or for any other Cause, or by means of any Device or Contrivance whatever, shall be deemed a disorderly House or Place, unless the same shall have been previously licensed in manner hereinafter mentioned; and the Person by whom such House, Room, Field or Place shall be opened or used, for any of the Purposes aforesaid, shall forfeit the Sum of One Hundred Pounds for every Day or Time that such House, Room, Field or Place shall be opened or used as aforesaid, to such Person as will sue for the same, and be otherwise punished as the Law directs in cases of disorderly Houses; and every Person managing or conducting the Proceedings, or acting as Moderator, President, or Chairman at such House, Room, Field or Place, so opened or used as aforesaid, or therein debating, or delivering any Discourse or Lecture, and also every Person who shall pay, give, collect or receive, or agree to pay, give, collect or receive, any Money or any Thing for or in respect of the Admission of any Person into any such House, Room, Field or Place, or shall deliver out, distribute, or receive any such Ticket or Tickets, or Token or Tokens as aforesaid, knowing such House, Room, Field or Place to be opened or used for any such Purpose as aforesaid, shall, for every such Offence, forfeit the Sum of Twenty Pounds.

Opening such Places, Penalty 100l.

Conducting the Proceedings, &c. at such Places, &c.

Penalty 20l.

What Persons deemed to have opened, &c. such Places.

XV. And be it further enacted, That any Person who shall at any time hereafter appear, act or behave him or herself as Master or Mistress, or as the Person having the Command, Government or Management of any such House, Room, Field or Place as aforesaid, shall be deemed and taken to be a Person by whom the same is opened or used as aforesaid, and shall be liable to be sued or prosecuted and punished as such, notwithstanding he or she be not in fact the real Owner or Occupier thereof.

Magistrates may demand Admission to suspected Places.

XVI. And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace of any County, Stewartry, City, Borough, Town or Place, who shall, by Information upon Oath, have reason to suspect that any House, Room, Field or Place, or any Parts or Part thereof, are or is opened or used for the Purpose of delivering Lectures or Discourses, or for public Debate, contrary to the Provisions of this Act, to go to such House, Room, Field or Place, and demand to be admitted therein; and in case such

Justice or Justices shall be refused Admittance to such House, Room, Field or Place, or any Part thereof, the same shall be deemed a disorderly House or Place within the Intent and Meaning of this Act; and all and every the Provisions hereinbefore contained respecting any House, Room, Field or Place, hereinbefore declared to be a disorderly House or Place, shall be applied to such House, Room, Field or Place, where such Admittance shall have been refused as aforesaid, and every Person refusing such Admittance, shall forfeit the Sum of Twenty Pounds.

Refusing Admittance, deemed a disorderly Place, and Penalty 20l.

XVII. Provided nevertheless, and be it further enacted, That it shall be lawful for Two or more Justices of the Peace for the County, Stewartry, City, Borough, Town or Place, where any House, Room or other Building shall be intended to be opened for any of the Purposes aforesaid, by Writing under their Hands and Seals, at their General Quarter or General Sessions of the Peace, or at any Special Session to be held for the particular Purpose, to grant a Licence to any Person or Persons desiring the same, to open such House, Room or other Building, for the Purpose of delivering for Money any such Lectures or Discourses as aforesaid, or for the Purpose of holding Debates on any Subjects, the same being clearly expressed in such Licence, for which Licence a Fee of One Shilling and no more shall be paid; and the same shall be in Force for the Space of One Year and no longer, or for any less Space of time therein to be specified; and which Licence it shall be lawful for the Justices of the Peace of the same County, Stewartry, City, Borough, Town or Place, at any General Quarter or General Sessions of the Peace, to revoke and declare void and no longer in force, by any Order of such Justices; a Copy whereof shall be delivered to or served upon the Person to whom the said Licence so revoked shall have been granted, or shall be left at the House, Room or Building for which such Licence shall have been granted; and thereupon such Licence shall cease and determine, and be thenceforth utterly void and of no Effect.

Two Justices may license Places for Lectures, &c.

Fee for Licence.

Licences may be revoked.

Copy of Order revoking to be served.

XVIII. Provided always, and be it enacted, That it shall be lawful for any Justice or Justices of the Peace of any County, Stewartry, City, Borough, Town or Place, where any such House, Room or other Building shall be licensed as herein provided, to go to such House, Room or Building so licensed, at the time of delivering any such Lecture or Discourse, or of holding any Debate therein, as aforesaid, or at the time appointed for delivering any such Lecture or Discourse, or of holding any Debate, and demand to be admitted therein; and in case such Justice or Justices shall be refused Admittance to such House, Room or Building, the same shall be deemed, notwithstanding any such Licence as aforesaid, a disorderly House or Place within the meaning of this Act; and all and every the Provisions hereinbefore contained respecting any House, Room, Field or Place hereinbefore declared to be a disorderly House or Place, shall be applied to such House, Room or Building, so licensed as aforesaid, where such Admittance shall have been refused as aforesaid; and every Person refusing such Admittance shall forfeit the Sum of Twenty Pounds, to any Person who shall sue for the same.

Justices may inspect licensed Places.

Refusing Admittance, deemed a disorderly Place, and

Penalty 20l.

XIX. Provided also, and be it enacted, That it shall be lawful for any Two Justices of the Peace, acting for any County, Stewartry,

In case of seditious or immoral Lectures, Two

Justices may de-
clare Licence
forfeited.

artry, Riding, Division, City, Town or Place, upon Evidence on Oath that any House, Room or Place, so licenced and opened as aforesaid, is commonly used for the Purpose of delivering there Lectures or Discourses of a seditious or immoral Tendency, to ad- judge and declare the Licence for opening the same to have been forfeited, and such Licence shall thereupon cease and determine, and shall thenceforth be utterly void and of no Effect.

Proviso for Lec-
tures at the
Universities,
Inns of Court,
Gresham Col-
lege, &c.

XX. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to any Lecture or Discourses to be delivered in any of the Universities of these Kingdoms by any Member thereof, or any Person authorized by the Chancellor, Vice Chancellor, or other proper Officers of such Universities respectively; or to any Lecture or Discourse to be delivered in the Public Hall of any of the Inns of Court of Chan- cery, by any Person authorized by the Benchers of the Inns of Court, or by the Professors in *Gresham College*, or to the Professors in the College established for the Education of the Civil Servants of the *East India Company*, or the Seminaries established for the Education of their Military Service, or to any Society or Body of Men incorporated or established by Royal Charter, or by Authority of Parliament; and that no Payment made to any Schoolmaster or other Person by Law allowed to teach and instruct Youth, in re- spect of any Lectures or Discourses delivered by such Schoolmaster or other Person for the Instruction only of such Youth as shall be committed to his Instruction, shall be deemed a Payment of Money for Admission to such Lectures or Discourses within the Intent and Meaning of this Act.

and for Pay-
ments to School-
masters for
Lectures.

Limitation of
Prosecutions.

XXI. Provided always, That no Person shall be prosecuted by virtue of this Act for any thing done or committed contrary to the Provisions hereinbefore contained, unless such Prosecution shall be commenced within Six Calendar Months after the Offence committed.

Commencement
and Duration of
Act as to all the
foregoing
Clauses.

XXII. Provided always, That all the Clauses and Provisions hereinbefore contained shall commence and have effect within the City of *London*, and within Twenty Miles thereof, from the Day next after the Day of passing this Act; and shall commence and have effect, within all other Parts of the Kingdom, from the Ex- piration of Seven Days next after the Day of passing this Act; and shall be and continue in force until the Twenty-fourth day of *July* One thousand eight hundred and eighteen.

Regulating the
Place of Public
Meetings in
Westminster.

XXIII. And Whereas it is highly inexpedient that Public Meetings or Assemblies should be held near the Houses of Par- liament, or near His Majesty's Courts of Justice in *Westminster Hall*, on such Days as are hereinafter mentioned; Be it therefore enacted, and it is hereby enacted, That it shall not be lawful for any Person or Persons to convene or call together, or to give any Notice for convening or calling together, any Meeting of Persons consisting of more than Fifty Persons, or for any Number of Persons ex- ceeding Fifty to meet in any Street, Square, or open Place in the City or Liberties of *Westminster*, or County of *Middlesex*, within the Distance of One Mile from the Gate of *Westminster Hall*, save and except such Parts of the Parish of *Saint Paul's Covent Garden* as are within the said Distance, for the Purpose or on the Pretext of considering of or preparing any Petition, Complaint, Remonstrance, Declaration,

Declaration, or other Address to The King, or to His Royal Highness The Prince Regent, or to both Houses or either House of Parliament, for Alteration of Matters in Church or State, on any Day on which the Two Houses or either House of Parliament shall meet and sit, or shall be summoned or adjourned or prorogued to meet or sit, nor on any Day on which His Majesty's Courts of Chancery, King's Bench, Common Pleas and Exchequer, or any of them, or any Judge of any of them, shall sit in *Westminster Hall*, any thing hereinbefore contained to the contrary notwithstanding; and that if any Meeting or Assembly, for the Purposes or on the Pretexes aforesaid, of any Persons, shall be assembled or holden on any such Day, contrary to the Intent and Meaning of this Enactment, such Meeting or Assembly shall be deemed and taken to be an unlawful Assembly, by whomsoever or in consequence of what Notice soever such Meeting or Assembly shall have been holden: Provided that nothing in this Enactment contained shall by any Construction whatever be deemed or taken to apply to or affect any Meeting convened, called or holden for the Election of Members of Parliament, or any Persons attending such Meetings, or to any Persons attending upon the Business of either House of Parliament or any of the said Courts.

Proviso for Meetings convened for Election of Members of Parliament.

'XXIV. And Whereas divers Societies or Clubs have been instituted, in the Metropolis and in various Parts of this Kingdom, of a dangerous Nature and Tendency, inconsistent with the Public Tranquillity, and the Existence of the established Government, Laws and Constitution of the Kingdom; and the Members of many of such Societies or Clubs have taken unlawful Oaths and Engagements of Fidelity and Secrecy, and have taken or subscribed, or assented to, illegal Tests and Declarations; and many of the said Societies or Clubs elect, appoint or employ Committees, Delegates, Representatives or Missionaries of such Societies or Clubs, to meet, confer, communicate or correspond with other Societies or Clubs, or with Delegates, Representatives or Missionaries of such other Societies or Clubs, and to induce and persuade other Persons to become Members thereof, and by such means maintain an Influence over large Bodies of Men, and delude many ignorant and unwary Persons into the Commission of Acts highly criminal: And Whereas certain Societies or Clubs calling themselves *Spenceans* or *Spencean Philanthropists*, hold and profess for their Object the Confiscation and Division of the Land, and the Extinction of the Funded Property of the Kingdom: And Whereas it is expedient and necessary that all such Societies and Clubs as aforesaid should be utterly suppressed and prohibited as unlawful Combinations and Confederacies, highly dangerous to the Peace and Tranquillity of this Kingdom, and to the Constitution of the Government thereof, as by Law established; Be it enacted, That from and after the passing of this Act, all Societies or Clubs calling themselves *Spenceans* or *Spencean Philanthropists*, and all other Societies or Clubs, by whatever Name or Description the same are called or known, who hold and profess, or who shall hold and profess, the same Objects and Doctrines, shall be and the same are hereby utterly suppressed and prohibited, as being unlawful Combinations and Confederacies against the Government of

Spencean Societies or Clubs, &c. suppressed and prohibited.

our

our Sovereign Lord the King, and against the Peace and Security of His Majesty's liege Subjects.

Societies taking
unlawful Oaths,
&c. within

37 G. 3. c. 123.

52 G. 3. c. 104.

or requiring, &c.
Tests or Decla-
rations not
required by Law,
or electing Com-
mittees, Dele-
gates, &c.
deemed guilty of
unlawful Com-
bination within
39 G. 3. c. 79.

Persons becom-
ing Members
such Societies,
&c.

deemed guilty of
unlawful Com-
binations within
39 G. 3. c. 79.
and proceeded

XXV. And be it further enacted, That from and after the passing of this Act, all and every the said Societies or Clubs, and also all and every other Society or Club now established or hereafter to be established, the Members whereof shall be required or admitted to take any Oath or Engagement which shall be an unlawful Engagement within the Meaning of an Act passed in the Thirty seventh Year of His Majesty's Reign, intituled *An Act for more effectually preventing the administering and taking of unlawful Oaths*, or within the Meaning of an Act passed in the Fifty second Year of His present Majesty's Reign, intituled *An Act to render more effectual an Act, passed in the Thirty seventh Year of His present Majesty, for preventing the administering and taking of unlawful Oaths*, or to take any Oath not required or authorized by Law; and every Society or Club, the Members whereof or any of them shall take or in any manner bind themselves by any such Oath or Engagement, on becoming, or in order to become, or in consequence of being a Member or Members of such Society or Club; and every Society or Club, the Members or any Member whereof shall be required or admitted to take, subscribe or assent to, or shall take, subscribe or assent to any Test or Declaration not required or authorized by Law, in whatever manner or Form such taking or assenting shall be performed, whether by Words, Signs, or otherwise; either on becoming or in order to become, or in consequence of being a Member or Members of any such Society or Club; and every Society or Club that shall elect, appoint, nominate or employ any Committee, Delegate or Delegates, Representative or Representatives, Missionary or Missionaries, to meet, confer or communicate with any other Society or Club, or with any Committee, Delegate or Delegates, Representative or Representatives, Missionary or Missionaries, of such other Society or Club, or to induce or persuade any Person or Persons to become Members thereof, shall be deemed and taken to be unlawful Combinations and Confederacies, within the Meaning of 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 better preventing treasonable and seditious Practices*, and shall and may be profecuted, proceeded against and punished, according to the Provisions of the said Act; and every Person who, from and after the passing of this Act, shall become a Member of any such Society or Club, or who, after the passing of this Act, shall act as a Member thereof, and every Person who, from and after the passing of this Act, shall directly or indirectly maintain Correspondence or Intercourse with any such Society or Club, or with any Committee or Delegate, Representative or Missionary, or with any Officer or Member thereof, as such, or who shall, by Contribution of Money or otherwise, aid, abet or support such Society or Club, or any Members or Officers thereof, as such, shall be deemed guilty of an unlawful Combination and Confederacy within the Intent and Meaning of the said Act passed in the Thirty ninth Year of His Majesty's Reign, for the more effectual Suppression of Societies established for seditious and treasonable

sonable Purposes; and for better preventing treasonable and seditious Practices; and shall and may be proceeded against, prosecuted and punished, according to the Provisions of the said Act, with regard to the Prosecution and Punishment of unlawful Combinations and Confederacies.

against accordingly.

XXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to any Society or Societies holden under the Denomination of Lodges of Freemasons, in conformity to the Rules prevailing in such Societies of Freemasons, provided such Lodges shall comply with the Rules and Regulations contained in the said Act of the Thirty ninth Year of His present Majesty, relating to such Lodges of Freemasons; nor to any Declaration to be taken, subscribed or assented to by the Members of any Society, the Form of which Declaration shall have been first approved and subscribed by two or more Justices of the Peace, and confirmed by the major Part of the Justices present at a General Session, or at a General Quarter Sessions of the Peace, pursuant to the Rules and Regulations contained in the said Act of the Thirty ninth Year of His present Majesty; nor shall extend or be construed to extend to any Meeting or Society of the People commonly called *Quakers*; or to any Meeting or Society formed or assembled for Purposes of a Religious or Charitable Nature only, and in which no other Matter or Business whatsoever shall be treated of or discussed.

Proviso for Freemasons' Lodges, and for Declaration approved by Two Justices, pursuant to 39 G. 3. c. 79. and for Meetings or Societies of Quakers or for Charitable Purposes.

XXVII. And Whereas in the said Act of the Thirty ninth Year of the Reign of His present Majesty, it is amongst other Things enacted, 'That every Society which shall be composed of different Divisions or Branches, or of different Parts acting in any manner separately or distinct from each other, or of which any Part shall have any separate or distinct President, Secretary, Treasurer, Delegate or other Officer elected or appointed by or for such Part, or to act as an Officer for such Part, shall be deemed and taken to be unlawful Combinations and Confederacies;' Be it enacted, That the said Enactment shall not extend or be construed to extend to any Meeting or Society of the People commonly called *Quakers*, or to any Meeting or Society formed or assembled for Purposes of a Religious or Charitable Nature only, and in which no other Matter or Business whatsoever shall be treated of or discussed.

39 G. 3. c. 79. § 2. not to extend to Quakers' Meetings, &c.

XXVIII. And be it further enacted, That if any Person shall knowingly permit any Meeting of any Society or Club hereby declared to be an unlawful Combination or Confederacy, or of any Division, Branch or Committee of such Society or Club, to be held in any House or Apartment, Building or other Place, to him or her belonging, or in his or her Possession or Occupation, such Person shall, for the First Offence, forfeit the Sum of Five Pounds, and shall, for any such Offence committed after the Date of his or her Conviction for such First Offence, be deemed guilty of an unlawful Combination and Confederacy, in Breach of this Act.

Person permitting unlawful Assemblies in his House, &c. First Offence, Penalty 5l. Further Offence,

Combination.

XXIX. And be it further enacted, That it shall be lawful for any two or more Justices of the Peace, acting for any County, Stewarty, Riding, Division, City, Town or Place, upon evidence on Oath that any Meeting of any Society or Club hereby declared to be an unlawful Combination and Confederacy, or any Meeting for

Licences of Public Houses where unlawful Clubs are held, to be forfeited,

for any seditious Purpose, hath been held, after the passing of this Act, at any House, Room or Place, licensed for the Sale of Ale, Beer, Wine or Spirituous Liquors, with the Knowledge and Consent of the Person keeping such House, Room or Place, to adjudge and declare the Licence or Licences for selling Ale, Beer, Wine or Spirituous Liquors, granted to the Person or Persons keeping such House, Room or Place, to be forfeited; and the Person or Persons so keeping such House, Room or Place, shall, from and after the Day of the Date of such Adjudication and Declaration, and Notice thereof given to him, her or them, be subject and liable to all and every the Penalties and Forfeitures for any Act done after that Day, which such Person or Persons would be subject and liable to, if such Licence or Licences had expired, or otherwise determined on that Day.

and Penalty.

Penalties exceeding 20l. how to be recovered.

XXX. And be it further enacted, That all or any of the Pecuniary Fines, Penalties or Forfeitures, exceeding the Sum of Twenty Pounds, incurred under this Act, in *England, Wales, or Berwick upon Tweed*, may be recovered by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, and in *Scotland* in the Court of Session there; and it shall be sufficient to declare in *England* or conclude in *Scotland*, that the Defendant or Defender is indebted to the Plaintiff or Pursuer in the Sum of

(being the Sum demanded by the said Action) being forfeited by an Act made in the Fifty seventh Year of the Reign of His present Majesty, intituled *An Act for the more effectually preventing Seditious Meetings and Assemblies*; and the Plaintiff or Pursuer, if he shall recover in such Action, shall have his full Costs or Expences; and any pecuniary Penalty imposed by this Act not exceeding the Sum of Twenty Pounds, and for the Recovery whereof no Provision is hereinbefore contained, shall and may be recovered before any Justice or Justices of the Peace for the County, Stewartry, Riding, Division, City, Town or Place, in which the same shall be incurred, or the Person having incurred the same shall happen to be, in a summary Way; and in case such last mentioned Penalty shall not be forthwith paid, such Justice or Justices shall, by Warrant under his or their Hand and Seal or Hands and Seals, and directed to any Constable or other Peace Officer, 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 or made, such Justice or Justices shall commit the Offender to the Common Gaol or House of Correction for such County, Stewartry, Riding, Division, City, Borough, Town or Place, there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months, nor less than Three Calendar Months: Provided always, that no Person shall be prosecuted or sued for any pecuniary Penalty imposed by this Act, unless such Prosecution shall be commenced, or such Action shall be brought within Three Calendar Months next after such Penalty shall have been incurred.

57 G. 3. c. 19.

Penalties not exceeding 20l. how to be recovered.

Distress.

Limitation of Prosecution for Penalty.

Application of Penalties.

XXXI. And be it further enacted, That all pecuniary Penalties and Forfeitures imposed by this Act shall, when recovered, either by Action in any Court, or in a summary Way before any Justice, be applied and disposed of in manner hereinafter mentioned; that is to say, One Moiety thereof to the Plaintiff in any such Action, or to

to the Informer before any Justice, and the other Moiety thereof to His Majesty, His Heirs and Successors.

XXXII. And be it further enacted, That any Action and Suit which shall be brought or commenced against any Justice or Justices of the Peace, Constable, Peace Officer or other Person or Persons, in *England, Wales* or the Town of *Berwick upon Tweed*, for any thing done or acted in pursuance of this Act, shall be commenced within Three Calendar Months next after the Fact committed, and not afterwards; and the Venue in every such Action or Suit shall be laid in the proper County where the Fact was committed, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and if such Action or Suit shall be brought or commenced after the time limited for bringing the same, or the Venue shall be laid in any other Place than as aforesaid, then the Jury shall find a Verdict for the Defendant or Defendants; and in such Case, or if the Jury shall find a Verdict for the Defendant or Defendants upon the Merits, or if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her or their Action after Appearance, or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs; which he or they shall and may recover in such and the same manner as any Defendant can by Law in other Cases.

Limitation of Actions.

General Issue may be pleaded.

Double Costs.

XXXIII. And be it further enacted, That every Action and Suit which shall be brought or commenced against any Person or Persons in *Scotland*, for any thing done or acted in pursuance of this Act, shall in like manner be commenced within Three Calendar Months after the Fact committed, and not afterwards, and shall be brought in the Court of Session in *Scotland*; and the Defender or Defenders may plead that the Matter complained of was done in pursuance of this Act, and may give this Act and the Special Matter in Evidence; and if such Action or Suit shall be brought or commenced after the time limited for bringing the same, then the same shall be dismissed; and in such case, or if the Defender or Defenders shall be absolved, or the Pursuer or Pursuers shall suffer the Action or Suit to fall asleep, or a Decision shall be pronounced against the Pursuer or Pursuers upon the Relevancy, the Defender or Defenders shall have Treble Costs or Expences; which he or they shall and may recover in such and the same manner as any Defender can by Law recover Costs or Expences in other cases.

Limitation of Actions, &c. in Scotland.

Plea.

Treble Costs.

XXXIV. And be it further enacted, That Convictions by any Justice or Justices of the Peace for Offences against this Act, and Adjudications of Forfeitures of Licences to be made in pursuance of this Act, shall or may be in the several Forms set forth for such Purposes respectively in the Schedule to this Act annexed, or in Words to that Effect.

Form of Conviction.

XXXV. Provided always, and be it enacted, That nothing in this Act contained shall be deemed to take away or abridge any Provision already made by the Law of this Realm, or of any Part thereof, for the Suppression or Punishment of any Offence whatsoever described in this Act.

Act not to affect other Provisions made by Law.

XXXVI. Provided also, and be it enacted, That no Person shall be prosecuted under this Act, for having been, before the passing of this

Proviso for Persons having been Members of any

Club previous to the passing of this Act, &c.

No Double Prosecution.

Persons already in Custody, &c. not discharged.

Power of the Attorney General and Lord Advocate and Secretary of State to stay Proceedings.

How Damage done by riotous or tumultuous Assemblies to be recovered.

1 G. I. c. 5.

this Act, a Member of any Society or Club declared hereby to be an unlawful Combination and Confederacy, if such Person shall not in any manner have acted as a Member of such Society or Club after the passing of this Act; but that nothing in this Act contained shall extend to prevent any Prosecution, by Indictment or otherwise, for any thing which shall be an Offence within the Intent and Meaning of this Act, and which might have been so prosecuted if this Act had not been made: Provided always, that no Person who shall be prosecuted and convicted or acquitted of any Offence against this Act shall be subject or liable to be again prosecuted for the same Offence: Provided always, that nothing herein contained shall extend to discharge any Person in Custody at the time of passing this Act, or who having been in Custody shall have been discharged on Bail or Recognizance, from any Prosecution which might have been had against such Person if this Act had not been made.

XXXVII. Provided always, and be it enacted, That in case any Proceeding or Prosecution shall be instituted, commenced or prosecuted for any Offence committed against the said Act of the Thirty ninth Year of His present Majesty, or against this Act, either by Action, or by Information before any Justice or Justices, or otherwise, it shall and may be lawful for His Majesty's Attorney General for the time being, as to any such Action, Information or other Proceeding, in *England*, or for the Lord Advocate of *Scotland* as to any such Action, Information or other Proceeding in *Scotland*, to order any such Action, Information or other Proceeding to be stayed; and in case of any Judgment or Conviction upon any such Action, Information or Proceeding, it shall and may be lawful for any One of His Majesty's Principal Secretaries of State, by any Order made for that Purpose under his Hand, to stay the Execution of such Judgment or Conviction, or to mitigate or remit any Fine or Forfeiture, or any Part thereof.

XXXVIII. And be it further enacted, That in every case where any House, Shop or other Building whatever, or any Part thereof, shall be destroyed, or shall be in any manner damaged or injured, or where any Fixtures thereto attached, or any Furniture, Goods or Commodities whatever which shall be therein, shall be destroyed, taken away, or damaged by the Act or Acts of any riotous or tumultuous Assembly of Persons, or by the Act or Acts of any Person or Persons engaged in or making Part of such riotous or tumultuous Assembly, the Inhabitants of the City or Town in which such House, Shop or Building shall be situate, if such City or Town be a County of itself, or is not within any Hundred, or otherwise the Inhabitants of the Hundred in which such Damage shall be done, shall be liable to yield full Compensation in Damages to the Person or Persons injured and damnified by such Destruction, taking away, or Damage; and such Damages shall and may be demanded, sued for, and recovered by the same Means and under the same Provisions as are provided in and by an Act passed in the First Year of King George the First, intituled *An Act for preventing Tumults and riotous Assemblies, and for the more speedy and effectually punishing the Rioters*, with respect to Persons injured and damnified by the demolishing or pulling down of any Dwelling House by Persons unlawfully, riotously and tumultuously assembled.

XXXIX. And

XXXIX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to that Part of the United Kingdom called *Ireland*. Act not to extend to Ireland.

XL. And be it further enacted, That this Act may be repealed in the Whole, or in any Part thereof, or in any manner altered or amended, during the present Session of Parliament. Act may be repealed, &c. this Session.

The SCHEDULE to which the Bill refers.

I. FORM of Conviction of an unlawful Combination and Confederacy.

‘ M. } BE it remembered, That on this Day of
 ‘ to Wit. } in the Year of the Reign of
 ‘ *A. B.* of is duly convicted before me
 ‘ [or, us] of His Majesty’s Justices of the Peace for
 ‘ in pursuance of an Act of the Fifty seventh Year of the Reign
 ‘ of King *George* the Third, [set forth the Title of the Act] for that
 ‘ the said *A. B.* after the passing of the said Act, to wit, on the
 ‘ Day of at did, contrary to
 ‘ the said Act, become a Member of [or, as the case may be] act as
 ‘ a Member of, or maintain a Correspondence or Intercourse with,
 ‘ or by Contribution of Money or otherwise abet or support a So-
 ‘ ciety [describing the Society], which Society is an unlawful Com-
 ‘ bination and Confederacy within the Intent and Meaning of the
 ‘ said Act: Wherefore I [or, we] the said do
 ‘ adjudge, That he the said *A. B.* do pay [or, be
 ‘ imprisoned] as a Penalty for his Offence in pursuance of the said
 ‘ Act. Given under my Hand and Seal [or, our Hands and Seals]
 ‘ this Day of in the Year of our Lord
 ‘ and in the Year of the Reign of His Majesty King

II. FORM of Adjudication of Forfeiture of Licence to sell Ale, &c.

‘ M. } BE it remembered, That on this Day of
 ‘ to Wit. } in the Year of the Reign of His
 ‘ present Majesty, *A. B.* of being a Person licensed to sell
 ‘ [as the case may be] is duly convicted before us, Two of His Ma-
 ‘ jesty’s Justices of the Peace for the County of in
 ‘ pursuance of an Act of the Fifty seventh Year of the Reign of
 ‘ King *George* the Third [set forth the Title of the Act] for that he
 ‘ the said *A. B.* on at did permit
 ‘ a Meeting of a Society [describe the Society] which is an unlaw-
 ‘ ful Combination and Confederacy within the Intent and Meaning of
 ‘ the said Act, to be held at being the House [as the
 ‘ case may be] of the said *A. B.* wherein he the said *A. B.* is licensed
 ‘ to sell [as the case may be]: Wherefore we the said
 ‘ do adjudge and declare, that the Licence [or, Licences, as the case
 ‘ may be] is [or, are] for such Offence forfeited. Given under our
 ‘ Hands and Seals, this Day of in the Year
 ‘ of our Lord , and in the Year of the Reign
 ‘ of His Majesty King

III. FORM of Conviction for Offences subject to Pecuniary Penalties.

‘ **B**E it remembered, That on this _____ Day of
 ‘ in the _____ Year of the Reign of
 ‘ *A. B.* of _____ is duly convicted before me [or, us]
 ‘ of His Majesty’s Justices of the Peace for
 ‘ in pursuance of an Act of the Fifty seventh Year of the Reign of
 ‘ King *George* the Third [*set forth the Title of the Act*] for that
 ‘ the said *A. B.* after the passing of the said Act, on
 ‘ at _____ did, contrary to the said Act [*here specify any*
 ‘ *Offence against the Act, as the case may be*]: Wherefore I [or, we]
 ‘ the said _____ do adjudge that the said *A. B.* do
 ‘ pay the Sum of _____ as a Penalty for this Offence in
 ‘ pursuance of the said Act.’

C A P. XX.

An Act for making further Regulations in respect to the Pay of the Officers of the Royal Navy, in certain cases therein mentioned. [31st March 1817.]

35 G. 3. c. 28.

‘ **W**HEREAS it is expedient to amend and extend the Provi-
 ‘ sions of an Act passed in the Thirty fifth Year of the Reign
 ‘ of His present Majesty, intituled *An Act to enable Petty Officers in*
 ‘ *the Navy, and Seamen, Non Commissioned Officers of Marines and*
 ‘ *Marines serving in His Majesty’s Navy, to allot Part of their Pay*
 ‘ *for the Maintenance of their Wives and Families*; and of another

35 G. 3. c. 94.

‘ Act passed in the same Year, intituled *An Act for establishing a*
 ‘ *more easy and expeditious Method for the punctual and frequent Pay-*
 ‘ *ment of the Wages and Pay of certain Officers belonging to His*
 ‘ *Majesty’s Navy*;[’] Be it therefore enacted by The King’s Most
 ‘ Excellent Majesty, by and with the Advice and Consent of the
 ‘ Lords Spiritual and Temporal, and Commons, in this present Parlia-
 ‘ ment assembled, and by the Authority of the same, That from and
 ‘ after the passing of this Act, it shall and may be lawful to and for
 ‘ every Captain, Commander, Lieutenant commanding the Vessel in
 ‘ which he shall serve, Surgeon and Assistant Surgeon (in Ships and
 ‘ Vessels in which there shall be no Surgeons) in the Naval Service of
 ‘ His Majesty, being entitled to Full Pay, at the End and Expiration
 ‘ of every Three Months, Six Months, Nine Months or Twelve
 ‘ Months (as such Officer may think proper), but not for a less Period
 ‘ than Three Months, (except as hereinafter mentioned,) to draw a
 ‘ Bill or Bills upon the Commissioners of His Majesty’s Navy for the
 ‘ net Amount of Three Fourths only of the Pay (subject to such De-
 ‘ ductions as hereinafter mentioned) of such Captain, Commander,
 ‘ Lieutenant commanding, or Surgeon respectively, as established by
 ‘ an Order of His Royal Highness The Prince Regent in Council,
 ‘ bearing Date the Twenty fifth Day of *November* One thousand eight
 ‘ hundred and sixteen, or as shall hereafter be established by any Order
 ‘ in Council of His Majesty, His Heirs or Successors; and that it shall
 ‘ also be lawful for any Flag Officer, Lieutenant not commanding
 ‘ the Ship or Vessel in which he shall be serving, Physician of the
 ‘ Fleet, Master, Second Master, Chaplain, Admiral’s Secretary and
 ‘ Assistant Surgeon, entitled to Full Pay, and having no Accounts
 ‘ to

Regulations as to Captains, &c. entitled to Full Pay drawing upon Commissioners of the Navy for their Pay, as established by Order of Council, 25th Nov. 1816.

And as to Flag Officers, &c. drawing for Pay.

to pass, in like manner at the End of every Three Months, or such longer Period as above mentioned, but not for a less Period than Three Months, (except as hereinafter mentioned,) to draw upon the said Commissioners of His Majesty's Navy for the whole net Amount (subject as aforesaid) of his Pay as so established or to be established as aforesaid; and also for every passed Mate, passed Midshipman, Secretary's Clerk, Captain's Clerk and Schoolmaster entitled to Full Pay, in like manner to draw upon the said Commissioners at the End of every Six Lunar Months or Twelve Months for the whole net Amount (subject as aforesaid) of his Pay as so established or to be established as aforesaid; the first Payment of the said Pay so to be drawn for by the said several Officers to be computed from the First Day of *January* One thousand eight hundred and seventeen: Provided always, that not any of the said Officers whose Duty it shall be to transmit Logs, Journals, Returns or other Documents, either to the Commissioners for executing the Office of Lord High Admiral, or to the Secretary of the Admiralty, or to the Commissioners of His Majesty's Navy, shall be entitled to receive any Half Pay which may be in course of Payment, until he shall have duly transmitted such Logs, Journals, Returns or other Documents, unless he shall have obtained or shall obtain from the Commissioners for executing the Office of Lord High Admiral an Order dispensing with the Production thereof.

And as to
Mates, &c.
drawing for their
Pay.

Officers to trans-
mit Logs, &c.
before they re-
ceive their Half
Pay, &c.

II. And be it further enacted, That every such Bill drawn by any Lieutenant not commanding the Ship or Vessel in which he may be serving, Master, Chaplain, Surgeon, Assistant Surgeon, Second Master, Mate, Midshipman, Clerk or Schoolmaster, under the Authority of this Act, shall be certified by the Purser, and approved by the Captain of the Ship to which he shall belong; and such Purser shall by so certifying be held responsible that such Bill is not for a greater Sum than the Officer drawing it had a Right to draw for, after any Debt for Slops, Dead Men's Clothes, or other Charges standing in the Ship's Books, hath been abated from the Amount of his Pay for the Period for which the Bill is drawn; and the Captain of such Ship shall by so approving be held responsible that Officer drawing has been borne for Pay during the said Period, and is entitled by this Act to draw, and that the Purser hath previously certified his Right to draw for the Sum in the Bill mentioned; and such Bill, Certificate and Approval, and also the Assignment thereof for Payment by the Treasurer of the Navy, shall be in the Form set forth in the Schedule to this Act marked (A.), or to the like Effect.

Bills drawn by
Lieutenants, &c.
to be certified by
Purser, and ap-
proved by Cap-
tain, &c.
Purser certifying,
responsible
that Bill is not
for more than
due.

Form of Bill,
Certificate, &c.

III. And be it further enacted, That every such Bill drawn by any Physician as aforesaid under the Authority of this Act shall be approved by the Commander in Chief for the time being of the Fleet or Squadron of which the Person so drawing shall be Physician; and that every such Bill drawn by any such Secretary shall be approved by the Flag Officer to whom he shall be acting as Secretary; and that every such Bill drawn by any Secretary's Clerk shall be approved by such Secretary; and the said Commander in Chief, Flag Officer and Secretary respectively, shall by so approving be held responsible that the Physician, Secretary or Secretary's Clerk respectively so drawing hath been borne for Pay during

Bills drawn by
Physician, Se-
cretary, Secre-
tary's Clerk, by
whom to be ap-
proved.

during the Period for which the Bill is drawn, and is entitled by this Act to draw for his Pay.

Mates and Midshipmen not entitled to draw till Certificates produced of having passed Examination, &c.

Proviso for case in which Captain may approve Bill although Mate, &c. have not passed Examination.

So much of 35 G. 3. c. 94. as authorizes certain Officers sent to Sick Quarters to draw at the End of Six Weeks, repealed; and such other Regulations in respect of Officers drawing for the Pay due on the Day of Discharge to Sick Quarters.

Second Masters, Mates, &c. restricted from allotting Pay as heretofore, &c. Former Enactments relating

IV. And be it further enacted, That no such Mate or Midshipman shall be entitled to draw for his Pay until he shall have passed the prescribed Examinations touching his Qualifications to serve as Lieutenant at the Royal Naval College, and before Three Captains, or such other Examinations as shall be from time to time duly prescribed and required in that Behalf, and shall have produced to the Captain of the Ship to which such Mate or Midshipman belongs Certificates of his having passed both such Examinations, for which Purpose Duplicates of such Certificates shall be given him at the time of passing: Provided always, that it shall and may be lawful for every such Mate or Midshipman so to draw, and for such Captain to approve the Bill drawn by such Mate or Midshipman, although he shall not have passed at the said Royal Naval College, or produced a Certificate of his having passed the same, if his Certificate of his having passed his Examination before Three Captains, to be dated prior to the First Day of *March* One thousand eight hundred and sixteen, or to the Day on which the said Order of the Commissioners of the Admiralty establishing the said Regulations was received on any Foreign Station where such Mate or Midshipman was then serving.

V. And be it further enacted, That so much of the said recited Act, intituled *An Act for establishing a more easy and expeditious Method for the punctual and frequent Payment of the Wages and Pay of certain Officers belonging to His Majesty's Navy*, as authorizes any Captain, Commander, Lieutenant, Master or Surgeon who shall be sent to Sick Quarters, and remain there for a longer time than Six Weeks, to draw or cause to be drawn at the End of such Six Weeks a Bill or Set of Bills upon the Commissioners of His Majesty's Navy, for the Net Personal Wages or Pay due to him to the Day of the Expiration of Six Weeks from and after his having been so sent to Sick Quarters, shall from and after the passing of this Act be and the same is hereby repealed: Provided always, that it shall and may be lawful to and for every such Captain, Commander, Lieutenant, Master and Surgeon who shall be so sent to Sick Quarters, to draw a Bill upon the said Commissioners of the Navy, for the Pay or Proportion of Pay (as by this Act allowed) that may be due to him on the Day of his being discharged to Sick Quarters; such Bill (as to a Lieutenant, Master, or Surgeon) being certified and approved in like manner as is hereinbefore directed with respect to other Bills drawn under the Authority of this Act, and being indorsed upon or accompanied with a Certificate, under the Hand of the Physician or Surgeon having Superintendance of the Hospital or Sick Quarters to which such Officer shall have been so discharged, of the Day on which he shall have been received into such Hospital or Sick Quarters.

VI. And be it further enacted, That Second Masters, passed Mates and passed Midshipmen, Clerks and Schoolmasters, permitted by this Act to draw for the Whole or any Part of their Pay, shall be and they are restricted and prohibited from allotting any Portion of their Pay as heretofore; and that all the Enactments, Provisions and Regulations, with respect to the drawing of Bills or Allotment

of

of Pay, contained in either of the said recited Acts respectively, or in any other Act or Acts, shall from and after the passing of this Act be deemed and taken to be applicable to the Bills to be drawn and Allotments allowed by or under this Act, in the same manner to all Intents and Purposes as if the same were fully and particularly repeated and reenacted herein, except so far as the same are hereinbefore repealed or altered; any thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

thereto, applicable to this Act.

‘ VII. And Whereas by the said Act passed in the Thirty fifth Year of His Majesty’s Reign, intituled *An Act for establishing a more easy and expeditious Method for the punctual and frequent Payment of the Wages and Pay of certain Officers belonging to His Majesty’s Navy*, it is provided, that every Commissioned Officer, Master and Surgeon of His Majesty’s Navy on Half Pay, when appointed to a Ship, may, if no Imprest stands against him, receive the Arrears of Half Pay due to him by an Order on the Treasurer of the Navy: And Whereas it would tend much to the Convenience of such Officers, Masters and Surgeons if they were enabled to draw and negotiate a Bill or Bills for such Arrears of their Half Pay as hereinafter mentioned;’ Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for every Commissioned Officer, Master and Surgeon in the Naval Service of His Majesty, to whom any Arrears of Half Pay may be due, and who shall be appointed to command or serve on board any Ship or Vessel of His Majesty, which may be fitting at any Port of *Great Britain*, after receiving his Commission or Warrant of Appointment, if he shall be desirous of drawing a Bill or Bills for his Arrears of Half Pay, to apply for that Purpose by Letter directed to the Commissioners of His Majesty’s Navy, transmitting the usual Affidavit and Certificate of the Day when he commenced Full Pay, and that thereupon the said Commissioners or any Three of them, having ascertained that no Imprest is standing against him, or that the Imprest against him (if any) is cleared, shall cause the Amount of Half Pay due to such Officer, Master or Surgeon to be ascertained and duly attested, and transmit to such Officer, Master or Surgeon, a Certificate or Statement thereof, together with the Form of a Bill as in the Schedule to this Act marked (B.), or to the like Effect, to be drawn by such Officer, Master or Surgeon; who, upon Receipt thereof, may and is hereby authorized to draw and negotiate such Bill for the Amount so certified to be due, and which said Bill shall be assigned for Payment on, and paid by the Treasurer of the Navy, and be a sufficient Voucher and Discharge to him for such Payment in his Annual Account.

35 G. 3. c. 94. § 1.

Commissioned Officer, &c. on Half Pay may draw a Bill for his Arrears on being appointed to a Ship.

Certificate and Form of Bill to be transmitted to such Officer.

‘ VIII. And Whereas by the said last recited Act it is provided, that Commissioned Officers in the Navy appointed to Ships from Half Pay, having no Imprest standing against them, may obtain Three Months’ Pay in Advance, by an Order upon the Treasurer of the Navy: And Whereas it would be a Convenience to such Officers, as well as to Chaplains, Masters, Surgeons and Assistant Surgeons, who may be appointed in like manner, if they were enabled to obtain such Advance by Means of a Bill to be drawn and negotiated and paid as is hereinbefore provided for the Payment of Arrears of Half Pay;’ Be it therefore enacted, That from

35 G. 3. c. 94. § 2.

On Appointment to Ships, Commissioned Officers, Chaplains, &c. may draw for Three Months’ Pay in Advance.

and after the passing of this Act, every Commissioned Officer, Chaplain, Master, Surgeon and Assistant Surgeon in the Naval Service of His Majesty, who shall be appointed as aforesaid, and shall have been previously Three Calendar Months on Half Pay, and shall not have any Imprest standing against him uncleared, may apply for such Three Months' Pay in Advance by Letter directed to the Commissioners of His Majesty's Navy, transmitting a Certificate of the Day when he commenced Full Pay; whereupon the said Commissioners, or any Three of them, having ascertained that such Officer hath been previously Three Months on Half Pay, and that no Imprest is standing against him, or that the Imprest (if any) against him is cleared, shall transmit to such Officer a Certificate, and the Form of a Bill as in the Schedule to this Act marked (C.) or to the like Effect, to be drawn by him, and such Officer upon the Receipt thereof is hereby authorized to draw and negotiate such Bill accordingly; and which said Bill shall be assigned for Payment on and paid by the Treasurer of the Navy, and be a sufficient Voucher or Discharge to him for such Payment in his annual Account.

IX. And Whereas by the said last recited Act it is provided, that if Commissioned Officers, Masters, Surgeons in the Navy, and every other Description of Officers by this Act authorized to draw for Pay, have passed their Accounts for every Ship in which they may have served, Three Commissioners of the Navy shall make out Certificates, distinguished by the Name of General Certificates, specifying the net Amount of the Pay which shall appear to be due to such Officers, and shall direct the Amount to be carried to the Credit of such Officer's Account Current: but no Mode being provided therein for the Payment of the Balance of such Pay due and not drawn for; Be it therefore enacted, That every such Commissioned Officer, Master, Surgeon or other Officer who shall have passed his Accounts and obtained such General Certificate as in the said recited Act is mentioned, the Amount of which the said Commissioners shall have directed to be carried to the Credit of such Officer's Account under the said recited Act, the said Officer is hereby authorized (upon the Back of such General Certificate as shall be delivered or transmitted to him, or to his Agent in pursuance of the Direction contained in the said recited Act) to make the said General Certificate negotiable in the Nature of a Bill of Exchange by an Indorsement thereon, making the Contents thereof payable to his Order; which Indorsement, and any subsequent one that may be made upon the said Certificate, shall be sufficient Authority to the Treasurer of the Navy to pay the Amount of the said General Certificate to the Officer therein named, or to the Indorsee thereof, as the case may require; and shall be a sufficient Voucher and Discharge to the said Treasurer for such Payment in his annual Account.

X. And be it further enacted, That if any Person or Persons shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or shall willingly act or assist in the false making, forging or counterfeiting of any such Authority, Certificate, Bill, Approval or Assignment as is hereinbefore mentioned, or shall utter or publish as true any such false, forged, or counterfeited Authority, Certificate, Bill, Approval or Assignment, knowing the same

Certificate and Form of Bill to be transmitted to such Officer,

Officers authorized to draw for Pay, having passed their Accounts, and received General Certificates specifying the Amount of Pay due, may make such Certificates negotiable by Indorsement.

Forging Certificates, Bills, &c.

same to be false, forged or counterfeited, with Intent to defraud any Person or Persons, Body or Bodies Politic or Corporate, every such Person so offending shall be deemed guilty of Felony, and being thereof lawfully convicted, shall suffer Death as a Felon without Benefit of Clergy. Death.

XI. And be it further enacted, That no Bill which shall be drawn under or by virtue of this Act shall be subject or liable to or be charged or chargeable with any Stamp Duty whatever. Bills not liable to Stamp Duty.

XII. And Whereas Sick Tickets, Unserviceable Tickets, Foreign Remove Tickets and Discharge Tickets, made out to Inferior and Petty Officers, Seamen, Non Commissioned Officers of Marines and Marines, in pursuance of the several Acts of Parliament passed in the Thirty first Year of the Reign of His late Majesty, King 31 G. 2. c. 10.

George the Second, intituled An Act for the Encouragement of Seamen employed in the Royal Navy, and for establishing a regular Method for the punctual, frequent and certain Payment of their Wages; and for enabling them more easily and readily to remit the same for the Support of their Wives and Families; and for preventing Frauds and Abuses attending such Payments; and of another Act passed in the Thirty second Year of His present Majesty's Reign, intituled 32 G. 3. c. 33.

An Act for explaining and amending an Act passed in the Thirty first Year of the Reign of His late Majesty King George the Second, intituled An Act for the Encouragement of Seamen employed in the Royal Navy, and for establishing a regular Method for the punctual, frequent and certain Payment of their Wages; and for enabling them more easily and readily to remit the same for the Support of their Wives and Families; and for preventing Frauds and Abuses attending such Payments; and for further extending the Benefits thereof to Petty Officers and Seamen, Non Commissioned Officers of Marines and Marines, serving or who may have served on board any of His Majesty's Ships; are not saleable or transferrable, but are payable only to the Persons therein named: And Whereas it is expedient that similar Tickets made out to the Commission and Warrant Officers of the Royal Navy should be subject to the like Regulations; Be it therefore enacted, That from and after the passing of this Act no Sick Ticket, Unserviceable Ticket, Foreign Remove Ticket or Discharge Ticket, to be made out to any Commission or Warrant Officer in the Royal Navy, shall be saleable or transferrable; but every such Ticket shall be paid only to the Party in whose Favour the same shall be made out; and, that all Sales, Assignments or Transfers of any such Ticket shall be absolutely null and void, to all Intents and Purposes; any Law or Usage to the contrary in anywise notwithstanding. Sick Tickets, &c. not transferrable.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

First Rate (Britannia), Lieutenant Thomas Bowling, entered 1st January 1817.	£ s. d.
Full Pay from 1st January to 25th March 1817	-
	£ s. d.
Amount of Deduction for Slops, &c.	-
Ditto - - for Dead Men's Clothes	-

	Nett Pay £ _____

Certified by
A. B. Purfer.

Gentlemen,
TEN Days after Sight (my Second and Third Bill of this Tenor and Date not being paid) please to pay to John Bull, or Order, the Sum of
being the
nett Pay due to me as First Lieutenant of His Majesty's Ship (Britannia), between 1st January and 25th March 1817, for Value received.

Thomas Bowling.

Approved by
C. D. Captain of His Majesty's Ship (Britannia).
To the Commissioners of His
Majesty's Navy, London.

ASSIGNMENT.

No. I. Navy Office, 3d April 1817.
To be paid by the Treasurer of His Majesty's Navy out of Monies received under the Head of Wages to Pay Officers.

E. F. }
G. H. } Commissioners of the Navy.
I. K. }

N. B. The forging of this Bill, or the Purfer's Certificate, Captain's Approval, or the Assignment thereof for Payment, or procuring any other Person to forge or utter the same with an Intention to defraud any Person or Body Politic or Corporate, is made Felony without Benefit of Clergy by the Act of 57 Geo. 3. Cap.

SCHEDULE (B.)
Navy Office. — Order for Arrears of Half Pay.

Officer's Name.	Quality.	From what Ship.	Half Pay.		To what Ship appointed.	Imprest.	Front Charge.	No. of Days.	Per Diem.	3d. per £.	Full.	Nett.
			Commencing.	Ending.								

P. E. O.

Gentlemen,

AT Three Days' Sight pay to
due to me for Arrears of Half Pay as above stated.
To the Commissioners of His Majesty's Navy, London.

THE Sum of
the Head of Half Pay.

To the Treasurer of His Majesty's Navy, London.

G. D.

or Order, the Sum of

Thomas Bowling.

to be paid by the Treasurer of His Majesty's Navy, out of Money received under

E. F. }
G. H. } Commissioners of the Navy.
I. K. }

SCHE.

SCHEDULE (C.)

Rate.	Ship's Name.	Officer's Name.	Quality.	When entitled to Full Pay.

THESE are to certify there is no Imprest against
Dated the Day of 18

Pay for Three Months' Advance £ G. B.

P. E. O.

At the Day of 18 .

Gentlemen,

AT Three Days' Sight, please to pay to
or Order, the Sum of being for Three Months'
Advance of Pay to me, between the Day of
and the Day of

To the Commissioners of His Majesty's Navy, London.

Navy Office, the Day of 18 .
No.

THE Sum of to be paid by the Treasurer
of His Majesty's Navy, out of Monies received under the Head of
Wages to pay Officers, being for Three Months' nett Pay in
advance, to the Day of 18 .

E. F. }
G. H. } Commissioners of the Navy.
I. K. }

C A P. XXI.

An Act to revive and continue for Two Years, and from
thence until the End of the then next Session of Parlia-
ment, Two Acts made in the Forty seventh and Fiftieth
Years of His present Majesty, for the preventing improper
Persons from having Arms in Ireland. [29th April 1817.]

47 G. 3. Seff. 2.
c. 54.

50 G. 3. c. 109.

WHEREAS an Act was made in the Forty seventh Year
of the Reign of His present Majesty, intituled *An Act to*
prevent improper Persons from having Arms in Ireland, to continue
in force from the passing thereof for Two Years, and from thence
until the End of the then next Session of Parliament: And
Whereas by an Act made in the Fiftieth Year of His present
Majesty's Reign the said recited Act was continued for Two
Years, and from thence until the End of the then next Session
of Parliament, and amended: And Whereas by an Act made in
the

‘ the Fifty third Year of His present Majesty’s Reign both the said recited Acts were further continued for Two Years, and from thence until the End of the then next Session of Parliament; and it is expedient that the said recited Acts of the Forty seventh and Fiftieth Years of His present Majesty’s Reign should be revived and 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 recited Act of the Forty seventh Year of His present Majesty’s Reign, as the said Act is amended by the said recited Act made in the Fiftieth Year of His present Majesty’s Reign, and also the said recited Act of the said Fiftieth Year, shall be and the said Two Acts are hereby revived and further continued, and shall be, remain and continue in force for Two Years, from and after the passing of this Act, and from thence until the End of the then next Session of Parliament.

revived and further continued.

C A P. XXII.

An Act to amend Two Acts of the Fifty fourth and Fifty fifth Years of His Majesty’s Reign, to provide for the better Execution of the Laws in *Ireland*, by appointing Superintending Magistrates and additional Constables in Counties in certain cases.

[29th April 1817.]

‘ WHEREAS an Act was passed in the Fifty fourth Year of His Majesty’s Reign to provide for the better Execution of the Laws in *Ireland*, by appointing Superintending Magistrates and additional Constables in Counties in certain cases; which Act was amended by an Act passed for that Purpose in the Fifty fifth Year of His Majesty’s Reign: And Whereas, by and under the Provisions of the said first recited Act, Power is given to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Aid and Support of any Chief Magistrate, duly appointed as therein mentioned, respectively to appoint a Chief Constable, and any Number of Sub Constables not exceeding Fifty; and by the Provisions of the said last recited Act, in case the Office of such Chief Magistrate shall extend into Two Counties, a similar Power is given to place a similar Establishment, if necessary, under his Orders, in each of such Counties: And Whereas it may be sufficient in certain cases to appoint One Chief Magistrate only for more Baronies than One, or for a more extended District in the same County, provided that such Chief Magistrate shall have the Aid and Support of an increased Number of Chief and Sub Constables;’ 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 the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the time being, to appoint; for the Aid and Support of any such Chief Magistrate, such and so many Chief and Sub Constables as such Lord Lieutenant or other Chief Governor or Governors shall think proper: Provided always, that there shall not in any case be more than One such Chief Constable, nor more than

54 G. 3. c. 131.

55 G. 3. c. 13.

Lord Lieutenant may appoint Chief and Sub Constables to assist the Magistrates. The Number.

than Fifty such Sub Constables, for any One Barony or Half Barony, or for any County of a City, or County of a Town, or District of less Extent than any Barony or Half Barony of such County in which such District is situate.

Recited Acts to extend to such Constables.

II. And be it further enacted, That all and every the Clauses and Provisions in the said Acts respectively contained shall apply to all and every the Chief Constable and Chief Constables, Sub Constable and Sub Constables so to be appointed, in the same manner in all respects as if they had been appointed under the said Acts respectively.

Lord Lieutenant may direct Two Thirds of the Salaries, Expences, &c. of executing recited Acts to be paid out of Consolidated Fund, and the Residue only to be borne by Presentment.

‘ III. And Whereas, under the Provisions of the said recited Acts, all and every the Salaries, Allowances, Costs, Charges and Expences therein mentioned respectively are directed to be borne and defrayed by Presentment in manner therein provided respectively; and it may happen that the whole of such Expence may in certain cases be found too burthensome upon the County, Barony, Half Barony or other District or Part of a County by which the said Salaries, Allowances, Costs, Charges and Expences are by the said Acts required to be borne and defrayed by Presentment as aforesaid;’ Be it therefore enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, by the Advice of the Privy Council in Ireland, to order and direct that any Part or Portion not exceeding Two Thirds of all and every Salaries, Allowances, Rents, Taxes, Costs, Charges and Expences, which shall at any time after the passing of this Act be incurred or become payable under the Provisions of the said recited Acts or either of them, or of this Act, shall absolutely and finally be payable and paid by and out of the Consolidated Fund, and that the Residue only shall be borne and defrayed by Presentment, in manner in the said Acts provided respectively.

Accounts of Proclamations, and Appointments and Expences, to be laid before Parliament.

IV. And be it further enacted, That the Chief Secretary of the Lord Lieutenant, or other Chief Governor or Governors of Ireland for the time being, shall from time to time cause Accounts to be prepared of all Proclamations issued under or by virtue of the said recited Acts, specifying the Counties, Baronies and Districts by such Proclamations respectively declared to be in a State of Disturbance; and also of the Names of all Chief Magistrates and other Officers appointed for the Execution of the said recited Acts in such Counties, Baronies and Districts respectively; and also of the Amount of all Salaries, Allowances, Rents, Taxes, Costs, Charges and Expences incurred in consequence of any such Proclamations; and that such Chief Secretary shall cause such Accounts to be from time to time laid before both Houses of Parliament within One Calendar Month next after the Commencement of each Session of Parliament.

C A P. XXIII.

An Act to further continue, until the Twenty-fifth Day of *March* One thousand eight hundred and twenty, an Act of the Seventh Year of King *George* the Second, for the free Importation of *Cochineal* and *Indigo*. [29th *April* 1817.]

7 G. 2. c. 18.

‘ **W**HEREAS an Act was made in the Seventh Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the Revival of an Act made in the Thirteenth Year*

Year of the Reign of His late Majesty King George the First, intituled *An Act for the free Importation of Cochineal during the Time therein limited, and also for the free Importation of Indigo*, which was to continue in force, from the Twenty fourth Day of June One thousand seven hundred and thirty four, for the Term of Seven Years, and from thence to the End of the then next Session of Parliament; and which by several subsequent Acts was further continued from the Expiration thereof until the Twenty fifth Day of *March* One thousand eight hundred and fourteen: And Whereas by an Act passed in the Fifty fourth Year of His present Majesty the said Act was revived from the said Twenty fifth Day of *March* One thousand eight hundred and fourteen, and continued in force until Nine Months after the Conclusion of the then present War: And Whereas by an Act passed in the last Session of Parliament the said Act was again revived and further continued until the Twenty fifth Day of *March* One thousand eight hundred and seventeen: 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 shall continue in force from the said Twenty fifth day of *March* One thousand eight hundred and seventeen until the Twenty fifth Day of *March* One thousand eight hundred and twenty.

56 G. 3. c. 2.

7 G. 2. c. 18.
further continued.

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

Act may be altered, &c. this Session.

C A P. XXIV.

An Act to alter and enlarge the Powers of an Act, passed in the Fifty fourth Year of His present Majesty, intituled *An Act for the further Improvement of the Land Revenue of the Crown*. [23d May 1817.]

WHEREAS by an Act passed in the Fifty third Year of the Reign of His present Majesty, intituled *An Act for making a more convenient Communication from Mary le Bone Park and the Northern Parts of the Metropolis, in the Parishes of Saint Mary le Bone, to Charing Cross within the Liberty of Westminster, and for making a more convenient Sewage for the same*, it was enacted, that the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues should be and they were thereby appointed Commissioners for carrying the Purposes of the said Act into Execution, and they were thereby empowered to borrow and take up at Interest from time to time such Sum or Sums of Money to enable them to carry the several Purposes of the said Act into Execution, as they should judge necessary, not exceeding the Two several Sums of Five hundred thousand Pounds, and One hundred thousand Pounds: And Whereas by an Act passed in the Fifty fourth Year of the Reign of His present Majesty, intituled *An Act for the further Improvement of the Land Revenue of the Crown*, it was amongst other things enacted, that it should and might be lawful to and for the Commissioners for executing the

53 G. 3. c. 121.
§ 1.54 G. 3. c. 79.
§ 28.

§ 29.

' the said recited Act passed in the Fifty third Year of the Reign
 ' of His present Majesty, by and with the Approbation of the
 ' Lord High Treasurer or the Commissioners for executing the
 ' Office of Lord High Treasurer for the time being, or any Three
 ' or more of them, and notwithstanding any Provision, Restriction
 ' or Clause contained in any Act or Acts of Parliament relating to
 ' His Majesty's Land Revenues, to borrow and take up at Interest
 ' such Sum or Sums of Money as they the said Commissioners for
 ' executing the said recited Act of the Fifty third Year aforesaid,
 ' with such Approbation as aforesaid, should judge necessary for the
 ' Purposes of the said Act, not exceeding what should then remain
 ' to be raised of the said Two Sums of Five hundred thousand
 ' Pounds and One hundred thousand Pounds, by any Loan or
 ' Loans upon the Credit of the Land Revenues of the Crown;
 ' and it was thereby further declared and enacted, that it should
 ' and might be lawful to and for any Person or Persons, Bodies
 ' Politic or Corporate, or Companies, (other than except the
 ' Governor and Company of the Bank of *England*, the Governor
 ' and Company of Merchants of *Great Britain* trading to the South
 ' Seas and other Parts of *America*, and the United Company of
 ' Merchants of *England* trading to the *East Indies*;) to advance or
 ' lend any Sum or Sums of Money, or any Part or Parts of the
 ' Capital or other Monies or Funds of or belonging to such Person
 ' or Persons, Bodies Politic or Corporate, or Companies, not ex-
 ' ceeding what should then remain to be raised of the said Two
 ' Sums of Five hundred thousand Pounds and One hundred thou-
 ' sand Pounds, to the said Commissioners for executing the said
 ' last mentioned Act, upon the Credit of the said Land Revenues
 ' of the Crown, so as that all such Loans should be made by and
 ' with the Approbation of the said Lord High Treasurer or the
 ' Commissioners for executing the Office of Lord High Treasurer
 ' for the time being, or any Three or more of them, who was
 ' or were thereby authorized to issue his or their Warrant or War-
 ' rants for that Purpose: And Whereas the said Commissioners
 ' for carrying the said recited Act of the Fifty third Year of the
 ' Reign of His present Majesty into Execution, have, since the
 ' passing of the said last recited Act, borrowed of the Corporation
 ' of the *Royal Exchange Assurance* the Sum of Three hundred
 ' thousand Pounds in Part of the said several Sums of Five hundred
 ' thousand Pounds and One hundred thousand Pounds, upon the
 ' Credit of the said Land Revenues: And Whereas it would tend
 ' to facilitate the raising the Remainder of the said Sums of Five
 ' hundred thousand Pounds and One hundred thousand Pounds, if
 ' the Powers of the said recited Act of the Fifty fourth Year of
 ' His present Majesty's Reign were extended in manner herein after
 ' 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 it shall be lawful for any
 ' Person or Persons whomsoever, or any Bodies Politic or Corporate,
 ' or Companies whatsoever, to advance or lend any Sum or Sums
 ' of Money, or any Part or Parts of the Capital or other Monies or
 ' Funds of or belonging to such Person or Persons, Bodies Politic
 ' or

Certain Capital
 Monies or Cor-
 porate Funds
 may be advanced
 on the Credit of
 the Land Reve-
 nues of the
 Crown.

or Corporate, or Companies, not exceeding in Amount what now remains to be raised of the said Two Sums of Five hundred thousand Pounds and One hundred thousand Pounds, to the Commissioners for the time being for executing the said recited Act of the Fifty third Year of the Reign of His said Majesty, upon the Credit of the Land Revenues of the Crown, subject and without Prejudice to the Sum so already advanced by the said *Royal Exchange Assurance Company*, and to the Provisions made by the said recited Act of the Fifty fourth Year of His Majesty's Reign for the Repayment thereof, and for the Payment of the Interest thereof, (so as that all such Loans be made by and with the Approbation of the Lord High Treasurer of the United Kingdom of *Great Britain and Ireland*, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland* for the time being, or any Three or more of them, who is or are hereby authorized to issue his or their Warrant or Warrants for that Purpose,) notwithstanding any thing contained to the contrary in an Act of Parliament made and passed in the Fifth and Sixth Years of the Reign of their late Majesties 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 Liguors, for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of Fifteen hundred thousand Pounds towards carrying on the War against France*; or in an Act of Parliament made and passed in the Thirty eighth Year of the Reign of His present Majesty, 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 Thirty seventh Years of His present Majesty, Cap. 91. (videlicet), on the Twenty second of June One thousand seven hundred and ninety seven, for the Restriction on Payments of Cash by the Bank*; or in any other Act or Acts of Parliament for further continuing the said last mentioned Act of Parliament, or the Provisions thereof, or the said Restriction on Payments of Cash by the Bank; and notwithstanding any thing contained in any other Act or Acts of Parliament, or Statute, or Charter, Bye Law, or Ordinance; and that every such Loan so to be made shall be deemed to be, and the same is hereby declared to be, a Loan upon a Parliamentary Security; and the said Land Revenues of the Crown shall be deemed and taken to be, and are hereby declared to be, a Part or Parts, Branch or Branches of the Revenues of His Majesty, upon which a Credit of Loan to the Extent of the respective Sums so to be advanced or raised under the Provisions of this Act is granted by Parliament, and upon which any Part or Parts of the Capital or other Monies or Funds of any such Person or Persons, Bodies Politic or Corporate, or Companies whatsoever, may be advanced within the true Intent and Meaning of any Act or Acts of Parliament, Charter, Bye Law, Statute or Ordinance whereby any Monies are authorized or permitted to be advanced upon Parliamentary Security, or any Part or Parts, Branch or Branches of the Revenue of His Majesty upon which a Credit of Loan is granted by Parliament; and every such Loan shall be good, valid and effectual; any Exception contained in the said recited Act of the Fifty fourth Year of the Reign of his said Majesty,

Such Loan to be made with the Approbation of the Treasury,

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

38 G. 3. c. 1.

or any other Act of Parliament.

Every such Loan deemed a Loan on Parliamentary Security.

Proviso for
Loan by Royal
Exchange Assur-
ance Company.

Persons advanc-
ing Money to
have Certificate
thereof signed by
the Commis-
sioners.

Form of the
Certificate.

Majesty, or any Provision contained in the Statutes of Mortmain, or in any other Statute, Charter, Bye Law or Ordinance, to the contrary in anywise notwithstanding; but subject and without prejudice to the said Loan so advanced by the said *Royal Exchange Assurance Company*, and the Provisions so made for the Repayment thereof, and for the Payment of the Interest thereof as aforesaid.

II. And be it further enacted, That all and every Person and Persons, Bodies Politic or Corporate, or Companies whatsoever, who shall agree to lend any Money upon the Credit of the said Land Revenues, shall receive a Certificate under the Hands and Seals of Two or more of the Commissioners for executing the said recited A&T of the Fifty third Year of His present Majesty, in the Form or to the Effect following :

‘ IN pursuance of a Warrant from the Right Honourable the Lord
‘ High Treasurer of the United Kingdom of *Great Britain* and
‘ *Ireland*, [or, from the Commissioners of His Majesty’s Treasury
‘ of the United Kingdom of *Great Britain* and *Ireland*, as the case
‘ shall be] bearing Date the _____ Day of _____,
‘ we, *A. and B.*, Two of the Commissioners for executing an A&T
‘ passed in the Fifty third Year of the Reign of His present Majesty,
‘ intituled *An A&T for making a more convenient Communication from*
‘ *Mary le Bone Park and the Northern Parts of the Metropolis, in*
‘ *the Parish of Saint Mary le Bone, to Charing Cross within the Li-*
‘ *berly of Westminster, and for making a more convenient Sewage for*
‘ *the same*; in exercise of the Powers vested in us by the said A&T,
‘ and by another A&T passed in the Fifty fourth Year of the Reign
‘ of His said Majesty, intituled *An A&T for the further Improvement*
‘ *of the Land Revenue of the Crown*, and of another A&T passed in
‘ the Fifty seventh Year of the Reign of His said Majesty, intituled
‘ *An A&T* [here insert the Title of this A&T] do hereby certify, that
‘ *C. D.* [insert the Name, Title or Description of the Person or Per-
‘ sons, Body or Bodies Politic or Corporate, or Company, by whom or
‘ on whose Behalf the Loan is to be advanced] hath [or, have] con-
‘ tracted and agreed to advance and lend to the said Commissioners
‘ for executing the said A&Ts, upon the Credit of the Land Revenues
‘ of the Crown, the Sum of _____ to be applied by them
‘ for and towards the carrying the several Purposes of the said A&Ts
‘ into Execution; which Sum is to be paid by the said *C. D.* to
‘ One of the Cashiers of the Bank of *England*, and to be carried to
‘ the Account of the Commissioners of His Majesty’s Woods, Forests
‘ and Land Revenues, being ‘ *The New Street Account*;’ and
‘ from and immediately after the Payment of the same in manner
‘ aforesaid, the said Sum of _____ shall, by virtue of the
‘ said A&Ts, become and be a Loan charged upon the Whole of the
‘ Land Revenues of the Crown, (but subject and without prejudice
‘ to the Sum of Three hundred thousand Pounds advanced by the
‘ Corporation of the *Royal Exchange Assurance*, and to the Provi-
‘ sion made by the said A&T of the Fifty fourth Year of His Majesty’s
‘ Reign for the Repayment thereof, and for the Payment of the
‘ Interest thereof); and such Revenues shall, subject as aforesaid,
‘ from thenceforth be charged with and liable to the Repayment of
‘ the said Capital Sums so to be advanced by the Instalments, in
‘ the Proportions, and at or upon the Days or times hereinafter
‘ mentioned,

‘ mentioned, that is to say, [*here insert the Terms agreed upon for the Repayment,*] and to the Payment of Interest for the said Principal Sum, or so much thereof as shall from time to time remain unpaid, after the Rate of Five Pounds *per Centum per Annum*, [*or lesser Rate as the case may be,*] such Interest to be computed from the time the said Principal Sum shall be so advanced, and to be paid Half Yearly, until the Whole of the said Principal Sum, and Interest thereon, shall be fully paid and discharged. Given under our Hands and Seals, this _____ Day of _____

‘ One thousand eight hundred and _____

And every such Certificate shall be witnessed by One of the Secretaries or Clerks for the time being to the said Commissioners for carrying the said recited Acts into Execution; and upon the Production of such Certificate or Certificates, the Cashiers of the Bank, or one of them, shall and are or is hereby required to accept and receive the Sum or Sums therein specified, and at the Foot or Back of such Certificate to acknowledge the Receipt of the said Monies, without Fee or Reward; and the Receipt to be given by such Cashier of the Bank, at the Foot or on the Back of such Certificate as aforesaid, shall be in the Words and Figures following, or as near thereto as may be; (that is to say,)

Certificate to be witnessed by One of the Secretaries or Clerks to the Commissioners.

Receipt by Cashier of the Bank.

‘ **R**ECEIVED the _____ Day of _____ One thousand eight hundred and _____ of and from *A. B.* the Sum of _____ of lawful Money of *Great Britain*, being the Sum to be paid into the Bank of *England* pursuant to the above Certificate, and which Sum is placed to the Account of the Commissioners of His Majesty’s Woods, Forests and Land Revenues, being ‘ *The New Street Account.*’

Form of Receipt.

‘ Witness my Hand
‘ For the Governor and Company of the Bank of *England.*
(Signed) _____ Cashier.’

Which said Certificate and Receipt shall be enrolled in the Office of the Auditor of His Majesty’s Land Revenues for the County of *Middlesex*, on Payment of the usual Fees for such Enrolment, and a Minute or Extract thereof shall be entered and preserved in the Office of the said Commissioners of His Majesty’s Woods, Forests, and Land Revenues, and also in a Book to be kept for that Purpose by the Clerk to the said Commissioners for executing the said recited Act of the Fifty third Year of the Reign of His said Majesty; and every such Certificate and Receipt, when so given, granted, and enrolled, shall be and they are hereby declared to be conclusive Evidence of the Advance of every such Loan, and of the Day or time of making such Advance.

Certificate and Receipt to be enrolled in Office of Auditor of His Majesty’s Land Revenues for *Middlesex.*

III. And be it further enacted, That when any such Certificate and Receipt shall be so signed, enrolled and entered as aforesaid, every such Loan or Loans, the Receipt whereof shall be so acknowledged as aforesaid, shall be and the same is and are hereby charged upon the whole of the said Land Revenues of the Crown, (subject and without Prejudice to the Loan so advanced by the said Corporation of the *Royal Exchange Assurance*, and the Provisions made by the said recited Act of the Fifty fourth Year of His Majesty’s Reign for the Repayment thereof, and for the Payment of the Interest

Loans charged on Land Revenues.

Proviso for Loan by Royal Exchange Assurance Company.

Treasury to
make Payments
accordingly.

In case any Part
of the Principal
Loan, or of the
Interest thereof,
be unpaid for
Three Months,
the same to be
advanced by
Treasury.

Monies ad-
vanced to be re-
placed out of the
first Monies to
arise from the
Land Revenue.
Proviso for
Royal Exchange
Assurance.

Loans and Deeds
exempted from
Stamp Duties.

thereof as aforesaid,) and such Revenues shall from thenceforth be subject and liable to such new Loan or Loans, and the Repayment thereof and the Interest thereof, at such Rate, in such manner and by such Proportions, and at such time or times, as shall be stipulated and agreed upon by and between the said Commissioners for the time being for executing the said recited Act of the Fifty third Year of His Majesty's Reign, and the Person or Persons, Body or Bodies Politic or Corporate, or Companies, making such Advance, and as shall be mentioned, specified or expressed in the said Certificate, and the Lord High Treasurer or the Commissioners for executing the Office of Lord High Treasurer for the time being, is and are hereby authorized, empowered and required to make such Payments accordingly, when and as the same shall become due and payable out of the said Land Revenues of the Crown, after Payment of the necessary Charges of the Management thereof, prior to any other Application of such Land Revenues (save and except so far as such Revenues are or ought to be applied in the Repayment of the said Sum of Three hundred thousand Pounds so advanced by the said Corporation of the *Royal Exchange Assurance*, and in the Payment of the Interest thereof in the mean time as aforesaid).

IV. And be it further enacted, That in case it shall happen that any Payment of Interest accruing upon any Loan or Loans to be made in pursuance of this Act shall not be satisfied out of the said Land Revenues within the space of Three Calendar Months after the same shall have become due, or in case any Portion or Part of the Principal of any such Loan or Loans shall not be paid or discharged out of the said Land Revenues within the like Space of Three Calendar Months after the same shall have become due, that then the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the time being, or any Three or more of them, is and are hereby authorized, empowered, and required, upon the Demand or Requisition of the Person or Persons, Body or Bodies Politic or Corporate, or Company, who shall have made such Loan or Loans, or be entitled to such Interest or such Portion of Principal as shall be so in Arrear, due or unpaid, to make Payment of such Interest or Principal (as the case may be) which shall be so in Arrear, due or unpaid, out of any Monies at his or their Disposal, granted by Parliament for the Supplies of the then current Year.

V. Provided always, and be it further enacted, That in case any such Payment shall be advanced or made from or out of such Supplies for the Purposes aforesaid in pursuance of this Act, that then the Amount thereof shall be made good and replaced to the Credit of such Supplies out of the first Monies which shall arise from the Receipt of the Land Revenues of the Crown, after Payment of the necessary Charges of Management thereof, and of any Sum or Sums which shall be then due or payable for or in respect of the Loan so advanced by the said Corporation of the *Royal Exchange Assurance*, and in preference to any Charge whatsoever upon the same.

VI. And be it further enacted, That no Loan which shall be advanced, nor any Certificate or Receipt which shall be made or given for the same, by virtue of this Act, nor any Agreement, Deed or Instrument in relation thereto, shall be subject or liable to any *ad*

valorem

valorem Duty, or other Stamp Duty whatsoever imposed by any Act or Acts of Parliament now in force, nor to any Stamp Duty to be imposed by any future Act or Acts of Parliament, unless such Loan or Certificate, Receipt, Agreement, Deed, or Instrument, shall be specially subjected and specifically charged in and by such future Act or Acts of Parliament.

C A P. XXV.

An Act to explain and amend an Act, made in the Forty eighth Year of His present Majesty, for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof; and to exempt such Dwelling Houses as may be employed for the sole Purpose of Trade, or of lodging Goods, Wares or Merchandize, from the Duties charged by the said Act.

[23d May 1817.]

WHEREAS by an Act passed in the Forty eighth Year of the Reign of His present Majesty, intituled *An Act for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof, and certain Additional Duties to be consolidated therewith; and also for repealing the Stamp Duties on Game Certificates, and granting new Duties in lieu thereof, to be placed under the Management of the Commissioners for the Affairs of Taxes*, certain Duties were granted to His Majesty upon Houses, Windows and Lights, as set forth in the Schedule to the said Act annexed, marked (A.) and upon inhabited Houses, as set forth in the Schedule to the said Act annexed, marked (B.): And Whereas it is become usual in Cities and large Towns, and other Places, for One and the same Person, or for each Person where two or more Persons are in Partnership, to occupy a Dwelling House or Dwelling Houses for their Residence, and at the same time One or more separate and distinct Tenements or Buildings, or Parts of Tenements or Buildings, for the Purposes of Trade, or as Warehouses for Lodging Goods, Wares or Merchandize therein, or as Shops or Counting Houses, and to abide therein in the Day time only for the Purposes of such Trades respectively, which have been charged with the said recited Duties, although no Person shall inhabit or dwell therein in the Night time; and it is expedient in such cases to exempt from the said Duties such Tenements or Buildings, or Parts of Tenements or Buildings, as are or shall be solely employed for the Purposes herein mentioned; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *April* One thousand eight hundred and seventeen, on due Proof made in the manner herein directed, to the Satisfaction of the respective Commissioners acting in the Execution of the said recited Act, that any Person or any Number of Persons in Partnership together respectively occupy a Tenement or Building, or Part of a Tenement or Building, which shall have previously been occupied for the purpose of Residence wholly, as a House for the Purposes of Trade only, or as a Warehouse for the sole purpose of lodging Goods, Wares or Merchandize therein, or as a Shop or Counting

48 G. 3. c. 35.

Tenements which have been occupied as Dwelling Houses shall not be charged to Duties under recited Act when employed solely for the Purposes of Trade, or as Warehouses, Shops, &c.

House, no Person inhabiting, dwelling or abiding therein, except in the Day time only, for the Purpose of such Trade, such Person or each of such Persons in Partnership respectively residing in a separate and distinct Dwelling House, or Part of a Dwelling House, charged to the Duties under the said Act, it shall be lawful for the said Commissioners, according to the Provisions of this Act, to discharge the Assessment made for that Year in respect of such Tenement or Building which shall be so used for the Purposes of Trade, or so employed as a Warehouse for the sole Purpose of lodging Goods, Wares or Merchandize therein, or as a Shop or Counting House; any thing in the said Act to the contrary notwithstanding.

But such Tenements may be brought into Assessment. Persons claiming Relief to give Notice to Assessor, &c.

II. Provided always, and be it further enacted, That all such Tenements or Buildings, whether employed wholly for the Purposes of Trade or as Warehouses for the sole Purpose of lodging Goods, Wares or Merchandize therein, or as a Shop or Counting House, may be brought into Assessment as Dwelling Houses in the manner directed by the said Act; and every Person intending to be relieved from the Assessment made in respect of his or her Tenement or Building used for the Purposes of Trade, or as a Warehouse for the sole Purpose of lodging Goods, Wares or Merchandize therein, or as a Shop or Counting House, by virtue of this Act, shall in such case give Notice thereof to the Assessor or Surveyor of or for the Parish or Place where such last mentioned Tenement or Building shall be situate, and at the same time deliver a Declaration in Writing, stating the Parish or Place where the Dwelling House or Dwelling Houses, or Part of a Dwelling House used as the Residence of him, her or them, or his, her or their Family or Families, are respectively situate; and every Assessor or Surveyor to whom such Notice and Declaration shall be delivered, and every Surveyor of the District acting for such Parish or Place, whether he shall have received such Notice and Declaration or not, who shall have Information of such Claim being made or to be made, shall upon Request, from time to time and at all times in the Day time, be admitted to inspect and survey the Tenement or Building described to be so employed, as well internally as externally, and shall inquire and examine into the Uses and Purposes to which the same is or has been employed; and if after any such Claim made, or before or after Allowance thereof, it shall be discovered that the same Tenement or Building hath been employed for any other Use than for the Purposes of Trade, or as a Warehouse for lodging Goods, Wares or Merchandize, or as a Shop or Counting House, or that any Person doth inhabit or dwell therein, except as aforesaid, then on due Proof thereof before the said Commissioners, they shall and are hereby required to assess and charge the said Tenement or Building as a Dwelling House to the Duties granted by the said Act, notwithstanding such Claim or any thing hereinbefore contained to the contrary: Provided always, that nothing hereinbefore contained shall be construed to impeach or affect any Exemption from the said Duties expressly contained in the said recited Act.

Tenements to be inspected by Assessor, &c.

If such Tenement used for any other Purpose, then Commissioners to assess accordingly.

Assessments made on such Premises for the Years ending 5th April 1816 and 5th April 1817

III. And be it further enacted, That it shall and may be lawful for the Commissioners acting in the Execution of the said recited Act and this Act to discharge any Assessments which shall have been made for the Years ending the Fifth Day of *April* One thousand eight hundred and sixteen, and the Fifth Day of *April* One thousand

thousand eight hundred and seventeen respectively, on the Owner or Occupant, upon Houses, Tenements or Buildings, which under the Provisions of this Act would have been exempted from the Payment of Duties in case the said Act had related to such last mentioned Assessments; and in all cases where Assessments so discharged shall have been previously paid by the Parties, it shall be lawful for the said Commissioners to certify such Discharge or Discharges, with the Cause or Causes thereof, to the Commissioners for the Affairs of Taxes; and in that case it shall be lawful for the said Commissioners for the Affairs of Taxes to order and direct the Receiver General of the County, Riding or Division, who shall have received the Sums so paid under such discharged Assessments, to repay the same to the Party; which Order shall be an Authority to such Receiver General to repay the same, and such Repayment shall be allowed in his Accounts: Provided always, that no such Assessment shall be discharged except upon a Notice and Declaration being delivered by the Party making the Claim to the Assessor or Surveyor of the Parish or Place, in the same manner as is required with respect to the Exemption allowed by this Act.

IV. Provided always, and be it further enacted, That the Occupier of any Mill or Place of Manufacture or Warehouse, not being Part or Parcel of any Dwelling House, nor attached or adjoining to any Dwelling House, nor having any internal Communication therewith, may by the License in Writing of the Commissioners of the District, signed by them, or any Three or more of them assembled at any Meeting, after due Notice given by the Occupier of such Mill or Place of Manufacture, appoint any One of his or her Servants named in such License to watch and guard the said Mill, or Place of Manufacture or Warehouse, in the Night time, and that the abiding of such licensed Servant therein, for the purpose of watching and guarding the same, shall not render the Occupier thereof liable to any of the Duties granted by the said recited Act.

V. And Whereas by the said recited Act certain Windows or Lights in the Room of any Dwelling House, used as a Dairy or Cheese Room, are exempted from the said Duties, provided that the said Windows or Lights shall be made with Splines or Wooden Laths, or Iron Bars or Wires, and wholly without Glass: And Whereas it is expedient to exempt from the said Duties on Windows or Lights One Window or Light in any Dwelling House being a Farm House, occupied by a Tenant, and *bonâ fide* used for the purposes of Husbandry only, in manner hereinafter mentioned; Be it further enacted, That from and after the Fifth Day of April One thousand eight hundred and seventeen, One Window or Light in any Dairy or Cheese Room, or Room used as a Dairy and Cheese Room in any Farm House before described, which shall be used by the Tenant of such Farm House for the purpose of keeping Butter or Cheese, or both, being the actual Produce of such Farm, for Sale or private Use, although the said Window or Light be made with Glass, shall be exempted from the said Duty under the same Terms and Conditions as Windows or Lights made with Splines or Wooden Laths, or Iron Bars or Wires, and without Glass, are by the said Act exempted from the said Duty; provided that the Regulations of this Act respecting Warehouses and other Places used for the purposes of Trade, in order to obtain the

to be discharged, and Money paid, under such Assessments to be repaid by the Receiver General.

But no Assessment discharged but upon Notice, &c.

Mills or Places of Manufacture, &c. not attached to a Dwelling House not liable to Duty, though a Servant licensed to guard the same abide therein.

Proviso for One glazed Window in a Dairy in a Farm House.

Regulations of this Act respecting Warehouses applied to such Windows.

Exemptions granted by this Act, and the Powers vested in the Surveyors of entering, viewing and examining the same, shall be duly observed, practised and applied in regard to Windows or Lights in Dairies and Cheese Rooms, as fully and effectually as if the same Regulations and Powers were respectively repeated and expressly applied to the said last mentioned Windows or Lights.

C A P. XXVI.

An Act to amend and render more effectual Four several Acts passed in the Forty eighth, Forty ninth, Fifty second, and Fifty sixth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities. [23d May 1817.]

- 48 G. 3. c. 142. ' WHEREAS an Act passed in the Forty eighth Year of the
' Reign of His present Majesty, intituled *An Act for enabling*
' *the Commissioners for the Reduction of the National Debt to grant*
49 G. 3. c. 64. ' *Life Annuities* : And Whereas another Act passed in the Forty
' ninth Year of His present Majesty, intituled *An Act to amend an*
' *Act passed in the last Session of Parliament, for enabling the Com-*
' *missioners for the Reduction of the National Debt to grant Life An-*
52 G. 3. c. 129. ' *nuities* : And Whereas another Act passed in the Fifty second Year
' of the Reign of His present Majesty, intituled *An Act for amend-*
' *ing Two Acts passed in the Forty eighth and Forty ninth Years of*
' *His present Majesty, for enabling the Commissioners for the Reduction*
' *of the National Debt to grant Life Annuities* : And Whereas ano-
56 G. 3. c. 53. ' ther Act passed in the Fifty sixth Year of the Reign of His present
' Majesty, intituled *An Act to amend and render more effectual Three*
' *several Acts passed in the Forty eighth, Forty ninth and Fifty*
' *second Years of His present Majesty, for enabling the Commissioners*
' *for the Reduction of the National Debt to grant Life Annuities* :
' And Whereas it is expedient that the said Acts should be amend-
' ed, and further Provisions made for rendering the same more effec-
' tual ; Be it therefore enacted by The King's Most Excellent
Majesty, by and with the Advice and Consent of the Lords Spiritual
and Temporal, and Commons, in this present Parliament assembled,
and by the Authority of the same, That it shall be lawful for the said
Commissioners, and they are hereby empowered, to extend the
granting of Annuities to and for the Life of any single Nominee, or
to and for the joint Lives of any Two Nominees, and the Life of
the longer Liver, who shall be of the Age of Twenty one Years,
and under Thirty five, according to the Provisions, Limitations, and
Restrictions of the said recited Acts, except so far as the same
shall be altered and varied by this Act ; and in order to facilitate
the Purchase of Life Annuities, it shall be lawful for the said Com-
missioners to accept and receive either Four Pounds *per Centum* or
Five Pounds *per Centum* Bank Annuities, as the Consideration for the
Purchase of Life Annuities ; and for the Purpose of ascertaining
the Price of such Stock or Annuities, the Cashier or Cashiers of the
Bank of *England* shall and they are hereby required, on every
Day on which any of the said Annuities shall have been bought at
the Bank of *England*, to cause an Account to be made out of the
Average Price thereof, according to the Regulations prescribed by the
the

Extending the
granting of An-
nuities to Per-
sons 21 Years
old, and under
35.

Commissioners
may receive 4l.
or 5l. per Cent.
Stock for Pur-
chase of Life
Annuities.

Average Prices
of such Stock to

the said recited Acts in the case of Three Pounds *per Centum* Bank Annuities; which Account shall be transmitted to the Officer to be appointed for that Purpose by the said Commissioners, for enabling him to ascertain the respective Amounts of the Life Annuities which may be purchased under the Provisions of this Act.

be made out and transmitted to Officer.

II. And be it further enacted, That when any Four Pounds *per Centum* or Five Pounds *per Centum* Bank Annuities shall be transferred for the Purchase of Life Annuities, that such Four Pounds or Five Pounds *per Centum* Bank Annuities shall be first converted by the Computation of the said Officer into Three Pounds *per Centum* Consolidated or Reduced Bank Annuities (at the Option of the Purchaser) according to the Average Price of those Stocks, to be ascertained as directed by the said recited Acts, and the Life Annuities to be granted thereon shall be calculated and ascertained upon the Amount of Three Pounds *per Centum* Annuities, including Fractions (if any) produced by such Conversion.

5l. and 4l. per Cent. Stock to be converted by Calculation into 3l. per Cent. Stock.

III. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, to accept and receive Money in lieu of any Bank Annuities recited in this Act, or in lieu of Bank or Long Annuities in any of the said recited Acts, as the Consideration for the Purchase of Life Annuities; provided that the Annuity to be granted in such Cases shall be ascertained and computed upon the Amount of Stock including Fractions (if any) which would have been produced if such Money had been previously invested in either Three Pounds *per Centum* Consolidated or Reduced Bank Annuities (at the Option of the Purchaser) according to the Average Price thereof, to be ascertained as hereinbefore directed; and a Charge of Two Shillings and Sixpence shall be made upon the said Purchaser or Purchasers for every entire One hundred Pounds of Three Pounds *per Centum* Stock produced as aforesaid, to be placed to the Account of the said Commissioners.

Money may be accepted in lieu of Bank Annuities for the Purchase of Life Annuities.

IV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, to grant a deferred Annuity or Annuities upon the Life of any single Nominee, of the Age of Twenty one Years or upwards at the time of Contract, to commence at any future Period to be fixed by the Purchaser, or to grant an Annuity or Annuities upon the Contingency of One Life, of Twenty one Years or upwards at the time of such Purchase, surviving another assigned Life, not being under the Age of Twenty one Years as aforesaid; the first Half Yearly Payment of which latter Annuity shall commence on the Second Quarterly Day of Payment immediately following the Death of such assigned Nominee; but previous to the Payment of the said last mentioned Annuity, a Copy of the Burial Register of the said Nominee (or some other satisfactory Proof) shall be produced to the said Officer, accompanied by such and the like Affidavits as are required to be made and taken on the purchasing of Life Annuities by the said recited Acts; and upon the Production of such Proof the said Officer is hereby required to certify the same to the Governor and Company of the Bank of England: Provided always, that it shall not be lawful to contract for or to grant any deferred or contingent Life Annuity as aforesaid, unless an Annuity amounting to Five Pounds or upwards shall have been previously purchased, under the Provisions of

Authorizing the Grant of deferred Annuities.

Copy of Burial Register of Nominee produced to Officer with Affidavits.

this or the before recited Acts, upon the Life of the Person to be so nominated.

Regulations respecting Commissioners granting further Annuities to Persons who have purchased Life or deferred Annuities.

V. And be it further enacted, That for the purpose of enabling further Purchases to be made by any Person or Persons on whose behalf any Life Annuity, or deferred or contingent Annuity, shall have been already granted, under the Provisions of this Act or of either of the before recited Acts, it shall be lawful for the said Commissioners, and they are hereby empowered, to accept the Transfer of any of the aforesaid Three Pounds, Four Pounds or Five Pounds *per Centum* Annuities to their Account in the Books of the Bank of *England*, the Amount of which shall not be less than Twenty Pounds, or to accept and receive in Money an Equivalent thereto, in lieu of the said Three Pounds, Four Pounds, or Five Pounds *per Centum* Annuities, to be computed and ascertained according to the Average Price of Three Pounds *per Centum* Consolidated or Reduced Bank Annuities, as hereinbefore directed, as the Consideration for an additional Annuity, to be valued and ascertained according to the Age of the Party nominated at the time of purchasing such additional Annuity, in pursuance of the Provisions of this or the said recited Acts.

Commissioners may receive Stock or Money from time to time for the Purchase of Life Annuities or deferred Annuities.

VI. And be it further enacted, That for the Purpose of extending the Facilities for purchasing Life Annuities, it shall be lawful for the said Commissioners, and they are hereby empowered, to accept and receive at all times the Transfer of any of the aforesaid Three Pounds, Four Pounds, or Five Pounds *per Centum* Annuities to their Account in the Books of the Bank of *England*, the Amount of which shall not be less than Ten Pounds, or to accept and receive in Money an Equivalent thereto, in lieu of the said Three Pounds, Four Pounds or Five Pounds *per Centum* Annuities, to be computed and ascertained according to the Average Price of Three Pounds *per Centum* Consolidated or Reduced Bank Annuities, as hereinbefore directed, as the Consideration for any Life Annuity or Annuities to be purchased under the Provisions of this or the before recited Acts; which said Sums of Money the said Commissioners shall from time to time cause to be laid out in the Purchase of Bank Three Pounds *per Centum* Annuities, to be placed to their Account; and the Interest arising from the Investment thereof, and also the Interest of all such Sums of Stock transferred as aforesaid, shall in like manner from time to time, as the same shall arise and become due, be laid out and invested in the Three Pounds *per Centum* Bank Annuities, and shall continue to accumulate for any Period to be fixed by the Purchaser or Purchasers, or by some Person on his, her or their behalf; provided, that at the time of making the first Payment in Money or Transfer of Stock as aforesaid, the Purchaser or Purchasers, or some Persons on his, her or their behalf, shall agree to convert the whole of the Stock which may be then accumulated (except as herein excepted) into an Annuity upon the Life of the Person to be nominated at the Expiration of the time so fixed and agreed upon, such Nominee being then Twenty one Years or upwards, or into a deferred or contingent Annuity upon the Life of such Nominee as aforesaid, under the Provisions of this or the before recited Acts.

In case of Death of Parties before the Completion

VII. And be it further enacted, That in the event of the Death of the Person or Persons so contracting before the Completion of

the

the time agreed upon for converting the whole of the Stock which shall have so accumulated into a Life Annuity as specified in such Contract, the Probate of the Will of such Person or Persons, or Letters of Administration, shall be produced at the Office of the Commissioner for the Reduction of the National Debt, and also an Affidavit of Identity, stating the Day on which such Person or Persons so contracting shall have died, to be made by his, her or their Executors, Administrators or Assigns, (as the case may be) to enable the said Officer of the said Commissioners to certify to the Governor and Company of the Bank of *England* the Amount of Stock to be transferred from the Account of the said Commissioners (all Dividends from time to time due thereon being previously invested) to the Person or Persons entitled thereto; and the Cashier or Cashiers of the Bank, being also the Agents of the said Commissioners, are hereby required to transfer from the Account of the said Commissioners to the Person or Persons entitled thereto, the whole Amount of Stock which shall have actually accumulated on behalf of the Person or Persons so contracting, up to the Day of his, her or their Decease, as specified in such Certificate.

of Purchase of Annuities, Stock to be transferred to Executors, &c.

VIII. And be it further enacted, That in all cases wherein Money shall be the Consideration for any Life Annuity or Annuities to be granted under the Provisions of this Act, such Money shall be paid by the Purchaser or Purchasers, or by some Person on his, her or their behalf, into the Bank, under a Certificate of the said Officer of the said Commissioners, and upon the Production of such Certificate to the Cashier or Cashiers of the Bank of *England*, the said Cashier or Cashiers shall and they are hereby required to receive all such Monies, and to place the same to the Account of the Commissioners for the Reduction of the National Debt.

When Money is to be paid for Purchase of Annuities, the same to be paid into the Bank of England.

IX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, in any case in which any Sums of Money, or any of the aforesaid Three, Four or Five Pounds *per Centum* Annuities, or deferred or Contingent Annuities, shall be accepted and taken as the Consideration for any Life Annuity or Annuities, to use for the purpose of carrying this Act into Execution the Form of Declaration and Certificates in the Schedules to either of the said recited Acts annexed, with such Alterations and Variations as it may be necessary to adapt to the Nature of the case; and from time to time to settle and fix the Rates for purchasing Life Annuities in all the aforesaid cases in which the same shall not be otherwise made and provided, according to such Tables of the Probability or Duration of Lives as shall appear to the said Commissioners most applicable; any Thing in the said recited Acts to the contrary notwithstanding.

Commissioners to use Forms of Declaration and Certificates, and fix Rates of Purchase of Annuities according to former Acts.

X. And Whereas it is expedient that the Schedules marked (A.) and (B.) to this Act annexed, should be adopted in lieu of the Schedule marked (F.) to the said first recited Act, and in lieu of the Schedule to the said recited Act of the Forty ninth Year of His present Majesty's Reign; Be it therefore enacted, That from and after the passing of this Act, the said Two last mentioned Schedules shall be and the same are hereby repealed, and the Schedules to this Act annexed, marked (A.) and (B.), shall be substituted for and in lieu thereof; and shall be used and applied for all the Purposes to which the said Schedules were used or applicable.

Schedules (A.) and (B.) to be adopted in lieu of Schedule (F.) in 49 G. 3. c. 64.

‘ XI. And

Acceptance of Annuities by One of the Purchasers, where Two or more are named, or by some Person on his behalf, to be sufficient.

Officer of Commissioners to administer Oaths,

free of Expence.

Perjury.

Certain Registers of Death of Quakers or Dissenters to be taken in Evidence.

‘ XI. And Whereas in and by the above recited Act of the Forty eighth Year of the Reign of His present Majesty it is enacted, that every Life Annuity purchased as therein mentioned should be accepted at the Bank of *England* by the Person or Persons purchasing the same, or by some other Person or Persons duly authorized on his, her or their behalf, before he, she or they should be entitled to receive the same: And Whereas in cases where Life Annuities are purchased in the Names of Two or more Persons it is found inconvenient to require the Acceptance thereof by all the Purchasers;’ Be it therefore enacted, That from and after the passing of this Act, in all cases where any Life Annuity already has been or hereafter shall be purchased under the said recited Acts or any of them, or of this Act, in the Names of Two or more Persons, the Acceptance thereof by One of the Persons by whom or in whose Names the same may have been or shall be purchased, or by any Person or Persons duly authorized on his or her behalf, shall be sufficient to entitle the Purchasers to receive Payment of such Annuity from time to time as the same shall accrue and become due, in like manner to all Intents and Purposes as if such Annuity had been accepted by all the Persons in whose Names the same had been or shall be purchased; any thing in the said recited Acts or of this Act to the contrary thereof in anywise notwithstanding.

XII. And be it further enacted, That in order to facilitate the purchasing or receiving any Life Annuity or Annuities in pursuance of this or the said recited Acts, it shall be lawful in all cases in which any Affidavit or Affidavits, Affirmation or Affirmations, is or are required to be made and taken by this or the said recited Acts, for the said Officer of the said Commissioners to administer such Affidavit or Affidavits, Affirmation or Affirmations; and he is hereby empowered and required to administer the same in all such cases (free of Expence to the Parties); any thing in this or the said recited Acts to the contrary notwithstanding.

XIII. And be it further enacted, That if any Person, in any Affidavit or Affirmation to be taken before the said Officer under the Provisions of this or the said recited Acts, shall wilfully or corruptly swear or affirm any matter or thing which shall be false or untrue, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such Pains and Penalties, as by any Laws now in force any Persons convicted of wilful and corrupt Perjury are subject and liable to.

‘ XIV. And Whereas it is expedient that Burial Registers of any Nominee or Nominees, extracted from the Records of the Society of Friends, commonly called *Quakers*, or from the Records of dissenting or other Chapels (not being Parochial), should be admitted by the said Officer of the said Commissioners for the Purposes of this and the said recited Acts;’ Be it therefore enacted, That the said Officer shall and he is hereby empowered to admit such Burial Registers as evidence of the Death or Burial of any Nominee or Nominees, the same being duly certified under the Hands of the Registrar thereof; provided that in all such cases the said Burial Register shall be accompanied by an Affidavit of Identity, to be made and taken by and before such and the like Person or Persons, or before the said Officer, as is required on the Death of any

any Nominee or Nominees by the said recited Acts or this Act; any thing in the said recited Acts to the contrary notwithstanding.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

No.

FORM of the Certificate to be granted in order to enable the Receipt of the Annuity from time to time at the Bank of *England*.

‘ I DO hereby certify to the Governor and Company of the Bank
 ‘ of *England*, in pursuance of the Provisions of an Act passed in
 ‘ the Fifty seventh Year of the Reign of His present Majesty,
 ‘ intituled *An Act* [*here insert the Title of this Act*] That *A. B.*
 ‘ the Nominee [*or, in case of Two Nominees, One of the Two No-*
 ‘ minees] [*or, the Survivor of the Two Nominees*] described in the
 ‘ Certificate numbered as above, and dated the _____ Day
 ‘ of _____ granted for the Purpose of enabling
 ‘ the Transfer of _____
 ‘ *per Centum* Bank [*or, Long*] Annuities, *or* Payment of
 ‘ _____ in Money for the Purchase of a Life
 ‘ Annuity on the Life of the said Nominee, [*or, on the Lives of the*
 ‘ said Nominees, and the Life of the longer Liver of them,] was
 ‘ living on the _____ Day of
 ‘ on which Day a Half Yearly Payment of the said Annuity be-
 ‘ came due. Witness my Hand, this _____ Day of

No.

SCHEDULE (B.)

FORM of Certificate to be granted in order to enable the Receipt of the Annuity from time to time at the Bank of *England*, upon the personal Appearance of the Nominee.

‘ I DO hereby certify to the Governor and Company of the Bank
 ‘ of *England*, in pursuance of the Provisions of an Act passed in
 ‘ the Fifty seventh Year of the Reign of His present Majesty, in-
 ‘ tituled *An Act* [*here insert the Title of this Act*] That *A. B.* the
 ‘ Nominee [*or, in case of Two Nominees, One of the Two Nomi-*
 ‘ nees] [*or, the Survivor of the Two Nominees*] described in the
 ‘ Certificate numbered as above, and dated the _____
 ‘ Day of _____ granted for the Purpose of enabling the
 ‘ Transfer of _____ *per Centum* Bank
 ‘ [*or, Long Annuities, or* Payment of
 ‘ _____ in Money, for the Purchase of a Life Annuity on the Life of the
 ‘ said Nominee, [*or, on the Lives of the said Nominees and the Life*
 ‘ of the longer Liver of them] appeared personally before me on
 ‘ this _____ Day of _____ . Witness my Hand,
 ‘ the Day and Date above written.’

C A P. XXVII.

An Act for repealing the Duties of Customs on Buck Wheat imported into this Kingdom, and for granting other Duties, until the Twenty fifth Day of *March* One thousand eight hundred and twenty one, in lieu thereof. [23d *May* 1817.]

‘ **W**HEREAS it is expedient that the Duties of Customs payable on the Importation into this Kingdom of Buck Wheat should be repealed, and that other Duties of Customs should be imposed in lieu thereof;’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *June* One thousand eight hundred and seventeen, the Duties of Customs payable by Law upon Buck Wheat imported into this Kingdom do cease and determine, save and except in all cases relating to the recovering or paying Arrears thereof which may remain unpaid, or to any Fine, Penalty or Forfeiture relating thereto which shall have been incurred at any time before or on the First Day of *June* One thousand eight hundred and seventeen; and that from and after the said First Day of *June* One thousand eight hundred and seventeen, in lieu and instead of the Duties hereby repealed, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, a Duty of Customs of Ten Shillings for every Quarter containing Eight Bushels of Buck Wheat: Provided always, that nothing herein contained shall extend or be construed to extend to compel the Importers, Proprietors or Consignees of Buck Wheat to pay the Duties upon the Importation and Landing thereof in case such Importers, Proprietors or Consignees shall lodge and secure the same under the joint Locks of the Crown and the Merchant, under the Regulations required by an Act passed in the Forty third Year of the Reign of His present Majesty, intituled *An Act for permitting certain Goods imported into Great Britain to be secured in Warehouses without Payment of Duty.*

II. And be it further enacted, That the said Duties and no other shall be charged and payable on any of the said Buck Wheat which, having been warehoused or otherwise secured under the Authority of the aforesaid Act of Parliament without Payment of Duty, shall be taken out of any such Warehouse or Place wherein the same shall have been lodged or secured, for the purpose of being used or consumed in this Kingdom, after the said First Day of *June* One thousand eight hundred and seventeen, notwithstanding the same may have been imported into this Kingdom on or before the said First Day of *June* One thousand eight hundred and seventeen.

III. And be it further enacted, That the Duty of Customs granted by this Act shall and may be managed, ascertained, raised, levied, collected, answered, paid and recovered, in such and the like manner as the Duties on Buck Wheat hereby repealed were or might be managed, ascertained, raised, levied, collected, answered, paid and recovered; and the Goods shall be subject and liable to all and every the Conditions, Rules, Regulations, Restrictions, Seizures and Forfeitures.

Duties on Buck Wheat imported repealed, and instead thereof a Duty of 10s. per Quarter shall be paid.

New Duty.

Buck Wheat may be warehoused under the Regulations of 43 G. 3. c. 132.

The said Duty to be paid on Buck Wheat on being taken out of Warehouses for Home Consumption.

Duty how to be levied and recovered.

feitures, as such Goods were subject and liable to by any Act or Acts of Parliament in force on or immediately before the said First Day of *June* One thousand eight hundred and seventeen.

Duty to be paid into the Exchequer, and applied as the former Duty.

IV. And be it further enacted, That all Monies arising from the Duties imposed by this Act, the necessary Charges of raising and accounting for the same excepted, shall from time to time be paid into the Receipt of His Majesty's Exchequer at *Westminster*, and shall be appropriated and applied in the same manner as the Duties of Customs imposed on the like Goods under the Head of Permanent Duties were directed to be appropriated and applied.

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

Act may be altered, &c. this Session.

VI. And be it further enacted, That this Act shall continue in force until the Twenty fifth Day of *March* One thousand eight hundred and twenty one.

Continuance of Act.

C A P. XXVIII.

An Act to extend the Powers of Two Acts for allowing *British* Plantation Sugar and Coffee, and other Articles imported into *Bermuda* in *British* Ships, to be exported to *America* in Foreign Vessels; and to permit Articles, the Produce of *America*, to be imported into the said Island in Foreign Ships, to certain other Articles. [23d May 1817.]

WHEREAS an Act was passed in the Fifty second Year of His present Majesty's Reign, intituled *An Act to allow British Plantation Sugar and Coffee imported into Bermuda in British Ships to be exported to the Territories of the United States of America in Foreign Ships or Vessels; and to permit Articles, the Production of the said United States, to be imported into the said Island in Foreign Ships or Vessels*: And Whereas an Act was passed in the Fifty third Year of His present Majesty's Reign, intituled *An Act for further allowing the Importation and Exportation of certain Articles at the Island of Bermuda*: And Whereas it is expedient that the said Acts should be extended so far as regards the Articles to be allowed to be imported and exported: Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in Addition to the Articles enumerated in the said Acts it shall be lawful to import from the United States into the Ports mentioned in the Acts above recited, in Vessels of the Description therein stated, and under the like Authority, Restrictions, Rules, Regulations, Penalties and Forfeitures, provided in the said recited Acts, the Articles of Fruit and Vegetables being the Produce of the said States; and in Addition to the Articles permitted to be exported by the said above recited Acts, to export from the said Island of *Bermuda* to the said United States, in such Vessels and under such Regulations as aforesaid, Rum and Melasses the Produce of any *British* Colony or Plantation in the *West Indies*, which shall have been legally imported into the Island of *Bermuda* in any *British* Ship or Vessel.

52 G. 3. c. 79.

53 G. 3. c. 50.

In addition to the Articles enumerated in recited Acts, Fruit and Vegetables may be imported, and Rum and Melasses may be exported, &c.

C A P. XXIX.

An Act to extend to *Newfoundland* the Provisions of an Act passed in the Fifty second Year of His present Majesty's Reign, for permitting the Exportation of Wares, Goods and Merchandize, from any of His Majesty's Islands in the *West Indies* to any other of the said Islands, and to and from any of the *British Colonies* on the Continent of *America*, and the said Islands and Colonies. [23d May 1817.]

52 G. 3. c. 100.

WHEREAS by an Act passed in the Fifty second Year of the Reign of His present Majesty, intituled *An Act to permit the Exportation of Wares, Goods and Merchandize from any of His Majesty's Islands in the West Indies to any other of the said Islands, and to and from any of the British Colonies on the Continent of America, and the said Islands and Colonies*; it is enacted, that it shall and may be lawful to and for any of His Majesty's Subjects to export in any *British*-built Ship or Vessel, owned and navigated according to Law, from any one of the Islands in the *West Indies* belonging to His Majesty, to any other of the said Islands, or to any of the *British Colonies* on the Continent of *America*, and from any one of the said *British Colonies* in *America* to any of the Islands in the *West Indies* belonging to His Majesty, or to any other *British Colony* or Plantation on the Continent of *America*, any Goods or Commodities whatsoever of the Manufacture of *Europe*, and also any Goods, Wares or Merchandize, or Prize Goods, which shall have been legally imported into any of the said Islands or Colonies, under the Rules, Regulations and Restrictions contained in an Act passed in the Forty fifth Year of His said Majesty's Reign, intituled *An Act to consolidate and extend the several Laws now in force for allowing the Importation and Exportation of certain Goods and Merchandize into and from certain Ports in the West Indies*: And Whereas it is expedient to extend the Provisions of the said first recited Act to the Island of *Newfoundland*; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful to and for any of His Majesty's Subjects to export in any *British* built Ship or Vessel, owned and navigated according to Law, from the said Island of *Newfoundland* to any of the Islands in the *West Indies* belonging to His Majesty, or to any of the *British Colonies* on the Continent of *America*, and from any one of the said Islands in the *West Indies* belonging to His Majesty, or from any one of the said *British Colonies* on the Continent of *America*, into the said Island of *Newfoundland*, any Goods or Commodities whatsoever of the Manufacture of *Europe*, and also any Goods, Wares or Merchandize, or Prize Goods, which shall have been legally imported into any of the said Islands and Colonies, under the Rules, Regulations and Restrictions contained in the said last recited Act of the Forty fifth Year of the Reign of His present Majesty.

45 G. 3. c. 57.

European Goods, &c. may be exported from Newfoundland to the West Indies, &c. and from the West Indies, &c. to Newfoundland.

C A P.

C A P. XXX.

An Act to regulate the Interests and Periods of Payment of Navy, Victualling and Transport Bills. [23d May 1817.]

WHEREAS an Act passed in the Thirty seventh Year of the Reign of His present Majesty, intituled *An Act to provide for the more speedy Payment of all Navy, Victualling and Transport Bills that shall be issued in future*: And Whereas another Act passed in the Forty third Year of the Reign of His present Majesty, intituled *An Act to amend an Act made in the Thirty seventh Year of the Reign of His present Majesty, intituled An Act to provide for the more speedy Payment of all Navy, Victualling and Transport Bills that shall be issued in future*: And Whereas it is expedient that the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland* should be empowered to regulate the Interest and Period of Payment of Navy, Victualling and Transport Bills issued after passing of this Act; May it therefore please Your Majesty that it may be enacted; and be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for the said Commissioners of the Treasury, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain and Ireland* for the time being, from time to time to order and direct whether any and what Interest shall be payable upon Navy, Victualling and Transport Bills respectively, and also the Periods within which the same shall respectively be made payable: Provided always, that no such Bills shall carry an Interest exceeding the Rate of Three pence Halfpenny *per Centum per Diem*, to commence from the Date of the same respectively, and to be paid at the time when such Bill shall become payable or be made payable, at any longer Periods than Ninety Days from the Date thereof respectively; any thing in the said recited Acts, or any former Law or Usage to the contrary notwithstanding.

II. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable the said Lord High Treasurer or Commissioners of the Treasury for the time being to direct any Alteration to be made either in the Rate of Interest or in the Period of Payment of any Navy, Victualling or Transport Bill issued or to be issued in Payment or Part Payment, or in pursuance and performance of any Contract subsisting and in force at the time of the passing of this Act; but all such Bills shall be made payable at the same Periods, and shall bear the same Rate of Interest, as if this Act had not been passed.

C A P. XXXI.

An Act for granting to His Majesty a Sum of Money to be raised by Lotteries. [23d May 1817.]

[60,000 Tickets.]

37 G. 3. c. 26.

43 G. 3. c. 7.

Treasury may regulate the Interest and Period of Payment of Navy Bills, &c. But not to exceed Three pence Halfpenny per Cent. per Diem.

Proviso for Bills issued or to be issued in pursuance of any subsisting Contract.

C A P. XXXII.

An Act to repeal the Duties of Excise on Stone Bottles, and charge other Duties in lieu thereof. [16th June 1817.]

52 G. 3. c. 139.
§ 1.

§ 25.

Duties and Drawback on Stone Bottles granted by recited Act repealed, and in lieu thereof the following

Duties.

‘ WHEREAS by an Act made in the Fifty second Year of the Reign of His present Majesty, intituled *An Act for granting to His Majesty certain Duties on Stone Bottles made in or imported into Great Britain*, a countervailing Duty of Excise of Two Shillings and Sixpence is imposed for every Hundred Weight of Stone Bottles, not exceeding Two Quarts Measure, made in *Ireland*, and imported from thence into *Great Britain*; and by the said Act an Excise Duty of Two Shillings and Sixpence is imposed for every Hundred Weight of Stone Bottles, not exceeding Two Quarts Measure, imported from any other Place beyond the Seas; and by the said Act a Duty of Two Shillings and Sixpence is imposed for every Hundred Weight of Stone Bottles, not exceeding Two Quarts Measure, made in *Great Britain*; and by the said Act a Drawback of Two Shillings and Sixpence is granted and allowed for every Hundred Weight of any such Stone Bottles as aforesaid, upon the Exportation thereof to any Port or Place beyond the Seas, except the Islands of *Faro* and *Ferro*: And Whereas, for the Protection of the Glass Manufactures of the United Kingdom, it is expedient to repeal the said Duties and Drawback, and to impose other Duties and grant another Drawback in lieu thereof;’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *July* One thousand eight hundred and seventeen, all and singular the aforesaid Duties and Drawback shall cease and determine, and be no longer paid or payable, save and except in all cases relating to the recovering, allowing, or paying any Arrears thereof respectively which may 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 Fifth Day of *July* One thousand eight hundred and seventeen.

II. And be it further enacted, That from and after the said Fifth Day of *July* One thousand eight hundred and seventeen, in lieu and instead of the Duties by this Act repealed, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, the several Rates and Duties of Excise hereinafter mentioned; that is to say,

For every Hundred Weight of Stone Bottles, not exceeding Two Quarts Measure made in *Ireland*, and imported from thence into *Great Britain*, a countervailing Duty of Excise of Five Shillings, and so in proportion for any greater or less Quantity:

For every Hundred Weight of Stone Bottles, not exceeding Two Quarts Measure, imported from any other Place beyond the Seas, an Excise Duty of Five Shillings, and so in proportion for any greater or less Quantity.

And for every Hundred Weight of Stone Bottles, not exceeding Two Quarts Measure, made in *Great Britain*, an Excise Duty of

of Five Shillings, and so in proportion for any greater or less Quantity :

And that, in lieu and instead of the Drawback by this Act repealed, there shall be paid, upon the Exportation of any Stone Bottles made in *Great Britain*, or made in *Ireland* and imported into *Great Britain*, for and in respect whereof the Duties by this Act imposed shall have been paid, and which shall be stamped in some visible Part thereof in the making thereof with a Mark, to be directed by the Commissioners of Excise, to any Port or Place beyond the Seas, except the Island of *Faro* and *Ferro*, an Excise Drawback of Five Shillings for every Hundred Weight, and so in proportion for any greater or less Quantity of such Stone Bottles.

III. And Whereas by the said recited Act every Bottle made of Earthen or Stone Ware, or of Earth or Clay, the Mouth or Orifice of which shall not exceed in Diameter the Diameter of the Neck thereof by more than One Quarter of an Inch, and which shall not exceed Two Quarts in Measure, and no other, shall be deemed and taken to be a Stone Bottle within the Meaning of the said Act : And Whereas the above recited Description of the Stone Bottles intended by the said Act has by Experience been found to be insufficient ; Be it therefore further enacted, That from and after the said Fifth Day of *July* One thousand eight hundred and seventeen so much of the said Act as is lastly above recited shall be and the same is hereby repealed, and that from and after the said Fifth Day of *July* One thousand eight hundred and seventeen, every Bottle or other Vessel which may be used as or for a Bottle, made of Earthen or Stone Ware, or of Earth or Clay alone, or mixed with any other Material or Materials, which shall not exceed Two Quarts in Measure, or the Mouth or Neck of which shall not exceed in Diameter, in the narrowest Part of the Inside thereof, Three Inches, and no other, shall be deemed and taken to be a Stone Bottle within the Meaning of this Act.

IV. And be it further enacted, That such of the Duties by this Act imposed as shall arise in that Part of *Great Britain* called *England* shall be under the Management of the Commissioners of Excise in *England* for the time being, and such thereof as shall arise in that Part of *Great Britain* called *Scotland*, shall be under the Management of the Commissioners of Excise in *Scotland* for the time being.

V. And be it further enacted, That the said Duties and Drawback hereby imposed and granted shall be respectively raised, levied, collected, recovered and paid in such and the like manner, and in or by any or either of the general or special Means, Ways or Methods, by which the former Duties and Drawback of Excise respectively hereby repealed were or might be raised, levied, collected, recovered and paid ; and the said Persons, Goods, Wares, Merchandize or Commodities so by this Act respectively made liable to the Payment of or chargeable with the said Duties imposed, or entitled to the said Drawback respectively imposed and granted by this Act, shall be and the same are hereby made subject and liable to all and every the Conditions, Regulations, Rules, Restrictions and Forfeitures to which such Persons, Goods, Wares, Merchandize or Commodities were generally or specially subject and liable by any Act or Acts of Parliament in force on and immediately before the said Fifth Day of *July* One thousand eight hundred and seventeen, respecting the

Drawback.

52 G. 3. c. 139.
§ 24.
repealed.What deemed
to be a Stone
Bottle.Duties under
Commissioners
of Excise.Duties and
Drawback how
to be levied and
paid.

Duties of Excise or other Duties under the Management of the said Commissioners of Excise respectively, were or might be subject and liable; and all and every Pain, Penalty, Fine or Forfeiture, of any Nature or Kind whatever, for any Offence whatever committed against or in breach of any Act or Acts of Parliament in force on and immediately before the said Fifth Day of *July* One thousand eight hundred and seventeen, for securing the Revenue of Excise or other Duties under the Management of the said Commissioners of Excise respectively, 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 said several Duties of Excise and Drawback respectively hereby imposed and granted, in as full and ample Manner to all Intents and Purposes whatsoever as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Pains, Penalties or Forfeitures were particularly repeated and reenacted in the Body of this Act.

Application of Duties.

VI. And be it further enacted, That all the Monies 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 shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

Bottles not to be made of less Size or Content than Three Ounces in Measure of distilled Water.

VII. And be it further enacted, That no Maker or Makers of Earthen or Stone Ware, or of Bottles or other Vessels made of Earthen or Stone Ware, or of Earth or Clay alone, or mixed with any other Material or Materials, shall make of Earthen or Stone Ware, or of Earth or Clay alone, or mixed with any other Material or Materials whatsoever, any Bottle or Bottles, or other Vessel or Vessels which may be used as or for a Bottle or Bottles, smaller or of less Size or Content than Three Ounces in Measure of distilled Water; and if any such Maker or Makers shall make of Earthen or Stone Ware, or of Earth or Clay alone, or mixed with any other Material or Materials whatsoever, any Bottle or Bottles, or any Vessel or Vessels which may be used as or for a Bottle or Bottles, smaller or of less Size or Content than Three Ounces in Measure of distilled Water, such Maker or Makers so offending shall for each and every such Offence forfeit and lose the Sum of Fifty Pounds, to 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, Complaint or Information in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer at *Edinburgh* 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.

Penalty 50l.

VIII. And Whereas Contracts or Agreements may have been made before the passing of this Act by Dealers in Stone Bottles, upon which Duties are by this Act imposed for such Stone Bottles, to be delivered after the Fifth Day of *July* One thousand eight hundred and seventeen; Be it therefore enacted, That such Dealers delivering such Stone Bottles made after the Fifth Day of *July*

Amount of Duties to be added to the

July One thousand eight hundred and seventeen, in pursuance of such Contracts or Agreements, shall be allowed to add so much Money as will be equivalent to the Duties by this Act imposed for or in respect of such Stone Bottles to the Price thereof, and shall be entitled by virtue of this Act to be paid for the same accordingly.

Prices fixed by Contracts.

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

Act may be altered, &c. this Session.

C A P. XXXIII.

An Act to reduce the Allowance of Spirits, Tea and Tobacco for the Use of the Seamen on board certain Ships or Vessels making short Voyages. [16th June 1817.]

WHEREAS, by the Laws now in force, Ships or Vessels found at Anchor or hovering within the Limits of any of the Ports of this Kingdom, or within certain Distances of the Coasts thereof, or which shall be discovered to have been within the said Limits or Distances, and not proceeding on their Voyages, Wind and Weather permitting, unless in case of unavoidable Necessity and Distress of Weather, of which Necessity and Distress the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall give Notice and make Proof before the Collector or other Chief Officer of the Customs of any Port within the Limits of which such Ship or Vessel shall be found, immediately after the arrival of such Ship or Vessel within the Limits of such Port, having on board any Brandy or other Spirituous Liquors in any Vessel or Cask which shall not contain Sixty Gallons at the least, (except only for the Use of the Seamen then belonging to and on board such Ship or Vessel, not exceeding Two Gallons for each Seaman,) or having on board Six Pounds Weight of Tea, or having on board any Tobacco in any Cask or Package whatever containing less than Four hundred and fifty Pounds Weight, (except loose Tobacco for the Use of the Seamen on board such Ship or Vessel, not exceeding Five Pounds Weight for each Seaman,) then not only all such Goods, but also the Ship or Vessel on board which they shall be found as aforesaid, with all her Guns, Furniture, Ammunition, Tackle and Apparel are forfeited: And Whereas it has been found that great Quantities of Spirits, Tea and Tobacco have been run into that Part of the United Kingdom called *Great Britain*, without Payment of Duties, from Ships and Vessels making short Voyages, under Pretence that the same is for the Use of the Seamen on board the said Ships and Vessels; for Remedy whereof it is expedient that the Quantities allowed for the Use of the Seamen in such cases should be reduced; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, if any Ship or Vessel (not being square rigged) coming from any Place between *Brest* on the Coast of *France* and the *Helder Point* on the Coast of *Holland*, including the *Texel Isle* and all Places on the *Zuyder Zee*, and all Islands on the Coast of *France*, the *Netherlands* and *Holland*, between *Brest* and the *Texel*,

Vessels (not being square rigged) coming from any Place between *Brest* and the *Helder*, &c. found hovering, &c. having

on board for the Use of the Seamen more than the Quantity herein specified of Spirits, Tea or Tobacco, such Goods and Vessels forfeited.

shall arrive in any of the Ports of that Part of the United Kingdom called *Great Britain*, or shall be found at Anchor or hovering within the Limits of any of the Ports thereof, or within Four Leagues of that Part of the Coast thereof which is between the *North Foreland* on the Coast of *Kent* and *Beachy Head* on the Coast of *Suffex*, or within Eight Leagues of any other Part of the Coast of that Part of the United Kingdom called *Great Britain*, or shall have been discovered to have been within the said Limits or Distances, and not proceeding on her Voyage, Wind and Weather permitting, unless in case of unavoidable Necessity and Distress of Weather, of which Necessity and Distress the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall give Notice and make Proof before the Collector or other Chief Officer of the Customs of any Port within the Limits of which such Ship or Vessel shall be found, immediately after the Arrival of such Ship or Vessel within the Limits of such Port, having on board, for the Use of the Seamen then belonging to and on board such Ship or Vessel any Brandy or other Spirituous Liquors exceeding One Half of a Gallon for each Seaman, or having on board any Tea exceeding Two Pounds Weight in the Whole, or having on board any Tobacco, except loose Tobacco, not exceeding One Pound Weight for each Seaman; then not only all such Goods, but also the Ship or Vessel on board which they shall be found as aforesaid, with all her Guns, Furniture, Ammunition, Tackle and Apparel shall be forfeited, and shall and may be seized by any Officer or Officers of His Majesty's Army, Navy or Marines, or of the Customs or Excise.

Such Vessels coming from any Place between Brest and Cape Finisterre, &c. having on board a larger Quantity of Spirits, &c. than herein mentioned, Goods and Vessels forfeited in like manner.

II. And be it further enacted, That if any Ship or Vessel (not being square rigged) coming from any Place between *Brest* on the Coast of *France*, and *Cape Finisterre* on the Coast of *Spain*, including all Islands on the Coasts of *France* and *Spain* between those Places, or coming from any Place between the *Helder Point* on the Coast of *Holland* and *North Bergen* on the Coast of *Norway*, or from any Place as far up the *Cattegat* as *Gottenburgh*, including all Islands on the Coasts between those Places, shall arrive in any of the Ports of that Part of the United Kingdom called *Great Britain*, or shall be found at Anchor or hovering, or shall have been discovered to have been within the said Limits or Distances, and not proceeding on her Voyage, Wind and Weather permitting, unless in case of unavoidable Necessity and Distress of Weather, of which Necessity and Distress the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall give Notice and make Proof before the Collector or other Chief Officer of the Customs of any Port within the Limits of which such Ship or Vessel shall be found, immediately after the Arrival of such Ship or Vessel within the Limits of such Port, having on board, for the Use of the Seamen then belonging to and on board such Ship or Vessel, any Brandy or other Spirituous Liquors exceeding One Gallon for each Seaman, or having on board any Tea exceeding Four Pounds Weight in the whole, or having on board any Tobacco, excepting loose Tobacco not exceeding Two Pounds Weight for each Seaman; then not only all such Goods, but also the Ship or Vessel on board which they shall be found as aforesaid, with all her Guns, Furniture, Ammunition, Tackle and Apparel, shall be forfeited, and shall and may be seized by any Officer

or

or Officers of His Majesty's Army, Navy or Marines, or of the Customs or Excise.

III. And be it further enacted, That all Forfeitures imposed by this Act shall be sued for, levied and recovered by such Ways, Means or Methods, as any Forfeiture is or may be recovered by any Law or Laws of Customs or 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*.

Forfeitures how
to be recovered.

C A P. XXXIV.

An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in *Great Britain*, in manner therein mentioned.

[16th June 1817.]

WHEREAS great Advantage may arise, under present Circumstances, in affording Employment for the labouring Classes of the Community, by the Advance of Exchequer Bills and Money out of the Consolidated Fund, to an Amount in the whole not exceeding the Sum of One million seven hundred and fifty thousand Pounds, to be lent by Commissioners in *Great Britain* and *Ireland* respectively, under certain Regulations and Restrictions, for the carrying on of Works of a public Nature, commenced or which may hereafter be commenced under Authority of Parliament; or for the Encouragement of the Fisheries, or the Support of Collieries or Mines in the United Kingdom; or for the Employment of the Poor in the Parishes in *Great Britain*; upon due Security being given, in all such cases, for the Repayment of the Sums so advanced within a time to be limited: May it therefore please Your Majesty that it may be enacted; and be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for The King's Most Excellent Majesty, by Warrant or Warrants under His Royal Sign Manual, to authorize and empower the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, now or for the time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the time being, to cause or direct any Number of Exchequer Bills to be made out at His Majesty's Exchequer in *Great Britain*, not exceeding in the Whole the Sum of One million five hundred thousand Pounds, in the same or like manner, Form and Order, and according to the same or like Rules and Directions (except where other Directions for making out the same are contained and particularly expressed in this Act), as in and by an Act made in the Forty eighth Year of the Reign of His present Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*, are enacted and prescribed.

His Majesty
may authorize
Treasury to issue
Exchequer Bills
not exceeding
1,500,000l.

48 G 3. c. 1.

II. And be it further enacted, That all and every the Clauses, Proviso's, Powers, Privileges, Advantages, Penalties, Forfeitures and Difabilities

Powers of re-
cited Act to ex-
tend to Exche-

quer Bills made out under this Act.

Bills to bear an Interest of Two-pence Halfpenny per Cent. per Diem.

Times when payable.

Such Bills not to be exchanged by Receiver for Money before the Day appointed for their Payments, &c.

Bills received at the Exchequer locked up as Cash.

Lord Lieutenant of Ireland may order the Advance of 250,000l. out of the Produce of the Consolidated Fund there, for the Purposes of this Act.

Disabilities contained in the said recited Act of the Forty eighth Year of His present Majesty's Reign, shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

III. And be it further enacted, That the said Exchequer Bills to be made out in pursuance of this Act shall and may bear an Interest not exceeding the Rate of Two pence Halfpenny *per Centum per Diem* upon or in respect of the whole of the Monies respectively contained therein, and shall be made payable at such Periods as shall be fixed by the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the said Lord High Treasurer for the time being; but nevertheless so as that all such Bills as shall be advanced for the carrying on of any Public Works, shall be made payable within Three Years from the issuing thereof; and all such Bills as shall be advanced for the Assistance of any Parishes in *Great Britain* shall be made payable within Two Years after *Easter* One thousand eight hundred and eighteen; and that the principal Sum contained in every such Bill, together with such Interest as aforesaid, to be computed from the Day of the Date thereof until the time appointed for Payment thereof, shall be paid off and discharged upon the Days and times respectively appointed for the Payment thereof.

IV. Provided always, and be it further enacted, That all and every the Exchequer Bills to be made forth by virtue of this Act, or so many of them as shall from time to time remain undischarged and uncanceled after the respective Days on which they shall become due and payable, shall and may after that time pass and be current to all and every the Receivers and Collectors 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, and also at the Receipt of Exchequer in *Great Britain* from the said Receivers or Collectors; but no such Receiver or Collector shall exchange, at any time before the said Day of Payment thereof, for any Money of such Revenues, Aid, Taxes or Supplies in his Hands, any Exchequer Bill which shall have been issued as aforesaid by virtue of this Act; nor shall any Action be maintained against such Receiver or Collector for neglecting or refusing to exchange any such Exchequer Bill for ready Money before the said Day of Payment thereof; any Thing in this Act to the contrary contained in anywise notwithstanding; and that such of the same Bills as shall be received at the said Receipt of Exchequer shall and may be locked up and secured as Cash, according to the Course of the said Exchequer settled and established by Law for locking up and securing Monies received in Specie there.

V. And be it further enacted, That at any time after the passing of this Act, by or out of such Monies as shall at any time or times remain in the Receipt of the Exchequer of *Ireland*; or out of the growing Produce of the Consolidated Fund of the United Kingdom arising in *Ireland* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid in *Ireland* out of the said Consolidated Fund), there shall and may be issued, by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*

land for the time being, from time to time, in manner and under the Regulations hereinafter mentioned and contained, any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred and fifty thousand Pounds, to be applied to the Purposes of this Act, in manner and under the Regulations hereinafter mentioned.

VI. And be it further enacted; That the Right Honourable Robert Seymour commonly called Lord Robert Seymour, the Honourable William Lambe, Sir Thomas Dyke Acland Baronet, Sir Charles Edmonstone Baronet, Sir James Shawe Baronet, Sir John Perring Baronet, Thomas Sherlock Gooch Esquire, Edward John Littleton Esquire, Charles Grant senior, Esquire, John Christian Curwen Esquire, Thomas Grimston Estcourt Esquire, John Smith Esquire, Henry Swann Esquire, Robert Matthew Casberd Esquire, Thomas Reid Esquire, Benjamin Harrison Esquire, John Thornton Esquire, John Delafield Phelps Esquire, John Angerstein Esquire, Joseph Berens Esquire, and Charles Bosanquet Esquire, shall be and are hereby constituted Commissioners for the Execution of this Act in Great Britain; and that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, by Writing under his or their Hand or Hands, to nominate and appoint so many and such Persons as he or they shall think fit, not exceeding Fifteen in Number, to be Commissioners for the Execution of this Act in Ireland, and the said Persons so to be nominated shall be and they are hereby appointed Commissioners for the Execution of this Act in Ireland; and all the said Commissioners are hereby respectively required to execute the Powers and Authorities given to them by this Act, without any Fee, Reward, Emolument or Gratuity whatever.

Names of Commissioners for Great Britain.

Lord Lieutenant may appoint Commissioners for Ireland.

VII. And be it further enacted, That any Two of the said Commissioners in this Act named, before they shall enter upon the Execution of this Act in Great Britain, shall take an Oath before the Chancellor of the Exchequer, or the Master of the Rolls for the time being, in Great Britain; and any Two of the Commissioners to be appointed for the Purposes of this Act by the Lord Lieutenant or other Chief Governor or Governors of Ireland, shall, before they enter on the Execution of this Act in Ireland, take an Oath before any One of the Barons of the Exchequer of Ireland; which Oath the said Chancellor, Master of the Rolls and Barons, or any or either of them, are and is hereby respectively authorized and required to administer; the Tenor whereof shall be as followeth; that is to say,

Two Commissioners to take the following Oath before Persons herein named;

‘ I A. B. do swear, That according to the best of my Judgment, I will faithfully and impartially execute the several Powers and Trusts vested in me by an Act, intituled *An Act [here set forth the Title of this Act]*, according to the Tenor and Purport of the said Act.’

And every other of such Commissioners respectively shall likewise take the same Oath before such Two Commissioners, who are hereby authorized and required to administer the said Oath, after they shall themselves have taken the same as aforesaid.

and the others to take the Oath before the said Two.

VIII. And be it further enacted, That the said Commissioners for the Execution of this Act in Great Britain and Ireland respectively, shall have Power to meet and sit from time to time in such Place or

Commissioners may meet, appoint Officers, and administer Oaths, &c.

Places as they shall respectively find most convenient, with or without Adjournment; and they or any Three or more of them respectively may appoint and employ a Secretary and so many Clerks and Messengers as they shall respectively think meet; and it shall and may be lawful for the Commissioners for the Execution of this Act in *Great Britain*, with the Consent and Approbation of the said Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, in Writing under their Hands, and for the Commissioners for the Execution of this Act in *Ireland*, with the Consent and Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to allow to such Secretary, Clerks and Messengers respectively such reasonable Salaries as to the said respective Commissioners for the Execution of this Act shall seem meet; and also to employ a Solicitor, and any Civil Engineer or Engineers, or Surveyor or Surveyors, or other Officer or Officers, and to allow to such Solicitor, Engineer or Engineers, Surveyor or Surveyors, and other Officer or Officers, such Salaries, Rewards or Emoluments as the said Commissioners respectively shall think reasonable for their Care and Labour; and to give and administer to such Secretary, Clerk, Solicitor, Engineers, Surveyors and other Officers respectively, an Oath for their faithful Demeanor in all Things relating to the due Performance of the Trusts reposed in them by the said Commissioners respectively, and in all other things touching the Premises; and from time to time, at their Discretion, to dismiss and discharge such Secretary, Clerks, Messengers, Solicitor, Engineers, Surveyors or other Officers, or any or either of them, and to appoint others in their Place; and the said Secretary, Clerks, Solicitor, Engineers, Surveyors and other Officers are hereby required faithfully to execute and perform the said Trusts in them severally and respectively reposed, without taking any thing for such Service, other than such Salaries or Rewards as the said Commissioners shall direct, appoint and allow in manner by this Act directed.

and to allow
Salaries, &c.

Officers in the
Exchequer and
in the Office
of Vice Treas-
urer in Ireland
not to receive
Fees unduly.

IX. And be it further enacted, That no Officer or other Person or Persons whatsoever employed in and about the Execution of this Act in the Receipt of His Majesty's Exchequer in *Great Britain* or *Ireland*, or in the Office of the Vice Treasurer for *Ireland*, shall demand, take or accept any Fee or Gratuity whatsoever for their Care and Labour, other than such Salaries, Allowances, Rewards or Emoluments as shall or may be granted to or be allowed to be taken by them respectively under the Authority of the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the Lord High Treasurer for the time being, in *Great Britain*, or under the Authority of the Lord Lieutenant or other Chief Governor or Governors for the time being in *Ireland*.

Commissioners
may examine
upon Oath Per-
sons willing to
be examined,
and receive De-
positions made
before Magi-
strates.

X. And be it further enacted, That it shall be lawful for the said Commissioners for the Execution of this Act, or any Three or more of them respectively, and they are hereby authorized and empowered, to examine upon Oath or Affirmation (which Oath or Affirmation they or any One or more of them are and is hereby authorized to administer) all Persons who shall be willing to be examined touching all such Matters and Things as shall be necessary for the Execution of the Powers vested in the said Commissioners by this Act, and also to receive any Affidavits or Depositions in Writing, upon Oath

Oath or Affirmation, touching such Matters or things as aforesaid, which shall be made before any Justice of the Peace of any County, or any Magistrate of any City, Borough or Town Corporate in *Great Britain* or *Ireland*, where or near to which the Person making such Affidavit or Deposition shall reside, and certified and transmitted to the said Commissioners respectively under the Hand and Seal of such Justice or Magistrate; which Oath or Affirmation every such Justice or Magistrate shall be and is hereby authorized and empowered to administer; provided that in every such Affidavit or Deposition there shall be expressed the Addition of the Party making such Affidavit or Deposition, and the particular Place of his or her Abode.

Addition of Party, &c. to be inserted in Affidavit. Persons giving false Evidence guilty of Perjury.

XI. And be it further enacted, That if any Person or Persons, upon Examination upon Oath or Affirmation before the said Commissioners for the Execution of this Act respectively, or if any Person or Persons making any such Affidavit or Deposition as before mentioned, shall wilfully and corruptly give false Evidence, or shall in such Affidavit or Deposition wilfully and corruptly swear, affirm or allege any matter or thing which shall be false or untrue, every such Person or Persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in force in *Great Britain* or *Ireland* respectively Persons convicted of wilful and corrupt Perjury are subject and liable to.

XII. And be it further enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Treasury, or any Three or more of them, or the said Lord High Treasurer for the time being, in *Great Britain*, and for the Lord Lieutenant or other Chief Governor or Governors for the time being in *Ireland*, and they are hereby respectively authorized and required, to issue and advance or cause to be issued and advanced all such Sums of Money to such Person or Persons, in such manner and in such Proportions as the Commissioners for the Execution of this Act in *Great Britain* or *Ireland*, or any Three or more of them respectively, shall by Writing under their Hands from time to time desire, out of any Part of the Public Monies remaining in His Majesty's Exchequer at *Westminster* or *Dublin* respectively, to be replaced in the manner in this Act mentioned; which Sums so to be issued and advanced shall be employed for the Payment of Allowances, and in defraying all other necessary Charges and Expences in or about the Execution of this Act, without other Account than before the said Commissioners of His Majesty's Treasury; and which Money so to be issued shall not be subject to any Tax, Duty, Rate or Assessment whatsoever imposed by Authority of Parliament; but that an Account of the said Charges and Expences shall be laid before both Houses of Parliament, within Two Months after the Expiration of the said Commissions respectively, if Parliament shall be then sitting; but if Parliament shall not be then sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament.

Treasury to issue Money for defraying the Charges in the Execution of this Act, of which an Account is to be laid before Parliament.

XIII. And be it further enacted, That on the Day next after this Act shall have received the Royal Assent, or as soon after as the Commissioners for the Execution of this Act in *Great Britain* and in *Ireland* respectively, or any Three or more of them who shall have taken the said Oath, can respectively assemble, the said Commissioners shall respectively proceed to receive, or shall appoint a proper Person

Commissioners to meet to receive or appoint a Person to receive Applications in Writing for the Loan of Exchequer Bills,

and to ascertain the Amount immediately wanted.

son for receiving, all such Applications in Writing as shall be made to them respectively from any Body or Bodies Politic or Corporate, or Company or Companies of Proprietors, or Person or Persons engaged in or desirous of carrying on or interested in any Works of a public Nature, carried on or which may hereafter be carried on under the Authority of Parliament, in any Part of the United Kingdom, or any Applications for the Encouragement of the Fisheries, or the Support of any Collieries or Mines, or from any Parishes in Great Britain, for the Loan and Advance of Money, by Exchequer Bills or otherwise, according to this Act; and the said Commissioners shall also then fix and appoint subsequent Days for taking into their Consideration all such Applications, and shall meet together for that Purpose, and shall proceed with all convenient Dispatch to ascertain the Amount of the Sums which in their Judgment it will be expedient to advance under this Act, in pursuance of Applications made for such Assistance; having Regard, in considering all such Applications as shall be made for the carrying on of such Public Works, Fisheries, Collieries or Mines, to the Benefit which may arise in affording Employment for the labouring Classes of the People, and the Numbers to be employed, and to the ultimate Security which may be afforded by the Rates and Tolls of such Public Works for the Repayment of the Money advanced; and in considering all such Applications from Parishes in Great Britain, to the special Difficulties experienced in the Parishes requiring Assistance, and to the Sufficiency of the Securities which may be proposed, whether on the Parish Rates or otherwise.

Having Regard to the Security offered, and other matters herein mentioned.

Commissioners to cause Applications to be classed, and to establish Regulations for apportioning the Sums to be advanced.

XIV. And be it further enacted, That the several Commissioners for the Execution of this Act shall and they are hereby respectively required, before any Appointment shall be made of any Exchequer Bills, or Money to be advanced under this Act, to cause all the Applications delivered to such Commissioners respectively to be classed according to the Amount of the Sums respectively applied for, and the Nature of the Securities tendered, and the Circumstances, as far as the same shall appear upon the said Applications, and thereupon to draw up and establish such general Rules and Regulations for their own Government in the apportioning and distributing the Sums to be advanced and lent in Exchequer Bills or Money under this Act, to the several Bodies Politic or Corporate, or Companies, or Persons, or Parishes applying for the same, as they in their Discretion shall deem equitable and just; all which Rules and Regulations shall within a convenient time be entered in a Book or Books to be prepared and kept by such Commissioners respectively for that Purpose; and the said several Commissioners for the Execution of this Act, according to the true Purport and Meaning of such general Rules and Regulations as aforesaid, shall proceed to take into their Consideration all such Applications which shall specify the Amount of the Sums required to be advanced as aforesaid, and which shall tender any Security which the said Commissioners are authorized by this Act to take for the Payment of the Sums to be advanced, and which shall also specify the Nature thereof; and from time to time, on Inquiry into the same respectively, shall determine what Bodies Politic and Corporate, Companies, Persons and Parishes, shall in their Judgment be entitled to any Part of the Exchequer Bills or Money to be advanced or lent under this Act, and to what Amount, and shall ascertain

Such Regulations to be entered, and thereupon to consider Applications and make Inquiries, and determine accordingly.

certain the Nature and Amount of the Securities to be required from them for the same respectively.

XV. And be it further enacted, That when and as soon as the said Commissioners for the Execution of this Act in *Great Britain* shall have respectively determined upon any Amount of such Bills to be advanced under the Provisions of this Act, the said Commissioners shall forthwith respectively certify such Amount to the Auditor of the Receipt of His Majesty's Exchequer at *Westminster* for the time being, who on such Certificate or Certificates being deposited in his Office shall cause and direct to be delivered to the Bearer or Bearers thereof, in the manner and under the Regulations specified in this Act, Exchequer Bills payable at such Periods and to such Amount as the said Commissioners for the Execution of this Act shall direct, provided that the total Amount to be issued by virtue of such Certificates shall not at any one time exceed the Amount of Exchequer Bills directed to be issued under this Act; and every such Exchequer Bill shall bear Date on the Day on which the said Certificates shall appoint and direct, and shall and may be signed by the Auditor of the Receipt of His Majesty's Exchequer, or in his Name by any Person duly authorized by the said Auditor to sign the same.

XVI. And be it further enacted, That when and as soon as the said Commissioners for the Execution of this Act in *Ireland* shall have determined upon any Amount of such Money to be advanced under the Provisions of this Act, the said Commissioners shall forthwith certify such Amount to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, by one or more Certificate or Certificates under the Hands and Seals of the said Commissioners or any Three or more of them; and the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being shall, on Receipt of any such Certificate, direct his Warrant to the Vice Treasurer of *Ireland* for the issuing such Sum or Sums of Money as shall be specified in such Certificate, out of the Receipt of the Exchequer of *Ireland*, in manner directed by Two Acts, the one made in the Fifty fourth Year of His present Majesty's Reign, intituled *An Act for the more effectual Regulation of the Receipts and Issues of His Majesty's Treasury, and for securing the due Application of Money coming into the Hands of the Public Accountants in Ireland*; and the other made in the last Session of Parliament, intituled *An Act to unite and consolidate into One Fund all the public Revenues of Great Britain and Ireland; and to provide for the Application thereof to the general Service of the United Kingdom*; and every such Certificate of the said Commissioners for the Execution of this Act in *Ireland*, shall be presented at the Office of the said Vice Treasurer for *Ireland*, together with such Warrant of the Lord Lieutenant or other Chief Governor or Governors; and every such Certificate shall be deposited and shall remain in the Office of the Auditor General of the Exchequer in *Ireland*; provided, that the whole Amount of Money to be issued by virtue of such Certificates of the said Commissioners, shall not at any one time exceed the Sum of two hundred and fifty thousand Pounds.

XVII. And be it further enacted, That the said several Commissioners for the Execution of this Act, or any Three or more of them respectively, shall fix and appoint other proper and convenient Days for taking into Consideration such further Applications as shall

When Commissioners have determined on the Amount of Money to be advanced and certified the same, Auditor of the Exchequer to issue Bills in G. B. agreeably to such Certificates.

Proviso.

In the like case in Ireland Lord Lieutenant to issue Warrants for Advances agreeably to Certificate of Commissioners there, as by

54 G. 3. c. 83.

56 G. 3. c. 98.

Certificate to be presented at Office of Vice Treasurer, and deposited with Auditor of the Exchequer.

Commissioners may appoint other Days for considering further Applications from

to time, &c. and certify to Treasury, who may direct further Bills to be issued, &c.

from time to time be made to them, and shall ascertain the Amount of such Exchequer Bills or Money as shall be required to be from time to time issued for the Purposes of this Act, and shall by like Certificate or Certificates as aforesaid certify the same to the said Commissioners of His Majesty's Treasury, or the said Lord High Treasurer for the time being in *Great Britain*, or to the Lord Lieutenant or other Chief Governor or Governors in *Ireland*, who shall respectively, on Receipt of any such Certificate, direct further Exchequer Bills or Money to be issued to such Amount from time to time, until the whole of the Bills to be made out, and of the Money to be advanced in pursuance of this Act, shall have been issued for the Purposes aforesaid; and the said several Commissioners for the Execution of this Act shall from time to time proceed respectively to determine to what Amount such Exchequer Bills or Money shall be advanced under this Act, and shall grant Certificates thereof, in such Form and under the like Rules and Regulations as are hereinbefore mentioned concerning the Exchequer Bills or Money to be first issued or advanced as aforesaid; and the proper Officers shall from time to time deliver such Exchequer Bills or issue such Money in the Form and manner before directed.

Lists of Exchequer Bills made out to be delivered to the Commissioners.

XVIII. And be it further enacted, That such Officers by whom such Exchequer Bills shall be delivered shall from time to time, upon Requisition of the said Commissioners for the Execution of this Act in *Great Britain*, deliver to them at their Office complete Lists of all the Exchequer Bills made out by them, specifying therein the respective Dates and Sums expressed therein, and the Periods appointed for the Payment of the same, and distinguishing therein the Persons to whom and the Numbers of the Certificates by virtue whereof the same were issued respectively.

List of Warrants from Lord Lieutenant to be delivered to Commissioners.

XIX. And be it further enacted, That the Auditor General of the Exchequer in *Ireland* shall without Fee or Reward from time to time, upon Requisition of the Commissioners for the Execution of this Act in *Ireland*, deliver to them complete Lists of all Sums issued by Warrants of the Lord Lieutenant of *Ireland*, and countersigned according to Law by the said Vice Treasurer, specifying the respective Dates and Sums expressed therein, and distinguishing the Persons to whom and the Numbers of the Certificates in consequence whereof the said Warrants were issued respectively.

Persons to whom Bills shall be advanced to enter into Security as Commissioners shall deem necessary.

XX. And be it further enacted, That all and every Person and Persons to whom such Exchequer Bills or such Sum or Sums of Money respectively shall be advanced or lent, for the Use of any Body or Bodies Politic or Corporate, or Company or Companies, in the United Kingdom, or Parish or Parishes in *Great Britain*, or for any such other Purpose as aforesaid, under the Provisions of this Act, shall previously enter into such Security in such Sum or Sums of Money as the case may require, and as the several Commissioners for the Execution of this Act, or any Three or more of them, shall respectively deem necessary; which Securities the said Commissioners respectively, or any Three or more of them, shall by their Discretion have full Power and Authority to cause to be taken; and every Security to be taken in pursuance of this Act shall be by Writing obligatory to our Sovereign Lord The King, in such Sum or Sums of Money as shall be directed by such Commissioners respectively, or any Three or more of them, by virtue of this Act, to be paid to our said

Security to be by Writing obligatory to the King.

said Lord The King, by such Form of Words as Obligations to The King's Majesty have been used to be made, and with such Conditions to be thereunder written as by such Commissioners respectively shall be deemed proper; and that all such Obligations to be so made shall be good and effectual in the Law, and shall be of the same Quality, Force and Effect to all Intents and Purposes as any Obligation made to our Sovereign Lord the now King or his Predecessors, or any of them, hath at any time heretofore been or now is adjudged, received or taken to be; any Law, Usage or Custom to the contrary notwithstanding: Provided, that no Person who shall enter into any such Security for any Money to be advanced for carrying on of any Public Work, or for the Encouragement of any Fishery, or Support of any Colliery or Mine, shall be liable in respect of any such Security for any larger Amount than the Sum for which any such Person shall respectively become personally bound by his individual Subscription.

Persons so giving Security not bound beyond individual Subscription.

XXI. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners respectively, in every case under this Act, to accept and take any Deposit or Transfer of any Public Funds, Stock or Securities, or to accept a Charge upon the Poor's Rate of any Parish in *Great Britain*, as hereinafter mentioned, in lieu and instead of personal Security.

Deposit of Stock may be received instead of personal Security.

XXII. And be it further enacted, That in all cases of Assistance afforded by the Loan or Advance of any Bills or Money under the Provisions of this Act, for the carrying on of any such public Works, Collieries or Mines, the several Commissioners for the Execution of this Act shall, in Addition to the Security required to be taken from the Persons applying for such Assistance, require and take Mortgages, Assignments or other competent Security, upon the Rates, Tolls and Receipts accruing or which may at any time thereafter accrue, arise or be taken, collected or received by or for the Use of the Body Corporate or Politic, or Company of Proprietors, or Persons interested in the public Work in respect or in aid of which the Advance of Bills or Money under this Act shall have been made, for the securing the Repayment of the full Amount of the Bills or Money advanced, together with all the Interest which may arise and become due upon such Amount; and it shall be lawful for any such Body Corporate or Politic, or for the Company of Proprietors to whom any such public Work shall belong, or for the respective Trustees, Commissioners, Committees of Management, or other Persons, by whatever Name or Names called, under whose Care, Management or Control, any such public Work shall be, to mortgage, assign and secure such Rates, Tolls or Receipts to the Secretary of the said Commissioners respectively, in such manner as shall be required by the said Commissioners respectively, and also to any Person or Persons who shall have become Security for any Advances made under the Provisions of this Act, as a collateral Security to the Person or Persons who shall have entered into any such Security for the due and full Payment of the full Amount of all Bills or Money so advanced, together with Interest thereon, according to the Provisions of this Act; and all such Mortgages, Heritable Bonds, Assignments and other Securities, shall have Priority over and shall precede all other Securities, and all Dividends and Division of Profit or Interest upon any Sums advanced or contributed,

Commissioners to require Mortgages of Tolls of public Works as a collateral Security.

Proprietors of such Works empowered to mortgage with Priority over all Securities, except those of bonâ fide Creditors entitled to Repayment of their Principal as well as Interest.

or

or which may thereafter be advanced or contributed for the carrying on or completing of any such public Work, save and except such Sums as shall have been advanced by way of Loan, before the Advance of such Bills or Money, by any Persons as *bonâ fide* Creditors, and entitled as such to the Repayment of the principal Money advanced by them, as well as Interest thereon; any thing contained in any Act or Acts of Parliament relating to any such public Work, in aid or in respect of which any such Bills or Money shall have been advanced under the Provisions of this Act, to the contrary in anywise notwithstanding.

If Four Fifths of Creditors consent, Mortgage of Tolls to Commissioners, or to Persons giving Personal Security, to have Priority over Claims of all Creditors of like Description.

XXIII. Provided always, and be it further enacted, That in every case in which Four Fifth Parts in Amount in Value of the Creditors who have Securities of a like Nature upon the Rates, Tolls or Receipts arising out of any public Work in aid or in respect of which any Application shall be made for the Advance of Bills or Money under the Provisions of this Act, shall agree and signify their Consent in Writing that a Priority over their Claims as such Creditors shall be given to the Commissioners for the Purposes of this Act, or to any Persons who have applied for such Assistance in respect of such Advance, then and in such case the Mortgage, Assignment, or other Security given by the Body Politic or Corporate, or Company of Proprietors, or Persons interested in any such public Work, to the Secretary of such Commissioners respectively, and to the Person or Persons upon whose Personal Security such Advance of Bills under this Act shall have been made, shall have Priority over the Claims of all the Creditors of a like Description, as well as such Creditors as have not agreed or assented to such Priority, as to those who have so agreed as aforesaid; any thing contained in any Act or Acts of Parliament relating to any such public Work as aforesaid, or any thing contained in any Mortgage, Assignment or other Security upon such Rates, Tolls or Receipts given to any such Creditors, to the contrary notwithstanding.

Money may be advanced for public Works in Ireland on Mortgage of Rates under the Management of Commissioners appointed by the Lord Lieutenant, or under the Management of Corporations, &c. without personal Security. Interest at 6l. per Cent. per Annum, and Principal Money repaid by a Sinking Fund as herein mentioned.

XXIV. Provided always, and be it enacted, That it shall and may be lawful for the Commissioners for the Execution of this Act in *Ireland*, by and with the Consent and Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to make any Advance of Money under this Act in aid of any public Work in *Ireland* carried on under the Management and Direction of Commissioners appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, or under the Management and Direction of the Corporation of any City or Town, or of any other Body Politic or Corporate in *Ireland* upon the Credit of any Rates, Rents, Tolls or Profits which are or shall be levied, paid and applied under the Authority or Control of any such Commissioners or Persons so appointed; and that in such case it shall and may be lawful for the said Commissioners for the Execution of this Act in *Ireland*, by and with the Consent and Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to direct such Advance to be made upon Mortgage or Assignment of such Rates, Rents, Tolls or Profits only, without requiring any Person or Persons to enter into any Personal Security by Writing obligatory to His Majesty, His Heirs and Successors, in manner herein before mentioned; any thing in this Act contained to the contrary notwithstanding: Provided always, that on all Money fo

so advanced there be paid an Interest after the Rate of Six Pounds *per Centum per Annum*, and that the Principal Money so advanced shall be repaid by Means of a Sinking Fund of not less than Six Pounds *per Centum*, within such time as the Commissioners for the Execution of this Act, with the Approbation of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, shall direct and appoint, and as shall be specified in the Mortgage or Assignment to be made for such Rates, Rents, Tolls or Profits, pursuant to the Directions of this Act.

XXV. Provided also, and be it enacted, That it shall be lawful for the Commissioners for the Execution of this Act in *Great Britain*, to make any Advance of Money under this Act in aid of any public Work, upon the Credit of any Rates, Rents, Tolls or Profits arising from any public Work which shall be in part completed, and the Rates, Rents, Tolls or Profits of which shall produce a clear actual Surplus, after Payment of all Expences of Management, of not less than double the Amount of the Sum necessary to pay the Interest of the Sum required to be advanced; and also upon the Credit of the Rates, Rents, Tolls or Profits of any public Work which shall be in part completed, but which shall not have produced any Rates, Rents, Tolls or Profits, or the Rates, Rents, Tolls or Profits of which shall be less than such double Amount as aforesaid, or which shall not be commenced; provided that in each of such last mentioned cases the said Commissioners shall be satisfied of the Practicability and Utility of the Work, and of the Rates, Rents, Tolls and Profits being, when the Work shall be completed, an adequate Security; and provided that the Corporation, Company or Person or Persons carrying the same into Execution, shall expend or deposit, in such manner as the said Commissioners shall direct, before any Advance shall be made under the Provisions of this Act, a Sum equal to not less than One Half Part of the estimated Costs for the Completion of the whole Work: Provided always, that in the Estimate of the Sum to be so expended or deposited, the said Commissioners may, if they shall see fit, take into Consideration Monies already expended upon such Work, but so as that in no case the further Expenditure or Deposit required as aforesaid shall be less than One Third of the estimated Costs for the Completion of the whole Work; and in every such case such Advance may be made upon Mortgage or Assignment of such Rates, Rents, Tolls or Profits only, without requiring any Person or Persons to enter into any Personal Security by Writing obligatory to His Majesty, His Heirs and Successors, in manner herein before mentioned; any thing in this Act contained to the contrary notwithstanding: Provided always, that on all Money so advanced there be paid an Interest after the Rate of Five Pounds *per Centum per Annum*; and that the Principal Money so advanced shall be repaid by means of a Sinking Fund of not less than Five Pounds *per Centum*, within such time as the Commissioners for the Execution of this Act shall direct and appoint, and as shall be specified in the Mortgage or Assignment to be made for such Rates, Rents, Tolls or Profits, pursuant to the Directions of this Act, unless Provision shall be otherwise made to the Satisfaction of the Commissioners for the Repayment of such Principal within Ten Years at the furthest: Provided also, that in every case the Parties making Application for any such Advance shall under-

Money may be advanced for public Works in *Great Britain* in certain cases, on Mortgage of Rates of Works not completed, &c.

Proviso as to Amount of Money to be first expended on such Works.

In the Estimate of the Sum to be expended, &c. the Commissioners may consider the Monies already expended.

Interest at 5l. per Cent. per Annum on Monies advanced, and Principal Monies repaid by a Sinking Fund.

Parties applying for Money to

take

undertake and to complete the Work.

Money may be advanced for building, enlarging or repairing Churches.

Security on the Pews, &c.

Trustees of Roads to whom Advances are made under this Act may increase Tolls for Repayment.

Separate Account of such additional Tolls to be kept.

Commissioners for Drainage for which Advances shall be made,

take to complete any Work so approved by the said Commissioners, and on which any such Advance may have been made, at their own proper Costs and Charges, in case the Expence of completing the same shall exceed the estimated Amount as aforesaid.

XXVI. Provided also, and be it further enacted, That it shall be lawful for the said Commissioners respectively to advance any Money under this Act for the building, enlarging or repairing of any Church or Parochial Chapel in the United Kingdom, upon having a Sum equal to One Half Part of the estimated Expence of such Building, Enlargement or Repair subscribed for or deposited or vested in any public Fund, without requiring any such Personal Security as aforesaid; and in every such case it shall be lawful for the Churchwardens of the Parish to which such Church shall belong, or the Trustees of the said Church or Chapel, and they are hereby authorized and required to make Rates, and shall give the Pews in Security for the Repayment of the Interest of the Monies advanced under the Provisions of this Act, and for providing annually a Fund of not less than the Amount of the Interest upon the Sum advanced for the Repayment of the Principal thereof.

XXVII. And be it further enacted, That it shall be lawful for the Trustees of any Road for which any Advance shall be made under the Provisions of this Act, or the major Part of the Trustees, not being less than Two Thirds of the Number of Trustees present at any Meeting called together by Notice given in the usual manner in which Notices are given for assembling such Trustees Six Days at the least before the Day appointed for the Meeting, and in which Notice the Purpose for which the Meeting is assembled shall be stated, to make an Order for laying on of such additional Tolls, not exceeding in any case One Half of the Amount of the Tolls which may be legally taken by virtue of any Act or Acts of Parliament then in force in relation to such Road, as may be necessary, in the Judgment of the said Trustees, for raising a sufficient Fund for the Repayment of any such Advance, and with all Interest thereon, within the Period stipulated under the Provisions of this Act for such Repayment; and from and after the Period specified in any such Order, all such additional Tolls may be demanded, taken, collected and recovered by the same Person, and by and under all such and the like Powers, Authorities, Penalties, Forfeitures, Provisions and Remedies, as Tolls are taken in relation to such Road under the Authority of any Act or Acts of Parliament, in like manner in any respect as if such additional Tolls were inserted in and made Part of the Tolls allowed to be taken and collected under the said Act or Acts; any thing contained in any Act or Acts of Parliament relating to any such Road to the contrary thereof notwithstanding: Provided always, that in every such case a separate and distinct Account shall be kept of the Produce of such increased and additional Tolls, and the Amount collected and arising from such increased and additional Tolls shall in every such case be applied solely in the Repayment of such Advance, with Interest thereon, under the Provisions of this Act; and when and so soon as such Repayment shall be completed, all such additional Tolls shall cease and determine.

XXVIII. And be it further enacted, That it shall be lawful for the Commissioners or Trustees of any Drainage for which any Advance shall be made under the Provisions of this Act, or the major Part

Part of such Commissioners or Trustees, not being less than Two Thirds of the Number present at any Meeting called together by Notice given in the usual manner in which Notices are given for assembling such Commissioners or Trustees, Six Days at the least before the Day appointed for the Meeting, and in which Notice the Purpose for which the Meeting is assembled shall be stated, to make an Order for laying on of such additional Rates or Assessments, not exceeding in any case One Half of the Amount of the Rates or Assessments which may be legally taken by virtue of any Act or Acts of Parliament then in force in relation to such Drainage, as may be necessary in the Judgment of the said Commissioners or Trustees for raising a sufficient Fund for the Repayment of any such Advance, and with all Interest thereon, within the Period stipulated under the Provisions of this Act for such Repayment; and from and after the period specified in any such Order, all such additional Rates or Assessments may be rated and assessed, and demanded, taken, collected, levied and recovered, by the same Persons, and by and under all such and the like Powers, Authorities, Penalties, Forfeitures, Provisions and Remedies, as Rates and Assessments are rated, assessed, demanded, taken, collected, levied and recovered in relation to such Drainage under the Authority of any Act or Acts of Parliament in like manner in any respect as if such additional Rates and Assessments were inserted in and allowed to be assessed, taken and collected under the said Act or Acts; any thing contained in any Act or Acts of Parliament relating to any such Drainage to the contrary thereof notwithstanding: Provided always, that in every such case a separate and distinct Account shall be kept of the Produce of such increased and additional Rates and Assessments, and the Amount collected and arising from such increased and additional Rates and Assessments shall in every such case be applied solely in the Repayment of such Advance with Interest thereon, under the Provisions of this Act, and when and so soon as such Repayment shall be completed, all such additional Rates and Assessments shall cease and determine.

XXIX. Provided also, and be it further enacted, That no such Exchequer Bills shall be advanced in Aid of any Parish in *Great Britain*, unless the Application for such Advance shall be made with the Consent of not less than the Majority in Number, and of Three Fourth Parts in Value, such Value to be calculated and ascertained from the last Rate made for the Relief of the Poor in such Parish, of the Persons assessed to and paying such Rates; or where the Poor Rates of any Parish shall be under the Care and Management of any Select Vestry or Commissioners, Governors of the Poor, Trustees or other select Body, then with the Consent of not less than Four Fifths of such select Body, by whatever Name the same may be called; such Consent to be certified by some Justice of the Peace or Magistrate acting as such in each Parish, and one or more of the Overseers of the Poor of the Parish or Place in respect of which the Application shall be made.

XXX. Provided also, and be it further enacted, That no such Application shall be made for any Advance to any Parish, unless with the Sanction of Two or more Justices of the Peace, or Magistrate acting as such within or for the Parish, or within or for the Division or City, Town or Place within which the Parish shall be

may increase Rates for Re-
payment.

Separate Ac-
count of such
additional Rates
to be kept.

Advance for
Parishes to be
made with Con-
sent of Majority
in Number and
Three Fourths
in Value of Per-
sons paying Poor
Rates; or with
Consent of Four
Fifths of Select
Vestry, &c.

Such Applica-
tions from
Parishes to have
the Sanction of
Two Justices.

situate; and the Application of all Sums so advanced shall be subject to the Inspection, Control and Direction, and the Accounts of such Expenditure shall be subject to the Audit and Allowance, of Two or more Justices of the Peace or Magistrates as aforesaid.

Advance to any Parish not to exceed the Amount of last Half Year's Poor Rate; Overseers to pay Instalment out of Poor Rates, and make Rates if necessary for the Purpose.

XXXI. Provided also, and be it further enacted, That no larger Advance shall be made to any Parish in *Great Britain*, of such Bills, than shall be equal in Amount to One Half of the Sum assessed in the Parish for the Poor Rates of the Parish for the last Year ending *Easter* One thousand eight hundred and seventeen, and ending at the usual Quarter Day immediately preceding *Easter* One thousand eight hundred and seventeen, according to the Period up to which the Poor Rates shall be made in the Parish; and the Amount advanced, with Interest thereon, shall be deemed and taken to be and be a Charge upon the Poor Rates of the Parish, until such Amount of Bills, together with all Interest thereon, shall have been duly discharged and satisfied; and the Overseers of the Poor of the Parish shall in every such case, upon Notice in Writing given to them for that Purpose by any Person or Persons upon whose Personal Security any such Bills shall have been advanced, Three Months before any Instalment shall become payable, pay every such Instalment from time to time as the same shall become due, out of any Money in their Hands arising from the Rates levied and collected in the Parish for the Relief of the Poor, or if no such Money shall remain in their Hands of such Rates, such Overseers shall and they are hereby authorized and required to make and collect new and additional Rates for the Purpose of making from time to time such Payments, or of repaying to any Person or Persons who shall have made any such Payments, as the case may be, until the Whole of the Amount of the Bills advanced, with all Interest due thereon, shall be fully paid off and satisfied.

Where Four Fifths of Proprietors of Lands, &c. apply, Rate for Repayment made.

XXXII. Provided also, and be it further enacted, That in any case in which Four Fifths in Value of the Proprietors of any Lands, Tenements or Hereditaments in any Parish of *Great Britain*, shall apply for any Advance to any Parish under the Provisions of this Act, it shall be lawful to make, assess, levy, and collect Rates for the Repayment thereof, upon the Proprietors as well as upon the Occupiers of such Parish or Place.

No Advance to any Parish unless Money expended for the Poor shall or shall not be of a certain Excess.

XXXIII. Provided also, and be it further enacted, That no Advance shall be made under the Provisions of this Act for the Use of any Parish, Township or Place in which the Amount of the Money actually expended for the Relief of the Poor in the Year ending at *Easter* One thousand eight hundred and seventeen, or ending at the usual Quarter Day immediately preceding *Easter* One thousand eight hundred and seventeen, shall exceed by Three Fourths the Average Annual Amount of the Money expended for the Relief of the Poor for the Three Years preceding *Easter* One Thousand eight hundred and sixteen, or shall have not exceeded by One Half the Amount so expended for the Year ending *Easter* One thousand eight hundred and sixteen.

Advance to Parishes, when to be repaid.

XXXIV. And be it further enacted, That the whole Amount of all the Bills advanced to Parishes in *Great Britain*, with Interest thereon, shall be paid off and discharged within Two Years from *Easter* One thousand eight hundred and eighteen, by such Instalments, and in such Proportions, and at such Periods as shall be fixed and settled by the Commissioners in that Behalf.

XXXV. And

XXXV. And be it further enacted, That the principal Sums contained in the Exchequer Bills which shall be advanced or lent by the said Commissioners for the Execution of this Act in *Great Britain* under the Authority of this Act, shall be repaid, without Deduction or Abatement, together with Interest for the same, by Instalments, (that is to say) the principal Sum in each and every Exchequer Bill shall be repaid to the Cashier or Cashiers of the Bank of *England* at their Office, together with Interest for the same at and after the Rate of Five Pounds *per Centum per Annum*, by the Space of Fifteen Days at least before the time when each such Exchequer Bill shall become payable according to the Provisions of this Act, such Interest to be computed on the said Principal Sum from the Date of such Exchequer Bill to the time of the Payment thereof.

Principal Sums of Exchequer Bills with Interest at 5l. per Cent. per Annum to be repaid by Instalments.

XXXVI. And be it further enacted, That the Principal Sums which shall be advanced or lent in *Ireland* out of the Consolidated Fund, under and in pursuance of the Certificates of the Commissioners for the Execution of this Act in *Ireland*, the Payment whereof shall not be otherwise provided for pursuant to this Act, shall be paid without Deduction or Abatement, together with Interest for the same after the Rate of Five Pounds for every One hundred Pounds by the Year, into the Receipt of the Exchequer in *Ireland*, by such Instalments and in such Proportions and at such Periods and times as the said Commissioners shall, by and with the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, direct and appoint, and as shall be specified accordingly in the Securities to be taken by the said Commissioners for the Repayment of such Money in manner herein before directed by this Act.

Sums advanced in *Ireland* to be repaid by such Instalments as shall be directed by Commissioners, with Consent of Lord Lieutenant.

XXXVII. Provided always, and be it further enacted, That it shall be lawful for the Commissioners for the Execution of this Act respectively to extend any Periods of Repayment of any Money advanced under the Provisions of this Act, in any case in which an adequate Fund, not less in annual Amount than the Amount of Interest payable upon the Money originally advanced, shall be established and secured to the said Commissioners for such Repayment.

Commissioners may extend Periods of Repayment.

XXXVIII. And Whereas the Parties to whom Exchequer Bills may be issued in *Great Britain* by virtue of this Act may not have Occasion to make Use of all their Bills; Be it further enacted, That such Exchequer Bills as may be tendered in Payment or Part of Payment, of any of the Sums advanced by virtue of this Act, shall be returned to the Office at the Exchequer in *Great Britain* from which they were issued, and forthwith cancelled by the proper Officer or Officers by whom the said Bills were issued, he or they giving a Certificate to the Person returning such Exchequer Bills for the Information of the Commissioners for the Execution of this Act in *Great Britain*.

Bills issued and not used to be returned to the Exchequer and cancelled. Certificate to Person returning.

XXXIX. Provided also, and be it further enacted, That it shall be lawful for the Commissioners for the Execution of this Act in *Great Britain*, by Writing under the Hands and Seals of any Three or more of them, to authorize the Cashier or Cashiers of the Bank of *England* to employ any Monies which shall be paid as aforesaid, in the Purchase of any Exchequer Bills which shall be

Commissioners for *Great Britain* may authorize the Bank of *England* to employ Monies paid in Purchase of Exchequer Bills.

payable at the Period then next ensuing, and shall write thereon, in Words at Length, the Day of the Month and Year in which he or they so purchased such Bills, to which respective Days the said Cashier or Cashiers shall be allowed the Interest, upon his or their paying the same into the Receipt of Exchequer in *Great Britain* as aforesaid; provided that no Interest shall run or be paid upon or for any such Bills during the time they shall remain in the Hands of such Cashier or Cashiers, but for such time the Interest on every such Bill shall cease.

After due Payment of Sums advanced with Interest, Obligations to be delivered up to be cancelled.

XL. And be it further enacted, That after the due Payment of the Sums advanced, with Interest as aforesaid, at the times and in the manner herein specified, every Obligation entered into in pursuance of this Act, being fully satisfied according to the true Intent and Meaning of this Act, shall be forthwith delivered up to be cancelled; and in case any such Obligation shall have been prosecuted according to the Directions of this Act, the Commissioners for the Execution of this Act, or any Two or more of them respectively, shall by their Warrant or Warrants direct the proper Officer or Officers of the Courts of Exchequer in *England, Ireland* or *Scotland* respectively, to enter up Satisfaction in such Obligation or Obligations so being satisfied as aforesaid upon the Record, or otherwise to deliver up the same to be cancelled, as the case may require.

Upon Default of Payment Process may issue.

XLI. And be it further enacted, That in case any Default shall be made by any Person or Persons in the Payment of any Sum or Sums advanced under the Provisions of this Act, it shall be lawful for the Commissioners for the Execution of this Act, or any Three or more of them, to issue their Warrant or Warrants from time to time to the proper Officer or Officers of the Crown having the Direction or Management of Proceedings upon Obligations to His Majesty in *Great Britain* and *Ireland* respectively, requiring such Officer or Officers presently to proceed against all or any of the Persons who shall have entered into any Security for the Sum advanced, his, her and their Heirs, Executors and Administrators, for the Recovery of such Parts of the Sums advanced on such Securities as shall be then due, together with Interest as aforesaid, and such Costs and Charges attending such Proceeding as shall be by Law payable for the same; the Amount of which Principal Sums so to be levied the said Commissioners respectively shall cause from time to time to be testified by their Note in Writing, under the Hands of any Two or more of them respectively, to such Officer or Officers, and which Sum shall be inserted in the Writ of Process; and the like Process shall and may from time to time issue as aforesaid, as Occasion shall require; and the Sums so recovered (the Costs and Charges aforesaid excepted) shall be paid to the Cashier or Cashiers of the Bank of *England*, or into the Receipt of the Exchequer in *Ireland*, as the case shall require, without Abatement, Deduction or Delay, in Satisfaction of such Demands; and it shall be in the Discretion of the said Commissioners respectively to direct against which of the Obligors in such Security such Proceedings shall be from time to time commenced or prosecuted; and the said Commissioners respectively shall have the Control and Superintendance of such Prosecutions; and the same shall not be discontinued, quashed or abated upon any Pretence whatever, without the Authority of the said

Costs.

Sums recovered paid to the Bank of England or Exchequer in Ireland. Commissioners may direct against which of the Obligors Proceedings are to be had.

Proceedings not quashed without Authority of Commissioners.

said Commissioners, testified under the Hands and Seals of any Two or more of them respectively, and exhibited to the Barons of His Majesty's Court of Exchequer at *Westminster* or *Dublin*, or to the Court of Exchequer in *Scotland*, as the case may require.

XLII. Provided always, and be it further enacted, That where any Proceedings shall be directed by the said Commissioners under this Act as aforesaid against any of the Obligor, or any Obligor named in any such Obligation, no Writ or Writs of *Scire Facias* shall be required to be issued, but that upon the Production of the Warrant or Warrants of the said Commissioners respectively as before mentioned, before any of the Barons of the said respective Courts of Exchequer, an Extent may issue in the first Process upon the Fiat of such Baron, without any Affidavit or other Verification or Proof of the Cause of such Proceeding than such Warrant or Warrants as aforesaid.

XLIII. And be it further enacted, That every Obligation, or other Security entered into or given from and after the passing of this Act, by any Person or Persons who shall afterwards become Bankrupt within the true Intent and Meaning of the several Statutes made and now in force concerning Bankrupts, and against whom a Commission of Bankrupt shall be awarded and issued out in *England* or *Ireland*, shall by reason and force of such Bankruptcy, and from the time of such Bankruptcy, become and be forfeited, and due and payable as against such Bankrupt or Bankrupts; and that all the Estate and Effects of such Bankrupt or Bankrupts, which would be liable to satisfy the Demands of the Creditors seeking Relief under such Commission of Bankrupt, shall be liable and subject to and are hereby made chargeable with the Payment of the Principal and Interest due upon such Obligation or other Security, and all Costs attending the Recovery of the same; and that the respective Claims of the Commissioners for the Execution of this Act shall be first paid and satisfied out of the Estate and Effects of such Bankrupt or Bankrupts, and in preference to the Claim of any other Creditor or Creditors; and it shall be lawful for the said Commissioners, in the Name of their Secretary for the time being, to apply by Petition in a summary Way to the proper Courts in *England* and *Ireland*, having Jurisdiction of the Matters of such Commission of Bankruptcy, to make due Order accordingly, which such Courts respectively are hereby authorized and required to make.

XLIV. And be it further enacted, That every Obligation, or other Security entered into or given from and after the passing of this Act, by any Person or Persons who shall afterwards become Bankrupt, and against whose Estate Sequestration shall be awarded in *Scotland*, shall by reason and force of such Bankruptcy, and from the time of the Date of the First Deliverance on the Petition to the Court of Session for awarding the Sequestration, become and be due and payable as against such Bankrupt or Bankrupts; and that all the Estate and Effects, Real and Personal, of such Bankrupt or Bankrupts, which would be liable to satisfy the Demands of the Creditors seeking Relief under such Sequestration, shall be liable and subject and are hereby made chargeable with the Payment of the Principal and Interest due upon such Obligation or other Security, and all Costs attending the Recovery of the same; and that the

In Proceedings against Obligor no Writ of *Scire Facias* requisite.

Securities of Persons becoming Bankrupts in *England* or *Ireland* to be forfeited, and the Claims of Commissioners to be first paid, &c.

Commissioners under this Act may apply to the Courts by Petition.

And also in *Scotland*.

Claims of the said Commissioners shall be paid and satisfied out of the Estate and Effects of such Bankrupt or Bankrupts, and in reference to the Claim of any other Creditor or Creditors, nevertheless without Prejudice to References duly obtained according to the Law of *Scotland* upon the Real Estates of Persons who shall become Bankrupts; and it shall be lawful for the said Commissioners, in the Name of the Secretary for the time being, to apply by Petition in a summary Way to the proper Courts in *Scotland*, having Jurisdiction of the Matters of such Bankruptcy, for making effectual the Payment of the Claims of the said Commissioners accordingly, and the said Courts are hereby authorized and required to make the same effectual accordingly.

Commissioners may accept Security for Sums due from Bankrupts.

How far such Security to operate as a Release for the Benefit of the Creditors of the Bankrupt.

XLV. Provided always, and be it further enacted, That it shall be lawful for the several Commissioners for the Execution of this Act to accept from the Assignees under any Commission of Bankrupt issued, or from the Factor or Factors, Trustee or Trustees, under any Sequestration awarded against any Debtor or Debtors in any such Loan under this Act, such Security for the Payment of the Sum due from such Bankrupt or Bankrupts out of his or their Estate or Effects, as the said Commissioners shall respectively approve; and that the Acceptance of such Security by the said Commissioners shall operate as a Release of the Estate of such Bankrupt or Bankrupts, for the Benefit of the Creditors under the said Commission of Bankruptcy in *England* or *Ireland*, or Sequestration in *Scotland*, from all Claims whatever by the said Commissioners, other than and except such Part of the said Estate as shall be specified in Writing between the said Commissioners for the Execution of this Act, and the said Assignees under the said Commission of Bankruptcy in *England* or *Ireland*, or between the said Commissioners for the Execution of this Act, and the Factor or Factors, Trustee or Trustees under the said Sequestration in *Scotland*, to be reserved by the said Commissioners for the Execution of this Act, for such Security as aforesaid, in case the said Commissioners shall require such Security.

Commissioners may apply for Commissions of Bankruptcy or Sequestration.

XLVI. And be it further enacted, That it shall be lawful for the Commissioners for the Execution of this Act, in the Name of their Secretary for the time being, to apply by Petition or otherwise to the proper Courts in *England* or *Ireland* and *Scotland* respectively, for any Commission of Bankruptcy or Sequestration against the Estate or Effects of any Bankrupt or Bankrupts, and to sue and otherwise pursue the same respectively, in like manner as any other Creditor or Creditors is or are by Law entitled to do in *England*, *Ireland* and *Scotland* respectively.

Commissioners of Bankrupt to admit Proof of Debt upon the Oath of Persons appointed by the Commissioners under this Act; and permit such Person to vote in the Choice of Assignees, &c.

XLVII. And be it further enacted, That the Commissioners named in any Commission of Bankruptcy, which shall at any time hereafter be awarded and issued out in *England* or *Ireland*, and the Court of Session, or Lord Ordinary officiating on the Bills for the time, and every Officer or other Person concerned in the Management of the sequestered Estate of any Bankrupt in *Scotland*, shall admit the Proof of any Debt, or Grounds of Debt, under this Act, on the Oath, Affirmation, or Affidavit of any Person appointed by the several Commissioners for the Execution of this Act; which Oath, Affirmation, and Affidavit respectively shall be taken and administered before any One of the proper Officers having Authority

Authority by Law to administer Oaths or Affirmations, or to take Affidavits in cases of Bankruptcy, and shall permit such Person so authorized by the several Commissioners for the Execution of this Act, to vote in the Choice of an Assignee or Assignees, Factor or Factors, Trustee or Trustees, as the case may require, of the Estate and Effects of such Bankrupts, and to do and execute every other Act, Matter or Thing relating to such Bankruptcy, as fully and effectually as if such Person so authorized were the *bonâ fide* Creditor of such Bankrupt or Bankrupts.

XLVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent, hinder, or delay the Execution of any Commission of Bankruptcy by the Commissioners therein named, according to the Laws now in force in *England* and *Ireland* respectively, or on the proceeding to or under Sequestration in *Scotland*, provided that every Assignment of the Estate or Effects of such Bankrupt or Bankrupts, under the said Commission in *England* and *Ireland*, and every Act of Sequestration of the Estate or Effects of such Bankrupt or Bankrupts in *Scotland*, shall be subject to the Claims of the several Commissioners for the Execution of this Act, and until the same shall be fully paid.

XLIX. And be it further enacted, That every Provision in this Act, made with Application to any Commission or Commissions of Bankruptcy, shall be deemed and construed to extend to any Sequestration awarded or to be awarded against the Estate or Effects of any Bankrupt or Bankrupts in *Scotland*, as fully and effectually as if such Provision had been expressly applied thereto by this Act.

L. And be it further enacted, That all Acts, Matters and Things which the Commissioners for the Execution of this Act are hereby required or authorized to do or execute, shall and may be done and executed by any Seven or more of such Commissioners in *Great Britain*, and by the Majority of such Commissioners in *Ireland*, unless in cases where it is otherwise specially provided by this Act.

LI. And be it further enacted, That the Governors and Directors of the Bank of *England* shall, and they are hereby required to open an Account in their Books with the Commissioners for the Execution of this Act in *Great Britain*, under the Title of "Commissioners for the Issue of certain Exchequer Bills," and shall carry to the Credit of such Account the several Monies by this Act directed to be paid to the Cashiers of the said Bank; and whenever the said Commissioners shall have advanced or lent any of the Exchequer Bills to be made out in pursuance of this Act to any Person or Persons, the said Commissioners shall, at some time before the Sums contained therein shall be to be repaid, deliver to such Person or Persons, at his or their Request, one or more Certificate or Certificates under their Hands, specifying the Value of every such Exchequer Bill, the respective Dates thereof, and the times when they will respectively become payable by virtue of this Act; and the said Cashiers of the Bank, or one of them, shall, upon the Production of such last mentioned Certificate or Certificates, by the Space of Fifteen Days or more after such Exchequer Bills shall become payable, accept and receive from the Person or Persons producing the same the Amount of the Principal Sums contained therein, together with such Interest, to be computed from

Act not to delay the Execution of Commissions of Bankruptcy or Proceedings under Sequestration.

Provisions for Bankruptcy to extend to Sequestrations in Scotland.

Seven Commissioners may act.

Bank of England to open an Account with the Commissioners.

Commissioners to give Certificate of Particulars of Exchequer Bills advanced before Monies repaid. The Bank on Production thereof to receive the Amount with Interest.

the Date thereof to the time of Payment as aforesaid, and at the Foot of such last mentioned Certificate or Certificates acknowledge the Receipt of the said Monies; and that whensoever the said Commissioners shall by their Warrant or Order have directed such Monies to be raised or levied by Sale of any Wares or Merchandize deposited by virtue of this Act, or by any Proceedings on any Securities taken by virtue thereof in Default of such Payment as aforesaid, the said Commissioners shall deliver to the Officer or Officers executing the same respectively a like Certificate as aforesaid, and further specifying therein the Amount of the Monies to be raised or levied, and the Substance of such Warrant or Order to raise or levy the same; and the said Cashiers of the Bank, or any One of them, shall, upon the Production of such last mentioned Certificate, accept and receive from such Officer or Officers the Monies so raised and levied in Satisfaction of the Payments whereof Default shall be made as aforesaid, and at the Foot of such Certificate acknowledge the Receipt of the said Monies, without Fee or Reward; and every such Receipt shall be afterwards brought to the Office of the said Commissioners hereby appointed, and by them entered in proper Books to be provided and kept for that Purpose; and the said Commissioners or any Three or more of them shall attest the same under their Hands, and return the same to the Person or Persons producing the same at the said Office; and every such Receipt so attested, and every such Entry in any of the said Books, shall respectively from thenceforth be an Acquittance and Discharge for the Sums expressed therein to have been received as against the said Commissioners and every of them, their and every of their Executors and Administrators, as well to the Person or Persons to whom such Receipts shall be given, as to all and every the Persons who shall have entered into any Security in respect of the Exchequer Bills mentioned in such Certificate to which such Receipt shall be subscribed, their and every of their Heirs, Executors and Administrators respectively.

Like Certificate to Officers on Commissioners directing Monies due to be raised by Sale of Goods, &c.

No Fee on Receipts of Monies levied.

Commissioners to attest such Receipts.

Money paid into the Bank to be from time to time paid into the Exchequer, and kept apart from other Monies, and to be subject to the Uses herein specified.

LII. And be it further enacted, That all and every Sum and Sums of Money which shall be paid into the Bank of *England* under or by virtue of this Act, shall from time to time be paid into the Receipt of His Majesty's Exchequer at *Westminster* distinctly and apart from all other Monies; and that there shall be provided and kept in the Office of the Auditor of the Receipt of the said Exchequer a Book or Books, in which all the Monies paid into the said Receipt by virtue of this Act shall be entered separate and apart from all other Monies paid into the said Receipt upon any other Account whatever; and that all the Monies so paid into the said Receipt by virtue of this Act shall be subject and liable to the Uses and Purposes hereinafter mentioned; (that is to say,) in the first Place for paying off and discharging all the Exchequer Bills to be made out by virtue of this Act, with such Interest as shall be payable thereon, at the respective Days and times, and in the Order and Course in which the same are hereby directed to be discharged; and all such Exchequer Bills, and Interest thereon as aforesaid, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the first Monies that shall arise in the Receipt of His Majesty's Exchequer accordingly; and after paying off and discharging the same, in the next place to pay off all the Charges

Charges and Expences which shall be incurred by the Commissioners for the Execution of this Act in *Great Britain*, and to make good all such Sums as have been issued to the said Commissioners out of the public Monies towards the said Charges and Expences, in pursuance of the Orders of the said Commissioners of His Majesty's Treasury, or any Three of them, or the said Lord High Treasurer for the time being, according to the Directions of this Act; and also to pay and satisfy all Charges and Expences incident to or attending the making out such Exchequer Bills; and if any Surplus shall remain of the Monies paid into the said Receipt by virtue of this Act, after satisfying the several Sums hereby charged thereon as aforesaid, such Surplus shall be reserved for the Disposition of Parliament.

LIII. And be it further enacted, That on the several Days and times on which such Exchequer Bills are directed to be discharged, or within Ten Days after such Days respectively, the said Commissioners of His Majesty's Treasury, or Three or more of them, or the said Lord High Treasurer for the time being, shall cause a true and perfect Account in Writing to be taken and attested by the proper Officers, of all the Exchequer Bills, to be made out in pursuance of this Act, which shall become payable on the respective Days and times before specified, and of the Monies which shall then be in the Receipt of the said Exchequer applicable to the paying off and discharging the same; and if the Money which shall have arisen in the said Exchequer, for or on account of the Payments to be made by the Bank of *England* by virtue of this Act on the respective Periods before mentioned, shall not be sufficient to discharge the whole Principal and Interest due as aforesaid on the several Exchequer Bills to be issued in pursuance of this Act, then such Deficiency shall and may be supplied and made good by and out of the Aids or Supplies which shall be granted for the Service of the Year One thousand eight hundred and twenty; and in case the Monies arising from such Aids or Supplies shall not at the time be sufficient for that Purpose, then all the said Exchequer Bills remaining undischarged, with the Interest and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon such Monies as, at any time or times after any such Deficiencies shall happen, shall be or remain in the Receipt of the said Exchequer of the Fund called the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, except such Monies of the said Consolidated Fund as are appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf; and such Monies of the said Consolidated Fund shall and may be issued and applied from time to time, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such remaining Exchequer Bills, Interest and Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

LIV. Provided always, and be it further enacted, That whatever Monies shall be so issued out of the Consolidated Fund shall from time to time be replaced by and out of the First Supplies to be thereafter granted in Parliament, any thing therein contained to the contrary notwithstanding: Provided also, that whatever Monies shall be
afterwards

Treasury to cause Accounts to be taken of Exchequer Bills when payable, and of the Money in the Exchequer to discharge them. Proceedings when Money not sufficient to discharge the Principal and Interest due on Exchequer Bills.

Monies issued out of the Consolidated Fund to be replaced out of the first Supplies.

afterwards paid by the Bank of *England* into the said Receipt in pursuance of this Act, shall be applied towards replacing the Monies before issued of the said Aids or Supplies, or out of the said Consolidated Fund, as the case may be; any thing herein contained to the contrary notwithstanding.

Bank may advance, 5,000,000. on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.

LV. And be it further enacted, That it shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to His Majesty, at the Receipt of the Exchequer of *Great Britain*, upon the Credit of the Exchequer Bills issued under this Act, any Sum or Sums of Money not exceeding in the whole the Sum of One million five hundred thousand Pounds; any thing in an Act made in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to Their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against France*, to the contrary thereof in anywise notwithstanding.

Commissioners to lay an Account of their Proceedings before Parliament.

LVI. And be it further enacted, that the several Commissioners for the Execution of this Act, from time to time, at their Discretion, and as soon as possible after the Determination of all Proceedings under this Act, and the Commissioners for the Execution of this Act in *Ireland*, whenever they shall be thereto required by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, shall respectively lay an Account or Accounts of their Proceedings in Writing before both Houses of Parliament.

If Commissioners die, &c. major Part of the remaining Commissioners in Great Britain may fill up Vacancies.

LVII. And be it further enacted, That if any of the Commissioners for the Execution of this Act in *Great Britain* shall decline to act in the Execution of the Powers and Trusts thereof, or having begun to act shall decline to act further therein, or shall depart this Life during the Continuance of this Act, it shall be lawful for the remaining Commissioners, or the major Part of them acting as aforesaid, by any Writing under their Hands and Seals, to constitute and appoint such Person or Persons to be a Commissioner or Commissioners for the Purpose aforesaid, in the Place of the Commissioner or Commissioners so refusing to act or declining further to act, so dying as aforesaid, as the said acting Commissioners or the major Part of them shall think fit; and so often as such case shall happen, and the Person or Persons so constituted and appointed by the said Commissioners, having first qualified to act by taking and subscribing the Oath hereinbefore provided and directed, shall be invested with the same Powers and Authorities as are given or delegated by this Act unto the said Commissioners or Commissioner constituted by this Act respectively.

Persons so appointed to take the aforesaid Oath.

Lord Lieutenant may revoke Appointments, and fill Vacancies in *Ireland*.

LVIII. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being to revoke the Appointment of any Person or Persons to be a Commissioner or Commissioners for the Execution of this Act in *Ireland*, and from time to time to nominate and appoint such other Person or Persons to be a Commissioner or Commissioners, as such Lord Lieutenant or other Chief Governor or Governors for the time being shall think fit; and also to appoint from time to time any Person or Persons to be a Commissioner

missioner or Commissioners to supply any Vacancy which may be occasioned by the Death or Resignation of any Commissioner or Commissioners who may be appointed by virtue of this Act.

LIX. And be it further enacted, That it shall be lawful for all Persons, Bodies Politic or Corporate, advancing any of the Exchequer Bills to be issued by virtue of this Act, by way of Loan, to any Persons who may be willing to accept such Exchequer Bills, valuing the same at the Sum which shall be expressed therein respectively, together with such Interest as may have accrued thereon at the time of advancing such Loan, to charge and receive Interest for such Loan at the Rate of Five Pounds *per Centum per Annum*; any Law or Usage to the contrary notwithstanding.

LX. And be it further enacted, That the several Commissioners for the Execution of this Act shall and may receive and send all their Letters and Packets free from the Duty of Postage; provided that such Letters and Packets as shall be sent to the said Commissioners for the Execution of this Act in *Great Britain*, be directed to "The Commissioners for the Issue of Exchequer Bills at their Office;" and that such Letters and Packets as shall be sent to the said Commissioners for the Purposes of this Act in *Ireland*, shall be directed to "The Commissioners for the Issue of Money out of the Consolidated Fund at their Office;" and that all such Letters and Packets as shall be sent by the said Commissioners shall be dated from their said Office, and shall be signed on the Outside of such Letters and Packets by such Person as the said Commissioners for the Execution of this Act in *Great Britain* shall appoint, with the Consent of the said Commissioners of His Majesty's Treasury, or any Three or more of them, and as the said Commissioners for the Execution of this Act in *Ireland* shall appoint, with the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and under such Restrictions and Regulations as the said Commissioners of His Majesty's Treasury, or the said Lord Lieutenant or other Chief Governor or Governors respectively, shall think proper and direct.

LXI. And be it further enacted, That no Obligation to His Majesty nor any Heritable Securities, nor any Assignment of any Heritable Securities, nor any Mortgage or Assignment of any Tolls, Rates or Duties taken by the said Commissioners, nor any Promissory Note under this Act, as a Security for the Loan of Money in such Exchequer Bills as aforesaid, nor any Affidavit, Deposition, or Receipt to be respectively taken or made under and by virtue of this Act, shall be liable to any Stamp Duty whatever; any thing in any Act or Acts in force in *Great Britain* or *Ireland* to the contrary in anywise notwithstanding.

LXII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done by virtue of or in pursuance of this Act, until Fourteen Days' Notice thereof in Writing shall have been given to the Secretary for the time being of the said Commissioners, nor after a sufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and such Action shall be brought in the said Courts of Exchequer in *England*, *Ireland* or *Scotland*, and shall be laid in the County of *Middlesex*, or City of *Dublin*, or *Edinburgh* respectively, and

Persons advancing Exchequer Bills by Loan may take 5l. per Cent. Interest.

Commissioners may receive and send Letters free of Postage.

Proviso.

Obligations, &c. not liable to Stamp Duty.

Actions for executing Act not to be brought but upon Notice, nor after Satisfaction or Tender, nor after Six Months.

Where to be laid.

General Issue.

and not elsewhere ; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act ; and if the same shall appear to be so done, or if such Action or Suit shall be brought after the time hereinbefore limited for bringing the same, or shall be brought without Fourteen Days' Notice thereof, or shall be brought in any other County or Place, or after a sufficient Satisfaction made or tendered as aforesaid, that then the Jury shall find for the Defendant or Defendants ; or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for Costs of Suit in any other cases by Law.

Treble Costs.

Counterfeiting,
&c. Certificates,
&c. or delivering
such to any Of-
ficer, or uttering
the same,

LXIII. And be it further enacted, That if any Person or Persons shall forge, counterfeit or alter, or cause or procure to be forged, counterfeited or altered, or knowingly or wilfully act or assist in the forging, counterfeiting or altering any Certificate or Certificates of the Commissioners for the Execution of this Act, or any of them, or any Receipt or Receipts to be given by the Cashier or Cashiers of the Bank of *England* in pursuance of this Act, or shall wilfully deliver any such forged, counterfeited or altered Certificate or Receipt to the Auditor of the Receipt of His Majesty's Exchequer in *Great Britain*, or to the Vice Treasurer of *Ireland* for the time being, or to any Officer appointed by them or either of them, or to the Commissioners for the Execution of this Act or any of them, or to any Officer or Officers appointed by them or any of them in the Execution of the Powers of this Act, or shall utter any such forged, counterfeited or altered Certificate or Certificates, Receipt or Receipts, knowing the same to be forged, counterfeited or altered, with Intent to defraud His Majesty, His Heirs or Successors, or any Body or Bodies Politic or Corporate, or any Person whomsoever, then and in every such case all and every Person or Persons so offending, and being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as in cases of Felony without Benefit of Clergy.

Death.

Affirmations
may be admin-
istered.

LXIV. And be it further enacted, That in all cases where an Oath may be administered by this Act, it shall be lawful to administer an Affirmation in lieu thereof, as the case may require.

Act may be
altered, &c. this
Session.

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

[*Lord Lieutenant of Ireland may appoint special Commissioners for receiving Applications for Relief from the 250,000*l.* advanced in Ireland by Section 5. of this Act. See Cap. 124. § 1. post.*]

C A P. XXXV.

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

[20th June 1817.]

WHEREAS the raising or keeping a Standing Army within the United Kingdom of *Great Britain* and *Ireland*, in a time of Peace, unless it be with the Consent of Parliament, is against Law: And Whereas it is judged necessary by His Majesty, and this present Parliament, that a Body of Forces should be continued for the Safety of the United Kingdom, the Defence of the Possessions of His Majesty's Crown and the Preservation of the Balance of Power in *Europe*, and that the whole Number of such Forces should consist of One hundred and twenty one thousand and thirty five effective Officers and Men, including the Forces stationed in *France*, and also Fifteen thousand five hundred and eighty five Officers and Men proposed to be disbanded, and One thousand eight hundred and sixty three Officers and Men proposed to be transferred to the *Indian* Establishment, but exclusive of the Officers and Men belonging to the Regiments now employed in the Territorial Possessions of the *East India* Company, or ordered from thence to *Great Britain*: And Whereas no Man can be forejudged of Life or Limb, or subjected in time of Peace to any Kind of Punishment within this Realm by Martial Law, or in any other manner than by the Judgment of his Peers, and according to the known and established Laws of this Realm; yet nevertheless, it being requisite, for the retaining all the before mentioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person who is or shall be commissioned or in Pay as an Officer, or who is or shall be listed or in Pay as a Non Commissioned Officer or Soldier, shall at any time, during the Continuance of this Act, begin, excite, cause or join in any Mutiny or Sedition in His Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny, shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortrefs, Post or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortrefs or Post, to deliver up to the Enemy, or to abandon the same; or shall speak Words, or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortrefs, Post or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved; or shall be found sleeping on his Post; or shall hold

Number of
Forces, 121,035.

Officers, &c.
mutinying or
deserting, &c.

or found sleeping
upon or deserting
his Post, &c.

or striking or disobeying his Superior Officer,

Death, or such a Punishment as Court Martial may inflict.

Continuance of this Act.

hold Correspondence with, or give Advice or Intelligence to any Rebel or Enemy of His Majesty, either by Letters, Messages, Signs or Tokens, in any manner or way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy, without His Majesty's Licence, or Licence of the General or Chief Commander; or shall strike or use any Violence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his Superior Officer; or shall desert His Majesty's Service; and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within this Realm; or in any other of His Majesty's Dominions, or in Foreign Parts, upon Land or upon the Sea, shall suffer Death, or such other Punishment as by a Court Martial shall be awarded.

[This Act, with the exception of Section 156. is the same, and all the Schedules are also the same as Cap. 12. ante: which Act was made to continue in force in Great Britain until the 25th June 1817.]

CLVI. And be it further enacted, That this Act shall be and continue in force within *Great Britain* from the Twenty fourth Day of *June* in the Year of our Lord One thousand eight hundred and seventeen, until the Twenty fifth Day of *March* in the Year of Our Lord One thousand eight hundred and eighteen; and shall be and continue in force within *Ireland*, and in *Jersey*, *Guernsey*, *Alderney*, *Sark* and *Isle of Man*, and the Islands thereto belonging, from the First Day of *July* in the Year of our Lord One thousand eight hundred and seventeen, until the First Day of *April* in the Year of our Lord One thousand eight hundred and eighteen; and shall be and continue in force within the Garrison of *Gibraltar*, and in *Spain* and *Portugal*, from the Twenty Fifth Day of *August* in the Year of our Lord One thousand eight hundred and seventeen, until the Twenty Fifth Day of *May* in the Year of our Lord One thousand eight hundred and eighteen; and shall be and continue in force in all other Parts of *Europe* where His Majesty's Forces may be serving, and in the *West Indies* and *North America*, and *Cape of Good Hope*, from the Twenty Fifth Day of *October* One thousand eight hundred and seventeen, to the Twenty Fifth Day of *July* One thousand eight hundred and eighteen; and shall be and continue in force in all other Places from the Twenty Fifth Day of *February* One thousand eight hundred and eighteen, to the Twenty Fifth Day of *November* One thousand eight hundred and nineteen.

C A P. XXXVI.

An Act to regulate the Trade to and from the Places within the Limits of the Charter of the *East India Company*, and certain Possessions of His Majesty in the *Mediterranean*.

[20th June 1817.]

53 G. 3. c. 155.
6.

‘ WHEREAS an Act was passed in the Fifty 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 certain exclusive Privileges; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; and for regulating the Trade to and from the Places within the Limits of the said Company's Charter: And* Whereas

Whereas by the said recited Act it was enacted, that it should be lawful for any of His Majesty's Subjects, in common with the said United Company, to export in Ships navigated according to Law, from any Port or Ports within the United Kingdom of Great Britain and Ireland, to all Ports and Places within the Limits referred to, save and except the Dominions of the Emperor of China, any Goods, Wares and Merchandize which could then, or might at any time or times thereafter, be legally exported; and also in common with the said Company to import in Ships navigated as aforesaid, from any Port or Ports within the Limits aforesaid, save and except as aforesaid, into the said United Kingdom, any Goods, Wares and Merchandize, the Produce or Manufacture of any of the Countries within the said Limits, which could or might at any time or times thereafter be legally imported; subject nevertheless to the several Restrictions, Conditions and Limitations in the said Act contained: And Whereas it was also enacted by the said Act, that nothing therein contained should extend or be construed to extend to prevent the making, during the further Term thereby granted to the said Company, such further Provisions by Authority of Parliament, as might from time to time be deemed necessary for enabling His Majesty's Subjects to carry on Trade and Traffic, directly or circuitously, as well between all Ports and Places situate without the Limits of the said Company's Charter, and all Ports and Places (except the Dominions of the Emperor of China) situate within those Limits, as between the said United Kingdom and all the last mentioned Ports and Places, except as aforesaid: And Whereas by an Act passed in the Fifty fourth Year of His present Majesty's Reign, intituled *An Act for the further Regulation of the Trade to and from the Places within the Limits of the Charter of the East India Company*, Provision was made for enabling the said Company, and all other His Majesty's Subjects to carry on a circuitous Trade to, from and between the Places within such Limits: And Whereas it is expedient to make Provision for the enabling the said Company and all other His Majesty's Subjects to carry on Trade within the Limits of the Charter of the said Company, and certain Possessions of His Majesty in the *Mediterranean*; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for the said Company, and also for any other of His Majesty's Subjects to carry on Trade and Traffic, in Ships navigated according to Law, directly and circuitously between the Island of *Malta* and its Dependencies, or the Port of *Gibraltar*, and all Ports and Places within the Limits of the said Company's Charter, except the Dominions of the Emperor of *China*; any thing contained in any Charter of the said Company, or in any Act or Acts of Parliament, to the contrary notwithstanding: Provided always, that in carrying on such Trade it shall not be lawful to trade to or at any Port or Place without the Limits of the said Company's Charter, other than those with which Trade is permitted by the said Act of the Fifty fourth Year of His present Majesty: Provided always, that nothing herein contained shall extend or be construed to extend to authorize any of His Ma-

54 G. 3. c. 34.
§ 1.

Trade may be carried on directly and circuitously between Malta and its Dependencies, or Gibraltar, and all Ports and Places within the Limits of the Company's Charter, except to China. No Persons other than the Company to trade in Tea.

jefty's Subjects, other than the said Company, or Persons properly licensed by them, to export or import from or to any such Countries, Ports and Places, within or without such Limits, or to import into the United Kingdom, any Tea, or in any manner to trade or traffic in Tea, between any such Ports or Places as aforesaid.

Cape of Good Hope to be considered within such Limits.

II. Provided always, and be it further enacted, That His Majesty's Settlement at the *Cape of Good Hope* shall, as to all Trade allowed by this Act to be carried on, be deemed, construed and taken to be within the Limits of the *East India Company's* Charter: Provided also, that nothing herein contained, as to the said Settlement being deemed as to such Trade as aforesaid to be within such Limits, shall extend or be construed to extend to prevent, or in any manner to limit or affect, any other Trade which now may or which may hereafter be allowed to be carried on between the said Settlement and any other Countries, Ports or Places whatever.

Trade not to be carried on in Ships under the Burden prescribed by 53 G. 3. c. 155. § 13.

III. Provided also, and be it further enacted, That it shall not be lawful for any Vessel carrying on Trade under the Provisions of this Act, to clear out from or be admitted to Entry at any Port in the United Kingdom, the registered Measurement of which Vessel shall be under the Burden prescribed by the said Act of the Fifty third Year of His present Majesty, or which may be prescribed by any Act hereafter to be passed for Vessels carrying on Trade between the United Kingdom and the Places within the Limits of the *East India Company's* Charter.

53 G. 3. c. 155. § 11.

IV. And Whereas by the said Act of the Fifty third year of His present Majesty's Reign it is enacted, that no Ship or Vessel engaged in private Trade under the Authority of that Act, shall proceed to any Place situate on the Continent of *Asia*, from the river *Indus* to the Town of *Malacca* inclusive, or in any Island under the Government of the said Company lying to the North of the Equator, or to the said Company's Factory of *Bencoolen* or its Dependencies, or to any other Place or Places situate more to the northward than Eleven Degrees of South Latitude, and between the Sixty fourth and One hundred and fiftieth Degrees of East Longitude from *London*, without a Licence from the Court of Directors of the said Company, or from the Board of Commissioners for the Affairs of *India*, (as the case may be); Be it further enacted, That the Governors and Lieutenant Governors of the said Island of *Malta* and Port of *Gibraltar* respectively, shall be and they are hereby authorized to grant Licences to Ships or Vessels so proceeding as aforesaid from the said Island of *Malta* or Port of *Gibraltar*, in the same manner and under the same Regulations and Provisions, in regard to the Grant and Form thereof, as are under the said recited Act applicable to Licences granted by the said Court of Directors and Board of Commissioners respectively: Provided always, that the said Governors and Lieutenant Governors shall not be empowered to grant any Licence specially authorizing any Ship or Vessel to proceed to any Place or Places upon the Continent of *Asia* from the River *Indus* to the said Town of *Malacca* inclusive, except the said Company's principal Settlements; and that in regard for such Licences as are under the Provisions of the said recited Act to be granted by the said Board of Commissioners, the said Governors and Lieutenant Governors shall conform themselves, as far as the case may admit, to such Rules and Regulations in that Behalf,

Governors and Lieutenant Governors of Malta and Gibraltar to grant Licences;

but to conform to Rules of the Commissioners for India,

Behalf, as may from time to time be framed and published by the said Commissioners.

V. And be it further enacted, That each such Governor or Lieutenant Governor shall transmit to One of His Majesty's Principal Secretaries of State annual Lists of all such Licences as shall have been granted by him as aforesaid, and of all Licences (if any) which such Governor or Lieutenant Governor may, in consequence of any Instructions which he may have received in regard to such Licences, have refused to grant, together with his Reasons for such Refusal.

and transmit
Lists of Licences
granted or
refused.

VI. Provided also, and be it further enacted, That no Ship or Vessel, other than the Ships of the said Company engaged in Trade under the Authority of this Act, shall be permitted to clear out from the said Island or Port for any Place or Places under the Government of His Majesty or of the said Company situate more to the Northward than Eleven Degrees of South Latitude, and between the Sixty fourth and One hundred and fiftieth Degrees of East Longitude from London, until the Master or other Person having the Command of such Ship or Vessel shall have made out and exhibited to the principal Officer of the Customs, or other Person thereto authorized by such Governor or Lieutenant Governor as aforesaid, at the Port of Clearance, upon Oath (which Oath such Officer or other Person is hereby authorized to administer), a true and perfect List, in such Form as shall from time to time be settled by the said Court of Directors, with the Approbation of the said Board of Commissioners, specifying and setting forth the Names, Capacities and Descriptions of all Persons embarked or intended to be embarked on board such Ship or Vessel, and all Arms on board or intended to be put on board the same; nor shall any such Vessel be admitted to Entry at the said Island or Port until the Master or other Person having the Command of such Ship or Vessel shall in the like manner have made out and exhibited to the principal Officer of the Customs, or other Person thereunto duly authorized, upon Oath (which Oath such Officer or other Person is hereby authorized to administer), a true and perfect List, in Form to be settled as aforesaid, specifying the Names, Capacities and Descriptions of all Persons on board or who shall have been on board such Ship or Vessel, from the time of the Sailing thereof to the time of Arrival, and of all Arms on board or which shall during that time have been on board such Ship or Vessel, and the several Times and Places at which such of the said Persons as may have died or left the said Ship or Vessel, shall have so died or left such Ship or Vessel, or such of the said Arms as may have been disposed of, have been so disposed of.

Ships not to sail
without Lists of
the Persons and
Arms on board
being delivered
upon Oath.

Such Vessel not
admitted to En-
try till List de-
livered upon
Oath of Persons,
Arms, &c. as
herein men-
tioned.

VII. Provided also, and be it further enacted, That such Governors or Lieutenant Governors shall and they are hereby required to cause every such List, which shall be so received at the said Island or Port, to be transmitted with all reasonable Dispatch to the Court of Directors of the said United Company; and all such Ships or Vessels trading under the Authority of this Act shall, on their Arrival at any Port or Place under the Government of the said Company in India, be subject to all the Regulations, Restrictions and Provisions prescribed by the said Acts of the Fifty third Year of His present Majesty's Reign; and that all Trade with all Ports and Places upon the Continent of Asia, from the River Indus to the

Governors, &c.
to transmit such
Lists to the
Court of Di-
rectors.
Ships trading
under this Act
subject to Regu-
lations of
53 G. 3. c. 155.

Town of *Malacca* inclusive, or any Island under the Government of the said Company lying to the North of the Equator, or the said Company's Factory at *Bencoolen* and its Dependencies, shall remain and continue subject to all such Regulations, Provisions and Restrictions as shall from time to time be in force in relation to Trade, at any such Ports and Places under the Authority of any of the Governments of the said Company at their several Prefidencies in *India*.

Cargoes may be discharged at Malta and Gibraltar, subject to Regulations of 53 G. 3. c. 155. and 54 G. 3. c. 34.

VIII. And be it further enacted, That it shall be lawful for the said Company, and for any other of His Majesty's Subjects, to trade (in Ships navigated according to Law, and proceeding upon any Voyage between any Ports or Places within the Limits of the said Company's Charter and the United Kingdom) to and at the said Island of *Malta* and Port of *Gibraltar*, and for that Purpose to discharge the Whole or any Part of the Cargo of any such Ship or Vessel at such Island or Port, and in the Prosecution of such circuitous Voyage to take on board any other Goods, Wares and Merchandize, which can be legally carried from such Ports or Places within the Limits aforesaid, to such Island or Port; and in like manner to trade in any such Ship or Vessel, in any Voyage from the United Kingdom to any Ports or Places within the Limits aforesaid, to and at the said Island of *Malta* and Port of *Gibraltar*: Provided always, that all such Ships and Vessels shall be subject to all the Regulations, Restrictions and Provisions to which Ships and Vessels carrying on Trade circuitously, between the United Kingdom and the Limits of the said Company's Charter, are by the said Acts of the Fifty third and Fifty fourth Years of His Majesty's Reign made liable.

Goods may be re-exported from Malta or Gibraltar to the United Kingdom, subject to Regulations, and in Vessels of such Tonnage as prescribed by 53 G. 3. c. 155.

IX. And be it further enacted, That all Goods and Commodities so imported into the Island of *Malta* or its Dependencies, or into the Port of *Gibraltar*, from any Ports or Places within the Limits of the said Company's Charter, may be re-exported from the said Island of *Malta* or its Dependencies, or the Port of *Gibraltar*, to the United Kingdom, and imported at any of the Ports where such Goods and Commodities may lawfully be imported, in like manner, and subject to all such Regulations, Restrictions and Provisions, as if such Goods and Commodities were imported directly from the Place of their Growth, Production or Manufacture; and in Vessels of such Tonnage as is prescribed by the said Act made in the Fifty third Year of the Reign of His present Majesty, or as may be prescribed by any Act hereafter to be passed, for Vessels carrying on Trade between the United Kingdom and the Places within the Limits of the *East India* Company's Charter; any thing in an Act passed in the Twelfth Year of the Reign of His Majesty King *Charles* the [Second, intitled *An Act for the encouraging and increasing of Shipping and Navigation*, or in any other Act to the contrary notwithstanding.

12 Car. 2. c. 18.

Malta, &c. deemed to be in Europe.

Proviso for the Introduction of Goods into Malta and Gibraltar, which may now

X. And be it further enacted, That for the Purposes of this Act, and for all other Purposes whatever, the Island of *Malta* and its Dependencies shall be deemed and taken to be in *Europe*.

XI. Provided nevertheless, and be it further enacted, That nothing in this or in any other Act shall extend or be construed to extend to prevent the Introduction (under the Provisions of this Act) into the Island of *Malta* and its Dependencies, or into the Port of *Gib-*

raltar,

raltar, of any Articles being of the Growth, Produce or Manufacture of any of the Countries between which and the said Island and Port Trade is allowed to be carried on by this Act, which may now or may hereafter be imported into the United Kingdom.

be imported into the United Kingdom.

XII. And be it further enacted, That it shall not be lawful for any Ship or Vessel engaged in any Voyage under the Authority of this Act, from any Port or Place in the *East Indies* to the said Island of *Malta* or Port of *Gibraltar*, and not destined to any Port in the United Kingdom, to take or have on board any *Lascars* or other *Asiatic* Seamen: Provided always, that it shall be lawful for any of the Governments of the *East India* Company in *India*, or for any Governor or Lieutenant Governor of any Colony, Territory or Island belonging to His Majesty within the Limits of the said Charter, and they and he are hereby required, on Application made by the Owner or Commander of any Ship or Vessel, and after having ascertained by due Inquiry that a sufficient Number of *British* Seamen cannot be procured for the Crew of any Ship or Vessel sailing from *India* within Ten Days from such Application, to certify the same, and license such Ship or Vessel to sail with such Proportion of *Lascars* or *Asiatic* Seamen as may be specified in such Certificate and Licence; and the Governor General in Council at *Fort William* is hereby authorized and required to make Rules and Regulations, that all such *Asiatic* Sailors, *Lascars* or Natives as aforesaid, shall be duly supplied with Provisions and Clothing, and other necessary Accommodation, while employed and while absent from the Countries or Places to which they respectively belong, and until they shall be carried back to *India* or any other Country or Place to which they respectively belong, and until they shall be carried back to *India* or any other Country or Place from whence they were respectively brought, and for the Conveyance back of such *Asiatic* Sailors, *Lascars* and Natives aforesaid, within a reasonable time, to be specified in such Bond, or ascertained by such Rules and Regulations.

No *Lascars*, &c. to be taken on board without Licence, and then under certain Regulations as herein mentioned.

XIII. Provided also, and be it enacted, That no Ship or Vessel so licensed to take on board *Lascars* or *Asiatic* Seamen shall be permitted to clear out from any Port or Place within the Limits of the said Company's Charter unless and until the Owner or Captain or Master of such Ship shall have first given Security by Bond, in manner directed by an Act passed in the Fifty fourth Year of His present Majesty, and subject to all the Provisions of that Act, for the Maintenance and Conveyance back to *India*, or for the Conveyance to *England* and Maintenance while in *England*, and Return to *India*, of such *Lascars* or *Asiatic* Seamen which may be received on board of such Ship.

Masters of Ships taking *Lascars* on board to enter into Securities. 54 G. 3. c. 134. § 2.

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

Act may be altered, &c. this Session.

[This Act not affected by Cap. 95. post. See Section 3. of that Act.]

C A P. XXXVII.

An Act to explain and amend an Act of the Fifty third Year of His present Majesty, relating to Tolls on Carriages used in Husbandry, and to remove Doubts as to Exemption of Carriages, not wholly laden with Manure from Payment of Toll. [20th June 1817.]

53 G. 3. c. 82.
§ 2.

WHEREAS by a Clause in an Act of Parliament made in the Fifty third Year of the Reign of His present Majesty, intituled *An Act to amend an Act made in the Fifty second Year of His present Majesty's Reign, intituled An Act to explain the Exemption from Toll in several Acts of Parliament for Carriages employed in Husbandry, and for regulating the Tolls to be paid on other Carriages, and on Horses in certain other cases therein specified, and for other Purposes relating thereto*, it is enacted, that from and after the passing of the said Act the Owner or Driver of any Waggon, Cart or other Carriage laden with Manure for Land, passing through any Turnpike, or otherwise passing on or across any Turnpike Road, should not be liable to pay any Toll, nor should any Toll be demanded for such Carriage so laden, or the Cattle drawing the same, by reason only of any empty Basket or Baskets, empty Sack or Sacks, for more convenient Carriage, or Spade, Shovel or Fork, necessary for loading or unloading such Manure, being in or upon any such Waggon, Cart or other Carriage, in addition to such Manure, if the Loading thereof is substantially Manure for Land as aforesaid; any thing in any Act contained to the contrary thereof notwithstanding: And Whereas Doubts have arisen whether the said Clause does not extend to give a general Exemption from Toll to all Carriages laden with Manure for Land, although the same were made expressly liable to Toll by the respective Local Acts by which Tolls are imposed and levied for the Maintenance of any Turnpike Roads: And Whereas such Construction would operate very injuriously both to the Funds required for the keeping up such respective Roads, and to the Security of the Creditors who have advanced Money upon the Credit of the same; For Remedy thereof be it declared and enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That nothing in the said Clause, or in any other Clause of the same, or of any other Act or Acts of Parliament, shall extend or be construed to extend to exempt any such Carriages as aforesaid, or the Horses or other Cattle drawing the same, from any Tolls or Duties imposed by virtue of any Local Act or Acts under which any such Tolls or Duties have been or shall be imposed for the Maintenance and Repair of such respective Roads upon which such Carriages shall go or travel.

Recited Act, or any other Act, not to exempt the aforesaid Carriages, &c. from Tolls.

Proviso for the recited Act, &c. as to Turnpike Roads or Tolls collected within a certain Distance from the Royal Exchange.

II. Provided always, and it is hereby enacted and declared, That nothing in this Act contained shall be construed to repeal, vary or alter any Clause or Provision in the said Act passed in the said Fifty third Year of His present Majesty's Reign, nor any other Act or Acts of Parliament, so far as respects any Turnpike Road or Roads, or the Tolls to be collected at any Gate or Gates erected or to be erected

erected thereon, within the Cities of *London* or *Westminster*, or within the Distance of Fifteen Miles from the *Royal Exchange*.

III. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded. Public Act.

C A P. XXXVIII.

An Act to continue, until the Fifteenth Day of *June* One thousand eight hundred and eighteen, an Act of the Fifty second Year of His present Majesty, for the more effectual Preservation of the Peace, by enforcing the Duties of Watching and Warding. [20th June 1817.]

WHEREAS an Act was passed in the Fifty second Year of His present Majesty's Reign, intituled *An Act for the more effectual Preservation of the Peace, by enforcing the Duties of Watching and Warding, until the First Day of March One thousand eight hundred and fourteen, in Places where Disturbances prevail or are apprehended*; which said Act was revived and continued until the Fifteenth Day of *June* One thousand eight hundred and seventeen by an Act of the last 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 shall, from and after the said Fifteenth Day of *June* One thousand eight hundred and seventeen, be and the same is hereby further continued until the Fifteenth Day of *June* One thousand eight hundred and eighteen. 52 G. 3. c. 17.

C A P. XXXIX.

An Act to extend certain Provisions of the Acts of the Thirty sixth and Fifty second Years of the Reign of His present Majesty to Matters of Charity and Friendly Societies.

[20th June 1817.]

WHEREAS it is expedient to extend the Relief, Remedies, Provisions, Protections and Indemnities made, given and provided by the *Act for the Relief of Persons equitably and beneficially entitled to or interested in the several Stocks and Annuities transferrable at the Bank of England*; and by the Act, intituled *An Act to extend the Provisions of an Act, passed in the Thirty sixth Year of the Reign of His present Majesty, for the Relief of Persons equitably entitled to Stocks and Annuities transferrable at the Bank of England; and of an Act, passed in this present Session, for the Relief of Infant Suitors entitled to the like Stocks and Annuities, to all other transferrable Stocks and Funds, to certain cases, herein specified, and not provided for by the said Two Acts, or by either of them*: Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and 36 G. 3. c. 90.
52 G. 3. c. 158.
Extended to Petitions to the

Court of Chancery in cases of Charity and Friendly Societies.

and after the passing of this Act the said Acts of Parliament, and all the Relief and Remedies, Provisions, Protections and Indemnities thereby provided, shall extend and be deemed and taken to extend, and the same are hereby declared and enacted to extend, to all cases of Petitions on which the Court of Chancery, or the Lord High Chancellor or Commissioners of the Great Seal for the time being, or the Master of the Rolls, or the Vice Chancellor of *England* for the time being, or the Court of Exchequer, are by Law authorized and empowered to grant Relief and make summary Orders without Suit, either in Matters of Charity, or relative to or for the better Security, or for the Application, Receipt, Payment or Transfer of any of the Funds thereof; or in Matters relative to any Benefit or Friendly Societies, or for the better Security, or for the Application, Receipt, Payment, or Transfer of any of the Funds thereof.

C A P. XL.

An Act to authorize the rewarding Officers of the Customs for their Services in preventing illicit Distillation in *Scotland*, under an Act passed in the last Session of Parliament.

[20th June 1817.]

56 G. 3. c. 106.

‘ **W**HEREAS by an Act passed in the Fifty sixth Year of the Reign of His Majesty, intituled *An Act to repeal the Duties payable in Scotland, upon Wash and Spirits and Distillers’ Licences, to grant other Duties in lieu thereof, and to establish further Regulations for the Distillation of Spirits from Corn for Home Consumption in Scotland, until the Tenth Day of November One thousand eight hundred and eighteen*, Provision is made for rewarding Officers of Excise for Service performed by them in preventing illicit or fraudulent Distillation: And Whereas it is expedient that Provision should also be made for rewarding Officers of the Customs for the like Services; Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain and Ireland* for the time being, by any Warrant, Order or Instruction signed by any Three or more of them, to authorize and empower the Commissioners of the Customs in *Scotland* for the time being to give and grant, by any Order or Warrant signed by any Three or more of the said Commissioners of Customs, such Rewards to Officers of the Customs, to be paid out of any Duties under their Management for Services performed by such Officers since the Commencement of the said Act, or which shall be performed during the Continuance thereof, in preventing illicit or fraudulent Distillation, as the said Commissioners of the Treasury shall deem proper and authorize and allow in that Behalf; subject nevertheless to such Rules, Directions, Conditions and Limitations as the said Commissioners of the Treasury shall in any such Order or Warrant from time to time made in relation to any such Rewards prescribe in that Behalf.

Treasury may empower Commissioners of the Customs in Scotland to reward Officers of the Customs.

C A P.

C A P. XLI.

An Act to repeal Two Acts passed in the Fifty fourth and Fifty fifth Years of His present Majesty, relating to the Office of the Agent General, and for transferring the Duties of the said Office to the Offices of the Paymaster General and Secretary at War. [20th June 1817.]

WHEREAS an Act was passed in the Fifty fourth Year of the Reign of His present Majesty, intituled *An Act to repeal an Act passed in the Fifty second Year of His present Majesty, for better regulating the Office of Agent General for Volunteers and Local Militia, and for the more effectually regulating the said Office, and to make further Provisions for the Regulation of the Office of Agent General*: And Whereas another Act passed in the Fifty fifth Year of the Reign of His present Majesty, intituled *An Act to amend an Act passed in the last Session of Parliament, for better regulating the Office of Agent General for Volunteers and Local Militia, and for the more effectually regulating the same*: And Whereas it has been deemed expedient that the Duties of the said Office should be transferred to the Offices of the Paymaster General and Secretary at War; and it is therefore expedient that the said Acts 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 the Authority of the same, That from and after the passing of this Act, the said recited Acts of the Fifty fourth and Fifty fifth Years of the Reign of His present Majesty shall be and the same are hereby repealed. [See § 5. post.]

54 G. 3. c. 151.

55 G. 3. c. 170.

repealed.

II. And be it further enacted, That from and after the Twenty fourth Day of June One thousand eight hundred and seventeen, the said Office of Agent General for Volunteers and Local Militia shall be and the same is hereby declared to be abolished; and from and after the time the said Office shall cease, the Duties of the said Office shall be transferred to and performed in the Offices of the Paymaster General and Secretary at War respectively, under the Regulations and Provisions in this Act, and according to such other Rules and Regulations as shall from time to time be made by the Secretary at War and Paymaster General in that Behalf.

Office of Agent General for Volunteers and Local Militia abolished, and Duties transferred to Paymaster General, &c.

III. And be it further enacted, That on the Twenty fourth Day of June One thousand eight hundred and seventeen, it shall and may be lawful for the Agent General to cause the Balance of Cash which shall at that time remain at the Credit of his Accounts with the Governor and Company of the Bank of England, to be transferred and paid over to the Account of the Paymaster General of His Majesty's Land Forces at the Bank of England, and by so doing the said Agent General shall be and is hereby fully discharged for the Amount of the Sum which shall be so transferred or paid over by him as aforesaid; and all such Sum or Sums of Money so transferred and paid over to such Account of the Paymaster General, shall be applied in the same manner as if the same had been issued from the Exchequer to such Account; and the said Paymaster General shall make Payment of all unsatisfied Charges and Demands

Agent General to transfer his Balance at the Bank to the Paymaster General, &c. and discharged for so much.

Duty of Paymaster General

in making Payments of unfatisfied Charges and Demands.

on account of the Public Services under the Authority of the Secretary at War, although the same shall have accrued in the time of the Agent General; and all outstanding Bills which may have been accepted by the Agent General or his Deputy, shall be paid by the said Paymaster General under the Warrant or Warrants of the Secretary at War, in the manner and under the Regulations hereinafter directed; and all such Bills, Drafts or Orders so paid by the said Paymaster General of His Majesty's Forces on the Acceptance of the said Agent General or his Deputy, shall be held and be deemed to be the good and proper Vouchers of the said Paymaster General, and shall be by him transmitted to the Commissioners for auditing the Public Accounts, by whom the said Vouchers shall be admitted and allowed, in the same manner as if the said Bills, Drafts, or Orders had been addressed to and accepted by the said Paymaster General.

Agent General, &c. indemnified on account of Acceptances on Bills unpaid.

IV. And be it further enacted, That from and after the Twenty fourth Day of *June* One thousand eight hundred and seventeen, the Agent General or his Deputy, or the Person or Persons in his Office duly authorized by the said Agent General to accept Bills of Exchange, shall be indemnified against all Persons whatsoever, for or on account of his or their Acceptance on any Bill or Bills of Exchange which shall or may have been accepted by him or them under the Authority of the Secretary at War for the time being, and which shall remain unpaid on the said Twenty fourth Day of *June*.

Delivery and Examination of Accounts under recited Act of 54 G. 3. c. 151. continued.

V. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to repeal the said recited Act of the Fifty fourth Year of His Majesty so far as relates to the proper Delivery of the Accounts of the said Agent General to the Commissioners for auditing the Public Accounts, and to the immediate Examination and Presentment of the same by the said Commissioners.

Secretary at War to authorize Paymaster General to accept Bills.

VI. And be it further enacted, That from and immediately after the passing of this Act it shall be lawful for the Secretary at War, by any Warrant or Warrants, signed by himself or by his Deputy, from time to time, addressed to the Paymaster General of His Majesty's Forces, to authorize and empower the said Paymaster General to accept Bills of Exchange, payable at the Bank of *England*, for any Pay or Allowances, or other Contingencies of or Services relating to any Militia, Local Militia or Volunteers, without specifying such Services in such Bills; and which Bills so drawn and accepted shall be sufficient Authority to the Bank of *England* to pay such Money to the Person or Persons mentioned in such Bills or to their Order or Orders, according to the usual Course in respect of Bills of Exchange, and which Bills shall be accepted and paid accordingly; and the Warrants for such Acceptances, and the Bills so accepted and paid, shall be good and sufficient Vouchers for the said Paymaster General in his Accounts, and shall be placed on the Credit Side of his Account accordingly.

Sufficient Authority to the Bank to pay such Bills.

52 G. 3. c. 105.

VII. And Whereas an Act passed in the Fifty second Year of the Reign of His present Majesty, intituled *An Act to continue, amend and extend the Provisions of an Act passed in the Forty eighth Year of His present Majesty, for enabling the Secretary at War to enforce Returns from Clerks of Subdivisions and others in*

relation

‘ relation to Fines, Bounties and Sums due under any Acts relating to the Defence of the Realm or Militia, for the Purpose of directing the Distribution and securing the due Application thereof, where- by the Secretary at War was empowered to order Sums of Money to be paid over under the said Act to the Agent General ;’ Be it therefore enacted, That it shall be lawful for the Secretary at War to make like Orders for Payment of all or any of the Sums specified in the said Act to the Paymaster General ; and from and after the passing of this Act every Order which shall have been made by the Secretary at War under the said last recited Act, to pay over any Sum or Sums of Money under the said Act to the Agent General, shall be deemed and construed to be an Order to pay over such Money to the Account of the Paymaster General at the Bank of England as fully and effectually as if a new Order had been issued under this Act for the Payment of such Money to the said Account of the Paymaster General.

Secretary at War to make Orders for Payment of Sums specified in recited Act, to Paymaster General instead of Agent General.

VIII. And be it further enacted, That all Bills, Drafts and Orders drawn upon the Paymaster General on account of the Pay or Allowances of the Militia or Local Militia, or of any Yeomanry or Volunteer Corps, or of any Staff Officers, or which may be drawn by any Clerks of Subdivisions or any Persons under the Directions of the Secretary at War, for the Payment of Bounties or any other Public Services whatever ; and also all Bills, Drafts or Orders by which any Balances, Fines, Penalties, Bounties or any other Sums of Money whatsoever, shall be remitted to the Bank of England on account of the said Paymaster General in pursuance of this Act, may and shall be drawn upon unstamped Paper ; and that no such Bill, Draft or Order shall be void by reason of being so drawn or written upon unstamped Paper ; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

Bills, &c. for Pay and Allowance to Militia, &c. to be drawn on unstamped Paper.

IX. And Whereas an Act passed in the Forty eighth Year of the Reign of His present Majesty, intituled *An Act for accelerating the making up, Examination and Audit of the Accounts of the Paymaster General of His Majesty's Forces* : And Whereas by the said Act certain Rules are prescribed for the general and separate Accounts of the Paymaster General : And Whereas it is expedient that a separate Account should be made up of the Money received and paid on account of Adjutants of the Local Militia ; Be it therefore enacted, That the Paymaster General shall, in the present and every future Year, make up a separate Account of the Money received and paid within the Period comprized in his general Account on account of Adjutants of the Local Militia, in like manner as he is required by the said Act to make up the separate Accounts therein specified ; and that such separate Account shall be transmitted, examined and declared, and the said Paymaster shall be discharged and acquitted therein, in the same manner in all respects as is by the said recited Act provided with regard to the separate Accounts thereby directed to be made.

48 G. 3. c. 49.

Separate Accounts to be kept of the Money received and paid on account of Adjutants of the Local Militia, &c.

X. And be it further enacted, That this Act may be altered or varied by any Act to be passed in this present Session of Parliament.

Act may be altered, &c. this Session.

C A P. XLII.

An Act to revive and continue, until the Twenty fifth Day of *March* One thousand eight hundred and nineteen, an Act made in the Forty fourth Year of His present Majesty, 'for permitting the Exportation of Salt from the Port of *Nassau* in the Island of *New Providence*, the Port of *Exuma* and the Port of *Crooked Island* in the *Bahama Islands*, in *American Ships* coming in Ballast.

[27th June 1817.]

44 G. 3. c. 101.

WHEREAS an Act was made in the Forty fourth Year of the Reign of His present Majesty, intituled *An Act for permitting, until the First Day of August One thousand eight hundred and seven, the Exportation of Salt from the Port of Nassau in the Island of New Providence, the Port of Exuma and the Port of Crooked Island in the Bahama Islands, in Ships belonging to the Inhabitants of the United States of America, and coming in Ballast;* which said Act was, by Two Acts of the Forty seventh and Fiftieth Years of the Reign of His present Majesty, continued until the Twenty fifth Day of *March* One thousand eight hundred and thirteen: And Whereas it is expedient to revive and continue the said Act of the Forty fourth Year of His present Majesty's Reign: 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 of the Forty fourth Year of the Reign of His present Majesty shall, from and after the passing of this Act, be revived, and the same is hereby revived, and shall continue in force from and after the passing of this Act to the Twenty fifth Day of *March* One thousand eight hundred and nineteen.

47 G. 3. c. Seff. I.
c. 30.50 G. 3. c. 13.
§ 2.44 G. 3. c. 101.
revived and continued till
March 25, 1819.

C A P. XLIII.

An Act for granting, for Two Years, from the Fifth Day of *July* One thousand eight hundred and seventeen, Bounties on Sugar refined otherwise than by Claying.

[27th June 1817.]

WHEREAS by the Laws now in force certain Bounties, Drawbacks or Allowances are granted on refined Sugars exported from *Great Britain* and *Ireland* respectively, manufactured by the Operation of Claying: And Whereas it has been discovered that Sugar may be refined without the Operation of Claying, and it is expedient that Sugar so refined should be allowed a Bounty: Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act there shall be paid and allowed, on the Exportation from *Great Britain* and *Ireland* to Foreign Parts, or on the Exportation from the one Country to the other respectively, a Bounty, Drawback or Allowance on all single refined Sugar after the Rate of Forty four Shillings per Hundred Weight, and on all double refined Sugar after the Rate of Fifty two Shillings per Hundred Weight, although such Sugar respectively shall not have been refined by the Operation of Claying.

Bounty on Exportation of
Sugar although
not refined by
Claying.

II. And be it further enacted, That before any such Bounty, Drawback or Allowance shall be paid, or any Debenture made out for the same, the Refiner or Refiners, not being the Exporter or Exporters of such Sugar, shall make Oath before the Collector or other proper Officer of the Customs, that he or they sold such Sugar, expressing the Quantity and the time when, to the Person or Persons intending to export the same, and, as he and they verily believe, such Sugar was produced from Muscovado Sugar imported from His Majesty's Plantations in *America*, or from Sugars the Produce of the *East Indies*, and that the several Duties payable thereon were duly paid at the time of importing the same; and the Exporter or Exporters of such Sugars shall then make Oath that such Sugars, being the Sugars for which such Bounty is then claimed, are the identical Sugars or Part thereof which were sold to him as aforesaid by such Refiner or Refiners; and before the Money due upon such Debenture or Debentures shall be paid, such Exporter or Exporters shall also make Oath that the said Sugars have been duly exported, His Majesty's Searchers also certifying the shipping thereof, and all the Requisites of Law being duly complied with; and whenever the Refiner or Refiners of such Sugars shall be the Exporter or Exporters thereof, he or they shall then make Oath, as well of the due Exportation of the same as of the several Particulars herein before directed to be sworn by him or them (excepting what relates to the Sale of the said Sugars).

Oath before
Bounty paid.

Oath by Refiners
being Exporters.

III. And be it further enacted, That the Bounty, Drawback or Allowance hereby granted shall be paid and allowed in like manner, and be subject in every other respect to the Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures, now by Law practised and applied with respect to Bounty, Drawback or Allowance on refined Sugar not altered by this Act.

Bounty paid
under Con-
ditions, &c. of
former Laws.

IV. And be it further enacted, That this Act shall continue for Two Years from and after the Fifth Day of *July* One thousand eight hundred and seventeen, and no longer.

Continuance of
Act.

C A P. XLIV.

An Act to allow Corps of Yeomanry or Volunteer Cavalry, when assembled for the Suppression of Riots or Tumults, to be quartered and billeted, and Officers on Half Pay to hold certain Commissions in such Corps, and to exempt Members in such Corps from serving the Office of Constable

[27th June 1817.]

WHEREAS an Act passed in the Forty fourth Year of the Reign of His present Majesty, intituled *An Act to consolidate and amend the Provisions of the several Acts relating to Corps of Yeomanry and Volunteers in Great Britain, and to make further Regulations relating thereto*: And Whereas it is expedient that Corps of Yeomanry or Volunteer Cavalry when assembled for Suppression or Prevention of Riots or Tumults should be quartered and billeted, and that Officers receiving Half Pay should be allowed to hold Commissions as Captains, Lieutenants or Cornets in such Corps, and that effective Members thereof should be exempt from serving Peace and Parish Offices: 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

44 G. 3. c. 54.

Yeomanry or Volunteer Cavalry when assembled for the Suppression of Riots quartered as His Majesty's Forces.

Officers while serving in Yeomanry or Volunteer Cavalry not to forfeit Half Pay.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Persons enrolled in any Corps of Yeomanry or Volunteer Cavalry shall, whenever they shall be assembled and doing Military Duty for the Suppression or Prevention of Riots or Tumults in Aid of any Justices of the Peace or Magistrates, be entitled to be quartered and billeted in like manner in every respect, and under and subject to the same Regulations as the Officers, Non Commissioned Officers, Drummers and Private Men of His Majesty's Forces.

II. And be it further enacted, That no Officer who is entitled to Half Pay shall be deemed to forfeit such Half Pay during the time he shall belong to or be enrolled in or serve or receive Pay as Captain, Lieutenant or Cornet in any Corps of Yeomanry or Volunteer Cavalry, but every such Officer shall notwithstanding his holding any such Commission in and receiving Pay for the same in any Yeomanry Corps or Volunteer Cavalry be entitled to and shall continue to receive his Half Pay; and instead of the Oath usually required of Half Pay Officers to entitle them to the Receipt of their Half Pay, every such Officer so entitled to Half Pay and serving as aforesaid shall take the following Oath;

Oath to be taken by such Officers.

‘ I *A. B.* do swear, That I had not between the
‘ and the any Place or Employment
‘ of Profit, Civil or Military, under His Majesty, besides an Allow-
‘ ance of Half Pay, save and except my Pay or Allowance (*as the*
‘ *case may be*) for serving in the Corps of Yeomanry
‘ or Volunteer Cavalry of the as Captain,
‘ Lieutenant or Cornet (*as the case may be*).’

And the taking of the said Oath shall, without taking any other Oath, be sufficient to entitle such Person to receive his Half Pay.

No Member of such Corps liable to serve the Office of Constable.

III. And be it further enacted, That no Officer, Non Commissioned Officer or effective Member of any Yeomanry Corps or Volunteer Cavalry, shall, during the Period of his continuing enrolled in and an effective Member of such Yeomanry Corps or Volunteer Cavalry, be compellable or compelled to serve the Office of Constable in the Parish to which he belongs.

C A P. XLV.

An Act for the Continuation of all and every Person or Persons in any and every Office, Place or Employment, Civil or Military, within the United Kingdom of *Great Britain and Ireland*, Dominion of *Wales*, Town of *Berwick upon Tweed*, Isles of *Jersey, Guernsey, Alderney, Sarke and Man*, and also in all and every of His Majesty's Foreign Possessions, Colonies, or Plantations, which he or she shall hold, possess or exercise during the Pleasure of the Crown, at the time of the Death or Demise of His present Majesty, until removed or discharged therefrom by the succeeding King or Queen of this Realm. [27th June 1817.]

‘ WHEREAS it is expedient to provide by Law as hereinafter
‘ is enacted;’ 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

liament assembled, and by the Authority of the same, That all and every Person and Persons who upon the Day of the Demise of His present Majesty (whom God long preserve) shall hold any Office, Civil or Military, under the Crown during Pleasure, shall under and by virtue of this Act, and without any new or other Patent, Commission, Warrant or Authority, continue and be intitled in all respects, notwithstanding the Demise of His Majesty, to hold and enjoy the same; but nevertheless the same shall be held or enjoyed only during the Pleasure of the King or Queen who shall succeed to the Crown upon the Demise of His present Majesty, and the Right and Title to hold and enjoy the same under the Authority of this Act shall be determinable in such and the like manner by the King or Queen who upon the Demise of His present Majesty shall succeed to the Crown, as the Right or Title to any Office, Place or Employment, granted by such succeeding King or Queen during Pleasure, would by Law be determinable: Provided always, that nothing in this Act contained shall extend or be construed to extend to deprive the Heirs and Successors of His Majesty, Kings or Queens of this Realm, of the Power of removing and discharging any Person or Persons from his, her or their respective Offices, Places and Employments, in such manner as by Law they might have done if this Act or any thing therein contained had never been passed.

Persons holding Offices under the Crown during Pleasure may, at the Demise of His Majesty, continue to hold the same during the Pleasure of the King or Queen who shall succeed.

C A P. XLVI.

An Act to prevent the issuing and circulating of Pieces of Copper or other Metal, usually called Tokens.

[27th June 1817.]

WHEREAS various Pieces of Copper, and mixed Metals composed in part of Copper, usually denominated Tokens, have lately been and are issued and circulated, by Persons residing in various Parts of the United Kingdom, in great Quantities, as Money, and for a nominal Value of the Metals of which they are composed: And Whereas it is expedient that the further making and issuing of such Tokens should be prohibited, and that the Circulation of those already made or issued should also be prohibited after a limited Period: May it therefore please Your Majesty, that it may be enacted; and be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act no Piece of Copper, or mixed Metal composed in part of Copper, of whatever Value the same may be, shall be made or manufactured or originally issued as a Token for Money, or as purporting that the Bearer or Holder thereof is entitled to demand any Value denoted thereon, either by Letters, Words, Figures, Marks or otherwise, whether such Value is to be paid or given in Money or Goods, or in any manner whatsoever; and every Person who shall, after the passing of this Act, make or manufacture, or originally issue, or cause or procure to be made, manufactured or originally issued, or permit or suffer to be so issued, on his or her Behalf, as for nominal Value in Money or Goods, any such Token, shall for every Token so made, manufactured or issued, or procured or permitted to be so made, manufactured or issued. as

No Copper or Mixed Metal Tokens to be made or issued.

fore-

Penalty.

aforsaid, forfeit any Sum not less than One Pound nor more than Five, at the Discretion of the Justice or Justices of the Peace who shall hear and determine such Offence.

Circulating such Tokens,

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

Penalty.

Issuer to be liable for Payment.

Proviso for Bank of England Tokens.

‘ III. And Whereas certain Tokens made of Copper or of a mixed Metal composed partly of Copper, and bearing the Super-
‘ scription “*Sheffield Penny Token*,” were issued from time to time
‘ during the Years One thousand eight hundred and twelve, One
‘ thousand eight hundred and thirteen, One thousand eight hundred
‘ and fourteen, and One thousand eight hundred and fifteen, by the
‘ Overseers of the Poor of the Township of *Sheffield*, in the County
‘ of *York*: And Whereas the immediate Suppression of the Circu-
‘ lation of the aforesaid Tokens would be attended with great Loss
‘ to the said Township of *Sheffield*, and to the Holders thereof, who
‘ are for the most part Labourers and Mechanics, as well as with
‘ great Inconvenience to the Inhabitants of the Town of *Sheffield*,
‘ and the Neighbourhood thereof;’ Be it further enacted, That
‘ nothing in this Act contained shall be construed to prevent such
‘ Tokens as aforesaid from being passed and circulated at any time
‘ previous to the Twenty fifth Day of *March* which will be in the
‘ Year of our Lord One thousand eight hundred and twenty-three:
‘ Provided always, that from and after the said Twenty-fifth Day of
‘ *March* One thousand eight hundred and twenty three, all and every
‘ the Provisions of this Act shall be construed to prevent such Tokens
‘ as aforesaid from being passed and circulated.

Sheffield Penny
Tokens issued for
the Relief of the
Poor may circulate
until
25th March
1823.

Overseers of the
Poor of Sheffield
to pay 1d. for
their Tokens.

IV. And be it further enacted, That in case any Token or Tokens made of Copper, or of a mixed Metal composed partly of Copper, with the Supercription “*Sheffield Penny Token*,” and which has or have been issued by the Overseers of the Poor of the Township of *Sheffield*, at any time previous to the passing of this Act, shall, after the Twenty fifth Day of *March* One thousand eight hundred and twenty three, and previous to the Twenty fifth Day of
September

September One thousand eight hundred and twenty three, be presented to the Overseers of the Poor of the Township of *Sheffield* for the time being, or their Agent, at the Workhouse of the said Township, the said Overseers shall receive and take such Token or Tokens as aforesaid, paying to the Holder or Holders thereof One Penny of the current Coin of the Realm for each and every Token so presented as aforesaid; and in case such Overseers or their Agent shall neglect or refuse to receive and take such Token as aforesaid, and to pay One Penny for the same as aforesaid, it shall and may be lawful for One Justice of the Peace, upon Complaint upon Oath in that Behalf made, to summon such Overseers or their Agent, and after hearing the Parties upon both sides, to direct and order (if he shall see just Cause) the said Overseers of the Poor or their Agent to take and receive such Token as aforesaid, and to pay One Penny for the same as aforesaid, together with all Costs and Charges whatever attending such Complaint so made before such Justice: Provided always, that it shall and may be lawful for the Overseers of the Poor of the said Township of *Sheffield* to pay such Penny as aforesaid out of any Money received by them for the Relief and Maintenance of the Poor of the said Township; but that it shall not be lawful for the said Overseers of the Poor to pay the Costs and Charges attending any such Complaint as aforesaid out of any Money received by them as aforesaid.

Justice upon Complaint may summon Overseers.

Overseers may pay such Penny out of Poor's Rates.

V. And be it further enacted, That in case the Overseers of the Poor for the Township of *Sheffield* for the time being shall at any time previous to the said Twenty fifth of *March* One thousand eight hundred and twenty three, deem it advisable to call in such Tokens as aforesaid, or any Amount of them, it shall and may be lawful for them to take such Measures as may to them seem necessary for that Purpose; paying, however, for each and every Token so called in, One Penny of the current Coin of the Realm, out of any Money received by them for the Relief and Maintenance of the Poor of the said Township of *Sheffield*.

Overseers of the Poor of *Sheffield* may call in Tokens before 25th *March* 1823.

VI. And Whereas certain other Tokens made of Copper, or of a mixed Metal composed partly of Copper, and bearing the Superscription "*Birmingham, One Penny,*" were issued from time to time during the Years One thousand eight hundred and eleven, One thousand eight hundred and twelve, One thousand eight hundred and thirteen, One thousand eight hundred and fourteen, and One thousand eight hundred and fifteen, by the Overseers of the Poor of the Parish of *Birmingham* in the County of *Warwick*: And Whereas the immediate Suppression of the Circulation of the aforesaid Tokens would be attended with great Loss to the said Parish of *Birmingham*, and to the Holders thereof, as well as with great Inconvenience to the Inhabitants of the Town of *Birmingham* and the Neighbourhood thereof; Be it further enacted, That nothing in this Act contained shall be construed to prevent such Tokens as aforesaid from being passed and circulated at any time previous to the Twenty fifth Day of *March* One thousand eight hundred and twenty: Provided always, that from and after the said Twenty fifth of *March* One thousand eight hundred and twenty, all and every the Provisions of this Act shall be construed to prevent such Tokens as aforesaid from being passed and circulated.

Birmingham Penny Tokens issued for the Relief of the Poor may circulate until 25th *March* 1820.

VII. And

Overseers of the Poor of Birmingham to pay 1d. for their Tokens.

VII. And be it further enacted, That in case any Token or Tokens made of Copper, or of a mixed Metal composed partly of Copper, with the Supercription "*Birmingham, One Penny*," and which have been issued by the Overseers of the Poor of *Birmingham* at any time previous to the passing of this Act, shall, after the Twenty fifth Day of *March* One thousand eight hundred and twenty, and previous to the Twenty fifth Day of *September* One thousand eight hundred and twenty, be presented to the Overseers of the Poor of *Birmingham*, or their Agent, at the Workhouse of the said Parish, the said Overseers shall receive and take such Token or Tokens as aforesaid, paying to the Holder or Holders thereof One Penny of the current Coin of the Realm for each and every Token so presented as aforesaid; and in case such Overseer or their Agent shall neglect or refuse to receive and take such Token as aforesaid, and to pay One Penny as aforesaid for the same, it shall and may be lawful for One Justice of the Peace, upon Complaint upon Oath in such Behalf made, to summon such Overseers or their Agent, and after hearing the Parties upon either Side to direct and order (if he shall see just Cause) the said Overseers of the Poor or their Agent to take and receive such Token as aforesaid, and to pay One Penny for the same as aforesaid, together with all Costs and Charges whatever attending such Complaint so made before such Justice: Provided always, that it shall and may be lawful for the Overseers of the Poor of the Parish of *Birmingham* to pay such Penny as aforesaid out of any Money received by them for the Relief and Maintenance of the Poor of the said Parish; but that it shall not be lawful for them to pay the Costs and Charges attending any Complaint out of such Money.

Justice upon Complaint may summon Overseers.

Overseers may pay such Penny out of Poor's Rates.

Overseers of the Poor of Birmingham may call in Tokens before 25th March 1820.

VIII. And be it further enacted, That in case the Overseers of the Poor of *Birmingham* shall, at any time previous to the said Twenty fifth Day of *March* One thousand eight hundred and twenty, deem it advisable to call in such Tokens as aforesaid, or any Amount of them, it shall and may be lawful for them to take such Measures as may to them seem necessary for that Purpose; paying, however, for each and every such Token so called in, One Penny of the current Coin of the Realm, from and out of any Money received by them for the Relief and Maintenance of the Poor of the said Township of *Birmingham*.

Judices to determine Offences and adjudge Penalty.

IX. And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace acting for the County, Riding, City or Place within which any Offence against this Act shall be committed, to hear and determine the same in a summary Way; and such Justice or Justices, upon any Information exhibited, or Complaint made upon Oath in that Behalf, shall summon the Party accused, and also the Witnesses on either Side, and shall examine into the Matter of Fact; and upon due Proof made thereof, either by the voluntary Confession of the Party, or by the Oath of one or more credible Witness or Witnesses or otherwise (which Oath such Justice or Justices is or are hereby authorized to administer), shall convict the Offender, and adjudge the Penalty for such Offence.

Witnesses not attending to give Evidence,

X. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before such Justice or Justices, either on the Part of the Prosecutor or the Person accused, and shall neglect or refuse to appear at the time or Place to be for that Purpose

pose appointed, without a reasonable Excuse for such his Neglect or Refusal, to be allowed by such Justice or Justices, then such Person shall forfeit for every such Offence the Sum of Fifty Pounds, to be levied and paid in such manner and by such Means as are directed for Recovery of other Penalties under this Act. Penalty 50l.

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

BE it remembered, That on the _____ Day of _____ in the Year of our Lord _____ A. B. having appeared before me [or, us] One [or, more] of His Majesty's Justices of the Peace [as the case may be] for the County, Riding, City or Place, [as the case may be,] and due Proof having been made upon Oath by One or more credible Witnefs or Witnesses, or by Confession of the Party, [as the case may be], is convicted of [specifying the Offence], in the Sum of _____ Given under my Hand and Seal [or our Hands and Seals], the Day and Year aforesaid.'

Which Conviction the said Justice or Justices shall cause to be returned to the then next General Quarter Sessions of the Peace of the County, City, Riding or Place where such Conviction was made, to be filed by the Clerk of the Peace, to remain and be kept among the Records of such County, Riding, City or Place. Conviction to be returned to Quarter Sessions and recorded.

XII. Provided always, and be it further enacted, That it shall be lawful for any Clerk of the Peace for any County, Riding, City or Place, and he is hereby required, upon Application made to him by any Person or Persons for that Purpose, to cause a Copy or Copies of any Conviction or Convictions filed by him under the Directions of this Act, to be forthwith delivered to such Person or Persons, upon Payment of One Shilling for every such Copy. Clerk of the Peace to deliver a Copy thereof on Payment of 1s.

XIII. And be it further enacted, That the pecuniary Penalties and Forfeitures hereby incurred and made payable upon any Conviction against this Act, shall be forthwith paid by the Person convicted, as follows: One Moiety of the Forfeiture to the Informer, and the other Moiety to the Poor of the Parish or Place where the Offence shall be committed; and in case such Person shall refuse or neglect to pay the same, or to give sufficient Security to the Satisfaction of such Justice or Justices to prosecute any Appeal against such Conviction, such Justice or Justices shall by Warrant under his or their Hand and Seal, or Hands and Seals, cause the same to be levied by Distress and Sale of the Offender's Goods and Chattels, together with all Cofts and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner; and which said Warrant of Distress the said Justice or Justices shall cause to be made out in the manner and Form following (that is to say), Recovery and Distribution of Penalties.

To the Constable, Headborough or Tithingman of _____ WHEREAS A. B. of _____ in the County of _____ is this Day convicted before me [or, us] [or, for the] One [or, more] of His Majesty's Justices of the Peace [as the case may be] for the County of _____ [or, for the] Riding of the County of York, or, for the Town, Liberty or District of _____ [as the case may be] upon the Oath _____ of _____ Appeal. Distress. Warrant of Distress.

' of [or, a credible Witness
 ' or Witnesses] [or, by Confession of the Party, as the case may
 ' be] for that the said *A. B.* hath [here set forth the Offence] contrary
 ' to the Statute in that case made and provided, by reason whereof
 ' the said *A. B.* hath forfeited the Sum of
 ' to be distributed as herein is mentioned, which he hath refused to
 ' pay: These are therefore in His Majesty's Name to command you
 ' to levy the said Sum of by Distress of the Goods
 ' and Chattels of him the said *A. B.*; and if within the Space of
 ' Days next after such Distress by you taken, the said
 ' Sum, together with reasonable Charges of taking the same, shall
 ' not be paid, then that you do sell the said Goods and Chattels fo
 ' by you distrained, and out of the Money arising by such Sale, that
 ' you do pay One Half of the said Sum of to
 ' of who informed me [or, us, as
 ' the case shall be] of the said Offence, and the other Half of the
 ' said Sum of to the Overseer of the Poor of the
 ' Parish [Township or Place] where the Offence was committed,
 ' to be employed for the Benefit of such Poor, returning the Over-
 ' plus (if any) upon Demand to the said *A. B.*, the reasonable
 ' Charges of taking, keeping and selling the said Distress being first
 ' deducted; and if sufficient Distress cannot be found of the Goods
 ' and Chattels of the said *A. B.* whereon to levy the said Sum of
 ' that then you certify the same to me [or, us,
 ' as the case shall be] together with this Warrant. Given under my
 ' Hand and Seal [or, our Hands and Seals] the Day of
 ' in the Year of our Lord

Offenders de-
 tained till Return
 of Warrant of
 Distress, unless
 Security given.

XIV. And be it further enacted, That it shall be lawful for such
 Justice or Justices to order such Offender to be detained in safe
 Custody until Return may conveniently be had and made to such
 Warrant of Distress, unless the Party so convicted shall give sufficient
 Security to the Satisfaction of such Justice or Justices for his Ap-
 pearance before the said Justice or Justices, on such Day as shall be
 appointed by the said Justice or Justices for the Day of the Return
 of the said Warrant of Distress (such Day not exceeding Five Days
 from the taking of such Security), which Security the said Justice
 or Justices is and are hereby empowered to take, by way of Recogn-
 izance or otherwise.

If on Return no
 Distress, Offend-
 er may be com-
 mitted,

XV. And be it further enacted, That if upon such Return no
 sufficient Distress can be had, then and in such case the said Justice
 or Justices shall and may commit such Offender to the Common
 Gaol or House of Correction of the County, Riding, Division or
 Place where the Offence shall be committed, for the Space of One
 Calendar Month, unless the Money forfeited shall be sooner paid,
 or unless or until such Offender, thinking him or herself aggrieved by
 such Conviction, shall give Notice to the Informer that he or she
 intends to appeal to the Justices of the Peace at the next General
 Quarter Sessions of the Peace to be holden for the County, Riding
 or Place wherein the Offence shall be committed, and shall enter into
 Recognizance before some Justice or Justices, with Two sufficient
 Sureties, conditioned to try such Appeal, and to abide the Order of
 and pay such Costs as shall be awarded by the Justices at such Quar-
 ter Sessions; which Notice of Appeal, being not less than Eight
 Days before such Quarter Sessions, such Person so aggrieved is
 hereby

unless Appeal;

on which Re-
 cognizance to be
 entered into.

Notice of Ap-
 peal;

hereby empowered to give; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding and conclusive to all Intents and Purposes.

and thereupon Sessions to determine.

XVI. And be it further enacted, That no Person shall be disabled from being a Witness in any Prosecution for any Offence against this Act, by reason of his being an Inhabitant of the Parish wherein such Offence was committed: Provided always, that no Proceeding to be had touching the Conviction or Convictions of any Offender or Offenders against this Act shall be quashed or vacated for Want of Form, or be removed by Writ of *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere.

Competency of Witnesses.

Proceedings not to be removed by *Certiorari*, &c.

XVII. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any thing done or acted in pursuance of this Act, then and in every such case, such Action or Suit shall be commenced or prosecuted within Three Calendar Months after the Fact was committed, and not afterwards; and the same and every such Action or Suit shall be brought within the County where the Fact was committed, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the time limited for bringing the same, or be brought or laid in any other Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her or their Action after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the Recovery thereof as any Defendant or Defendants hath or have in any other cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

XVIII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to any Copper Monies of the Realm now current or to be current, by virtue of any Proclamation or Proclamations that shall have been or may be issued by His Majesty.

Proviso for Copper Monies of the Realm.

C A P. XLVII.

An Act for settling and securing Annuities on Lord *Colchester*, and on the next Person to whom the Title of Lord *Colchester* shall descend, in Consideration of his eminent Services.

[27th June 1817.]

Most Gracious Sovereign,

WHEREAS the Commons of the United Kingdom of Great Britain and Ireland did, by an humble Address to His Royal Highness The Prince Regent, beseech His Royal Highness

Recital of Address of the House of Com-

mons to the
Prince Regent.

Answer of the
Prince Regent.

‘ that He would be graciously pleased, acting in the Name and on
 ‘ the Behalf of Your Majesty, to confer some signal Mark of the
 ‘ Royal Favour upon *Charles Lord Colchester*, late Speaker of the
 ‘ House of Commons, for his great and eminent Services performed
 ‘ to his Country during the long and important Period in which he
 ‘ had, with such distinguished Ability and Integrity, presided in the
 ‘ Chair of the House of Commons, and assured His Royal Highness,
 ‘ that whatever Expense His Royal Highness should think proper
 ‘ to be incurred upon that Account, the said House would make
 ‘ good the same to His Majesty : And Whereas His Royal High-
 ‘ ness The Prince Regent, in Answer to the said Address, was
 ‘ graciously pleased to declare, that His Royal Highness had the
 ‘ justest Sense of the long Services and great Merit of *Charles Lord*
 ‘ *Colchester*, late Speaker of the House of Commons, and in the
 ‘ Name and on the Behalf of Your Majesty had already taken the
 ‘ same into his Consideration, and was desirous, in Compliance with
 ‘ the Wishes of Your Majesty’s faithful Commons, to confer upon
 ‘ the said Lord *Colchester* some further signal Mark of His Favour ;
 ‘ but as the same could not be effectually granted and secured with-
 ‘ out the Concurrence of Parliament, His Royal Highness recom-
 ‘ mended to the House of Commons the Adoption of such Measures
 ‘ as might be necessary for the Accomplishment of that Purpose :’
 Now we, Your Majesty’s most dutiful and loyal Subjects, the Com-
 mons of the United Kingdom in Parliament assembled, have resolved
 that the Annual Sum of Four thousand Pounds Net be granted out
 of the Consolidated Fund of the United Kingdom of *Great Britain*
 and *Ireland* ; the said Annuity to commence from the Fifth Day of
April One thousand eight hundred and seventeen, and to be settled
 in the most beneficial manner upon, and to continue during the Life
 of *Charles Baron Colchester of Colchester* in the County of *Essex*, and
 that the Annual Sum of Three thousand Pounds Net be granted to
 His Majesty out of the said Consolidated Fund, to commence on the
 Expiration of the above mentioned Annuity of Four thousand
 Pounds, and to be settled in like manner upon and to continue
 during the Life of such Heir Male of the Body of the said *Charles*
Lord Colchester, as shall first succeed to the Title of *Baron Colchester*
of Colchester in the County of *Essex* ; and do most humbly beseech
 Your Majesty that it may be enacted, and be it enacted by The
 King’s Most Excellent Majesty, by and with the Advice and Con-
 sent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 That One Annuity or Yearly Rent or Sum of Four thousand Pounds
 of lawful Money of *Great Britain* shall be issuing and payable out
 of and charged and chargeable upon the Consolidated Fund of the
 United Kingdom of *Great Britain* and *Ireland* (after paying or
 reserving sufficient to pay all such Sum and Sums of Money as have
 been directed by any former Act or Acts of Parliament to be paid
 out of the same, but with Preference to all other Payments which
 shall or may hereafter be charged upon or payable out of the said
 Fund) ; and the same shall from time to time be paid Quarterly,
 free and clear of all Taxes and Deductions whatsoever, to the said
 Lord *Colchester*, for and during the natural Life of the said Lord
Colchester ; which said Annuity or Yearly Rent or Sum shall com-
 mence and take Effect from the Fifth Day of *April* One thousand
 eight hundred and seventeen ; the First Payment to be computed
 from

An Annuity of
4,000l. granted
to Charles Lord
Colchester, for
Life, to be paid
Quarterly, clear
of Taxes, &c.

Commencement
and Periods of
Payment.

from the said Fifth Day of *April* One thousand eight hundred and seventeen, until the Fifth Day of *July* One thousand eight hundred and seventeen, and from thenceforth shall be paid and payable at the Four usual Days of Payment in the Year, that is to say, the Fifth Day of *July*, the Tenth Day of *October*, the Fifth Day of *January*, and the Fifth Day of *April*, in each and every Year, by even and equal Portions.

II. And be it further enacted, That from and after the Decease of the said *Charles* Lord *Colchester* One Annuity or Yearly Rent or Sum of Three thousand Pounds of lawful Money of *Great Britain* shall be issuing and payable out of and charged and chargeable upon the said Fund in manner aforesaid, and the same shall from time to time be paid Quarterly in manner aforesaid, free and clear of all Taxes and Deductions whatsoever, to such Heir Male of the Body of the said *Charles* Lord *Colchester* as shall first succeed to the Title of Baron *Colchester* of *Colchester* in the County of *Essex*, for and during the natural Life of such Heir Male.

An Annuity of 3,000l. to the Heir Male of Lord *Colchester*, first succeeding to the Title, for Life.

III. And it is hereby further enacted, That it shall and may be lawful to and for the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them for the Time being, and they are hereby authorized and required by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer now and for the time being to make forth and pass Debentures from time to time for paying the said respective Annuities or Yearly Rents or Sums of Four thousand Pounds or Three thousand Pounds in manner as aforesaid, and as the same shall from time to time become due and payable, without any Fees or Charges to be demanded or taken for paying the same or any Part thereof; which said Warrant, and the Debentures to be made forth and passed thereupon, shall be a sufficient Authority to the several and respective Officers of the Receipt of the Exchequer now and for the time being for the Payment of the said Annuities or Yearly Rents or Sums to the said Lord *Colchester* and such Heir Male as aforesaid, at the respective Quarterly Days in this Act before appointed for Payment thereof, without any further or other Warrant to be sued for, had or obtained in that Behalf.

Treasury, by Warrant, to direct the Auditor of the Exchequer to pass Debentures for the Payment of such Annuities without Fee.

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

Warrant not to be revokable on Demise of the King, &c.

V. And be it further enacted, That the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the time being, Chancellor and Under Treasurer, Chamberlains and Barons of the Exchequer, and all other the Officers and Ministers of the Court of Exchequer and of the Receipt thereof, now and for the time being, shall and they are

Treasury and Exchequer to do every thing necessary to render this Act effectual without Fee.

hereby authorized and strictly enjoined and required to do, without Fee or Reward, all such Acts, matters and things as are herein-before directed and required, or shall be necessary to be done and performed by them, or any or either of them, in order to render this Act and the several Payments hereby directed effectual.

Acquittance of Lord Colchester and the said next Successor sufficient Discharge for Payment of Annuity.

Remedy for Recovery of Annuities.

VI. And be it enacted, That the Acquittance or Acquittances, Receipt or Receipts of the said Lord *Colchester*, and of the first Heir Male of the Body of the said Lord *Colchester* on whom the said Title shall descend, shall be a good and sufficient Discharge for the Payment of the said respective Annuities or Yearly Sums, without any further or other Warrant to be sued for or obtained in that Behalf; and that the said respective Annuities or Yearly Rents or Sums, and every Part thereof, shall be free and clear from all Taxes, Impositions and other Charges whatsoever; and in case any of the Officers of the Receipt of His Majesty's Exchequer shall refuse or neglect to pay the said respective Annuities or Yearly Rents or Sums, or any Part thereof, according to the true Intent and Meaning of this Act, or to do any Act necessary to enable the said Lord *Colchester* and the first Heir Male of the Body of the said Lord *Colchester* on whom the said Title, Honour and Dignity of Lord *Colchester* shall descend, to receive the same, then the said Lord *Colchester* and the next succeeding Heir Male of the Body of the said Lord *Colchester* on whom the said Title shall descend, may from time to time sue, prosecute and implead such Officers, or any of them, their Heirs, Executors or Administrators, by Bill, Plaint or Action of Debt, and shall and may recover Judgment and sue out Executions thereupon against such Officers respectively, their Heirs, Executors or Administrators, for so much of such Sum or Sums of Money then due and owing upon the said respective Annuities or Yearly Rents or Sums, or any Part thereof, as shall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer at the time or times when Demands shall have been legally made of the Payment of the said respective Annuities or Yearly Rents or Sums, or any Part thereof as aforesaid, or for the Refusal or Neglect to do any Act necessary to be done by such Officer or Officers respectively.

Annuities respectively vested in Lord Colchester and the said next Successor.

How far the same may be aliened.

VII. And be it further enacted, That the said Annuity or Yearly Rent or Sum of Four thousand Pounds shall be and the same is by this Act vested in the said Lord *Colchester*, and the said Annuity or Yearly Rent or Sum of Three thousand Pounds shall be and the same is by this Act vested in the next succeeding Heir Male of the Body of the said Lord *Colchester* to whom the said Title, Honour and Dignity of Lord *Colchester* shall descend; and the same or any Part thereof shall not at any time or times hereafter be aliened, conveyed, disposed, charged or encumbered by the said Lord *Colchester*, or by the next succeeding Heir Male of the Body of the said Lord *Colchester* on whom the said Title shall descend, for any greater or larger Estate or time than during the natural Life of the Person so aliening, conveying, disposing, charging or encumbering the same, so as to prevent the same from descending to the next or succeeding Heir Male of the Body of the said Lord *Colchester* to whom the said title of Lord *Colchester* shall descend.

Abatement of One Half of the Annuity of

VIII. Provided always, and be it further enacted, That One Half of the said Annuity or Yearly Rent or Sum shall abate and be suspended

suspended during any Period in which the said *Charles* Lord *Colchester* may hereafter hold any Place, Office or Employment under His Majesty of equal or greater Amount, in Salary, Profit or Emolument, than the Amount of such Annuity.

4,000l. in a certain Event.

C A P. XLVIII.

An Act to make further Provision for the Adjustment of the Accounts of the Consolidated Fund of the United Kingdom, and for making good any occasional Deficiency which may arise in the said Fund in *Great Britain* or *Ireland*, respectively; and to direct the Application of Monies by the Commissioners for the Reduction of the National Debt.

[27th June 1817.]

‘ **W**HEREAS, in consequence of the Consolidation of the Revenues of *Great Britain* and *Ireland*, it is become expedient to make further Provision for the Adjustment of the Accounts of the Consolidated Fund of the United Kingdom; and that for that Purpose Quarterly Accounts of the Issues made out of the growing Produce of the Consolidated Fund in *Ireland*, for the current Services there, should be made up and transmitted to *Great Britain*, and provided for in manner hereinafter mentioned;’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That immediately after the Termination of each Quarter of a Year ending upon the Fifth Day of *April*, the Fifth Day of *July*, the Tenth Day of *October*, and the Fifth Day of *January* respectively in each and every Year, Accounts shall be made up in the Receipt of the Exchequer in *Ireland* of all Sums which shall have been issued, during the Quarter ending on the said Days respectively, out of the growing Produce of the Consolidated Fund arising in *Ireland*, specifying separately the Issues made for defraying the Services comprized in the Annual Grants of Parliament, or which would in *Great Britain* be payable at the Receipt of the Exchequer out of any of the Aids or Supplies of the Year, and specifying also in each and every such Account the Heads of Service for which such Issues were so made; which Accounts shall be certified by the Auditor General of the Receipt of His Majesty’s Exchequer in *Ireland*, and shall be transmitted by him to the Lord High Treasurer or the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain* and *Ireland*; and the Lord High Treasurer, or Commissioners of His Majesty’s Treasury, or any Three or more of them, shall thereupon, by Warrant under his or their Hand or Hands, order and direct that out of any of the Aids or Supplies of the Year in the Receipt of the Exchequer, in *Great Britain*, a Sum or Sums of Money equal to such certified Amount of the Issues so made out of the growing Produce of the Consolidated Fund arising in *Ireland*, for defraying the Services comprized in the Annual Grants of Parliament, or which would in *Great Britain* be payable at the Receipt of the Exchequer out of any of the Aids or Supplies of the Year, shall be carried and placed to the Credit of the Consolidated Fund of the United Kingdom, for the Quarter ending on

Accounts in the Exchequer in *Ireland*, how to be made up.

Such Accounts to be certified by Auditor General of Exchequer in *Ireland*, and transmitted by him to Treasury of the United Kingdom.

56 G. 3. c. 98.

Treasury to make Payments out of the Consolidated Fund as before the recited Act.

Grants to arise from the Surplus of the Consolidated Fund, which had not accrued prior to Jan. 5, 1817, &c. to be deemed satisfied and cancelled.

Certain Balances due from Great Britain to Ireland, or from Ireland to Great Britain, cancelled.

27 G. 3. c. 13. § 58.

the usual Quarter Day next ensuing after the Date of such Certificate, and the same shall thereupon be carried and placed to such Account and Credit by the Auditor of the Receipt of His Majesty's Exchequer in *Great Britain*; any thing in an Act made in the last Session of Parliament, intituled *An Act to unite and consolidate into One Fund all the Public Revenues of Great Britain and Ireland, and to provide for the Application thereof to the general Service of the United Kingdom*, to the contrary notwithstanding.

‘ II. And Whereas certain Payments have been heretofore made by Law or Usage out of the growing Produce of the Consolidated Fund of *Great Britain*,’ Be it therefore enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, and they are hereby authorized and empowered, from time to time, to cause any Payment or Payments to be made, or any Sum or Sums of Money to be issued out of the growing Produce of the Consolidated Fund of the United Kingdom, at the Receipt of the Exchequer in *Great Britain*, in advance or otherwise, in like manner as had been practised before the passing of the said recited Act of the last Session of Parliament; any thing contained in the said Act to the contrary notwithstanding.

‘ III. And Whereas the Exchequer Bills which have been issued upon the Credit of Aids and Supplies heretofore granted by Parliament have been provided for, and the Sums due and to arise from the Surplus of the Consolidated Fund of *Great Britain* under former Grants of Parliament, and which were applicable to the Discharge of such Exchequer Bills, have by reason thereof become no longer necessary for such Service;’ Be it therefore enacted, That all Grants made by Parliament, to arise from the Surplus of the said Consolidated Fund, and which Surplus had not accrued prior to the Fifth Day of *January* One thousand eight hundred and seventeen, and also all Sums due from the said Consolidated Fund to the Aids or Supplies of former Years, in respect of Money advanced thereout to make good the Deficiencies of the said Fund, shall be and be deemed to be satisfied and cancelled, and no further Sums shall be issued or issuable thereupon; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

IV. And be it further enacted, That all Balances due from *Great Britain* to *Ireland*, or from *Ireland* to *Great Britain* respectively, upon or in respect of, or in any manner arising out of the joint Contribution of *Great Britain* and *Ireland* to the Expences of the United Kingdom, under the Provisions of the several Acts passed in the Parliaments of *Great Britain* and *Ireland* respectively in the Thirty ninth and Fortieth Years and in the Fortieth Year of the Reign of His present Majesty, for the Union of *Great Britain* and *Ireland*, shall be and are hereby cancelled, and shall be deemed and are hereby declared to be satisfied and discharged; any thing contained in the said recited Acts or any other Act or Acts of Parliament to the contrary notwithstanding.

‘ V. And 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 Public Revenue; for permitting the Importation of certain Goods, Wares and Merchandize,*

‘ the

' 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; it is among other things enacted, that if at any time at which any Annuity or Annuities shall become due and payable, the Produce of the several Duties composing the Consolidated Fund established by the said Act should not be sufficient to answer and pay all the Annuities and other Charges that should become due and payable on any Quarterly or other Day of Payment, the Commissioners of His Majesty's Treasury or the Lord High Treasurer for the time being were thereby authorized, empowered and required, out of any Money which should then be remaining in the Receipt of the Exchequer of Aids or Supplies that should have been granted for the Service of the Year in which such Deficiency should happen, to apply such Sum or Sums of Money as should be sufficient fully and completely to answer and make good such Deficiency, and all such Sum or Sums of Money so issued out of the said Aids or Supplies should be replaced to the Service or Services to which the same might have been appropriated by Parliament, out of the first or any future Quarter's Surplus of the Duties and Revenues composing the said Consolidated Fund: And Whereas it is expedient that the said Provision should be repealed; Be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

repealed.

' VI. And Whereas it may happen that the Consolidated Fund of the United Kingdom may at certain times be deficient in Amount to answer the several Charges thereupon arising in Great Britain or Ireland respectively, and it is expedient that Provision should be made for making good such Deficiency, in case the same should arise; Be it therefore enacted, That if, upon making up the Accounts of the Income and Charge of the said Consolidated Fund in Great Britain or Ireland respectively, for the Quarters ending on the Fifth Day of April, the Fifth Day of July, the Tenth Day of October, or the Fifth Day of January in any Year, it shall appear to the Commissioners of His Majesty's Treasury, that the Produce of the said Fund is not sufficient to defray the Charges thereupon in Great Britain, or in Ireland respectively, then and in such case it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them for the time being, from time to time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer in Great Britain, for such Sum or Sums of Money as shall be sufficient to make up such Deficiency in Great Britain or Ireland respectively; and such Exchequer Bills shall be made out in the same or like manner, Form and Order, and according to the same or like Rules and Directions, as are directed and prescribed in and by an Act made in the Forty eighth Year of the Reign of His present Majesty, intituled *An Act for regulating the issuing and paying off of Exchequer Bills*.

Regulation for making good Deficiencies by issuing Exchequer Bills.

VII. And be it further enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said recited Act made in the Forty eighth Year of the Reign of His present Majesty, for regulating the

Such Exchequer Bills to be made out as by 48 G. 3. c. 1.

48 G. 3. c. 1. to extend to Exchequer Bills issued under this Act.

the issuing and paying off of Exchequer Bills, shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses and Provisions had been particularly repeated and re-enacted in the Body of this Act.

Interest of such
Exchequer Bills.

VIII. 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 contained therein.

Banks of Eng-
land and Ireland
empowered to
advance Money
on the Credit of
such Exchequer
Bills,

IX. And be it declared and further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *England*, and for the Governor and Company of the Bank of *Ireland*, and they are hereby respectively empowered, to take, accept and receive the Exchequer Bills authorized to be made out in pursuance of this Act, and to advance or lend to His Majesty at the Receipt of the Exchequer in *Great Britain* or *Ireland* respectively, upon the Credit of such Exchequer Bills, any Sum or Sums of Money not exceeding in the whole the Sum necessary to make good such Deficiency of the Consolidated Fund in *Great Britain* or *Ireland* respectively; any thing in an Act made and passed in the Parliament of *England*, 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 Liguors; and 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 in any other Act or Acts to the contrary thereof notwithstanding.

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

Exchequer Bills
for Deficiencies
in G. B. to be
placed as Cash in
the Offices of the
Tellers of the
Exchequer;

X. And be it further enacted, That the Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, shall and they are hereby respectively authorized and empowered to cause such Exchequer Bills as shall be made out in pursuance of this Act, in respect of any Deficiency in the said Consolidated Fund arising in *Great Britain*, to be placed as so much Cash in the respective Offices of the Tellers of the Receipt of His Majesty's Exchequer in *Great Britain*; each and every of which Tellers shall be severally charged with the Proportion of the said Bills which shall be so placed in his Office respectively as so much Cash; any Law or Usage to the contrary notwithstanding.

and to be issued
for defraying
Charges upon
Consolidated
Fund by reason
of Deficiencies.

XI. And be it also enacted and declared, That the said Exchequer Bills in the Hands of the said Tellers shall be locked up and secured as Cash according to the Course of the Receipt of the Exchequer in *Great Britain*, and shall be taken and esteemed as so much in part of the Remains in real Money, wherewith each of the said Tellers shall from time to time stand charged in common with other the Monies in the said Receipt of the Exchequer, any Law or Usage to the contrary notwithstanding; and it shall be lawful for the Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, to issue and apply the same to the defraying the Charges upon the said Consolidated Fund remaining unpaid in *Great Britain* by reason of any such Deficiency.

Exchequer Bills
for Deficiencies

XII. And be it further enacted, That the Commissioners of His Majesty's Treasury, or any Three or more of them, shall and they are

are hereby authorized and empowered to cause such Exchequer Bills as shall be made out in pursuance of this Act, in respect of any Deficiency in the said Consolidated Fund arising in *Ireland*, to be paid into the Bank of *Ireland* to the Credit and Account of the Teller of the Receipt of His Majesty's Exchequer, there to be issued and applied to the defraying of the Charges upon the Consolidated Fund remaining unpaid in *Ireland* by reason of such Deficiency.

arising in *Ireland*, how to be disposed of.

XIII. Provided always, and be it further enacted, That the Principal Sum or Sums of Money to be contained in all such Exchequer Bills to be made forth by virtue of this Act, together with the Interest that may become due thereon, shall be and the same are hereby made chargeable and charged upon the growing Produce of the Consolidated Fund of the United Kingdom in the next succeeding Quarter; and it shall be lawful for the Commissioners of His Majesty's Treasury for the time being, and they or any Three or more of them are hereby authorized from time to time by Warrant under their Hands to direct the Auditor of the Receipt of the Exchequer in *Great Britain* or *Ireland* respectively, in such manner as they shall think necessary, to issue unto such Person or Persons as shall be named in the said Warrants respectively, out of the growing Produce of the Consolidated Fund of the next succeeding Quarter, any Sum or Sums of Money not exceeding in the whole a Sum sufficient to discharge and pay off the Principal Sum or Sums of Money contained in such Exchequer Bills then outstanding in *Great Britain* or *Ireland* respectively, and which may have been made out and issued by virtue of this Act, together with all such Interest as may be due thereupon.

Exchequer Bills and Interest chargeable on the Consolidated Fund in the next succeeding Quarter.

XIV. And be it further enacted, That the Commissioners of the Treasury for the time being shall from time to time cause a true and perfect Account in Writing to be taken attested by the proper Officers of the Amount of all Exchequer Bills which shall be made out and issued by virtue of this Act, and how much thereof shall before the making up of such Accounts have been paid off or discharged, and how much thereof shall then remain undischarged; and every such Account shall on or before the Twenty fifth Day of *March* in each and every Year be laid before both Houses of Parliament, if Parliament shall be then sitting, or if Parliament shall not then be sitting, then within One Month after the Commencement of the next Session of Parliament.

Accounts of Exchequer Bills discharged and undischarged to be annually laid before Parliament.

XV. And Whereas by an Act passed in the Twenty sixth Year of the Reign of His present Majesty, intituled *An Act for vesting certain Sums in Commissioners at the End of every Quarter of a Year, to be by them applied to the Reduction of the National Debt*, it was enacted, that all Monies whatsoever which should be placed from time to time to the Account of the said Commissioners by virtue of the said Act, which should not be directed by any future Act or Acts of Parliament to be applied in Payment for the Redemption of any Redeemable Public Annuities at or above Par, should be applied by the said Commissioners in Payment for the Purchase of Public Annuities below Par in the following manner; (that is to say), that all Monies so to be applied, which should have been placed to the Account of the said Commissioners between the Fifth Day of *April* in any Year and the First Day

26 G. 3. c. 35. § 11.

So much of recited Act as limits the Periods for applying Monies for the Purchase of Public Annuities, repealed.

Monies set apart and applicable between 1 Nov. 1817, and 1 Feb. 1818, to be applied by Commissioners in Purchase of Annuities between 2 Nov. 1817, and 5 Jan. 1818.

Periods of Application Monies in future Years.

of *May* then next ensuing, should be applied to the Purchase of such Annuities in equal Portions, as nearly as might be, on every Day (*Saturdays* and *Mondays* excepted) between the said First Day of *May* and the Fifth Day of *August* then next ensuing; and in like manner the Sums so to be applied, which should have been placed to the Account of the said Commissioners between the End of any such Quarter and the First Day of the Calendar Month which should commence next after the End of such Quarter, should be applied to the Purchase of such Annuities in equal Portions, as nearly as might be, on every Day (*Saturdays* and *Mondays* excepted), on which the same should be transferrable between the said First Day of the Calendar Month which should commence next after the End of such Quarter and the First Day of the Calendar Month which should commence next after the End of the Quarter next ensuing: And Whereas it is expedient to alter the respective Periods for applying all such Monies, and to substitute other Periods for the like Purpose instead thereof, in order that the Accounts of the Application of the said Monies shall terminate and be rendered conformable to the Periods of terminating the several Accounts of the Public Revenues of the United Kingdom; Be it therefore enacted, That so much of the said recited Act as limits the Periods for applying the said Monies shall be and the same is hereby repealed.

XVI. And be it further enacted, That all Monies whatever which shall be to be set apart and placed to the Account of the said Commissioners in the Books of the Governor and Company of the Bank of *England*, under and by virtue of the said last recited Act, or of any other Act or Acts now in force for the Reduction of the National Debt, and which would be applicable between the First Day of *November* One thousand eight hundred and seventeen and the First Day of *February* One thousand eight hundred and eighteen, pursuant to the Provisions of the said Act, shall be applied by the said Commissioners in the Purchase of Redeemable Public Annuities, as directed by the said recited Act, on Transfer Days (*Saturdays* and *Mondays* excepted) between the Second Day of *November* One thousand eight hundred and seventeen and the Fifth Day of *January* One thousand eight hundred and eighteen, both Days included.

XVII. And be it further enacted, That all Monies so set apart in every future Year shall be applied in the manner following; (that is to say,) all Monies so set apart or to be so set apart and placed to the Account of the said Commissioners in the Books of the Governor and Company of the Bank of *England*, due on the Fifth Day of *January* in every Year, shall be applied by the said Commissioners in the Purchase of Redeemable Public Annuities, as directed by the said recited Act, on Transfer Days (*Saturdays* and *Mondays* excepted) between the Seventh Day of *January* and the Fifth Day of *April* then next ensuing, both Days included; and in like manner all Monies due the Fifth Day of *April* in every Year, and set apart as aforesaid, shall be applied on Transfer Days (*Saturdays* and *Mondays* excepted) between the Seventh Day of *April* and the Fifth Day of *July* then next ensuing, both Days included; and all Monies due the Fifth Day of *July* in every Year, and set apart as aforesaid, shall be applied on Transfer Days (*Saturdays* and *Mondays* excepted) between the Seventh Day of *July* and the Tenth Day of *October* then next

next ensuing, both Days included; and all Monies due the Tenth Day of *October* in every Year, and set apart as aforesaid, shall be applied on Transfer Days (*Saturdays* and *Mondays* excepted) between the Twelfth Day of *October* and the Fifth Day of *January* then next ensuing, both Days included; and every Annual Account of the Application of all such Monies, and of the Public Annuities purchased with the same, directed by the said recited Act to be made up to the First Day of *February* in every Year, to be laid before Parliament; and the Auditors† of Public Accounts shall in future terminate upon and be made up to the Fifth Day of *January* inclusive in every Year; any thing in the said last recited Act or any other Act or Acts to the contrary notwithstanding.

† *Sic.*

C A P. XLIX.

An Act for altering and amending the Laws of Excise with respect to Salt and Rock Salt. [27th June 1817.]

WHEREAS by an Act made in the Thirty eighth Year of the Reign of His present Majesty King *George* the Third, intituled *An Act for transferring the Management of the Salt Duties to the Commissioners of Excise, and for repealing the Duties on Salt, and the Drawbacks, Allowances and Bounties paid thereon, and for granting other Duties, Drawbacks, Allowances and Bounties thereon*, all and every the Proprietor and Proprietors of every Salt Mine or Salt Pit is and are required, at least Twelve Hours before he, she or they shall at any time begin to raise or take away Rock Salt from or out of any Salt Mine or Salt Pit, to give Notice in Writing to the Officer of Excise under whose Survey such Salt Mine or Salt Pit shall be, of the particular Day and Hour of the Day on which he, she or they intends or intend to begin raising or taking any Rock Salt from or out of any such Mine or Pit: And Whereas such Period of Twelve Hours for such Notice as aforesaid has been found unnecessarily long and inconvenient; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in lieu and instead of such Period of Twelve Hours, all and every such Proprietor and Proprietors of every Salt Mine or Salt Pit shall give such Notice as aforesaid at least Two Hours before he, she or they shall at any time begin to raise or take Rock Salt from or out of any Salt Mine or Salt Pit, any thing in the said recited Act contained to the contrary thereof notwithstanding.

38 G. 3. c. 89.
§ 20.Proprietors of
Salt Mines to
give Two in lieu
of Twelve
Hours' Notice of
raising Rock
Salt.

II. And Whereas by the said Act all and every Maker or Makers of Salt, and Refiner or Refiners of Rock Salt, and Proprietor or Proprietors of any Salt Work, is and are required, at least Six Hours before he, she or they shall begin to charge his, her or their Pan or Boiler with Brine or other Preparation for making or refining Salt, to give to the Officer of Excise under whose Survey his, her or their Salt Work shall be, a Notice in Writing of his, her or their Intention so to do, specifying therein the Particulars in the said Act mentioned; and if any such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors shall not begin to charge his, her or their Pan or Boiler within the

38 G. 3. c. 89.
§ 23.

Space

- § 24. Space of One Hour after the particular time or Hour specified in such Notice for that Purpose, then to give a fresh and like Notice before he, she or they shall begin to charge his, her or their Pan or Boiler; and all and every such Maker or Makers of Salt, Refiner or Refiners of Rock Salt, and Proprietor or Proprietors of any Salt Work, who in pursuance of any such Notice as aforesaid shall begin to charge, his, her or their Pan or Boiler with Brine or other Preparation for making Salt or refining Rock Salt, is and are required to proceed without Respite or Delay and with all due Diligence and Dispatch, to charge such Pan or Boiler with the whole Quantity of Brine or other Preparation intended to be employed, used or worked off at such Boiling or Operation; provided that if any such Maker, Refiner or Proprietor shall have occasion to add to or increase the Brine in any Pan or Boiler after such Pan or Boiler shall have been charged, and before any Salt of that particular Boiling or Operation shall have been taken from or out of such Pan or Boiler, he, she or they shall be permitted and allowed once, but not oftener, to add to and increase the Quantity of Brine in any such Pan or Boiler, upon giving such Notice as is prescribed by the said Act; and if any Maker or Makers of Salt, Refiner or Refiners of Rock Salt, or Proprietor or Proprietors of any Salt Work, shall convey or put any Brine into any Pan or Boiler after he, she or they shall have begun to take any Salt out of such Pan or Boiler, and before the whole Boiling or Operation of such particular Charge shall be finished, and all the Salt made or intended to be made therefrom shall be taken out of such Pan or Boiler, or shall convey or put any Brine into any Pan or Boiler after the same shall have been fully charged, (except in the manner thereinbefore allowed, under such Notice as is thereinbefore provided for making an Addition to or increasing the Brine in the Pan or Boiler,) he, she or they shall forfeit the Penalty therein mentioned; and in case any Maker or Makers, Refiner or Refiners of Salt, or Proprietor or Proprietors of any Salt Work, instead of keeping the Salt of each Boiling or Operation in the Pan or Boiling House until the whole of each Boiling or Operation shall be finished, shall be desirous to carry, remove or put any Salt of any particular Boiling or Operation into his, her or their Warehouse or Warehouses, Storehouse or Storehouses, or Loft or Lofts, before any such Boiling or Operation shall be finished, such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors, may carry, remove or put One Half (but neither more nor less) of the whole Number of Baskets, Barrows or Troughs of Salt to be made at each such Boiling or Operation, into any such Warehouse or Warehouses, Storehouse or Storehouses, or Loft or Lofts, upon the Terms and Conditions mentioned in the said Act: And Whereas it is expedient that such Provisions of the said Act as hereinbefore recited should be repealed, Be it therefore enacted, That from and after the passing of this Act the said recited Provisions of the said Act shall be and the same are hereby repealed.
- § 25.
- § 28.
- repealed.

Salt Makers to give Six Hours Notice of their Intention to draw or take

III. And be it further enacted, That all and every Maker or Makers of Salt, Refiner or Refiners of Rock Salt, and Proprietor or Proprietors of any Salt Work, shall at least Six Hours before he, she or they shall begin to draw or take out any Salt from any Pan

Pan or Boiler after the same shall have been charged with Brine, or other Preparation for making Salt, give to the Officer of Excise, under whose Survey his, her or their Salt Work shall be, a Notice in Writing of his, her or their Intention so to do, specifying therein the particular time and Hour at which he, she or they intends or intend to begin to draw or take out the Salt from such Pan or Boiler; and if any such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors, shall not begin to draw and take out the Salt from such Pan or Boiler within the Space of Three Hours after the particular time or Hour specified in such Notice, then such Notice shall be void; and every such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors as aforesaid, shall give a fresh and like Notice before he, she or they shall begin to draw or take out any Salt from such Pan or Boiler; and in case such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors, shall neglect or refuse to give such Notice as aforesaid, or having given a Notice which shall become void as aforesaid, shall neglect or refuse to give a fresh and like Notice, he, she or they shall for each and every such Offence forfeit and lose the Sum of Fifty Pounds.

Salt from their
Pans or Boilers.

In what case
fresh Notice.

IV. And be it further enacted, That if any Maker or Makers of Salt, Refiner or Refiners of Rock Salt, or Proprietor or Proprietors of any Salt Work, shall convey or put, or cause or suffer to be conveyed or put, any Brine or other Preparation for making Salt into any Pan or Boiler after he, she or they shall have begun to draw or take out any Salt from such Pan or Boiler, and before he, she or they shall declare to the surveying Officer that the whole Operation of making Salt from the Brine which shall then be in such Pan or Boiler is finished, and that all the Salt made or intended to be made therefrom in such Operation has been taken out of such Pan or Boiler, he, she or they shall for every such Offence forfeit and lose the Sum of Fifty Pounds.

Penalty 50l.

Adding Brine
after having be-
gun to draw
Salt, and before
Declaration that
Operation
is finished, &c.

V. Provided always nevertheless, and be it further enacted, That in case any such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors, instead of keeping the Salt of each Boiling or Operation in the Pan or Boiling House until the whole of each Boiling or Operation shall be finished, shall be desirous of carrying, removing, or putting any Salt of any particular Boiling or Operation into his, her or their Warehouse or Warehouses, Storehouse or Storehouses, or Loft or Lofts, before any such Boiling or Operation shall be finished, it shall and may be lawful to and for such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors, to carry, remove or put any Part of the whole of the Salt to be made at each such Boiling or Operation into any such Warehouse or Warehouses, Storehouse or Storehouses, or Loft or Lofts upon the Terms and Conditions hereinafter mentioned, (that is to say,) that in the Notice required by this Act to be given as aforesaid for drawing or taking out Salt from his, her or their Pan or Boiler, such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors, shall specify the particular Number of Baskets, Barrows or Troughs, and the estimated Quantity of Salt of which such Part of such particular Boiling or Operation shall or will consist, and the Day, and Hour of the Day, when such Part shall be carried, removed or put into such Warehouse or Warehouses, Storehouse or Storehouses, or Loft or Lofts; and also that all the Salt which, according

Penalty 50l.

Part of the Salt
of any Operation
may be ware-
housed before
the whole is
finished, on cer-
tain Conditions.

Conditions.

to

to the Specification in such Notice, shall be intended to be carried, removed or put into such Warehouse or Warehouses, Storehouse or Storehouses, or Loft or Lofts, at each such Removal, shall be actually so carried, removed and put, immediately after the proper Officer of Excise shall have taken a true Account thereof, and before any more or other Salt shall be taken out of the Pan or Boiler of that or any subsequent Boiling or Operation.

51 G. 3. c. 82.
§ 2. recited.

‘ VI. And Whereas by a Clause in an Act made in the Fifty
‘ first Year of the Reign of His present Majesty, among other
‘ things, *For establishing Regulations respecting Rock Salt delivered*
‘ *to the Refineries*, it was enacted, that when and so soon as any Rock
‘ Salt should be delivered from any Salt Mine or Salt Pit, to be
‘ shipped Coastwise, or to be sent by Inland Navigation free of
‘ Duty, on Bond for its being duly delivered at any entered Re-
‘ finery, not being within the Counties of *Lancaster and Chester*
‘ respectively, the Refiner or Refiners to or for whom the same
‘ should be consigned or sent should, within Six Weeks next after
‘ the Delivery or Receipt of such Rock Salt, pay the Duties of
‘ Excise at and after the Rate of Fifteen Shillings *per* Bushel for
‘ such Rock Salt, unless such Refiner or Refiners should give such
‘ sufficient Bond or Security as was in the said Clause mentioned
‘ and prescribed for the due Payment of the Duties of Excise
‘ at and after the Rate of Fifteen Shillings *per* Bushel for or in re-
‘ spect of such Rock Salt, within the Space of Six Months next
‘ after such Delivery or Receipt, or else producing to the proper
‘ Officer of Excise within such Six Months, and having charged
‘ with the Duties, a Quantity or Quantities of refined Salt made
‘ from such Rock Salt, in the Proportion of Fifty six Pounds of
‘ refined Salt at the least for every Sixty five Pounds of such Rock
‘ Salt which should from time to time be found by the proper Officer
‘ or Officers of Excise deficient of the Quantity of such Rock
‘ Salt which should have been so delivered or received, and for
‘ paying at the end of every Six Weeks from the time of the Charge
‘ thereof the Duties at and after the Rate of Fifteen Shillings *per*
‘ Bushel for or in respect of the Quantity of each Charge of such
‘ refined Salt : And Whereas it has been found by Experience that
‘ the Produce of refined Salt from Rock Salt exceeds the Propor-
‘ tion aforesaid ; and it is therefore expedient to require Payment of
‘ Duty for the Salt refined from such Rock Salt according to
‘ the greater Proportion hereinafter mentioned ;’ Be it therefore
enacted, That so much of the said Provision as is hereinbefore recited
shall be and the same is hereby repealed ; and that from and after
the passing of this Act, all and every such Refiner and Refiners
shall within Fourteen Days next after the Delivery or Receipt of
any Rock Salt, give sufficient Bond or Security, to be approved
of by the Commissioners of Excise, or the Person or Persons who
shall be appointed or employed by them for that Purpose, in Double
the Value of the Duties on such Rock Salt, for producing to the
proper Officer of Excise, to be taken Account of or charged with
Duty by him, within the Space of Twelve Months next after such
Delivery or Receipt, a Quantity or Quantities of refined Salt made
from such Rock Salt, in the proportion of Fifty eight Pounds of
refined Salt at the least for every Sixty five Pounds of such Rock
Salt, and for paying the Duties thereon at the End of every Six
Weeks

Refiners to give
Bond within
Fourteen Days
after Receipt of
Rock Salt, for
the Production
of 58lbs. of Re-
fined for every
65lbs. of Rock
Salt, and for
Payment
Duties.

Weeks from the time of the Charge upon any Part of such refined Salt, at and after the Rate of Fifteen Shillings *per* Bushel; and if any such Refiner or Refiners shall refuse or neglect to give such Bond or Security as is hereby in that Behalf required, all such Rock Salt shall be forfeited, together with the Duties thereon, and such Rock Salt shall and may be seized by any Officer or Officers of Excise: Provided always, that all and every such Refiner and Refiners shall be at Liberty, within such Space of Twelve Months, to export or deliver for the Use of the Fisheries, or to any entered Maker of oxygenated Muriatic Acid or Oxymuriate of Lime for making oxygenated Muriatic Acid or Oxymuriate of Lime, any Part of such refined Salt Duty-free under the Regulations established by Law in that Behalf; any thing herein contained to the contrary thereof notwithstanding.

Penalty.

Proviso for Exportation, &c.

VII. And be it further enacted, That all and every such Refiner and Refiners of Rock Salt shall provide and maintain a proper and secure Warehouse, Storehouse or Loft, or Warehouses, Storehouses or Lofts, to the Satisfaction of the Supervisor of Excise in whose District it or they may be situated, with good and sufficient Locks and other Fastenings thereto respectively, to be provided by such Supervisor at the Expence and Charge of such Refiner or Refiners respectively, into which Warehouse or Warehouses, or Storehouse or Storehouses, or Loft or Lofts, or some or one of them, all the Rock Salt shall, immediately after the Arrival or Receipt thereof at such Refinery, be put and deposited by and at the Expence of such Refiner or Refiners, according to the Directions of this Act; and each such Warehouse, Storehouse or Loft respectively, shall be locked up and secured by the proper Officer of Excise under whose Survey the same shall from time to time be, except at such time or times only as such Officer shall be attending for the Purpose of depositing Rock Salt therein, or for weighing or taking Account of the Rock Salt therein, or delivering Rock Salt from or out of such respective Warehouse, Storehouse or Loft; and if any such Refiner or Refiners shall neglect or refuse, at his, her or their own Expence, to provide such Warehouse, Storehouse or Loft, or Warehouses, Storehouses or Lofts as aforesaid, or to pay such Supervisor as aforesaid, upon Demand, for any Lock or Locks, Key or Keys, or other Fastening or Fastenings thereon or thereto, and provided by such Supervisor for the Security thereof, or shall refuse or neglect to put or deposit any Rock Salt, immediately after the Arrival or Receipt thereof at any such Refinery, in one or more of such Warehouses, Storehouses or Lofts, according to the Directions of this Act; or if any Refiner or Refiners or other Person or Persons shall damage, force or open, or cause to be damaged, forced or opened, any such Lock or other Fastening, or enter or cause to be entered any such Warehouse, Storehouse or Loft, save at such time and times as are herein for that Purpose mentioned, then and in each and every such case the Refiner or Refiners, or other Person or Persons so offending, shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds; provided that no such Refiner or Refiners shall be hindered or prevented from putting any Cargo of such Salt by itself into Steep immediately on its Arrival and Receipt, without warehousing the same as aforesaid, such Cargo of Rock Salt first being taken Account of by the proper Officer.

Refiners to provide Warehouses for the Lodgment of Rock Salt under the Excise Locks. Such Salt to be deposited at the Expence of Refiners.

Refiner neglecting to provide Warehouse, or to pay for Locks, &c.

or damaging Locks, &c.

Penalty 100l. Proviso for putting Salt into Steep.

Refiners to give Notice to have Rock Salt taken out of the Warehouse for dissolving into Brine.

VIII. And be it further enacted, That when and so often as any such Refiner or Refiners shall be desirous to have any such Rock Salt delivered from or out of any such Warehouse, Storehouse or Loft, for the Purpose of being put into any Cistern or other Vessel for dissolving the same or making the same into Brine, he, she or they shall give Twelve Hours' previous Notice in Writing to the Officer of Excise under whose Survey such Warehouse, Storehouse or Loft shall be, of his, her or their Intention to have such Rock Salt so delivered for the Purpose aforesaid, specifying in such Notice the particular Day and Hour at which he, she or they intends or intend to have such Rock Salt so delivered for the Purpose aforesaid, and the Quantity of such Rock Salt so to be delivered, not being less than Forty Bushels at any one time; and upon such Notice being so given, the proper Officer or Officers of Excise shall attend at the time mentioned in such Notice, and open such Warehouse, Storehouse or Loft, and such Refiner or Refiners shall thereupon proceed to weigh, and shall with all due Diligence and Dispatch weigh, in the Presence of such Officer or Officers, the whole of the Rock Salt specified in such Notice: Provided always nevertheless, that no such Refiner or Refiners shall be at Liberty to give any such Notice for having any such Rock Salt so delivered at any other time than between the Hours of Six in the Morning and Six in the Afternoon; and every Notice given for having any such Rock Salt so delivered in any less Quantity than Forty Bushels at one time, or at any other time or Hour than between the Hours in that Behalf aforesaid, shall and the same is hereby declared to be null and void to all Intents and Purposes whatsoever.

Officer thereupon to attend.

Notice void unless for opening Rock Salt Warehouses between certain Hours, &c.

Refiners to keep each Cargo of Rock Salt separate and apart, and all refined Salt made from Rock Salt included in one Bond, separate and apart from refined Salt made from Rock Salt included under any other Bond.

IX. And be it further enacted, That all and every such Refiner and Refiners of Rock Salt shall deposit, store and keep all and every Cargo or Quantity of Rock Salt received at one time, and which is or are the Subject of and included in any Bond as aforesaid, separate and apart from all Rock Salt received at any other time or times, and which is or are the Subject or Subjects of and included in another or different Bond or Bonds; and all Refined Salt made or prepared from Rock Salt, delivered or received at his, her or their Refinery at the same time, and which is the Subject of and included in any Bond, separate and apart from all Refined Salt made or prepared from Rock Salt, delivered or received at such Refinery at another time or times, or which is or are the Subject or Subjects of and included in another or different Bond or Bonds; and if any such Refiner or Refiners of Rock Salt shall neglect or refuse to deposit, store or keep all Rock Salt received at one time, and which is the Subject of and included in one Bond, separate and apart from all Rock Salt received at any other time or times, or which may be the Subject of and included in another Bond or other Bonds as aforesaid, or shall neglect or refuse to deposit, store or keep the Refined Salt made therefrom respectively separate and apart as aforesaid, every such Refiner or Refiners so offending shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

Penalty 100l.

Refiners not to put Rock Salt, which is the Subject of one Bond, into Solu-

X. And be it further enacted, That no such Refiner or Refiners of Rock Salt shall put any Rock Salt by him, her or them received at the same time, and which is the Subject of and included in any Bond as aforesaid, into any Cistern or other Vessel which shall at that

time

time contain any Brine made or prepared from Rock Salt received by him, her or them at any other time or times, or which is or are the Subject or Subjects of and included in any other Bond or Bonds; or shall dissolve at one and the same time, in one and the same Cistern, Vessel or Utensil, different Quantities of Rock Salt received at his, her or their Refinery at different times, or which are the Subjects of and included in different Bonds as aforesaid; or shall mix or mingle together different Quantities of Brine made or prepared from such different Quantities of Rock Salt; or shall begin to run into any Boiling Pan any Part of the Brine made with or from any Part of the Rock Salt received at his, her or their Refinery at a subsequent time, and which is the Subject of and included in a subsequent Bond, until the whole Quantity of Rock Salt received at such Refinery at any prior time, and which is the Subject of and included in any prior Bond, has been wholly dissolved, refined, warehoused and taken Account of by the proper Officer; and if any such Refiner or Refiners of Rock Salt shall put any Rock Salt by him, her or them received at the same time, and which is the Subject of and included in any Bond as aforesaid, into any Cistern or other Vessel which shall at any time contain any Brine made or prepared from Rock Salt received by him, her or them at another time or times, or which is or are the Subject or Subjects of and included in any other Bond or Bonds as aforesaid; or shall dissolve at one and the same time, in one and the same Cistern, Vessel or Utensil, different Quantities of Rock Salt received at his, her or their Refinery at different times, and which are the Subjects of and included in different Bonds as aforesaid; or shall mix or mingle together different Quantities of Brine made or prepared from such different Quantities of Rock Salt, or shall begin to run into any Boiling Pan any Part of the Rock Salt received at his, her or their Refinery at a subsequent time, and which is the Subject of and included in a subsequent Bond, until the whole Quantity of Rock Salt received at such Refinery at any prior time, and which is the Subject of and included in any prior Bond, has been wholly dissolved, refined, warehoused and taken Account of by the proper Officer; then and in each and every such case the Refiner or Refiners so offending shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

XI. And be it further enacted, That from and after the Fifth Day of *January* One thousand eight hundred and eighteen, all and every Maker or Makers of Salt, and Refiner or Refiners of Rock Salt from Sea Water, or from Rock Salt dissolved in Sea Water, or any Water in which Salt is held in Solution, or any Mixture therewith, not being within the Counties of *Chester* or *Lancaster* respectively, or that Part of the United Kingdom called *Scotland*, shall have, provide, fix, maintain and keep, at his, her or their Salt Work, a Vat or Vats, or other Vessel or Vessels, or Reservoir or Reservoirs, to the Satisfaction of the Supervisor of Excise of the District in which such Salt Work shall be situated, for the Purpose of receiving the Brine or other Preparation wherewith he, she or they shall or may intend to charge any Pan or Boiler for any Operation of boiling or making Salt, and shall, before he, she or they shall begin to make any Salt, make Entry thereof in Writing with the proper Officer of Excise, as the Charging Vessel or Vessels, Re-

tion with Brine made from Rock Salt which is the Subject of another Bond, or begin to dissolve any Rock Salt subsequently received and included in different Bonds, nor mingle Brines, until the Rock Salt before received has been wholly refined.

Penalty 100l.

Refiners of Salt from Sea Water, or from Rock Salt dissolved in Sea or Salt Water, (Exception) to provide and keep a Vessel to receive the Brine, &c. and before beginning to make Salt to enter the same. Neglecting, &c. or removing or altering Vessels, &c. without Notice.

fervoir or Reservoirs, of his, her or their Pan or Boiler, Pans or Boilers, with Brine or other Preparation for making Salt; and that if any such Maker or Makers, or Refiner or Refiners, shall refuse or neglect to provide, fix, maintain or keep such Vat or Vats, Vessel or Vessels, Reservoir or Reservoirs as aforesaid, at his, her or their Salt Work, or shall at any time remove or alter such Vat or Vats, Vessel or Vessels, Reservoir or Reservoirs, or change the Position thereof, without previous Notice in Writing to such Supervisor of his, her or their Intention so to do, or shall begin to make Salt at his, her or their Salt Work before he, she or they shall have made Entry thereof in Writing as aforesaid with the proper Officer of Excise, he, she or they shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

Penalty 10c1.

Such Salt Makers and Refiners to give Notice of charging Pans or Boilers, and not to begin charging them within One Hour from Notice,

XII. And be it further enacted, That from and after the Day and Year last aforesaid, all and every such Maker or Makers of Salt, and Refiner or Refiners of Rock Salt as last aforesaid, shall, at least Six Hours before he, she or they shall begin to charge any Pan or Boiler with Sea Water, Brine or other Preparation for boiling or making Salt, convey and put such Sea Water, Brine or other Preparation into such Charging Vessel or Vessels, Reservoir or Reservoirs as aforesaid, and give to the Officer of Excise under whose Survey his, her or their Salt Work shall be, at least Five Hours' Notice in Writing of his, her or their Intention to charge such Pan or Boiler from such Charging Vessel or Vessels, Reservoir or Reservoirs, with the Sea Water, Brine or other Preparation then contained in such Charging Vessel or Vessels, Reservoir or Reservoirs, specifying therein the particular time and Hour at which he, she or they intends or intend to charge such Pan or Boiler; and if any such Maker or Makers, or Refiner or Refiners, shall not begin to charge his, her or their Pan or Boiler from such Charging Vessel or Vessels, Reservoir or Reservoirs as aforesaid, within the Space of One Hour after the particular time specified in such Notice for that Purpose, then such Notice shall be void, and every such Maker or Makers, and Refiner or Refiners, shall give a fresh and like Notice before he, she or they shall begin to charge his, her or their Pan or Boiler as aforesaid; and in case such Maker or Makers, or Refiner or Refiners shall neglect or refuse so to convey and put such Sea Water, Brine or other Preparations as aforesaid into such Charging Vessel or Vessels, Reservoir or Reservoirs at such time as aforesaid, or to give any such Notice as aforesaid; or having given a Notice which shall become void as aforesaid, shall neglect or refuse to give a fresh and like Notice; or if he, she or they shall, after having conveyed and put such Sea Water, Brine or other Preparations into his, or their Charging Vessel or Vessels, Reservoir or Reservoirs as aforesaid, and given such Notice as is in that Behalf before mentioned, remove or conceal any Part thereof, or run or convey any Part thereof into any Pan or Boiler before the proper Officer shall have taken an Account of the Quantity and Quality or Strength thereof as hereinafter mentioned; or if after such Officer shall have taken such Account thereof, any such Maker or Makers, Refiner or Refiners, shall put into such Charging Vessel or Vessels, Reservoir or Reservoirs, any Salt, Rock Salt or other Material by which such Sea Water, Brine or other Preparation therein may be strengthened or altered in Quality, or shall add to the same, or remove any Part thereof

otherwise Notice void, and fresh Notice.

Refiner neglecting or removing or concealing Brine, &c. before Officer shall have taken a previous Account both of the Quantity and Quality,

thereof otherwise than by charging such Pan or Boiler therewith at the time specified in such Notice, or shall put into or charge any Pan or Boiler with any Sea Water, Brine or other Preparation for making Salt, other than such as shall have been taken an Account of by the Officer in such Charging Vessel or Vessels, Reservoir or Reservoirs as aforesaid, he, she or they shall for each and every such Offence forfeit and lose the Sum of Fifty Pounds.

Exception,

Penalty 50l.

Officers to gauge Charging Vessel, and to take an Account of the Quantity and Quality of the Brine in the Charging Vessel. Harvey's Hydrometer.

XIII. And be it further enacted, That from and after the Day and Year last aforesaid, the Officer or Officers of Excise shall be and are hereby authorized and empowered, as soon as any such Charging Vessel or Reservoir as aforesaid shall be entered by any such Maker or Makers, or Refiner or Refiners as aforesaid, to gauge and measure the same, and accurately ascertain the Content or Capacity thereof, and shall and may at all time and times examine the Fluid or Fluids or other Materials put into or found in any such Vessel or Reservoir, and make Trial by a certain Instrument or Hydrometer called *Harvey's Hydrometer* of the Strength of any Sea Water, Brine or other Preparation that may be found or contained therein, and take a Sample or Samples thereof for that Purpose, not exceeding Half a Gallon; and that when and so often as any such Notice shall be given by any such Maker or Makers, or Refiner or Refiners, to charge his, her or their Pan or Boiler from such Vessel or Reservoir as aforesaid, such Officer or Officers shall and may take an Account of the Quantity of Sea Water, Brine or other Preparation for making Salt contained in such Charging Vessel or Reservoir, and make Trial by such Instrument as aforesaid of the Strength of such Sea Water, Brine or other Preparation therein; and if any such Maker or Makers, Refiner or Refiners, or other Person or Persons, shall obstruct or hinder any Officer or Officers in gauging any such Vessel or Reservoir, or in taking such Account as aforesaid, or use any Art, Means or Contrivance by which any Officer or Officers shall be hindered, obstructed or prevented in ascertaining and taking a true Gauge of any such Vessel or Reservoir, or a true Account of the Quantity of Sea Water, Brine or other Preparation which may at any time be contained in any such Charging Vessel or Reservoir, or in ascertaining by Trial the true Strength thereof as denoted by such Hydrometer as aforesaid, he, she or they shall for each and every such Offence forfeit and lose the Sum of Two hundred Pounds.

Obstructing Officer,

Penalty 200l.

Salt Dealers to make Entry, and keep Account of Salt exceeding Two Bushels fold, &c. and Salt exceeding Two Bushels to be accompanied upon Removal by a Certificate.

XIV. And be it further enacted, That all and every Dealer in, Retailer or Seller of Salt, shall make Entry at the nearest Office of Excise of his, her or their Warehouse, Storehouse, Cellar, Shop or other Place or Places in which he, she or they shall store, deposit or keep such Salt, and shall upon Demand receive from the proper Officer of Excise a Book or Books, to be prepared with proper printed Forms and Titles for the Purposes hereinafter mentioned, and kept by every such Dealer in, Retailer and Seller of Salt, in some public and open Part of his, her or their entered Premises; and that from and after the Tenth Day of *October* One thousand eight hundred and seventeen, no Salt exceeding Two Bushels at any one time shall be fold, sent out or delivered by any such Dealer in, Retailer or Seller of Salt, to any Person or Persons whatsoever, without being accompanied by a Certificate filled up and cut out progressively from the printed Forms of such Certificates contained in such

Book as aforesaid, signed by such Dealer in, Retailer or Seller of Salt, selling, sending out or delivering the same, or some Person or Persons on his, her or their Behalf, certifying the Date thereof, the Quantity of such Salt to whom sold, from whose Stock delivered, and that the Duty has been paid or secured to be paid thereon; and that the Dealer in, Retailer or Seller of Salt, selling, sending out or delivering any Salt exceeding Two Bushels as aforesaid, shall at the same time make a correspondent Entry thereof, containing the same Particulars, in such Book as aforesaid; and that such Book with such Entries so made therein as aforesaid shall at all times lie open and exposed in the entered Premises of such Dealer in, Retailer or Seller of Salt as aforesaid, to the Perusal of any Officer or Officers of Excise, and shall be delivered by such Dealer in, Retailer or Seller of Salt as aforesaid, to any Officer or Officers of Excise upon Demand; and if any Dealer in, Retailer or Seller of Salt shall refuse or neglect to make such Entry as aforesaid of all his, her or their Warehouses, Storehouses, Cellars, Shops and other Places for Storing or keeping Salt, or shall at any time obstruct or hinder any Officer or Officers of Excise from entering therein, or inspecting, surveying, weighing, or taking an Account of his, her or their Stock of Salt, or shall conceal any Part of such Salt from the Sight or View of the Officer or Officers, or shall sell, send out, or deliver any Quantity of Salt exceeding Two Bushels at any one time unaccompanied by such Certificate as aforesaid, or making such Entry in such Book as aforesaid, or shall convey away or conceal any such Book as aforesaid, or cancel, obliterate, destroy or tear out any Leaf or Leaves therefrom, or Entry or Entries therein, or shall make any false Entry or Entries therein, or shall oppose, molest, obstruct or hinder any Officer or Officers of Excise in inspecting any such Book or Books, or any such Entry or Entries therein as aforesaid, or shall at any time neglect or refuse when required, to give up to any Officer or Officers such Book or Books as aforesaid, all and every such Dealer in, Retailer or Seller of Salt, so offending, shall for every such Offence severally forfeit and lose the Sum of Two hundred Pounds; and all Salt exceeding Two Bushels, removing or removed without being accompanied by such Certificate as aforesaid, and all Salt found in the Possession of any Dealer in, or Retailer or Seller of Salt, or in any unentered Warehouse, Storehouse, Cellar, Shop or other Place of any Dealer in, or Retailer or Seller of Salt, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise, and the Person or Persons removing, carrying or conveying the same, or aiding or assisting therein, or in whose Custody the same shall be found, shall forfeit and lose the Sum of Fifty Pounds.

XV. And be it further enacted, That when and so often as any Salt or Rock Salt shall be weighed or delivered from any Salt Mine, Salt Work, Warehouse, Storehouse or other Place, from which it is to be removed, accompanied by any Permit or Permits, the Proprietor or Proprietors of such Salt or Rock Salt shall cause the Vessel or Carriage into which such Salt or Rock Salt shall be put or delivered to be immediately drawn off and removed with such Salt or Rock Salt from such Premises, to the Distance of at least One hundred Yards from any other Salt Work, Warehouse or Storehouse, and not again to return thereto with such Salt or Rock Salt or any Part

Book in which Account kept, open to Officer.

Dealer neglecting, &c. to make Entry, and otherwise offending as herein mentioned,

Penalty 200l. Salt removing without Certificate forfeited; and Penalty of 50l.

Loaded Carriages to be removed from Salt Warehouses, and not to return again.

Part thereof on board ; and if the whole Quantity of Salt or Rock Salt intended to be put into such Vessel or Carriage, shall not be delivered therein within the Hours allowed by Law for the Removal of Salt from any Warehouse, the Proprietor or Proprietors of such Salt or Rock Salt shall, at the Expiration of such lawful Hours, cause such Vessel or Carriage so in Part loaded to be drawn off and removed, with the Salt or Rock Salt therein, to such Distance as aforesaid, and to continue and remain so removed to such Distance as aforesaid until the Commencement of such lawful Hours on the following Morning, upon Pain of forfeiting all the Salt or Rock Salt so delivered as aforesaid, and Double the Amount of the Duties thereon ; and such Salt or Rock Salt shall and may be seized by any Officer or Officers of Excise : Provided always, that if at any time it shall be made to appear, to the Satisfaction of the Commissioners of Excise, that from the peculiar Situation or Construction of any such Salt Mine, Salt Work, Warehouse, Storehouse or other Place, the Salt or Rock Salt can be delivered therefrom, with sufficient Security to the Revenue arising from the Duties upon Salt, without any such Removal as aforesaid, it shall and may be lawful to and for such Commissioners to grant their Leave and Licence for the Salt or Rock Salt to be delivered therefrom without any such Removal as aforesaid, upon such Conditions as they may in that Behalf prescribe.

Carriages not having received the whole lading to be removed as herein mentioned.

Penalty.

Proviso for Licence from Commissioners to deliver Salt.

XVI. And be it further enacted, That it shall and may be lawful for any Rock Salt to be removed in any Flat, Barge, Boat, or other Vessel, or in any Waggon, Cart or other Carriage, in which any Salt shall be put or laid, except as hereinafter mentioned : Provided always, that no Crushed Rock Salt or Crushed Salt, commonly called or known by the Name or Description of Fused or Solid Salt, or Coloured or Dyed Salt, delivered Duty free for the Use of the Fisheries, shall after the Month of *April* in the Year One thousand eight hundred and eighteen, be removed in any Flat, Barge, Boat or other Vessel, or in any Waggon, Cart or other Carriage, in which any Salt of any other Description, or uncrushed Rock Salt, shall be put or laid ; and that no White Salt delivered Duty free for the Use of the Fisheries shall be removed in any Flat, Barge, Boat or other Vessel, or in any Waggon, Cart or other Carriage, in which any Salt for any other Purpose, after the Month and Year last aforesaid, or of any other Description, or Rock Salt shall be put or laid ; and that no Salt delivered Duty free for any Purpose whatsoever shall be removed in any Flat, Barge, Boat or other Vessel, or in any Waggon, Cart or other Carriage, in which any Salt Duty paid for Home Consumption shall be put or laid, on Pain of forfeiting all the Salt or Rock Salt so found removing contrary to the Directions of this Act ; and the same, together with the Package containing any such Salt or Rock Salt respectively, and the Boat, Barge or other Vessel containing the same, shall and may be seized by any Officer or Officers of the Customs or Excise.

Descriptions of Salt which may not be removed in the same Vessel or Carriage with Rock Salt, &c.

Penalty.

XVII. And be it further enacted, That the Request Note to be made and delivered according to the Directions of the said Act, for a Permit for the Removal of any Salt or Crushed Rock Salt for the Use of the Fisheries, shall, in addition to the Particulars required by the said Act of the Thirty-eighth Year aforesaid, specify whether the same be White Salt, or Coloured or Dyed Salt, or Crushed Salt,

Request Notes, Permits and Bonds to express the different Descriptions and Quantities or Weights of Salt,

in addition to
Particulars re-
quired by
38 G. 3. c. 89.

commonly called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt, and the Weight or Quality and Condition of each respectively; and all and every Permit to be granted, and Bond to be given, for the Removal of any Salt or Crushed Rock Salt for the Use of the Fisheries, shall, in addition to the Particulars required by the said Act, express the Quantity or Weight of White Salt, or Coloured or Dyed Salt, or Crushed Salt, commonly called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt, to be removed or sent away; and if any Coloured or Dyed Salt, or Crushed Salt, commonly called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt be removed or sent away without such Request-Note and Permit respectively, specifying such Particulars as aforesaid, the same shall be forfeited, and shall and may be seized by any Officer or Officers of Excise.

38 G. 3. c. 89.
§ 83.

‘ XVIII. And Whereas by the said Act, made in the Thirty eighth Year of His present Majesty, all and every
‘ Master or Commander of any Ship or Vessel, in or on board of
‘ which any Salt or Rock Salt shall be carried or transported or con-
‘ veyed from One Port or Place in *Great Britain* to another Part
‘ thereof, shall, before he shall begin to unship or land any Part of
‘ the Salt or Rock Salt in or on board of such Ship or Vessel, pro-
‘ duce to and leave with the proper Officer of Excise who shall be
‘ appointed or employed to receive the same, a true and authentic
‘ Permit, or true and authentic Permits, for such Salt or Rock
‘ Salt, and shall make Oath before such proper Officer of Excise,
‘ that to the best of his Knowledge and Belief no Salt or Rock
‘ Salt hath been laid on board of, or put or taken into his Ship or
‘ Vessel since she departed or sailed from the Port or Place at which
‘ the Salt or Rock Salt mentioned in such Permit or Permits was
‘ shipped, and that he verily believes no Salt or Rock Salt what-
‘ soever hath been laid on board, or put or taken into such Ship or
‘ Vessel, save and except such as is mentioned and specified in the
‘ Permit or Permits, then and at the time of making such Oath pro-
‘ duced to and left with such Officer as aforesaid; which Oath has
‘ been found insufficient for the good Purposes thereby intended;’

Master or Com-
mander of Ves-
sels before land-
ing Salt to make
Oath that no
Part of such
Salt has been
removed or
taken out of
such Vessel
during the Voy-
age.
Exception.

Be it further enacted, That all and every such Master or Com-
mander shall in every such case as aforesaid, before he shall begin to
unship, land or tranship any Part of the Salt or Rock Salt, in or on
board of any such Ship or Vessel, make further Oath before such
Officer of Excise as aforesaid (which Oath such Officer is hereby
authorized and empowered to administer), that to the best of his
Knowledge and Belief no Salt or Rock Salt shipped or taken on
board of such Ship or Vessel has been unshipped, transhipped, re-
moved, or taken out of such Ship or Vessel, from the time such Salt
or Rock Salt or any Part thereof, was taken on board of such Ship
or Vessel, except so much as has been delivered under Permit first
given by some Officer or Officers of Excise, and in his Presence, or
except in case of some inevitable Accident or Necessity, to be stated
by such Master or Commander in such Oath; and that no Water
or other Liquid or Material has been put or thrown into or amongst
the Salt in such Vessel, or any Part thereof; and if any such Master
or Commander shall refuse or neglect to make such further Oath as
aforesaid, or shall put or cause or suffer to be put any Water or
other

Neglecting, &c. to
make such Oath,

other Liquid or Material into or amongst any such Salt, he shall forfeit and lose the Sum of Fifty Pounds.

XIX. And be it further enacted, That if there shall be delivered out of any Ship, Flat, Boat, Barge or other Vessel used or employed for carrying or removing Salt or Rock Salt, delivered Duty free on her Arrival at the Place of her Destination, a less Quantity of Salt or Rock Salt than was respectively loaded on board thereof for any such Removal as aforesaid, the Master or other Person commanding such Ship, Flat, Boat, Barge or other Vessel, shall forthwith pay to the nearest Collector of Excise the full Amount of the Duty of Fifteen Shillings for every Bushel of the Salt or Rock Salt respectively so deficient, and so in proportion for any less Quantity; and such Ship, Flat, Boat, Barge or other Vessel shall and may be seized and detained by any Officer of Customs or Excise in the United Kingdom of *Great Britain* and *Ireland* until the same shall be paid, and also all Expenses attending or occasioned by such Seizure and Detention: Provided always, that no such Duty shall be demanded or paid, or any such Detention be made for any Quantity of Salt or Rock Salt so deficient as aforesaid, in cases entitled to Relief under the Provisions of this Act; and provided that no such Detention shall be made of any Flat, Boat, Barge or other Vessel removing Salt or Rock Salt from the Salt Mines or Salt Works in the Counties of *Chester* or *Lancaster* or *Liverpool*.

XX. And be it further enacted, That in all cases where any Salt or Rock Salt shall or may be shipped without Payment of Duty, upon Bond, to be removed or carried Coastwise, or from *Great Britain* to *Ireland*, or the Islands of *Guernsey*, *Jersey*, *Sark*, *Alderney* or *Man*, which Bonds, by the Laws now in force, are respectively to be discharged upon the Production of a Certificate from the proper Officer or Officers at the Port or Place to which such Salt or Rock Salt shall be sent or removed, of the due Delivery or Receipt and weighing out of such Salt or Rock Salt according to the Condition of each such Bond respectively, a Duplicate of such Certificate shall be, immediately on the Delivery or Receipt and weighing out of such Salt or Rock Salt transmitted by Post by the Officer or Officers who is or are by Law to grant the same to the Officer with whom such respective Bond is lodged, and who is authorized to discharge and cancel such Bond, and such Officer or Officers, upon the Receipt of such Duplicate Certificate, and upon Payment to him by the Obligor or Obligors of such Bond, his, her or their Agent, of all Expenses of Postages, or otherwise occasioned thereby, shall discharge and cancel such Bond: Provided always, that such Bond shall not be cancelled unless the Certificate so received be for the whole Quantity of Salt or Rock Salt for which such Bond shall have been given, but such Certificate shall be taken and received for so much Salt or Rock Salt only as shall be therein respectively expressed in Words at Length to have been delivered, received and weighed out according to the Condition of such Bond.

XXI. And Whereas it is expedient to repeal the several Duties of Customs imposed on Foreign Salt imported into *Great Britain* by any Law or Laws now in force, and to impose other Duties of Excise in lieu thereof; Be it therefore enacted, That all and every such Duty and Duties of Customs imposed on Foreign Salt imported into *Great Britain*, by any Act or Acts in force at or immediately

Penalty 50l.

Vessels delivering less than their permitted Cargoes of Salt to be detained until Duty be paid upon the Deficiency, and Expenses of Detainer.

Proviso for certain cases in which such Duty is not to be demanded, &c.

Where Salt shipped Coastwise, &c. on Bond, Certificates for Discharge of Bonds to be transmitted from Officer giving Certificate to Officers with whom Bond lodged; who upon Receipt of Duplicate Certificate and Payment of Expenses is to cancel such Bond.

Proviso.

Duties on Foreign Salt imported, repealed.

mediately before the passing of this Act, shall be and the same is and are hereby repealed, (save and except in all cases relating to the recovering, allowing or paying any Arrears thereof respectively 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 at the passing of this Act.

38 G. 3. c. 89.
§ 12.

‘ XXII. And Whereas it is enacted by the said Act, made in the Thirty eighth Year of His present Majesty’s Reign, that it shall and may be lawful to and for any known Fish Curer or Fish Curers to import and lodge in his, her or their entered Warehouses, free of the Duty by that Act imposed for or in respect of Foreign Salt, and for the sole Purpose of curing and preserving Fish, any Quantity of Foreign Salt, not less than Fifty Bushels at one time, upon the Terms and Conditions, and under, subject and according to the several Rules, Regulations, Restrictions and Provisions thereinafter provided and established for or in respect of *British* Salt, sent or delivered to Fish Curers free of Duty, for the Purpose of curing and preserving Fish; provided that such Foreign Salt so to be employed and consumed in curing and preserving Fish should be duly and fairly entered with the proper Collector of Excise upon the Importation thereof, and weighed and transhipped, or weighed and landed and warehoused, as the case may require, in the Presence and with the Concurrence of the proper Officer of Excise at the Port of Importation: And whereas it is expedient that Foreign Salt so imported for the sole Purpose of curing and preserving Fish should be subject to a small Duty of Excise to be paid and payable for the same in lieu of the Customs Duties hereby repealed, and which have heretofore been payable and paid for the same;’ Be it therefore enacted, That from and after the passing of this Act, in lieu and instead of the Duties of Customs by this Act repealed, there shall be raised, levied, collected and paid, unto His Majesty, His Heirs and Successors, the Rate and Duty of Excise hereinafter mentioned; that is to say, for every Bushel of Foreign Salt of Fifty six Pounds Weight which shall be imported from beyond the Seas into *Great Britain*, for the sole Purpose of curing and preserving Fish, Three pence to be paid by the Importer before the landing thereof: Provided always, that all such Foreign Salt shall be imported, warehoused, used, applied and accounted for upon the several Terms and Conditions, and under and subject to the several Rules, Regulations, Restrictions and Provisions hereinbefore recited, and such as may be provided and established by Law, for or in respect of White Salt sent or delivered to or for the Use of Fish Curers, free of Duty, for the Purpose of curing and preserving Fish.

Foreign Salt imported for the sole Purpose of curing Fish, to pay 3d. per Bushel Excise Duty.

Such Foreign Salt to be imported subject to the recited Restrictions.

Duties and Drawbacks of Excise on Mineral Alkali or Flux for Glass made in G. B. repealed;

‘ XXIII. And Whereas it is expedient that the Duties and Drawbacks of Excise now payable in respect of Mineral Alkali, or Flux for Glass made in *Great Britain*, should be repealed, and that another Duty of Excise should be imposed in respect thereof;’ Be it therefore enacted, That from and after the Fifth Day of *July* One thousand eight hundred and seventeen, the several Duties of Excise now payable by Law in respect of Mineral Alkali or Flux for Glass made in *Great Britain* shall cease and determine, and be no longer paid or payable, save and except in all cases relating to the recovering, allowing or paying any Arrears thereof respectively which may

at

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 Fifth Day of *July* One thousand eight hundred and seventeen.

XXIV. And be it further enacted, That from and after the said Fifth Day of *July* One thousand eight hundred and seventeen, in lieu and instead of the Duties on Mineral Alkali or Flux for Glass by this Act repealed, there shall be raised, levied, collected and paid, unto His Majesty, His Heirs and Successors, the Rate and Duty of Excise hereinafter mentioned; that is to say, for every Ton of all Mineral Alkali called Soda, or by whatever other Name or Names the same is or hereafter may be known or called, made in *Great Britain*, or made in *Ireland*, and imported from thence into *Great Britain*, from whatever Materials or Ingredients the same may be made or extracted, Thirty Shillings.

XXV. And for avoiding Disputes as to what Substances shall be liable to such Duty, be it further enacted, That the said Duty shall attach and be paid upon all such Alkali as aforesaid, and upon all Substances, Materials and Preparations containing such Alkali, and which are or shall be employed or made for use in any Manufacture or Manufactures for or on account of any Alkali therein contained: Provided always, that all Black Ashes or Materials made at any entered Alkali Work, and used by or sold or delivered to any Soap Maker for making Soap, and containing not more than Ten *per Centum* of such Alkali, to be ascertained by an average Sample taken for that Purpose by the Surveying Officer, may be so used or sold or delivered at or from such entered Works, without Payment of the Duty hereby imposed; and that if any such Ashes or Materials shall be so used, sold or delivered without Payment of Duty, which shall contain more than Ten *per Centum* of such Alkali, all such Materials shall be forfeited, and shall and may be seized by any Officer or Officers of Excise, and the Person or Persons removing, using, selling or delivering the same shall forfeit and lose the Sum of One hundred Pounds.

XXVI. And be it further enacted, That all and every Person and Persons, before he, she or they shall presume to begin to make or manufacture any Mineral Alkali, commonly called or distinguished or known by the Description of Soda, or any Substance, Material or Preparation containing such Alkali, and which are or shall be employed or made for Use in any Manufacture or Manufactures for or on account of any Alkali therein contained, shall from time to time make true and particular Entry in Writing of every Workhouse, Warehouse, Storehouse, Room and other Place, and also of every Utensil and Vessel by him, her or them respectively intended to be made use of in or for the making or keeping of such Alkali, or any Materials proper to be made into such Alkali, at the Office of Excise within the Compass or Limits whereof such Workhouse, Warehouse, Storehouse, Room, and other Place respectively shall be situate; and if any such Person or Persons shall begin to make any such Alkali without first making such Entry, he, she or they shall for every such Offence forfeit the Sum of One hundred Pounds, together with all such Alkali, and all the Materials proper to be made into such Alkali, and all the Utensils and Vessels used in making the same which shall at any time be found in any Workhouse, Warehouse, Storehouse,

and instead of the said Duties, a Duty of 30s. per Ton.

Substances described liable to the Alkali Duty.

If sold, &c. from entered Works without Payment of Duty, &c. Seizure and Penalty 100l.

Alkali Makers to make Entry of their Works.

Penalty 100l. and Forfeiture of the Alkali, &c.

Storehouse, Room or other Place used in or for the making or keeping of such Alkali whereof no such Entry shall be made.

Proviso for Kelp made in G. B.

XXVII. And be it further enacted, That nothing in this Act shall extend or be construed to extend to the Manufacture of Kelp made in any Part of *Great Britain*, by the Incineration of Marine Plants.

Makers of Alkaline Preparations containing Soda as herein described not liable to the Survey of Officers of Excise, on certain Conditions.

XXVIII. And be it further enacted, That no Maker or Manufacturer of Soda or any Alkaline Preparation containing Soda according to the Directions mentioned or prescribed in or by the Pharmacopeias of the Royal College of Physicians of *London*, *Edinburgh* or *Dublin*, not exceeding Ten hundred Weight in any Quarter of a Year, shall, with respect to such Soda or Alkaline Preparations, be subject to the ordinary periodical Surveys of the Officers of Excise, or to the several Regulations on the time and manner of making Alkali, contained in this or in any other Act or Acts of Parliament relating thereto, provided such Maker or Manufacturer shall make due Entry of his Works, and shall on or within Ten Days after the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* respectively, in every Year, make a Return in Writing to the Commissioners of Excise, at the Chief Office of Excise in *London* or *Edinburgh* respectively, or to the Collector of Excise in whose Collection his, her or their entered Works shall be situate, of the whole Quantity of Soda and Alkaline Preparations containing Soda sold by him, her or them in the Quarter of the Year preceding, and verify the same by the Oath or Affirmation of him, her or them, or of his, her or their Foreman or Manager (which Oath and Affirmation the said Commissioners and Collectors are hereby respectively empowered to administer), and shall thereupon pay to such Commissioners or Collectors as aforesaid the full Duty on the Quantity of such Soda and Alkaline Preparations as aforesaid mentioned in such Account, and according to the Rate aforesaid.

47 G. 3. Seff. 2. c. 30. § 5.

XXIX. And Whereas by an Act made in the Forty seventh Year of the Reign of His present Majesty, intituled *An Act to amend several Laws of Excise in Great Britain relating to the Duties on Salt, Soap, Paper, Coffee, Cocoa Nuts, Spirits and Glafs, and for restoring Seizures in certain cases*, Sixpence of the Duty of Excise of Two Shillings and Sixpence for every Hundred Weight of salted Beef or Pork, or of Bacon brought by Land from *Scotland* to *England*, granted by an Act made in the Forty third Year of the Reign of His present Majesty, intituled *An Act to repeal the Duties of Excise payable in Great Britain, and to grant other Duties in lieu thereof*, was from and after the Tenth Day of *October* One thousand eight hundred and seven repealed: And Whereas it is expedient that the said Duty should be reduced to One Shilling and Sixpence per Hundred Weight; Be it therefore enacted, That from and after the Fifth Day of *July* One thousand eight hundred and Seventeen, Sixpence more of the said Duty of Two Shillings and Sixpence for every Hundred Weight of salted Beef or Pork or of Bacon brought by Land from *Scotland* to *England*, granted by the said Act made in the Forty third Year of the Reign aforesaid, shall cease and determine, save and except as to any Arrears thereof; and that from and after the said Fifth Day of *July* One thousand eight hundred and seventeen the Sum of One Shilling and

43 G. 3. c. 69.

Salted Beef, Pork or Bacon brought by Land from *Scotland* to *England* subject to a Duty of only 1s. 6d. per Cwt.

and Sixpence only of the said Duty shall be paid or payable upon and for every Hundred Weight of salted Beef, Pork or Bacon so brought as aforesaid.

XXX. And be it further enacted, That such of the Duties by this Act imposed as shall arise in that Part of *Great Britain* called *England* shall be under the Management of the Commissioners of Excise in *England* for the time being; and such thereof as shall arise in that Part of *Great Britain* called *Scotland* shall be under the Management of the Commissioners of Excise in *Scotland* for the time being.

Duties under Commissioners of Excise.

XXXI. And be it further enacted, That all the Monies arising from 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 shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Duties carried to Consolidated Fund.

XXXII. And be it further enacted, That the said several Duties shall be respectively raised, levied, collected, recovered and paid in such and the like manner, and in or by any of the general or special Means, Ways or Methods by which the Duties of Excise on Salt and Mineral Alkali respectively are or were or might be raised, collected, recovered and paid; and the said Person's Goods, Wares, Merchandize or Commodities so by this Act respectively made liable to the Payment of or chargeable with the said Duties respectively imposed, shall be and the same are hereby made subject and liable to all and every the Conditions, Regulations, Rules, Restrictions and Forfeitures to which the Makers or Refiners of Salt and Rock Salt, and Makers of Mineral Alkali respectively, and the Materials for making the same, are or shall be generally or specially subject and liable; and all and every Pain, Penalty, Fine or Forfeiture of any Nature or Kind whatever, for any Offence whatever committed against or in Breach of any Act or Acts of Parliament for securing the Revenue of Excise on Salt and Mineral Alkali respectively, or other Duties under the Management of the said Commissioners of Excise respectively, 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 said several Duties of Excise respectively hereby charged and imposed, in as full and ample manner to all Intents and Purposes whatsoever as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Pains, Penalties or Forfeitures were particularly repeated and re-enacted in the Body of this Act.

Duties how to be levied.

To what Penalties are to extend, and how to be levied.

XXXIII. And be it further enacted, That if any Crushed Rock Salt delivered from any Salt Mine or Salt Pit for Exportation, upon the low Duty of One Penny for every Bushel thereof, shall upon its Arrival at the Port of Exportation be entered for Exportation to *Newfoundland*, the *Gulf of Saint Lawrence*, or the *Isle of Man*, for the Use of the Fisheries, and Oath shall be then and there taken by the Exporter thereof that such Rock Salt is intended to be exported to *Newfoundland*, the *Gulf of Saint Lawrence*, or the *Isle of Man* respectively, for such Purpose only, (which Oath the Collector of Excise of such Port is hereby authorized to administer,) the Officer of Excise granting a Certificate for the Discharge of the Bond given

What Crushed Rock Salt may on Oath be exported to Newfoundland, &c. or the Isle of Man, for the Use of the Fisheries, free of Duty.

for

Certificate what to specify.

Undue Exportation.

Penalty.

38 G. 3. c. 89.
§ 99.

repealed.

No Fish Curer to sell Salt or deliver any Part of his Stock of Salt or Rock Salt received Duty free to any other Fish Curer. Exception.

Penalty fool.

Entered Fish Curers selling, sending out, transferring or delivering Salt or Rock Salt to other entered Fish Curers, to deliver a Certificate, and enter the Particulars in the Book to be kept upon the Premises.

for the Removal of such Crushed Rock Salt to such Port, and for the Shipment thereof for Exportation, shall specify in such Certificate such Entry and Oath as aforesaid, whereupon the Proprietor or Proprietors of the Salt Mine or Pit from which such Crushed Rock Salt shall have been delivered as aforesaid, shall be wholly freed and discharged from the Payment of the said low Duty of One Penny for every Bushel of such Crushed Rock Salt as shall be so shipped and exported to *Newfoundland*, the *Gulf of Saint Lawrence*, or the *Isle of Man*, for such Purposes as aforesaid; and if any such Crushed Rock Salt, of which such Entry and Oath shall be so made as aforesaid, shall not be exported as aforesaid, or shall be exported to any other Port or Place, or used or employed for any other Purpose than as aforesaid, the same shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and the Person or Persons in such case offending shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

‘ XXXIV. And Whereas by the said Act made in the Thirty eighth Year of the Reign of His present Majesty, any Fish Curer or Fish Curers, who, under and according to the Directions contained in that Act, shall have received into his, her or their Custody or Possession any Salt free of Duty for the Purpose of curing and preserving Fish, may deliver any Part thereof into the Custody or Possession of any other known and entered Fish Curer under the Terms and Conditions mentioned in the said Act: And Whereas it is expedient to repeal the said recited Provision in the said Act;’ Be it therefore enacted, That from and after the Fifth Day of *July* One thousand eight hundred and seventeen the said last recited Provision of the said Act shall be and the same is hereby repealed; and that from and after the said Fifth Day of *July* One thousand eight hundred and seventeen, no Fish Curer or Fish Curers shall sell or deliver Salt or Rock Salt for Home Trade or Consumption, or shall sell, exchange, transfer or deliver, or cause or suffer to be sold, exchanged, transferred or delivered, any Part of his, her or their Stock of Salt or Rock Salt received Duty free for curing and preserving Fish, to any other Fish Curer or Fish Curers, except as hereinafter mentioned, or to any other Person or Persons whatsoever, upon any Consideration or Pretence whatever, upon Pain of forfeiting for each and every such Offence the Sum of One hundred Pounds; any thing in any other Act or Acts to the contrary thereof notwithstanding.

XXXV. And be it further enacted, That there shall be delivered by the proper Officer of Excise, to all and every entered Fish Curer and Fish Curers, a Book or Books to be prepared with proper printed Forms and Titles for the Purposes hereinafter mentioned, and kept by every such entered Fish Curer and Fish Curers in some public and open Part of his, her or their entered Premises; and that from and after the Fifth Day of *July* One thousand eight hundred and seventeen, it shall and may be lawful for all and every entered Fish Curer and Fish Curers to sell, transfer or deliver over to any other entered Fish Curer and Fish Curers all or any Part of his, her or their Stock of Salt or Rock Salt received Duty free for curing Fish; provided that no such Salt or Rock Salt shall be sold, sent out, transferred, delivered or exchanged by any such Fish Curer or Fish Curers, to or with any other entered Fish Curer or Fish Curers, without being accompanied by a Certificate filled up and cut out profess-

progressively from the printed Forms for such Certificates contained in such Book as aforesaid, signed by such entered Fish Curer sending out or delivering the same, or some Person on his, her or their Behalf, certifying the Day and Hour of such sending out, the Quantity and Quality of such Salt or Rock Salt, from what Place and from whose Stock, and to what Place and to whose Stock the same is sent, and by what Mode of Conveyance; and that such Certificate shall be delivered with such Salt or Rock Salt to the Fish Curer or Fish Curers, and at the Place to which such Salt or Rock Salt is in such Certificate mentioned to be sent; and that the entered Fish Curer or Fish Curers selling, sending out, transferring or delivering any such Salt or Rock Salt as aforesaid, shall at the same time make a correspondent Entry thereof, containing the same Particulars, in such Book as aforesaid; and that the Fish Curer or Fish Curers to whom such Salt or Rock Salt shall be sent and delivered as aforesaid, shall enter in the daily Account required by this Act to be kept by every Fish Curer, and on the said Certificate, the Day and Hour when such Salt or Rock Salt was received by him, her or them, into his, her or their Stock, at the Place mentioned in such Certificate, and shall deliver such Certificate to his, her or their surveying Officer, on his next Survey of his, her or their Premises; and that every such Book, with such Entries so made therein as aforesaid, shall at all times be open and exposed in the entered Premises of every Fish Curer and Fish Curers as aforesaid to the Perusal and Examination of any Officer or Officers of Excise surveying the said Premises, and shall be delivered by every such Fish Curer and Fish Curers to any Officer or Officers of Excise upon Demand; and if any such Fish Curer or Fish Curers as aforesaid shall at any time sell, send out, transfer, deliver or exchange any Salt or Rock Salt to any other entered Fish Curer or Fish Curers as aforesaid, without sending therewith and delivering such Certificate as aforesaid, and making such Entry in such Book as aforesaid, or shall convey away or conceal any such Book or Books, or cancel, obliterate, alter, destroy or tear out any Leaf or Leaves therefrom, or Entry or Entries therein, or make any false Entry or Entries therein, or shall oppose, molest, obstruct or hinder any Officer or Officers of Excise in inspecting or examining any such Book or any such Entry or Entries therein as aforesaid, or shall at any time neglect or refuse when required to give up to any Officer or Officers such Book or Books as aforesaid, all and every such entered Fish Curer or Fish Curers as aforesaid so offending shall for every such Offence severally forfeit and lose the Sum of One hundred Pounds; and if any such Salt or Rock Salt be found removing or removed without such Entry or Certificate as aforesaid, or not corresponding in Weight, Quantity, Quality and Description with the same, or in a different manner or in a different Course or Direction than directly from and to the respective Stocks mentioned in such Certificate accompanying the same, all such Salt or Rock Salt, together with the Vessels, Carriages and Cattle made use of in the removing or conveying the same shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and the Person or Persons offending, or in whose Custody or Possession such Salt or Rock Salt shall be found, shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

Fish Curer to whom such Salt delivered to enter the Day and Hour when received.

Such Book to be open to Officer.

Concealing or cancelling, &c. such Book, or opposing Officer, &c.

Penalty 100l.

Removing Salt without Certificate, &c.

Salt Carriages, &c. forfeited, and

Penalty 100l.

XXXVI. And

Coloured and
Crushed Salt
may be delivered
to Fish Curers.

Exception.
Such Salt to be
approved by
Officer.

Proviso for
Entry to be
made by Fish
Curer.

Bushel of Cruth-
ed Rock Salt
56lbs.

Warehouses may
be provided by
Refiners for
keeping Crushed
Rock Salt not
less than 100
Yards from Re-
fineries, and they
may sell such Salt
to Fish Curers.

Regulations as to
Built, Doors,
Chimneys, Win-
dows, &c. of
such Wage-
houses, &c.

XXXVI. And be it further enacted, That it shall and may be lawful for any Maker or Makers of Salt, Refiner or Refiners of Rock Salt, or Proprietor or Proprietors of any Salt Work, to deliver from and out of his, her or their Warehouse, Storehouse, Loft or other Place belonging and adjoining to any Salt Work, any Quantity of Coloured or Dyed Salt, and Crushed Salt, commonly called or known by the Name or Description of Fused or Solid Salt, or for any Proprietor or Proprietors of any Salt Mine or Salt Pit to deliver from and out of his, her or their Mine or Pit any Crushed Rock Salt for the Use of the *British* Fisheries, to be removed, carried, conveyed and delivered to any Fish Curer, under such Bonds, and under and subject to all and every such Provisions and Regulations as are prescribed, provided and contained in the said several Acts now in force, or any of them, with respect to Salt delivered by such Person or Persons for the Use of the Fisheries, except so far as the same may be specially altered by this Act: Provided always, that no such Coloured or Dyed Salt, or Crushed, Fused or Solid Salt, or Crushed Rock Salt, shall be delivered as aforesaid, except such only as shall be approved of for that Purpose in Writing by the proper Officer of Excise of the Division or District from which the same shall be delivered and removed as aforesaid, who shall be appointed by the Commissioners of Excise to inspect such Salt and Rock Salt respectively; and provided that no Crushed Rock Salt, Crushed, Fused or Solid Salt, or Coloured or Dyed Salt, shall be delivered to any Fish Curer after the Month of *April* One thousand eight hundred and nineteen, who shall not make Entry to use Coloured or Dyed Salt, and Crushed, Fused or Solid Salt, and Crushed Rock Salt only, for curing and preserving Fish, or shall after the time last aforesaid have any Duty-free White Salt in his, her or their Custody or Possession for that Purpose.

XXXVII. And be it further enacted, That every Bushel of Crushed Rock Salt delivered Duty-free shall consist of Fifty six Pounds Weight only.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for any Refiner or Refiners of Rock Salt, residing at or near any Place situate upon or near any of the Sea Coasts of *Great Britain*, and not being within the said Counties of *Chester* or *Lancaster* respectively, to provide or erect and make use of a Warehouse or Warehouses, Storehouse or Storehouses, situate not less than One hundred Yards from his, her or their Refinery or Refineries, and the Warehouse and Warehouses and Cellars thereunto belonging, for the Purpose of laying, storing or keeping therein Crushed Rock Salt delivered Duty free, and intended for the Use of the *British* Fisheries, and to receive and lay such Crushed Rock Salt therein, and from time to time to sell and deliver the same or any Part thereof to any entered Fish Curer or Fish Curers only for curing Fish: Provided always, that every such Warehouse or Warehouses, Storehouse or Storehouses, shall be substantially and securely built or constructed; and that no such Warehouse or Warehouses, or Storehouse or Storehouses, shall have more than One Door or Entrance into the same, nor any Chimney therein, or any Window or other opening, except such Door as aforesaid, within Six Feet of any Part of the Ground; and that there be no Communication between such Warehouse or Warehouses, Storehouse or Storehouses, and any other Building or Place

Place whatever: Provided also, that no such Warehouse or Warehouses, Storehouse or Storehouses shall be made use of for the laying, storing or keeping (at one and the same time) of any Salt or Rock Salt, except Crushed Rock Salt for the Use of the *British* Fisheries, nor any such Rock Salt, until Entry in Writing of such Warehouse or Warehouses, Storehouse or Storehouses shall have been made at the next Office of Excise, by the Owner or Owners, or Proprietor or Proprietors thereof, and such Warehouse or Warehouses, Storehouse or Storehouses, shall have been first approved of in Writing by and under the Hand of the Supervisor of Excise of the District in which such Warehouse or Warehouses, Storehouse or Storehouses shall be situate; and that such Crushed Rock Salt shall be received by such Proprietor or Proprietors of such Warehouse or Warehouses, Storehouse or Storehouses, under the like Bond or Security, and received, sold, or delivered as aforesaid under the like Regulations and Conditions, and subject to the like Pains, Penalties and Forfeitures in all Respects, as in this or any other Act or Acts not herein expressly altered is or are contained and directed for or on Behalf of Salt received or delivered, sold or transferred, by any Fish Curer for curing Fish, or by one Fish Curer to another Fish Curer; and if any such Rock Salt delivered for the Use of the Fisheries, to be laid, stored or kept in any such Warehouse or Warehouses, Storehouse or Storehouses as aforesaid, shall be lodged and deposited in any such Warehouse or Warehouses, Storehouse or Storehouses, of which such Entry shall not have been previously made as aforesaid, or which shall not have been previously approved of in Writing by and under the Hand of the Supervisor of Excise of the District in which the same shall be situate, and not afterwards disapproved of by such Supervisor, all such Rock Salt so lodged and deposited as aforesaid, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise, any thing in this Act contained to the contrary notwithstanding; and if any Proprietor or Proprietors of any such Warehouse or Warehouses, Storehouse or Storehouses, or Cellar or Cellars shall sell, exchange, transfer, deliver, consume or employ any Part of the Crushed Rock Salt sent to be lodged in any such Warehouse or Warehouses, Storehouse or Storehouses, or lodged or deposited therein for such Purpose as aforesaid, for any other or different Purpose or manner than as aforesaid, he, she or they shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Entry of such Warehouses, &c.

Such Crushed Rock Salt liable to Regulations as herein mentioned.

Lodging such Salt in Warehouses not entered,

Such Salt may be seized.

Owner of Warehouse selling such Salt for other Purposes,

Penalty 200l.

Fish Curers receiving White Salt Duty free, or other Persons herein described, who shall be found with Coloured or Crushed Salt, or not entering and giving Bond for Warehouse, &c.

XXXIX. And be it further enacted, That no Fish Curer or Fish Curers who shall at any time after the Month of *April* One thousand eight hundred and nineteen receive, have or take into his, her or their Custody or Possession any White Salt delivered Duty free for curing or preserving Fish, shall have, receive or take into his, her or their Custody or Possession any *British* Coloured or Dyed Salt, or any Crushed Salt, called or known by the Name or Description of Fused or Solid Salt, or any Crushed Rock Salt; and if any Fish Curer or Fish Curers who shall at any time after the time last aforesaid receive, have or take into his, her or their Custody or Possession any White Salt delivered Duty free for curing or preserving Fish; or if any other Person or Persons, not making Entry and giving Bond as hereinbefore mentioned for any such Warehouse as aforesaid, or not being a Fish Curer or Fish Curers, and making

Entry and giving Bond as hereinafter mentioned for the Receipt and Use of Coloured or Dyed Salt, or Crushed Salt, called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt for curing and preserving Fish, or not being a Glass Maker, or Maker of oxygenated Muriatic Acid, or Oxymuriate of Lime, shall have, receive, or take into his, her, or their Custody or Possession any *British* Coloured or Dyed Salt, or any Crushed Salt called or known by the Name or Description of Fused or Solid Salt, or any Crushed Rock Salt (not being delivered and shipped for and in the Course of Exportation), all such Salt or Rock Salt respectively shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and such Fish Curer or Fish Curers, or other Person or Persons as aforesaid, shall for each and every such Offence forfeit and lose the Sum of Five hundred Pounds: Provided always, that in the Month of *May* One thousand eight hundred and eighteen, and in the Month of *May* One thousand eight hundred and nineteen respectively, all and every Fish Curer and Fish Curers who shall have in the Year and before the Month of *April* preceding received or used both Coloured or Dyed, or Crushed, Fused, or Rock Salt, and also White Salt, shall account for all Dyed or Coloured Salt, and all Crushed, Fused, or Rock Salt received in the preceding Year, under the same Rules, Restrictions, Regulations and Allowances as are provided by Law with respect to White Salt delivered Duty free for the Fisheries.

Penalty 500l.

Fish Curers having previous to April preceding received, &c. Coloured, &c. Salt, to account in May 1818 and 1819.

Fish Curers who have entered Premises for Coloured Salt or Crushed Rock Salt, and given Bond, to account in manner herein mentioned,

XL. And be it further enacted, That it shall and may be lawful for any Fish Curer or Fish Curers who shall make Entry of his, her or their Premises for the Receipt of only *British* Coloured or Dyed Salt, or Crushed Salt, called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt, for curing and preserving Fish, and who shall give Bond or Security, to be approved of by the Commissioners of Excise, or the Person or Persons who shall be appointed or employed by them for that Purpose, in Treble the Value of the Duty of all such Salt or Rock Salt which he, she or they shall then intend to receive, or have in his, her or their Custody or Possession in the Year ensuing the giving of such Bond or Security, that he, she or they will not receive into his, her or their Custody or Possession, or upon his, her or their entered Premises, or use for the Cure and Preservation of Fish any White Salt, and that all the Coloured or Dyed Salt, or Crushed Salt, called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt, which he, she or they shall receive, shall be really and truly employed, spent and consumed by him, her or them in curing and preserving Fish, and that no Part of such Salt or Rock Salt shall be employed, used or disposed of in any other manner or for any other Purpose, or sold, exchanged, transferred or delivered to any other Fish Curer or Fish Curers, except in manner herein mentioned, or to any other Person or Persons, or removed from his, her or their entered Premises, except such Part thereof as may be necessarily used in curing and preserving Fish in and on board his, her or their Boats or Vessels employed by him, her or them in the *British* Fisheries, and that he, she or they will render such Account of all such Salt and Rock Salt as hereinafter mentioned, to receive, have and take into and upon his, her or their Premises entered as aforesaid, any Quantity of such Coloured or Dyed Salt, or Crushed Salt,

may receive Coloured, &c. Salt free from farther Account as herein mentioned.

Salt, called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt, free from any other Account than as hereinafter mentioned: Provided always, that when and so soon as any Fish Curer or Fish Curers shall have received as aforesaid as much of such Coloured or Dyed Salt, or Crushed Salt, called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt, as that Treble the Amount of the Duty thereon shall be equal to the Amount of the Penalty for which such Bond as aforesaid has been by him, her or them given, no such Fish Curer or Fish Curers shall have, take or receive any further Quantity of such Coloured or Dyed Salt, or Crushed Salt, called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt, until he, she or they shall have given fresh Bond in such Penalty and with such Condition as aforesaid, for such further Quantity thereof as he, she or they may then intend to receive in that Year.

Provido where treble Amount of Duty is equal to Amount of Penalty in Bond.

XLI. And be it further enacted, That all and every Fish Curer or Fish Curers who shall receive into his, her or their Custody or Possession only Coloured or Dyed Salt, or Crushed Salt, called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt free of Duty, for the Purpose of curing or preserving Fish, shall in the Month of *May* in every Year respectively deliver to the proper Officer of Excise, whose Duty it shall be to receive the same, a true and particular Account in Writing, specifying the exact and true Quantity of such Coloured or Dyed Salt, or Crushed Salt, called or known by the Name or Description of Fused or Solid Salt, or Crushed Rock Salt respectively, actually employed or consumed by him, her or them in such Year in curing and preserving Fish; and distinguishing in such Account the Weight and Quantity of each Kind of Fish cured therewith, the Mode of Cure thereof respectively, and Quantity repacked for Exportation, and stating that no Part of such Salt or Rock Salt received by him, her or them has been used, spent, consumed, or disposed of by him, her or them, or to his, her or their Knowledge or Belief, in any other Way or for any other Purpose than as aforesaid, or delivered to any other Person or Persons whatsoever, or transferred to any other Fish Curer or Fish Curers, except as hereinafter mentioned, and shall verify such Account on Oath before the Supervisor of Excise, under whose Survey such Fish Curer or Fish Curers may be (which Oath such Supervisor is hereby authorized and empowered to administer), and such Fish Curer or Fish Curers shall thereupon in the Presence of the Officer weigh separately all the Coloured or Dyed Salt, Fused or Solid Salt, and Crushed Rock Salt respectively in his, her or their Custody or Possession, and give fresh Bond or Security for the same as aforesaid as Part of his, her or their succeeding Year's Stock; and if any such Fish Curer or Fish Curers as aforesaid shall make out any false Account, or refuse or neglect to make out or verify such Account as aforesaid, or weigh such remaining Stock, or give such Bond or Security as aforesaid, he, she or they shall for every such

Such Fish Curers to render an Account in May in every Year, of the whole Quantity of Coloured Salt or Crushed Rock Salt in Hand, and employed in curing Fish.

What such Account is to contain.

Account verified on Oath.

False Account, &c.

Penalty.

such Offence forfeit Treble the Value of the Duties on all the Salt or Rock Salt delivered into his, her or their Custody or Possession within the Year last preceding the time when such Account as aforesaid shall or ought to have been made out or delivered as aforesaid.

Fish wholly cured, or cured and repacked for Exportation remaining on Hand, when the annual Account is rendered, to be transferred with the Allowance of the Salt to the next Year's Account, provided Accounts be made out and verified as herein mentioned.

XLII. And be it further enacted, That if on weighing the Stock of Salt in the Custody or Possession of any Fish Curer or Fish Curers, in the Month of *May* in every Year, as directed by the said Act made in the Thirty-eighth Year of the Reign of His present Majesty, and by this Act, and of rendering to the proper Officer of Excise the Account or Accounts thereby required, there shall remain in the Custody or Possession of any Fish Curer or Fish Curers any salted Fish, either wholly cured, or cured and repacked for Exportation to the *East or West Indies, South America, Madeira, or the Baltic or Mediterranean*, or which shall be in the Process of Salting or Cure, and of which no Account has been previously taken by such Officer, it shall and may be lawful for the said Officer to examine and take Account of such Fish at the time of weighing such Stock of Salt; and that such Fish Curer or Fish Curers shall also in the Account or Accounts directed by the said Act and of this Act, to be delivered to the proper Officer of Excise, include in such Account the Quantity and Species of all Fish remaining in his Custody or Possession at the time of taking such Stock of Salt as aforesaid, and state therein the Mode of Cure, and whether the same or what Part thereof is or are cured for Home Consumption or for Exportation as aforesaid, or are in the Process of Salting or Cure, and of the Quantity of Salt used or consumed thereon respectively, and shall verify the same in the manner directed by the said Act and of this Act, whereupon such Fish, and the Quantity of Salt used in curing or preserving the same (not exceeding the legal Allowance in the case of White Salt), shall be deducted from such Account, and transferred to the Stock of Fish and Salt to be accounted for by such Fish Curer or Fish Curers in the Month of *May* in the following Year; and if any Fish Curer shall neglect or refuse to make out, verify, and deliver such Account, he, she or they shall forfeit for each and every such Offence the Sum of One hundred Pounds.

Refusing, &c. to make out Account, Penalty 100l.

XLIII. And Whereas the Quantity of Salt allowed by Law for curing Pilchards or White Herrings, by pickling or wet salting, has been found to exceed the Quantity used for such Cure of Pilchards or White Herrings, when not intended for Exportation, as hereinafter mentioned; Be it therefore enacted, That from and after the Month of *May* One thousand eight hundred and seventeen, all and every Fish Curer or Fish Curers to whom any White Salt shall have been or shall be delivered for the Purpose of curing or preserving Fish, shall in lieu and instead of the Allowance of Salt granted and directed by the Laws now in force for curing and preserving Pilchards or White Herrings respectively by pickling or wet salting, be allowed a Credit equal to One hundred and twelve Pounds only of Salt for every Thirty two Gallons of such cured Pilchards or White Herrings respectively, not cured and repacked for Exportation, as hereinafter mentioned, and so in proportion for any greater or less Quantity; any thing in the said Act to the contrary thereof notwithstanding.

Fish Curers to be allowed only 112lbs. of Salt for 32 Gallons of Pilchards or White Herrings not cured and repacked for Exportation as hereinafter mentioned.

In taking Yearly Account of Fishery Stocks, all

XLIV. And be it further enacted, That in weighing and taking an Account of and balancing the Stock of Salt or Rock Salt in the Custody

Custody or Possession of any entered Fish Curer or Fish Curers in the Month of *May*, as directed with respect to Salt by the said Act made in the Thirty eighth Year of the Reign of His present Majesty, and by this Act, all Salt or Rock Salt respectively which shall then be found on the Premises, or in the Custody or Possession of any Fish Curer or Fish Curers, and which shall have been once used or applied in curing or preserving Fish, shall be taken Account of by the Officer weighing and balancing such Stock, and the Amount thereof, as being Three Parts in Four of pure Salt or Rock Salt respectively, shall be carried to the Stock of the next succeeding Year's Account of Salt or Rock Salt respectively, for which such Fish Curer or Fish Curers shall be accountable; and that if, upon taking such Account, any Salt or Rock Salt respectively, which shall have been more than once used upon or applied in the Cure of Fish, shall be found on the Premises or in the Custody or Possession of any such Fish Curer or Fish Curers, he, she or they respectively shall forfeit and lose the Sum of One hundred Pounds; any thing in the said Act or in any other Act to the contrary thereof notwithstanding.

Salt which has been only once used in curing Fish shall be carried to the Stock of the next succeeding Year. Salt more than once used found on Premises,

Penalty 100l.

‘XLV. And Whereas it is represented that Salt is a beneficial Manure for Land,’ Be it therefore further enacted, That it shall and may be lawful for any Salt Maker or Salt Makers from time to time to throw over, into or amongst their Ashes or other Compost Heaps any Quantity or Quantities of Brine in its fluid State, or to steep such Ashes or Compost Heap in fluid Brine, and to use, sell or deliver the Ashes or Compost Heaps so drenched or steeped in Brine for the Purpose only of manuring Land; and that all and every such Salt Maker or Salt Makers shall on the Fifth Day of *July* in every Year deliver to the Collector of Excise in whose Collection his, her or their Works shall be, the Quantity of such Salt, Ashes, Compost or Manure as aforesaid used and delivered by him, her or them in the Year preceding: Provided always, that no Salt, Rock Salt, or saline Substances, Articles or Ingredients, save and except liquid Brine only, shall be so mixed or sold, used or delivered as aforesaid; and that if any Salt Maker or Makers, drenching or steeping such Ashes or Compost Heaps with or in Brine as aforesaid, shall put into, with or amongst them, or shall under Pretence of this Act use, sell or deliver, or cause or suffer to be used, sold or delivered, any Salt, Rock Salt, or other saline Substances, Articles or Ingredients, without Payment of Duty, except liquid Brine so employed as aforesaid, as or for Manure; or if he, she or they, or any other Person or Persons into whose Custody or Possession or under whose Directions any such salted Ashes, Compost or Manure shall come, shall use or employ or cause or suffer to be used or employed the same or any Part thereof for any other Purpose than for manuring Land, he, she and they, and every such Person and Persons so offending, shall severally forfeit for each and every such Offence the Sum of Five hundred Pounds.

Salted Ashes may be delivered as Manure.

Using the same for any other Purpose than Manure,

Penalty 500l.

XLVI. And for enabling Farmers to try the Effect of Salt in feeding Cattle, be it further enacted, That it shall and may be lawful for any Owner or Proprietor of any Rock Salt Pit or Rock Salt Mine to sell and deliver from his, her or their Pit or Mine, or Warehouse or Storehouse adjoining thereto, such coarse and impure Rock Salt as shall be approved of by the proper Officer of Excise appointed

Coarse Rock Salt for feeding Cattle may be delivered from Pit, &c. in manner herein mentioned, at a Duty of 5s. per Bushel

pointed for inspecting the same, in Lumps of not less Weight than Twenty Pounds each, to such Person and Persons, and in such Quantity and Quantities, as shall and may be granted by the Commissioners of Excise, for the Purpose of feeding or mixing with the Food of Sheep and Cattle, upon such Person or Persons paying Duty for the same at and after the Rate of Five Shillings *per* Bushel, and so in proportion for any greater or less Quantity; and upon Bond being given to His Majesty by such Person or Persons, with sufficient Sureties to the Satisfaction of the said Commissioners, or the Person or Persons appointed to take such Bond, in the Penalty of Double the Amount of the Duty upon Rock Salt delivered for Home Consumption, that the whole of the Rock Salt so delivered shall be used, spent, consumed and employed by him, her or them in feeding or mixing with the Food of Sheep or Cattle, and in no other manner and to and for no other Use or Purpose whatsoever; provided, that no further Quantity of Rock Salt shall be delivered as aforesaid to any Person or Persons for such Purpose as aforesaid, until the Bond and Bonds given by such Person or Persons on the Delivery of every prior Quantity shall be satisfied and discharged.

Bond to be given that the Salt shall be so used.

Proviso.

Bonds discharged on Certificate by Person to whom Rock Salt delivered, that it has been used in feeding Cattle. Particulars of Certificate.

XLVII. And be it further enacted, That every such Bond shall be satisfied and discharged on a Certificate signed by the Person to whom such Rock Salt shall have been delivered, and who thereupon gave such Bond, his Executors, Administrators or Assigns, and delivered by him, her or them to the Collector in whose Collection he, she or they shall reside, declaring that the whole of such Rock Salt has been used, spent, employed and consumed in feeding or mixing with the food of Sheep and Cattle, and in no other manner and to and for no other Use or Purpose whatsoever, and specifying in what manner and Proportions the same has been so used, what Description and Number of Sheep or Cattle has been fed therewith, on what Lands and where situate, and what Benefits appear to have resulted therefrom: Provided always, that no such Certificate shall discharge any such Bond, unless such Collector as aforesaid shall upon Inquiry be satisfied of the Truth thereof and of the several Matters therein stated, and underwrite the same upon the same Certificate; and that if any such Certificate as aforesaid shall not be signed and delivered as aforesaid to such Collector before the End of One Month after the Expiration of Twelve Months from the Bond being given and Rock Salt delivered as aforesaid, or shall in any respect be false, or any of the Rock Salt delivered as aforesaid shall be used, spent, employed or consumed in any other manner, to or for any other Use or Purpose than feeding or mixing with the Food of Sheep or Cattle, the Penalty of the Bond given on the delivery of any such Rock Salt shall be forfeited and paid to His said Majesty.

Collector to underwrite Certificate.

Otherwise, or if Certificate false, &c. Bond in Force.

Persons may sell such Rock Salt to others with Consent of the Excise, Bond being taken in like manner.

XLVIII. And be it further enacted, That nothing herein contained shall extend or be deemed or construed to extend to prevent any Person or Persons selling or transferring any Quantity of the Lumps or Pieces of coarse and impure Rock Salt which he, she or they shall or may receive for the Purpose of feeding or mixing with the Food of Sheep or Cattle under any such Bond as aforesaid; provided the Consent and Approbation of the Commissioners of Excise to and of such Transfer and Delivery be first had and obtained, and such Bond and Security be first given by the Person or Persons

Persons intending to receive the same as is hereinbefore mentioned ; which Bond shall be taken and accepted by the Collector aforesaid in Discharge or Part Discharge of the Bond given on the First Delivery of such Rock Salt from the Mine or Pit, in the Proportion and according to the Quantity in such subsequent Bond mentioned, and shall be discharged by such Certificate as aforesaid, or the Penalty thereof enforced in like manner as if the same had been given on the first Delivery of such Rock Salt as aforesaid.

‘ XLIX. And Whereas, by the said Act made in the Thirty eighth Year aforesaid, the Officer to whom any Fish packed in Barrels or Casks shall be produced as directed by that Act is authorized and required to burn or brand each of such Barrels or Casks in some conspicuous Part thereof with the Letters B. F. ;’ Be it further enacted, That such Officer shall burn or brand each of such Barrels or Casks with the said Letters across the upright Staves of such Barrel or Cask, and shall on all Casks or Barrels of Fish which are not at the time declared by the Fish Curer or Fish Curers to be repacked for Exportation to the *East or West Indies, South America, Madeira* or the *Baltic or Mediterranean*, add the Letter H. ; and on all Cask or Barrels of White Herrings or Pilchards declared by the Fish Curer or Fish Curers to be repacked for Exportation as aforesaid to the *East or West Indies, South America, Madeira* or the *Mediterranean*, the Letter W. ; and all such Casks or Barrels of White Herrings or Pilchards so declared to be repacked for Exportation as aforesaid to the *Baltic*, the Letter B. ; and that after such Barrels or Casks respectively shall be so burnt or branded as aforesaid, the Fish Curer or Fish Curers producing the same shall forthwith remove all and every such Barrels or Casks, or Barrel or Cask, and at all times keep the same wholly separate and apart from all other Fish not so branded, and the Casks under each particular Mark separate and apart from all Casks branded with a different Mark ; and if any Fish Curer or Fish Curers shall not, immediately at or after the time of branding such Casks or Barrels respectively as aforesaid, remove and keep the same separate and apart as aforesaid, or if any Casks or Barrels marked or branded with the Letter W. shall be found in the Custody or Possession of any Person or Persons open for Home Consumption, the same shall be forfeited, and shall and may be seized by any Officer or Officers of Excise, and the Person or Persons offending therein shall for each and every such Offence forfeit and lose the Sum of Fifty Pounds.

38 G. 3. c. 89.
§ 103.

Casks or Barrels of Fish to be branded, and then to be kept separate.

Not being so kept, or Casks found open for Home Consumption, forfeited, and

Penalty 50l.

Fish Curers to keep a daily Account of Fish cured and delivered, to be verified upon Oath at the End of the Year.

L. And be it further enacted, That all and every Fish Curer or Fish Curers shall respectively daily and every Day enter or cause to be entered in a Book or Paper to be provided for that Purpose an exact and particular Account of each and every Cask, Barrel, Package or Quantity of cured or preserved Fish sold, delivered or sent out by any such Fish Curer or Fish Curers respectively, and shall distinguish therein the Kind or Species of Fish and Mode of Cure, and whether the same is or are sold, delivered or sent out for Home Trade or Consumption, or repacked for Exportation as hereinafter mentioned, or for Removal to any other Port or Place for such Exportation, specifying the same ; and such Book or Paper shall be at all times kept on the entered Premises of such Fish Curer or Fish Curers open to the Inspection of all and every Officer and Offi-

cers of Excise who shall visit or survey the same; and shall at the time of weighing, taking the Account of and balancing the Stock of Salt or Rock Salt in the Custody or Possession of such Fish Curer or Fish Curers in the Month of *May* as directed by the said Act, be delivered by such Fish Curer or Fish Curers to the Officer or Officers taking Account of and balancing such Stock, and the Truth of the Entries made therein shall be then and there verified upon the Oath of such Fish Curer or Fish Curers, which Oath the respective Supervisors of Excise are hereby authorized and required to administer; and in case any such Fish Curer or Fish Curers shall neglect or refuse to keep such Book or Paper, or to make or cause to be made due Entries therein, according to the true Intent and Meaning of this Act, or shall cancel, alter, obliterate or destroy any of such Entries made therein, or tear thereout or destroy any of the Leaves or Part of such Book or Paper, or shall neglect or refuse to deliver the same as is herein before directed, or to verify the said Entries therein, or any of them upon Oath, such Fish Curer or Fish Curers shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

Neglecting to keep Book, &c. or altering, &c. Entries,

Penalty 100l.

Fish Curers repacking cured White Herrings for Exportation, to be allowed in account the Quantity of Salt, and under the Regulations herein mentioned.

Ll. And be it further enacted, That for the further Encouragement of the Exportation of Fish cured and preserved in the *British* Fisheries to the *East* or *West Indies*, *South America*, *Madeira*, the *Baltic* or the *Mediterranean*, it shall and may be lawful for any Fish Curer or Fish Curers with White Salt to have and receive upon their entered Premises, for the Purpose of being repacked for such Exportation, and to open any Number of Barrels or Casks of Pilchards or White Herrings pickled or wet salted with White Salt, branded with the Letter H., as not having been originally cured or packed for such Exportation, and to unpack and repack the same with Fresh White Salt only for such Exportation; and that upon such Barrel or Cask, Barrels or Casks, being so repacked as aforesaid, and produced to the Officer under whose Survey such Premises may then be, he shall brand the same upon the upright Staves of each such Barrel or Casks with the Letter W., or if repacked to be exported to the *Baltic* with the Letter B.; and all and every such Fish Curer or Fish Curers shall, upon Oath made by him, her or them of the Number of Barrels or Casks of White Herrings or Pilchards repacked by him, her or them for Exportation to the *East* or *West Indies*, *South America*, the *Mediterranean* or *Madeira*, and so branded by the Officers, and actually exported, or to the best of his Knowledge to be exported as aforesaid, or for Exportation to the *Baltic*, and so branded by the Officers, and actually exported, or to the best of his Knowledge to be exported as aforesaid (which Oath the respective Supervisor or Officer is hereby authorized to administer), be allowed in his Account of Fishery Salt, to be balanced and taken in the Month of *May*, as directed by the said Act of the Thirty eighth Year aforesaid, Seventy Pounds of White Salt for every Barrel or Cask of Thirty two Gallons so branded and sworn to be repacked, and exported as aforesaid to the *East* or *West Indies*, *South America*, the *Mediterranean* or *Madeira*, and Forty eight Pounds of White Salt for every such Barrel or Cask so branded and sworn to be repacked and exported as aforesaid to the *Baltic*, and specified in such Account.

LII. And Whereas it is expedient to extend the Allowance of Salt

‘ Salt delivered Duty free for curing and preserving Fish to dry salted Cod, Ling or Hake, Haddock and Whiting, and Guard Fish, sometimes called Gore Bill ;’ Be it therefore enacted, That all and every Fish Curer and Fish Curers to whom any White Salt shall, under the Rules, Regulations, Restrictions and Provisions of the said Acts of the Thirty eighth and Fifty fifth Years of His present Majesty’s Reign, be delivered Duty free for the Purpose of curing and preserving Fish, shall be allowed a Credit not exceeding Seventy Pounds of such Salt for every One hundred Weight of dried salted Cod, Ling or Hake, not exceeding Forty Pounds Weight of Salt for every One hundred Weight of dried salted Haddock or Whiting, and a Credit not exceeding Eighty four Pounds for every Barrel of Thirty two Gallons of Guard Fish or Gore Bill wet salted and perfectly cured, and so in proportion for any greater or less Quantity, such Credit to be allowed under the same Rules, Regulations, Restrictions and Provisions, Fines, Penalties and Forfeitures, which by the said Act, or by any other 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 allowing Salt Duty free for the Purpose of curing and preserving Fish therein mentioned, or for or in respect of allowing Fish Curers Credit for Salt delivered to them for that Purpose.

Allowance of Duty free Salt for certain dry salted Fish.

‘ LIII. And Whereas the Quantity of Salt for curing Salmon, allowed by the said Act made in the Thirty eighth Year of His present Majesty’s Reign, is insufficient to answer the Purpose intended, and it is expedient to grant a further Allowance of Salt used in curing and preserving Salmon ;’ Be it therefore enacted, That all and every Fish Curer or Fish Curers to whom any White Salt shall have been or shall be delivered for the Purpose of curing and preserving Fish, shall, in lieu and instead of all former Allowance of Salt for curing and preserving Salmon, be allowed a Credit equal to Fifty Pounds Weight of Salt for every One hundred Weight of dried salted Salmon, and for every Barrel containing Forty two Gallons of wet salted Salmon shall be allowed a Credit equal to One hundred and thirty Pounds Weight of Salt, and for every Barrel of Forty two Gallons of wet salted Salmon which shall be by such Fish Curer or Fish Curers repacked or packed from any Cask, Vat or other Vessel in which the same shall have been first cured for Exportation, a further Credit equal to Thirty eight Pounds Weight of Salt for such packed or repacked wet salted Salmon, and so in proportion for any greater or less Quantity ; provided such Casks so packed or repacked be taken account of and branded by the proper Officer of Excise with the Letters R. S. ; any thing in the said Act to the contrary in anywise notwithstanding.

Allowances of Salt to Fish Curers of Salmon as herein mentioned in lieu of former Allowances.

LIV. And be it further enacted, That it shall and may be lawful to and for any Officer or Officers of Excise from time to time and at all times, upon his or their Request, to enter into all and every the Cellars, Warehouses, Storehouses, Curing Houses and other Places entered or made use of by any Fish Curer or Fish Curers for laying or keeping any Salt or Rock Salt for the Purpose of curing, bulking, packing or stowing Fish, and by weighing, guaging, tale or otherwise, as to such Officer shall seem meet, to take an Account of the Quantity and Description of all Salt and Rock Salt, and of all Fish, in the Custody or Possession of such Fish Curer or Fish Curers

Powers to Officers of Excise to enter and take Account of Salt and Fish in the Premises of Fish Curers.

Obstructing Officer, or refusing &c. to assist them,

Curers as aforesaid; and if any such Fish Curer or Fish Curers or other Person or Persons, shall in anywise hinder or obstruct any such Officer or Officers in entering into or surveying any such Premises as aforesaid, or in taking such Account as aforesaid, or shall conceal from the Sight and Inspection of such Officer any Salt, Rock Salt or Fish, or practise, or suffer, or cause to be practised, any Art or Contrivance by which any such Officer shall be prevented from or hindered in taking a true Account thereof; or if any such Fish Curer or Fish Curers shall upon Demand neglect or refuse to give, by himself, his Servants and Workmen, all needful and necessary Assistance to such Officer, in taking such Account as aforesaid, every such Fish Curer or Fish Curers shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

Penalty 100l.

Fish Curers to provide good and sufficient Scales and Weights.

LIV. And be it further enacted, That all and every Fish Curer and Fish Curers is and are hereby required to provide, when demanded by the Officer of Excise surveying such Fish Curer or Fish Curers, proper, sufficient and just Scales and Weights at each and every Warehouse, Storehouse, or Cellar respectively to him, her or them belonging, for the Purpose of from time to time weighing and taking an Account of the Salt and Rock Salt respectively which shall at any time be in the Custody or Possession of any such Fish Curer or Fish Curers, and shall permit and suffer any Officer or Officers of Excise to use the same, and shall give him every needful Assistance in weighing any such Salt or Rock Salt; and if any such Fish Curer or Fish Curers shall upon Demand as aforesaid neglect or refuse to provide any such Scales and Weights, or either of them, or shall not permit or suffer any Officer or Officers of Excise to use the same, or shall refuse to assist him in weighing any such Salt or Rock Salt; or if any such Fish Curer or Fish Curers shall in the weighing of any such Salt or Rock Salt make use of, or cause or procure or suffer to be made use of, any false, unjust, or insufficient Scales, or Weight or Weights, or shall use or practise any Art, Device or Contrivance by which any such Officer or Officers shall or may be hindered or prevented from taking the just and true Weight, and ascertaining the true Quantity of any such Salt or Rock Salt, such Fish Curer or Fish Curers shall for every such Offence forfeit the Sum of One hundred Pounds, together with all such false, unjust or insufficient Scales and Weight or Weights respectively, and the same shall and may be seized by any Officer or Officers of Excise.

Neglecting, &c. or not permitting Officer to use the same, or using false Scales and Weights, &c.

Penalty.

Fish Curers altering Marks on Casks, or unfairly packing, &c. or using any Art to obtain any greater Credit for Salt used in curing Fish than is allowed,

LVI. And be it further enacted, That if any Fish Curer or Fish Curers shall, after any Officer or Officers of Excise has or have either marked any Fish, or branded any Cask or Vessel in which any Fish shall be packed to denote that such Fish has been taken account of by such Officer as cured Fish, wilfully or knowingly obliterate, alter, erase, cancel or destroy, or suffer or cause to be obliterated, altered, erased, cancelled or destroyed, any such Mark or Brand; or if any such Fish Curer or Fish Curers shall unfairly pack or suffer or cause to be unfairly packed any such Cask or Vessel of Fish produced to any Officer to be branded as aforesaid, or shall afterwards open any such Cask or Vessel, and remove any of the Fish contained therein into any other Cask or Vessel, and produce the same again to any Officer to be branded and taken account of as Fish which have not been before branded and taken account of; or shall use any Art or

Contrivance

Contrivance in order to obtain any undue Credit for Salt, or shall in any manner or way produce such Fish to the Officer for any further or greater Credit of Salt than what is legally allowed thereon; such Fish Curer or Fish Curers shall forfeit and lose for every such Offence the Sum of One hundred Pounds, and shall be for ever after deprived the Benefit of receiving, either by himself, herself or themselves, or otherwise, any Salt free of Duty for curing or preserving Fish.

Penalty.

‘ LVII. And Whereas by the said Act made in the Thirty eighth Year of the Reign of His present Majesty all and every Maker or Makers of Glafs in *Great Britain* who shall take any Rock Salt from any Warehouse belonging to any Salt Mine or Pit, or any Brine or Sea Water, for the Purpose of making Mineral Alkali or Flux for Glafs, upon Bond or Security given in Double the Duty of such Rock Salt, Brine or Sea Water, that all such Rock Salt, Brine and Sea Water shall be really and truly employed, spent and consumed in the making of Mineral Alkali or Flux for Glafs, shall, for the Discharge of such Bond or Security, make Oath before the Collector of Excise of the Collection in which the Alkali Works shall be situated, that all the said Rock Salt, Brine or Sea Water for which such Bond or Security shall have been given, has been made use of in making such Mineral Alkali or Flux for Glafs, and for no other Purpose whatsoever; and the Supervisor or Officer of Excise under whose Survey such Maker of Mineral Alkali shall then be, shall at the same time certify his Belief of the Truth of the Matters sworn to by such Maker or Makers of Glafs, or his, her or their Agent: And Whereas it is expedient that such Oath shall be made, and such Certificate aforesaid granted within a limited time after such Bond shall have been given as aforesaid;’ Be it therefore enacted, That all and every such Maker and Makers of Glafs in *Great Britain*, or his, her or their principal Servant engaged in his, her or their entered Alkali Works, shall, within the Period of Twelve Months from and after the Date of each such respective Bond, make such Oath as aforesaid; and the proper Supervisor or Officer of Excise shall thereupon make out and deliver to such Maker or Makers of Glafs such Certificate as aforesaid; and if any such Maker or Makers of Glafs shall neglect or refuse to make such Oath within the Period aforesaid, he, she or they shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

38 G. 3. c. 89.
§ 116.

Glafs Makers to make Oath of Use of Rock Salt within 12 Months from its Receipt.

Penalty 100l.

LVIII. And be it further enacted, That it shall and may be lawful for any Bleacher of Cotton Wool or Cotton or Worsted Twift to use and employ in the bleaching thereof any Oxymuriate of Lime or bleaching Liquor made and prepared in the manner and according to the Directions, and by the Persons entitled to make the same, in and by a certain Act made in the Fifty fifth Year of the Reign of His present Majesty, for, amongst other things, allowing Makers of Oxygenated Muriatic Acid to take Salt Duty free for making such Acid or Oxymuriate of Lime for bleaching Linen and Cotton.

Bleachers of Cotton Wool may use Oxymuriate of Lime, or Bleaching Liquor prepared as under
55 G. 3. c. 66.

LIX. And be it further enacted, That if any Salt or Rock Salt shall be found in any Ship, Flat, Barge, Boat or other Vessel, or in any Waggon, Cart or other Carriage whatsoever, or loaded on any Horse or other Cattle, or lodged or concealed in any House, Outhouse or other Place whatsoever, which Salt or Rock Salt shall have

Salt unshipped relanded or fraudulently or clandestinely removed or received, &c. forfeited, together

with Packages,
&c.

have been brought or procured from any Salt Mine or Salt Work or other Place, or imported or landed without Payment of Duty, or shall have been fraudulently or clandestinely unshipped or relanded after the same has been shipped for Exportation, or fraudulently or clandestinely taken from or out of any Ship, Flat, Boat, Barge or other Vessel, or any Cart, Waggon or other Carriage in which the same shall have been loaded for Removal from one Part of the United Kingdom to any other Part thereof, or concealed on board of any such Ship, Flat, Boat, Barge or other Vessel, or in any such Cart, Waggon or other Carriage, or which having been delivered Duty free for the Purpose of curing and preserving Fish, or for making Flux for Glafs or Oxygenated Muriatic Acid, or Oxymuriate of Lime, shall have been fraudulently or clandestinely brought or removed from the Stock of any Fish Curer, Glafs Maker, or Person or Persons receiving such Salt or Rock Salt for the Use of the Fisheries, or for making Oxygenated Muriatic Acid or Oxymuriate of Lime respectively, or shall have been fraudulently or clandestinely taken or delivered out of any Warehouse, Storehouse or other Place where the same may or shall have been lodged and deposited, such Salt or Rock Salt together with the Package containing the same, and the Ship, Flat, Barge, Boat and other Vessels, and also the Waggon, Cart and other Carriages and Horses and other Cattle in or upon which the same shall be found, and the Cattle made use of in the drawing of such Waggon, Cart or other Carriage, or which shall be used or employed in removing such Salt or Rock Salt as aforesaid, shall be forfeited and may be seized by any Officer or Officers of Excise; and the Person or Persons in whose Custody or Possession any Salt or Rock Salt so brought, unshipped, landed, taken, removed or concealed as aforesaid, shall be found, or who shall be or shall have been concerned or employed in bringing, procuring, unshipping, landing, relanding, concealing, removing, carrying, delivering, buying or receiving any such Salt or Rock Salt, shall severally forfeit the Sum of Forty Shillings for every Pound Weight of such Salt or Rock Salt so found as aforesaid.

and Penalty.

‘ LX. And Whereas all and every Maker or Makers of Salt, Refiner or Refiners of Rock Salt, or Proprietor or Proprietors of any Salt Mine, Salt Pit or Salt Work, is and are by Law required, Weekly and at the End of every Week, to pay and clear off all the Duties for or in respect of Salt and Rock Salt which shall have been charged to such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors, in the then current Week, unless such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors, shall have given Bond or Security for Payment of such Duties: And Whereas many Persons refusing or neglecting to give such Bond have taken Salt out of the Warehouses, and removed and disposed of the same without afterwards paying the duties on such Salt, to the great injury of His Majesty's Revenue; Be it therefore enacted, That all and every Maker or Makers of Salt, Refiner or Refiners of Rock Salt, or Proprietor or Proprietors of any Salt Mine, Salt Pit, or Salt Work, who shall not give such Bond for securing the Payment of the Duties as is required by Law for that Purpose, shall pay to the Collector of Excise where such Salt Mine, Salt Pit or Salt Work shall be situate, all the Duties charged or chargeable for or in respect of any Salt or Rock Salt which

Salt Makers not giving Bond for securing the Payment of the Duty, to pay such Duty before taking it out of the Warehouse.

which he, she or they shall be about to remove, before such Salt or Rock Salt shall be delivered out of the Warehouse in which the same shall be deposited; and that in default of such Payment no such Salt or Rock Salt shall be delivered for Home Trade or Consumption out of such Warehouse to or by any such Maker or Makers, Refiner or Refiners, or Proprietor or Proprietors not giving such Bond as aforesaid.

‘ LXI. And Whereas it is expedient to repeal the several Drawbacks of Customs and Excise payable on the Exportation of Duty-paid Salt from *Great Britain*;’ Be it therefore enacted, That from and after the Tenth Day of *October* One thousand eight hundred and seventeen, the several Drawbacks of Customs and Excise payable on the Exportation of Duty-paid Salt from *Great Britain* shall be and the same are hereby repealed.

Drawbacks of Customs and Excise on Duty paid Salt exported, repealed.

LXII. And be it further enacted, That it shall and may be lawful for any Maker or Makers, or Refiner or Refiners of, or Dealer or Dealers in Salt, having the License and Permission of the Commissioners of Excise, or the major Part of them for the time being, for that Purpose, to provide or erect One or more Export Warehouse or Warehouses at or within the Port of *London* or *Hull*, *Greenock*, *Leith* and *Plymouth*, for the Purpose of laying, storing or keeping therein Salt delivered Duty free, and intended for Exportation; provided that every such Warehouse shall be well, substantially and securely built and constructed, to the Satisfaction of the said Commissioners, or such Officer or Officers as they may appoint to inspect the same; and that no such Warehouse shall have more than One Door or Entrance to the same; and that there be no Communication between any such Warehouse and any other Place whatsoever, except such external Door or Entrance as aforesaid, and shall have no Chimney or any Window or Opening within Ten Feet of the Ground, or of any Wall, Erection or Building on the Outside thereof: Provided also, that no Person or Persons shall be the Proprietor or Proprietors of such Export Warehouse or Warehouses, or shall be in any respect employed or concerned therein, or have any Interest in the Salt therein deposited, who shall be a Dealer in Salt for Home Trade or Consumption, at or from any Warehouse, Cellar, Shop or other Place, within a Quarter of a Mile of such entered Warehouse for Duty free Salt, or have any Interest or Concern in such Trade; and that such Warehouse or Warehouses, and the Salt deposited therein, and the Person or Persons making Entry thereof, shall be subject to all the Rules, Regulations and Provisions, Penalties and Forfeitures prescribed, directed, contained or imposed by the said Act of the Thirty eighth Year of the Reign of His present Majesty, with respect to Export Warehouses at or within the Ports of *Liverpool* or *Bristol* respectively, except so far as the same or any of them are altered by this Act, as fully and effectually as if the same were repeated or inserted in the Body of this present Act; and that if any Person or Persons having or being employed or concerned in such Warehouse as last aforesaid, or any of the Salt deposited therein, shall at the same time be a Dealer in Salt for Home Trade or Consumption, or interested in or directly or indirectly concerned in such Trade carried on as aforesaid, he, she or they shall for each and every such Offence, forfeit and lose the Sum of Five Hundred Pounds.

Warehouses for storing Salt Duty free for Exportation may be established at London, &c. under the same Regulations with such Warehouses at Liverpool and Bristol, under 38 G. 3. c. 89. § 31.

Exception.

Owners of such Warehouses being Dealers for Home Consumption,

Penalty 500l.

LXIII. And

Foreign Salt may be taken from any Import Warehouse at Plymouth Duty free to export to Newfoundland for curing Cod, &c. subject to Regulations of 39 G. 3. c. 65. § 9.

LXIII. And be it further enacted, That it shall and may be lawful to or for any Person or Persons, within Twelve Months after the Importation and Landing of Foreign Salt, to take free of Duty, for the Purpose of immediately exporting the same in any Ship or Vessel not of less Burthen than Forty Tons to *Newfoundland*, for curing Cod Fish, Ling or Hake to be there caught, any Quantity not being less than Fifty Bushels at a time of Foreign Salt, from and out of any Import Warehouse, Storehouse or Cellar at *Plymouth*, in which the same has been put according to the Regulation of the said Act made in the Thirty eighth Year aforesaid, the Person or Persons so taking out such Salt first giving the like Security, and being subject to all the Rules, Regulations, Restrictions and Provisions, Forfeitures and Penalties, prescribed, directed, contained, or imposed by an Act made in the Thirty ninth Year of the Reign of His present Majesty, with respect to the Exportation of Foreign Salt to *Newfoundland*, and taken free of Duty from and out of any Import Warehouse for that Purpose, as are required at or within the Ports of *Poole*, *Dartmouth*, *Falmouth* and *Glasgow* respectively, by the said Act.

38 G. 3. c. 89.
§ 115.

LXIV. And Whereas by the said Act made in the Thirty eighth Year of the Reign aforesaid, it is enacted, that in case any Salt or Rock Salt for which the Duties by the said Act imposed shall have been paid, or which shall have been delivered upon Bond, free of those Duties, shall be lost or destroyed through Strefs of Weather or Storms at Sea, or by the accidental or unavoidable casting away, sinking or stranding of any Flat, Boat, Barge or Vessel in or on board of which any such Salt or Rock Salt shall be removing or transporting from one Place to another, it shall and may be lawful for the Owner, Proprietor or Shipper of such Salt or Rock Salt to make Application in Writing for Relief to His Majesty's Justices of the Peace of the County, Riding, Division or Shire nearest to which any such Accident shall happen, at the Quarter Sessions of the Peace, or to the Commissioners of Excise at the Chief Office of Excise in *London*, or any Three of the said Commissioners, and thereupon it shall and may be lawful to and for such Justices of the Peace at the Quarter Sessions, or Commissioners of Excise, or any Three of such Commissioners respectively, to receive and admit such Application, and to examine all Parties touching the Matter contained therein, and upon due Proof of the Fact in the manner prescribed by the said Act, to grant such Relief as in the said Act is mentioned, and under the several Provisions, Conditions and Restrictions therein contained: And Whereas by an Act made in the Fifty first Year of the Reign of His present Majesty, among other things, for granting Relief for Salt lost at Sea by Shipwreck or Capture, it is enacted, that in every case where any such Salt or Rock Salt as aforesaid shall, by the accidental or unavoidable casting away and sinking of the Ship or Vessel in or on board which such Salt or Rock Salt shall be removing or transporting from one Place to another, be lost, or where any such Salt or Rock Salt, as in that Behalf mentioned in an Act made in the Thirty ninth Year of the Reign aforesaid, shall be lost by Capture of Enemies, and any such Loss shall not have come to the Knowledge of the Proprietor or Shipper thereof in sufficient time to enable such Proprietor or Shipper to give

51 G. 3. c. 82.
§ 5.

' give the Notice required by the said Act, it shall and may be law-
 ' ful to and for such Proprietor or Shipper, within One Month
 ' after such Accident shall have become known to him, her or them,
 ' to give to the Commissioners of Excise at the Chief Office of Ex-
 ' cise in *London*, or to the Collector of Excise of the Collection
 ' nearest to which the Accident shall have happened, such Notice as
 ' by the said last recited Act is prescribed; and upon any such No-
 ' tice as is by the said Act of the Fifty first Year aforesaid pre-
 ' scribed having been given as aforesaid, for His Majesty's Justices
 ' of the Peace of the County, Riding, Division or Shire, at the
 ' Quarter Sessions of the Peace nearest to which the Owner, Propri-
 ' etor or Shipper of the Salt or Rock Salt shall reside, or for the
 ' Commissioners of Excise at the Chief Office of Excise in *London*,
 ' or any Three of the said Commissioners, to proceed thereon, and
 ' grant the like Relief as in and by the said respective Acts is au-
 ' thorized, directed or required, upon and under the Terms, Condi-
 ' tions and Restrictions mentioned in the said Act: And Whereas it
 ' is expedient that the said recited Provisions in the said Two Acts
 ' of the Thirty eighth and Fifty first Years of the Reign aforesaid,
 ' should be repealed; Be it therefore enacted, That from and after
 the said Fifth Day of *July* One thousand eight hundred and seven-
 teen, the said recited Provisions in the said Two Acts of the Thirty
 eighth and Fifty first Years of the Reign aforesaid shall be and the
 same are hereby respectively repealed.

repealed.

LXV. And be it further enacted, That from and after the said
 Fifth Day of *July* One thousand eight hundred and seventeen, in
 case any Salt or Rock Salt removing from one Part of the King-
 dom of *Great Britain* to any other Part thereof, or shipped for Ex-
 portation to *Ireland*, shall be lost or destroyed by a Leak or Leaks
 accidentally or unavoidably sprung by such Flat, Barge, Boat or
 other Vessel, during such Carriage or Conveyance of such Salt or
 Rock Salt, and satisfactorily shewn to the Officer of Excise at the
 Port or Place of Discharge, before or at the time of the Delivery of
 such Salt or Rock Salt respectively, or by the unavoidable sinking,
 stranding, casting away, Wreck or sinking, or by the Capture of
 any Flat, Boat, Barge or Vessel in or on board of which any such
 Salt or Rock Salt shall be removing or transporting as aforesaid, it
 shall and may be lawful to and for the Owner, Proprietor or Shipper
 of such Salt or Rock Salt or Captain, Consignee or Agent, to make
 Application in Writing to Two or more of His Majesty's Justices of
 the Peace of the County in *Great Britain* nearest to which any such
 Loss shall be sustained or be first discovered, or to the Port of
 Discharge, or to the Collector and Comptroller of the Port in *Ire-
 land* to which such Vessel shall be destined, or into which such Vessel
 shall be driven, or to the Commissioners of Excise in *Scotland*, or
 at the Chief Office of Excise in *London*, according to the Place
 where such Loss may happen, or any Three of the said Commis-
 sioners respectively; and thereupon it shall and may be lawful to and
 for such Justices of the Peace, Collector and Comptroller or Com-
 missioners of Excise, or any Three of such Commissioners respect-
 ively, and they are hereby required to receive and admit such
 Application, and to issue and grant their Summons to all and every
 Witness and Witnesses thereupon named by the Party or Parties
 making such Application, to come before them, upon a time and at

When Salt or
 Rock Salt re-
 moving Coast-
 wise or export-
 ing to *Ireland* is
 lost by casting
 away, wreck or
 sinking of the
 Vessel, or Cap-
 ture, Application
 to be made to
 Two Justices, or
 (if in *Ireland*) to
 the Collector or
 Comptroller, or
 to the Excise in
London or *Scot-
 land*, who are to
 examine Wit-
 nesses.

a Place

Proceedings on such Examination, and what the Proof is to be.

a Place to be mentioned in such Summons respectively, to be examined upon their and each of their Corporal Oaths touching and concerning the Premises, and at such time and Place to examine upon Oath (which Oath such Justices, Collector and Comptroller and Commissioners are hereby respectively authorized to administer) not only all and every such Witness and Witnesses, but all Witnesses then and there produced against such Application, in the Presence of the proper Collector or Supervisor of Excise, if he or they shall attend at such time and Place, touching the Matter stated and contained in such Application, and to take such Examination and every Part thereof in Writing, to be afterwards read over to and signed by each such Witness respectively; and upon Proof of all and every the Facts stated and contained in such Application by such Witnesses as aforesaid, one of whom shall be the Master or Mate of such Flat, Boat, Barge or Vessel, if such Master or Mate be living at the time, and upon Proof as aforesaid that such Flat, Boat, Barge or Vessel was, at the time of the Shipment and Receipt of such Salt or Rock Salt, tight, sound, and in all respects Sea worthy, and fit for the Reception and safe Conveyance of such Salt or Rock Salt, and without Leakage or other Injury, and was not loaded with Salt or other Goods so as to sink in the Water below her Load Water line or Mark, and that all such Salt or Rock Salt had been duly weighed, and had been shipped and received on board thereof, and securely kept during the said Voyage, continually from the time when such Salt or Rock Salt was weighed, and was shipped and received on board thereof, until the Salt or Rock Salt was weighed or delivered out of such Vessel at the Port of Delivery, and in the Presence of the proper Officer of Excise, or the Vessel was stranded, cast away, wrecked, sunk or captured, or the Salt or Rock Salt was lost or destroyed by such Leak or Leaks as aforesaid, and that no Part of such Salt or Rock Salt had been taken out, removed, lost, consumed or destroyed by any Negligence or Want of due and proper Care thereof, or from the Misdirection or Mismanagement of such Vessel, or of any Person or Persons whatsoever, to the Knowledge or Belief of such Master or Mate respectively, and that such Loss or Deficiency was or were wholly and solely owing to and occasioned by the Cause stated in such Application, being either by a Leak or Leaks accidentally or unavoidably sprung by such Flat, Barge, Boat or other Vessel, during such Carriage or Conveyance of such Salt or Rock Salt, and satisfactorily shewn to the Officer of Excise at the Port or Place of Discharge, before or at the time of the Delivery of such Salt or Rock Salt respectively, or by the unavoidable stranding, casting away, Wreck, sinking or Capture of such Vessel, such Justices are hereby authorized and required to grant to the Collector or Supervisor of Excise, and such Collector and Comptroller as aforesaid shall, at the Expence of the Party or Parties making such Application, thereupon transmit to the Commissioners of Excise in *England* or *Scotland*, as the case may be, a Copy of such Application, and of the Examinations in Writing taken thereon, with their Certificate, to be signed by such Justices or Collector and Comptroller respectively, specifying that each such Witness has been examined by them upon Oath, that his or her Examination was afterwards read over to and signed by each such Witness in the presence of such Justices or Collector and Comptroller respectively, and

Justices to grant, and Collector, &c. at the Expence of the Party, to transmit to Excise in *England* or *Scotland*, a Copy of Application and Examination, and Certificate of Proceedings.

and that the several Facts stated in such Application were or were not, as the case may be, proved to their Satisfaction; and such Collector or Supervisor shall, upon Receipt of such Copy and Certificate from such Justices as aforesaid, transmit the same to the Commissioners of Excise, who are hereby authorized and required, upon Receipt of any such Certificate as aforesaid, if they be satisfied therewith, in case the Salt or Rock Salt so lost or destroyed shall have been proved to be Salt or Rock Salt for which the Duties by law imposed shall have been paid or secured to be paid, to allow to the Maker or Proprietor of such Salt or Rock Salt, out of the Duties on Salt which shall next become due and payable from such Maker or Proprietor, the full Amount of the Duties proved to have been paid for such Salt or Rock Salt which shall be so proved to have been so lost or destroyed as aforesaid; and if the Salt or Rock Salt which shall be proved to have been so lost or destroyed as aforesaid, shall be Salt or Rock Salt which shall have been delivered upon Bond free of Duty, or Rock Salt which shall have been delivered for Exportation upon the low Duty to which such Rock Salt for Exportation is liable, then and in every such case the said Commissioners shall, as to such Salt or Rock Salt so lost or destroyed, order and require such Collector of Excise as aforesaid to cancel or vacate the Bond which shall have been given for the delivery of the Salt or Rock Salt which shall be proved to have been so lost or destroyed; and that if such Application be made to the Commissioners of Excise as aforesaid, and such Proof be made as aforesaid to their Satisfaction, such Commissioners shall grant the same Relief respectively as is hereinbefore directed to be granted by them on such Certificate as aforesaid: Provided always, that no such Application as aforesaid shall be sustained or proceeded upon unless the Proprietor or Shipper of any Salt or Rock Salt which shall be lost or destroyed as aforesaid, or some Person on his, her or their Behalf, shall give Notice in Writing to the Collector or Comptroller of the Port in *Ireland* to which such Vessel may be destined, or into which she may be driven, or to the Collector or Supervisor of Excise in *Great Britain* nearest to the Place where such Loss may happen or be first discovered, or to the Solicitor of Excise for summary and criminal Prosecutions, within Ten Days after such Loss shall have happened or been first discovered as aforesaid; or if such Flat, Barge, Boat or other Vessel be then at Sea, within Ten Days after her Arrival at her destined Port; nor unless it shall be specified in such Application when and where such Loss shall have happened and been discovered, and by which particular Cause before mentioned it shall have been occasioned; nor unless the Names and Places of Abode of the Maker or Refiner, and of the Proprietor or Shipper of the Salt or Rock Salt, the time when and the Place where the same was shipped, and the Place to which the same was consigned or intended to be removed, and also the Quantity of Salt or Rock Salt actually shipped, shall be specified in such Application, and also whether it was Salt or Rock Salt for which the Duties had been paid, or which had been delivered on Bond, and the Names of the Flat, Barge, Boat or Vessel in which the same was shipped, and of the Master or Commander thereof: Provided also, that no such Application to such Justices or Commissioners shall be sustained or proceeded upon unless a Copy of such Application shall be delivered to such Collector or Supervisor as

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aforesaid,

Commissioners of Excise on Receipt thereof may make such Allowance to Proprietor of Salt so lost, &c. as herein mentioned,

and order Collector to cancel the Bond.

Notice to be given to Officer of Application for Relief.

What such Application is to specify.

Copy of Application to be delivered to Officer with List of Witnesses, &c.

aforesaid, or to the Solicitor of Excise for summary and criminal Prosecutions, Three Days at least before the time appointed by such Justices or Commissioners for the Examination of the Witnesses, together with the List of the Names, Residence and Description of the several Witnesses who shall be intended to be thereupon examined; and that, upon any such Examination as aforesaid, such Witnesses only shall be examined in Support of such Application whose Names are contained in such List, and that such Examination shall be confined to the Facts specified in such Application.

Appeal to Quarter Sessions by either Party.

LXVI. And be it further enacted, That if the said Commissioners of Excise shall be dissatisfied with any such Examination or Certificate as aforesaid, they are hereby authorized and required within Fourteen Days to signify the same to the Party or Parties making such Application as aforesaid, and give to such Party or Parties a Notice of Appeal to the Justices of the said County, or of the County from which such Salt or Rock Salt shall have been shipped, at the Quarter Sessions of the Peace which shall be holden in and for the said County next after such Certificate shall have been received by them as aforesaid; and that if such Justice or Justices, or Collector and Comptroller, to whom any such Application shall be made as aforesaid, shall certify that all or any of the Facts required by this Act to be thereupon proved upon Oath shall not have been proved, it shall and may be lawful to and for the Proprietor or Shipper of such Salt or Rock Salt, within Fourteen Days after such Decision, to give Notice to the Collector or Supervisor of Excise who shall have attended such Examination, or in case of any such Decision by such Collector and Comptroller as aforesaid, to the Collector nearest to the Residence of such Proprietor or Shipper in *Great Britain*, of his or her Intention to appeal to the Justices aforesaid at the next Quarter Sessions to be holden in and for the said County; and such Justices at their Quarter Sessions shall, upon either of such Appeals as aforesaid, be thereupon empowered to issue their Summons for the Attendance of any Witness or Witnesses thereon, and to hear and examine the Matters aforesaid, and their Decision thereon shall be final, and that thereupon such Application for Relief as aforesaid shall be wholly dismissed, or the said Commissioners of Excise shall make such Order of Relief as before mentioned: Provided always, that no other Facts or Fact shall be inquired into at such Quarter Sessions than those which are stated in such original Application as aforesaid, nor any Witnesses examined in Support of such Application, except such whose Names, Residence and Description shall be entered in a List to be given by the Party or Parties making such Application, to the Collector or Supervisor of Excise, Ten Days at least before such Quarter Sessions, nor any Witnesses examined against such Application, except such whose Names or Residences and Descriptions shall be entered in a List to be given by such Collector or Supervisor to the Party or Parties making such Application, or his, her or their Agent, Ten Days at least before such Quarter Sessions; and that the Party making such Appeal shall, in case such Decision of the Justices of the Quarter Sessions shall be against such Appeal, bear and pay all Costs, Charges and Expenses attending, occasioned to or sustained by either Party, by such Appeal having been so made, and of all Witnesses who shall have attended such Justices to be examined thereon.

Notice to Officer of Appeal.

Decision of Quarter Sessions final.

What facts and Witnesses Quarter Sessions may inquire into and examine.

Costs.

LXVII. And

LXVII. And be it further enacted, That if any Person shall be summoned to appear as a Witness to give Evidence before any such Justices of the Peace as aforesaid, or any such Collector and Comptroller or Commissioners as aforesaid, touching the matters aforesaid, and shall neglect or refuse to appear at the time and Place to be for that Purpose appointed in such Summons, without a reasonable Excuse for such his or her Neglect or Refusal (to be allowed by such Justices of the Peace or Collector and Comptroller or Commissioners as aforesaid), or appearing shall refuse to be examined upon Oath, and give Evidence to such Justices of the Peace or Collector and Comptroller or Commissioners, before whom such Evidence is required by this Act to be given, then that every such Person shall forfeit for every such Offence the Sum of Fifty Pounds, to be levied by Warrant of Distress to be issued by such Commissioners or Justices, or by any other Two Justices of the County or Place where such Offence shall have been committed, upon the Certificate of the Justices or Collector and Comptroller respectively to be granted of such Contempt; and if no sufficient Distress can be found, then it shall and may be lawful for such Commissioners or Justices to commit such Offender to the Common Gaol or other Prison within their Jurisdiction, for any Term not exceeding the Space of Three Calendar Months, unless the Penalty shall be sooner paid; and such Penalty shall be applied to the Use of the Poor of the Parish, Township or Place in which such Offence shall have been committed, in such manner as such Justices shall direct and appoint.

Witnesses neglecting, &c. to appear or give Evidence,

Penalty 5*l.*

Application of Penalty.

LXVIII. And be it further enacted, That all and every Person and Persons who shall give false Evidence in any Examination to be taken by virtue of this Act, or where, in pursuance of this Act, any Oath is required to be taken, shall swear falsely, shall be subject to such Pains, Penalties and Disqualifications as Persons guilty of wilful and corrupt Perjury are or for the time being shall be subject or liable to by the Laws and Statutes of this Realm.

Perjury.

LXIX. And be it further enacted, That if any Question shall arise whether any salted Fish, Salt, Rock Salt or Alkali respectively, which shall be seized as and for salted Fish, Salt, Rock Salt or Alkali respectively, forfeited under or by virtue of this Act, be salted Fish, Salt, Rock Salt or Alkali respectively, for or on which such Forfeiture is by this Act imposed, the Proof of such salted Fish, Salt, Rock Salt or Alkali respectively, not being salted Fish, Salt, Rock Salt or Alkali respectively, for or on which such Forfeiture is by this Act imposed shall lie upon the Owner or Claimer thereof.

Onus Probandi, how far on Owner of Fish, Salt, &c.

LXX. And be it further enacted, That no Bond or Security given or to be taken, under the Provisions of this Act, for the Removal of any Salt or Rock Salt to be lodged or deposited in any Warehouse for the Use of the *British* Fisheries, or for the accounting for any Salt or Rock Salt deposited therein, or for or in respect of any Salt or Rock Salt to be used or employed in curing or preserving Fish, nor any Certificate made out in relation to any such Salt or Rock Salt, shall be subject or liable to any Stamp Duties; any thing in this or any other Act or Acts of Parliament to the contrary thereof notwithstanding.

Bonds for Fishery Salt not subject to Stamp Duty.

LXXI. And be it further enacted, That all and every of the Powers, Directions, Rules, Penalties, Forfeitures, Clauses, Matters and Things which in and by an Act made in the Twelfth Year of

12 C. 2. c. 24. and any other Act relating to the Excise in

force, extended
to this Act.

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, shall be practised, used and put in Execution, in and for the Purposes of this Act, 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.

Penalties how to
be recovered.

LXXII. 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 (save and except in such case or cases where it is otherwise expressly directed by this Act) One Moiety of every such Fine, Penalty or Forfeiture shall be to His Majesty, His Heirs and Successors, and the other Moiety to him or them who shall discover, inform or sue for the same.

Act may be
altered, &c. this
Session.

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

C A P. L.

An Act to continue an Act made in the Fifty fourth Year of His present Majesty's Reign, intituled *An Act to provide for the preserving and restoring of Peace in such Parts of Ireland as may at any Time be disturbed by seditious Persons, or by Persons entering into unlawful Combinations or Conspiracies.*

[27th June 1817.]

54 G. 3. c. 180.

WHEREAS an Act was made in the Fifty fourth Year of His present Majesty's Reign, intituled *An Act to provide for the preserving and restoring of Peace in such Parts of Ireland as may at any time be disturbed by seditious Persons, or by Persons entering into unlawful Combinations or Conspiracies*; to continue in Force for Two Years from and after the passing thereof, and from thence until the End of the then next Session of Parliament: And Whereas the said Act is about to expire at the End of this present Session of Parliament, and it is expedient that the same should be continued; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall be and the same is hereby further continued, and shall be in Force in *Ireland*, from the End of this present Session of Parliament, for a further Period of One Year, and no longer.

continued.

C A P. LI.

An Act to regulate the Celebration of Marriages in *Newfoundland*.
[27th June 1817.]

WHEREAS a Doubt has existed whether the Law of *England* requiring Religious Ceremonies in the Celebration of Marriage to be performed by Persons in Holy Orders, for the perfect Validity of the Marriage Contract, be in Force in *Newfoundland*; and by reason of this Doubt, Marriages have been of late celebrated in *Newfoundland* by Persons not in Holy Orders: And Whereas great Inconvenience and Irregularities may arise if these Doubts shall continue to prevail; 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 *January* in the Year One thousand eight hundred and eighteen, all Marriages had in *Newfoundland* shall be celebrated by Persons in Holy Orders; and all Marriages which shall be contracted or celebrated in *Newfoundland* contrary to this Act, after the First Day of *January* in the Year One thousand eight hundred and eighteen, shall be and are hereby declared to be null and void: Provided nevertheless, that nothing contained in this Act shall extend or be construed to extend to any Marriages that may be had under Circumstances of peculiar and extreme Difficulty in procuring a Person in Holy Orders to perform the Celebration, and in which the Law might on that account otherwise determine on the Validity of such Marriages: Provided always, that in all such cases the Circumstance of the case and the actual Contract of Marriage shall be certified on the Oath of the Parties before the Magistrate nearest to the usual Residence of the Parties, or either of them, or before some other Person duly authorized by the Governor or Officer administering the Government at *Newfoundland*, to administer such Oath.

Marriages to be solemnized in Newfoundland by Persons in Holy Orders.

Proviso for Difficulty in procuring Persons in Holy Orders being certified on Oath.

II. And be it further enacted, That nothing in this Act shall extend or be construed to extend to Marriages already had, or that shall be had previous to the First Day of *January* in the Year One thousand eight hundred and eighteen: Provided also, that nothing in this Act contained shall extend to any Marriages amongst the People called *Quakers*, or amongst the Persons professing the Jewish Religion, where both the Parties to any such Marriage shall be of the People called *Quakers*, or Persons professing the Jewish Religion respectively.

Proviso for Marriages already contracted, Quakers and Jews.

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

Act may be altered, &c. this Session.

C A P. LII.

An Act to alter an Act passed in the Eleventh Year of the Reign of King *George* the Second, for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants.
[27th June 1817.]

WHEREAS by an Act of Parliament passed in the Eleventh Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the more effectual securing the Payment* 11 G. 2. c. 19. § 16.

of *Rents, and preventing Frauds by Tenants*, it is amongst other things enacted, that from and after the Twenty fourth Day of *June* One thousand seven hundred and thirty eight, if any Tenant holding any Lands, Tenements or Hereditaments at a Rack Rent, or where the Rent reserved should be full Three fourths of the Yearly Value of the demised Premises, who should be in Arrear for One Year's Rent, should desert the demised Premises, and leave the same uncultivated or unoccupied, so as no sufficient Distress could be had to countervail the Arrears of Rent, it should and might be lawful to and for Two or more Justices of the Peace of the County, Riding, Division or Place (having no Interest in the demised Premises), at the Request of the Lessor or Landlord, Lessors or Landlords, or his, her or their Bailiff or Receiver, to go upon and view the same, and to affix or cause to be affixed on the most notorious Part of the Premises Notice in Writing what Day (at the Distance of Fourteen Days at least) they would return to take a Second View thereof; and if upon such Second View the Tenant, or some Person on his or her behalf, should not appear and pay the Rent in Arrear, or there should not be sufficient Distress upon the Premises, then the said Justices might put the Landlord or Landlords, Lessor or Lessors, into the Possession of the said demised Premises; and the Lease thereof to such Tenant, as to any Demise therein contained only, should from thenceforth become void: And Whereas it is expedient, for the due Protection of the Interest of Landlords, that so much of the said Act as requires a Tenant to be in Arrear for One Year's Rent should be altered, and that the Provisions of the said Act should be extended to Tenancies where no Right of Entry in case of Non Payment is reserved to the Landlord; 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 Provisions, Powers and Remedies by the said recited Act given to Lessors and Landlords in case of any Tenant deserting the demised Premises and leaving the same uncultivated or unoccupied, so as no sufficient Distress can be had to countervail the Arrears of Rent, shall be extended to the case of Tenants holding any Lands, Tenements or Hereditaments at a Rack Rent, or where the Rent reserved shall be full Three fourths of the Yearly Value of the demised Premises, and who shall be in Arrear for One Half Years' Rent, (instead of for One Year as in the said recited Act is provided and enacted,) and who shall hold such Lands and Tenements or Hereditaments under any Demise or Agreement either written or verbal, and although no Right or Power of Re-entry be reserved or given to the Landlord in case of Non Payment of Rent, who shall be in Arrear for One Half Year's Rent, instead of for One Year, as in the said recited Act is provided and enacted.

Extended to Tenants in Arrear for One Half Year's Rent instead of One Year.

C A P. LIII.

An Act for the more effectual Punishment of Murders and Manslaughters committed in Places not within His Majesty's Dominions: [27th June 1817.]

WHEREAS grievous Murders and Manslaughters have been committed at the Settlement in the Bay of *Honduras* in *South America*, the same being a Settlement, for certain Purposes, in the Possession and under the Protection of His Majesty, but not within the Territory and Dominion of His Majesty, by Persons residing and being within the said Settlement; and the like Offences have also been committed in the *South Pacific* Ocean, as well on the High Seas as on Land, in the Islands of *New Zealand* and *Otaheite*, and in other Islands, Countries and Places not within His Majesty's Dominions, by the Masters and Crews of *British* Ships, and other Persons who have for the most Part deserted from or left their Ships, and have continued to live and reside amongst the Inhabitants of those Islands; whereby great Violence has been done, and a general Scandal and Prejudice raised against the Name and Character of *British* and other *European* Traders: And Whereas such Crimes and Offences do escape unpunished, by reason of the Difficulty of bringing to Trial the Persons guilty thereof: For Remedy whereof be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all Murders and Manslaughters committed or that shall be committed on Land at the said Settlement in the Bay of *Honduras* by any Person or Persons residing or being within the said Settlement, and all Murders and Manslaughters committed or that shall be committed in the said Islands of *New Zealand* and *Otaheite*, or within any other Islands, Countries, or Places not within His Majesty's Dominions, nor subject to any *European* State or Power, nor within the Territory of the United States of *America*, by the Master or Crew of any *British* Ship or Vessel, or any of them, or by any Person sailing in or belonging thereto, or that shall have sailed in or belonged to and have quitted any *British* Ship or Vessel to live in any of the said Islands, Countries, or Places, or either of them, or that shall be there living, shall and may be tried, adjudged and punished in any of His Majesty's Islands, Plantations, Colonies, Dominions, Forts or Factories, under or by virtue of The King's Commission or Commissions, which shall have been or which shall hereafter be issued under and by virtue and in pursuance of the Powers and Authorities of an Act passed in the Forty-sixth Year of His present Majesty, intituled *An Act for the more speedy Trial of Offences committed in distant Parts upon the Sea*, in the same manner as if such Offence or Offences had been committed on the High Seas.

II. Provided always, That nothing herein contained shall repeal or affect, or be construed to repeal or affect, the Provisions of an Act made and passed in the Thirty third Year of King *Henry* the Eighth, intituled *An Act to proceed by Commission of Oyer and Terminer against such Persons as shall confess Treason, etc. without remanding the same to be tried in the Shire where the Offence was committed*.

Murders and Manslaughters committed in certain Foreign Parts not within His Majesty's Dominions, may be tried in any of His Majesty's Foreign Plantations, in same manner as Offences committed on the High Seas.

46 G. 3. c. 54.

Proviso for Stat. 33 H. 8. c. 23.

A&t may be altered, &c. this Session.

III. And be it further enacted, That this A&t may be altered, amended or repealed by any A&t or A&ts to be passed in this present Session of Parliament.

C A P. LIV.

An A&t to enable the Commissioners of His Majesty's Woods, Forests and Land Revenues to make and maintain a Road from *Millbank Row, Westminster*, to the Penitentiary.

[27th June 1817.]

52 G. 3. c. 41.

‘ W H E R E A S in pursuance and under the Authority of an A&t of Parliament passed in the Fifty second Year of the Reign of His present Majesty, intituled *An A&t for the Erection of a Penitentiary House for the Confinement of Offenders convicted within the City of London and County of Middlesex; and for making Compensation to Jeremy Bentham Esquire for the Non Performance of an Agreement between the said Jeremy Bentham and the Lords Commissioners of His Majesty's Treasury, respecting the Custody and Maintenance of Convicts*, a Penitentiary for the Confinement and Employment of Male and Female Convicts has been erected at *Millbank*, in the County of *Middlesex*, on Lands now vested in His Majesty, His Heirs and Successors, by virtue of the said A&t, for the Use of the Public and the Purposes of the said A&t; and the same is now completed and fit for the Reception of Part of the Persons intended to be confined therein; but no Carriage Way has yet been set out for passing and repassing between the said Penitentiary and the City of *Westminster*: And Whereas it is necessary and expedient, for opening a Communication with the said Penitentiary, that a free and public Carriage Way should be made and maintained from the South End of *Millbank Row*, in the Liberty of *Westminster*, over a Piece or Parcel of Land belonging to the Earl *Grosvenor*, and now in the Possession of *Thomas Sargent* as Occupier thereof, and by him used as a Wharf, and to be continued along the Bank of the River *Thames* in the Line of the old Foot Path, to the Lodge or Gate of the said Penitentiary: And Whereas the whole of the Land required for the Purpose of making the said intended Road, except the Piece or Parcel of Land which so belongs to the Earl *Grosvenor* as aforesaid, being the Property of His Majesty in Right of His Crown, it is expedient that the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues should be authorized and empowered to appropriate so much of the Land so belonging to His Majesty in Right of His Crown as aforesaid, as shall be requisite for that Purpose, to be used for the said intended Road, and to make and maintain such intended Road, and to make Compensation to the said Earl *Grosvenor*, and all Persons lawfully claiming under him, for such Part of the said Parcel of Land belonging to him as shall be taken and required by virtue of this A&t by and out of the Land Revenue of the Crown:” May it therefore please Your Majesty that it may be enacted; and be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners for the time being of His Majesty's

Commissioners.

Majesty's Woods, Forests and Land Revenues shall be and they are hereby appointed Commissioners for carrying this Act into Execution; and that it shall and may be lawful for such Commissioners, by and with the Consent and Approbation of any Three or more of the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland* for the time being, to be signified by any Minute in Writing, or by Letter from any one of their Secretaries, in pursuance of such Minute, to set out and make, and hereafter to maintain and keep in Repair an open, free and public Carriage Road, commencing from the South End of *Millbank Row*, in the Liberty of *Westminster*, through and over a Piece or Parcel of Ground belonging to the Earl *Grosvenor*, and now in the Possession of *Thomas Sargent* as Occupier, and from thence to be continued over the Crown Lands along the Bank of the River to the Lodge or Gate of the Penitentiary lately erected under the said recited Act; such Road to be a free and public Road, to be used by all His Majesty's Subjects on Foot or on Horseback, and for the Passage of Carriages, Carts, Waggon and other Vehicles.

Public Carriage Road to be made from the South End of *Millbank Row*.

II. And be it further enacted, That that Part of the said intended Road which shall be made through and over the said Piece or Parcel of Land belonging to the said Earl *Grosvenor*, shall not exceed in Width Thirty Feet to be measured from a Line ranging with the Face of the Front Area of the last or Southernmost House in *Millbank Row*, and including in the said Width of Thirty Feet the present Footway.

Road through the Land of Earl *Grosvenor* not to exceed 30 feet wide.

III. Provided, and it is hereby further enacted, That it shall and may be lawful for the Commissioners for carrying this Act into Execution, and they are hereby authorized and empowered, if they shall think it expedient so to do, by and with the Consent of the said Commissioners of the Treasury for the time being, or any Three or more of them, to be signified in manner aforesaid, to extend and continue the said intended Road from the said Lodge or Gate of the Penitentiary over the Crown Lands in a Southern Direction, until it shall meet the Branch or Road now forming, leading towards the Penitentiary from and out of the High Road from *Vauxhall Bridge* to *Pimlico*, and shall form a Junction therewith.

Road may be extended from the Lodge of the Penitentiary to the Branch of Road leading from *Vauxhall Bridge* to *Pimlico*.

IV. And be it further enacted, That it shall and may be lawful for the said Commissioners for the time being for carrying this Act into Execution, and they are hereby authorized and empowered, by and with the Consent and Approbation of any Three or more of the said Commissioners of His Majesty's Treasury for the time being, to be signified as aforesaid, from time to time to appropriate, lay out and expend so much of the Money arising from the Land Revenues of the Crown under their Management as may be necessary for making and afterwards maintaining and keeping in Repair the said intended Road, and for paying such Sums of Money as Compensations to the said Earl *Grosvenor* and *Thomas Sargent*, or any other Persons having any Estate, Right or Interest therein, for the Value of such Ground, and of their respective Estates or Interests therein, and for any Injury or Damage they may respectively sustain by the making of such Road, as may be agreed upon and settled between the said Commissioners and the said Earl *Grosvenor* and other Persons, or which may be awarded and ascertained by the Verdict of a Jury in manner hereinafter directed.

Money necessary for making and keeping the Road in Repair, and for Compensation to Earl *Grosvenor* and *Thomas Sargent*, may be applied from the Land Revenue with Consent of the Treasury.

V. And

Commissioners to treat with Earl Grosvenor and T. Sargent for the Purchase of the Ground to be taken from them for the new Road.

The said Persons refusing, &c. to treat, or not agreeing, &c.

Jury to ascertain the Purchase Money and Compensation.

Witnesses called before Jury.

Jury to view if Occasion.

Money assessed by Jury to be paid by the Commissioners to Earl Grosvenor and T. Sargent.

V. And be it further enacted, That it shall and may be lawful for the said Commissioners for the time being for carrying this Act into Execution, and they are hereby authorized, by and with such Consent and Approbation as aforesaid, to treat and agree with the said Earl Grosvenor and Thomas Sargent, or any such other Person or Persons as aforesaid, for the absolute Purchase of the said Piece or Parcel of Ground, of or belonging to him or them, hereby authorized to be taken for the Purposes of this Act, and of all their respective Estates and Interests therein, and for the settling what Compensations shall be paid or given to the said Earl and Thomas Sargent, or such other Person or Persons as aforesaid, either in Money or other Equivalent, for any Injury, which may be sustained by or occasioned to them by the making and maintaining of such intended Road; and if the said Earl Grosvenor and Thomas Sargent, or any such other Person or Persons having and proving an Interest in the said Ground and Premises, shall neglect or refuse to treat, or shall not agree in the Premises, or from any Cause shall be prevented from treating with the said Commissioners for the time being, or with the Person or Persons authorized by them to treat and agree on their Behalf, then and in such case the High Bailiff of the City and Liberty of Westminster, or his Deputy, shall, upon the Warrant of the said Commissioners for the time being for carrying this Act into Execution in manner hereinafter mentioned, and he is hereby authorized and required to cause it to be enquired into and ascertained, upon the Oaths of a Jury of Twelve indifferent Men of the said City or Liberty of Westminster, which Oaths the said High Bailiff or his Deputy is hereby empowered to administer, what Damages will be sustained by, and what Recompence and Satisfaction shall be made to the said Earl Grosvenor as Owner, and the said Thomas Sargent as Occupier, or to any other Person or Persons claiming or proving any Interest therein as aforesaid, for the Value of such Piece or Parcel of Land to be taken and occupied for the Purposes of this Act, and of the proportionable Value of their respective Interests therein, and shall assess and award the Sum or Sums of Money to be paid to them respectively for the same; and in order thereto the said High Bailiff or his Deputy is hereby empowered and required from time to time, as Occasion shall require, to summon and call before the said Jury and examine upon Oath all and every Person and Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises, which Oath the said High Bailiff or his Deputy is hereby empowered to administer; and the said High Bailiff or his Deputy shall order and cause the said Jury to view the Place in question if there be Occasion, and to use all other Ways and Means, as well for their own as for the Jury's better Information in the Premises, as such High Bailiff or his Deputy shall think fit; and after the said Jury shall have enquired of and ascertained such Value, Damages and Compensation, the said High Bailiff or his Deputy shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the Commissioners for the time being for carrying this Act into Execution to the said Earl Grosvenor and Thomas Sargent, and to any other Person or Persons to whom any such Compensation shall or may be awarded

to be paid, according to such Verdict or Inquisition of the said Jury : Provided always, that the Court of King's Bench shall have full Power and Authority, if it shall see Cause, on Motion made to such Court for that Purpose by the Party who shall be dissatisfied with the same, to set aside such Verdict or Inquisition, and to direct the said High Bailiff or Deputy to summon a new Jury ; but all such Verdicts and Inquisitions shall be binding on all Persons and Parties whatsoever, unless such Motion shall be made to the Court, for setting aside the same, within the first Term after the taking thereof.

VI. And be it further enacted, That for the summoning and returning of such Jury or Juries the said Commissioners for the time being for carrying this Act into Execution are hereby authorized and empowered to issue their Warrant or Warrants to the said High Bailiff or his Deputy to summon, impanel and return, at some convenient Place in the said City of *Westminster*, a Jury of not less than Thirty five nor more than Forty eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said High Bailiff or his Deputy at such time and Place as in such Warrant shall be appointed ; and Fourteen Days' Notice in Writing at the least, under the Hands of the said Commissioners for the time being for executing this Act, or under the Hand of their Solicitor, of the time and Place at which such Jury are so required to be returned, shall be given to the said Earl *Grosvenor* and the said *Thomas Sargent*, and to all other Persons interested in the Premises, before the time of the Meeting of such Jury, by leaving such Notice or Notices at the Dwelling Houses of the said Earl *Grosvenor*, *Thomas Sargent* and such other Person or Persons as aforesaid ; and the said High Bailiff and his Deputy are hereby required and empowered to impanel, summon and return such Number accordingly ; and out of the Persons so impanelled, summoned and returned, or out of such of them as shall appear on such Summons, the said High Bailiff or his Deputy shall swear or cause to be sworn Twelve, who shall be the Jury for the purposes aforesaid ; and, in default of a sufficient Number of Jurymen, shall return other honest and sufficient Men of the Standers by, or that can speedily be procured to attend that Service, being qualified as last aforesaid, to the Number of Twelve ; and it shall be lawful for all Persons concerned to attend by themselves, their Counsel and Solicitors, and to be heard and to adduce Evidence before the said High Bailiff, or his Deputy, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

VII. And be it further enacted, That no Jury to be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Person or Persons by way of Compensation for any Injury or Damage alleged to have been sustained by him or them by reason or Means of this Act, or any thing which may or shall be done in the Execution hereof, unless Notice in Writing, stating the Particulars of every such Claim, and how and in what manner the Amount thereof is made out and computed, shall have been given by or on behalf of such Person or Persons to the said Commissioners for the time being for executing this Act, or to their

Regulations for summoning and impannelling a Jury.

Notice to Commissioners, stating Particulars of Claims, before any Award of Compensation is made.

Solicitor, Ten Days at least before the time of the Meeting of such Jury.

Default of High Bailiff in returning a Jury. Penalty. Jurymen and Witnesses neglecting their Duty.

VIII. And be it further enacted, That if the said High Bailiff or his Deputy, so directed to summon and return a Jury as aforesaid, shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person summoned as a Witness shall not appear, or appearing shall refuse to be examined or give Evidence, any Person so offending, having no reasonable Excuse to be allowed by the said High Bailiff or his Deputy, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace for the said City of *Westminster*, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, her or them the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted.

Penalty.

If Verdict be given for a larger Sum than offered, Expence of Jury to be paid by the Commissioners; but if given for no more or a less Sum, the other Party shall pay the Expence.

IX. And be it further enacted, That in case any Jury to be summoned and sworn pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money as a Recompence, Compensation or Satisfaction for the Right, Interest or Property of the said Earl *Grosvenor*, *Thomas Sargent*, or any other Person or Persons, in such Piece or Parcel of Land to be taken for the Purposes of this Act, than shall have been agreed to have been given and offered for the same by the said Commissioners for the time being for executing this Act, before the summoning and returning of such Jury; then and in every such case all the reasonable Costs, Charges and Expenses of causing and procuring such Recompence, Compensation or Satisfaction to be assessed by a Jury, shall be settled by the said High Bailiff or his Deputy before whom such Claim shall have been tried, and shall be paid by the said Commissioners for the time being for executing this Act; but if any Jury so summoned and sworn as aforesaid shall give any Verdict or Assessment for no more or for less Money as such Recompence, Compensation and Satisfaction as aforesaid, than shall have been agreed to and offered by the said Commissioners for the same before the summoning and returning of the said Jury, or in case no Damage shall be given by the Verdict where the Dispute is for Damages only, or if the causing and procuring of such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners for the time being by any Person or Persons whomsoever who is or are by the Provisions of this Act or otherwise legally empowered to treat; then all such Costs, Charges and Expenses, to be settled by such High Bailiff or his Deputy in manner aforesaid, shall be paid to the Commissioners for the time being for executing this Act, by the said Earl *Grosvenor*, *Thomas Sargent*, or such other Person or Persons so claiming such Compensation, or refusing to treat and agree as before mentioned respectively, save only and except where by reason of Absence or like Cause any Person shall have been prevented from treating and agreeing as aforesaid, in which case no

If no Damage given, or if Jury occasioned by Party refusing to treat with Commissioners, then Costs to be settled by High Bailiff or Deputy.

Costs,

Costs, Charges or Expenses shall be allowed to either Party as against the other; and all Costs, Charges and Expenses hereby directed to be paid to the said Commissioners for the time being for executing this Act, shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them, as so much Money advanced to and for the Use of the Person and Persons entitled to such Money so adjudged; and Payment or Tender of the Remainder of such Money shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed; or in case no sufficient Sum of Money shall be awarded or assessed to be paid by the said Commissioners, whereout such Costs, Charges and Expenses can be deducted, then the same shall and may be recovered by such Ways and Means as hereinafter provided for the Recovery of Penalties, Forfeitures and Fines by this Act imposed or authorized to be imposed.

X. And be it further enacted, That all the said Judgments and Verdicts shall be recorded in the Office of the Auditor of His Majesty's Land Revenue, and a Minute or Docket thereof shall be entered and preserved in the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues, and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said City of *Westminster*, or with the Keeper of the Records of the Quarter Sessions, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said City and Liberty, and shall be deemed to be Records to all Intents and Purposes whatsoever, and the same or true Copies thereof shall be allowed to be good Evidence in all Courts whatsoever, and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in Proportion for any less Number of Words.

Judgments and Verdicts to be recorded in the Office of the Auditor of the Land Revenue, and afterwards deposited with the Clerk of the Peace for Westminster, &c.

Fee for Inspection.

XI. And be it further enacted, That all and every Person and Persons who, in any Examination to be taken on Oath by virtue of this Act, shall wilfully give false Evidence or forswear themselves before any such Jury, or before any Justice of Peace, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Perjury.

XII. And be it further enacted, That it shall be lawful for the said Commissioners for the time being for executing this Act, and they are hereby empowered, from time to time, to cause such and so many Lamp Posts and Lamp Irons to be put up or fixed in, upon or along the Sides of the said Road as they shall think proper, and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed upon such Lamp Posts and Lamp Irons as they shall think necessary for lighting the said Road and every or any Part thereof.

Lamps to be affixed on the Sides of the Road.

XIII. And be it further enacted, That if any Person or Persons shall wilfully and maliciously break, cut down, damage or injure any of the Lamp Posts or Lamp Irons set up by the said Commissioners, or shall break or extinguish any of the Lamps affixed thereto for lighting the said Road; or if the Driver of any Wagon, Cart or other Carriage, or any other Person, shall wilfully and maliciously or carelessly

Breaking Lamps, &c. damaging the Road, or occasioning Annoyances, &c. as herein mentioned.

carelessly break or damage any of the Posts, Rails or Stones, or any Bank or Mound which may be erected for the Security of the said Road; or if any Person or Persons shall plough over or drag any Plough upon any Part of the said Road; or if any Person or Persons shall scrape off any Mud, Soil or other Matter or Thing which shall be or lie upon any Part of the said Road, with any Instrument, so as to damage the said Road or any Part thereof; or if any Person shall hale or draw, or cause to be haled or drawn, upon any Part of the said Road which shall not have been previously paved, and shall be then paved, any Tree or Piece of Timber, or any Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber or Stone which shall be carried upon a wheeled Carriage, to drag upon any Part of the said Road to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the same Road shall suffer the same to root up or damage the said Road or any Part thereof; or if any Person shall in any manner wilfully prevent any other Person or Persons from passing him, her or them upon the said Road, or the Coach, Chaise, Waggon, Cart or other Carriage under his, her or their Care; or if any Person or Persons shall leave any Waggon, Wain, Cart or other Carriage longer than shall be necessary for loading and unloading, and standing as near to the Side of the said Road as conveniently may be, in, upon or on the Side of the said Road, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or if any Person shall lay any Piece of Timber, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Soil, Rubbish or other Matter or Thing whatsoever in or upon any Part of the said Road, or to the Prejudice thereof, or to the Annoyance or Prejudice of any Person or Persons passing or repassing thereon; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty.

Obstructing Persons employed in executing A^ct,

XIV. And be it further enacted, That if any Person shall assault, interrupt or hinder, or cause to be assaulted, interrupted or hindered, any Person or Persons by the said Commissioners for the time being for carrying this A^ct into Execution, or by any Contractor, employed in the Execution of this A^ct, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty.

Contracts may be entered into for making the Road and keeping it in Repair, and for lighting it, &c.

XV. And be it further enacted, That it shall and may be lawful for the said Commissioners for the time being for carrying this A^ct into Execution, or for such Person or Persons as they for that Purpose shall appoint, to contract with any Person or Persons for setting out, making, raising, repairing and keeping in Repair the said Road, and also for setting up and affixing the Lamp Posts and Lamp Irons on and for lighting the said Road, or any Part or Parts thereof respectively, and for doing any other Work by this A^ct authorized to be done, in such manner and for such Sums of Money, or other Compensation or Consideration, as the said Commissioners for the time being for executing this A^ct shall think proper; and all Contracts in Writing for any of the Purposes aforesaid, which shall be entered into, shall be binding to all Parties who shall sign the same, his, her and their Executors and Administrators; and Actions and Suits may be maintained thereon, and Damages and Costs recovered against the Parties failing therein.

XVI. And

XVI. And be it further enacted, That all Matters, Acts and Things authorized or necessary to be done by the said Commissioners in pursuance of this Act, may be done and executed by any Two of them; and the same shall be as valid and effectual, and shall have the same Force and Effect, as if such Matters, Acts and Things had been done and executed by all the said Commissioners.

Two Commissioners may act.

XVII. And be it further enacted, That all Penalties, Forfeitures and Fines hereby inflicted or authorized to be imposed, the manner of levying which is not herein otherwise directed, shall, upon Proof of the Offences respectively before any One of His Majesty's Justices of the Peace for the City and Liberty of *Westminster*, or for the County of *Middlesex*, either by the Confession of the Party or Parties themselves, or upon the Oath of One or more Witnesses or Witnesses, which such Justice is hereby empowered to administer, be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders by Warrant under the Hand and Seal of such Justice; which Warrant the said Justice is hereby empowered to grant for that Purpose; and the Overplus, if any, after such Penalties, Forfeitures and Fines, and the Charges of such Distress and Sale, are recovered and deducted, shall be returned upon Demand to the Owner or Owners of such Goods and Chattels; and the Penalties, Forfeitures and Fines, when recovered and paid, shall be applied for the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties shall not be forthwith paid, it shall and may be lawful for any such Justice of Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to Gaol, there to remain without Bail or Mainprize for any time not exceeding Six Calendar Months, unless such Penalties, Forfeitures and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

Penalties how to be recovered.

Distress.

How Penalties applied.
If no Distress,
Imprisonment.

XVIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any thing done in pursuance of this Act, such Person or Persons may appeal to the Justices of the Peace at the First General or Quarter Sessions of the Peace to be holden for the City and Liberty of *Westminster* next after the Expiration of Three Months from the time such Matter of Appeal shall have arisen, the Person or Persons appealing having first given Ten Days' Notice at the least of his, her or their Intention to bring such Appeal, and of the Matter thereof, to the Solicitor of the said Commissioners, and within Three Days' Notice entering into a Recognizance before some Justice of the Peace for such City and Liberty, with sufficient Sureties, to try such Appeal, and abide the Order thereof, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions; and the said Justices in such Sessions, upon due Proof of such Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of such Appeal in a summary Way, and to make such Determination therein, and to award such Costs to either of the Parties, or otherwise, as they shall judge proper; and the said Justices may, if they see Cause, mitigate any Fine, Penalty or Forfeiture, and may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable; and all such Determinations of the said

Appeal to Quarter Sessions.

Notice.

Recognizance.

Costs.
Mitigation of Penalty.

Justices

Justices shall be final, binding and conclusive upon all Parties to all Intents and Purposes whatsoever; and the said Justices at such Sessions may also by their Order or Warrant levy such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same, and for want of sufficient Distress commit such Person or Persons to the Prison of or for the said City and Liberty for any time not exceeding Six Calendar Months, or until Payment of such Costs.

Costs levied by Distress.

Imprisonment.

Notice to be given before any Action is brought; and Tender of Amends may be offered.

XIX. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Twenty eight Days at least before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends hath been made to him, her or them, or to his, her or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any time before Issue joined, to pay into Court such Sum of Money as he, she or they shall think fit, whereupon such Proceedings, Order and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

XX. Provided always, 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 after Three Calendar Months next after the Fact committed, and every such Action or Suit shall be brought and tried in the County of *Middlesex*, and the Defendant or Defendants in every such Action or Suit shall or may plead, at his or their Election, specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought before Twenty eight Days' Notice thereof shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the time limited for bringing such Action or Suit, or shall be brought in any other County than as aforesaid, then and in every such case the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such case the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other cases by Law.

General Issue.

Treble Costs.

C A P. LV.

An Act to continue an Act to empower His Majesty to secure and detain such Persons as His Majesty shall suspect are conspiring against His Person and Government.

[30th June 1817.]

‘ **W**HEREAS an Act was passed in this Session of Parliament, c. 3. ante. 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 July One thousand eight hundred and seventeen: And Whereas it is necessary for the public Safety that the Provisions of the said Act should be further continued: Therefore, for the better Preservation of His Majesty’s sacred Person, and the sacred Person of His Royal Highness The Prince Regent, and for securing the Peace and Laws and Liberties of 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 all or any Person or Persons that are or shall be in Prison within that Part of the United Kingdom called *Great Britain* at or upon the Day on which this Act shall receive His Majesty’s Royal Assent, or after, by Warrant of His said Majesty’s most Honourable Privy Council, signed by Six of the said Privy Council, for High Treason, Suspicion of High Treason or Treasonable Practices, or by Warrant signed by any of His Majesty’s Secretaries of State, for such Causes as aforesaid, may be detained in safe Custody, without Bail or Mainprize, until the First Day of *March* One thousand eight hundred and eighteen; and that no Judge or Justice of the Peace shall bail or try any such Person or Persons so committed, without Order from His said Majesty’s Privy Council, signed by Six of the said Privy Council, until the First Day of *March* One thousand eight hundred and eighteen; any Law or Statute to the contrary notwithstanding.

Persons imprisoned for High Treason, &c. may be detained until 1st March 1818; and shall not be bailed or tried without an Order from the Privy Council.

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 the Cases of Treason and Suspicion of Treason, with respect to Persons so committed as aforesaid, be suspended until the First Day of *March* One thousand eight hundred and eighteen; and that until the First Day of *March* One thousand eight hundred and eighteen no Judge, Justice of Peace, or other Officer of the Law of *Scotland*, shall liberate, try or admit to Bail any Person or Persons that is, are or shall be in Prison within *Scotland* under a Warrant or Warrants so signed as aforesaid, 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, so far as relates to Treason, suspended.

Persons committed there not to be tried, &c. without such Order as aforesaid.

III. Provided always, That from and after the First Day of *March* One thousand eight hundred and eighteen the said Persons so committed shall have the Benefit and Advantage of all Laws and Statutes in any way relating to or providing for the Liberty of the Subjects of this Realm.

After March 1, 1818, Persons committed to have the Benefit of the Laws.

Proviso for Privileges of Members of Parliament.

Indictments for High Treason already found, to be tried.

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.

Continuance of Act.

Act may be altered, &c. this Session.

IV. Provided always, and be it enacted, That nothing in this Act shall be construed to extend to invalidate the ancient Rights and Privileges of 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 Detaining.

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 the said Indictment as if this Act had never passed.

VI. And Whereas divers Persons are now in Custody on Charges of High Treason and Suspicion of High Treason, under Warrants from One of His Majesty's Principal Secretaries of State or from His Majesty's Privy Council, and it may be highly important that such Persons as have been or shall be secured and detained on such Charges under and by virtue of such Warrant or Warrants 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 advisable; 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 extend; 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 Difficulties 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 be it further enacted, That this Act shall continue in force until the First Day of *March* One thousand eight hundred and eighteen.

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

C A P. LVI.

An Act to amend the Laws in respect to forfeited Recognizances in Ireland. [30th June 1817.]

WHEREAS the several Acts of Parliament passed from time to time, to regulate and secure the Collection of the Sums arising from forfeited Recognizances, and from Fines imposed at Assizes, Sessions of Oyer and Terminer and General Gaol Delivery, and Sessions of the Peace in Ireland, have been found insufficient for that Purpose; and it is therefore expedient that the said Acts should be repealed, and that more effectual Provision should be made for the Recovery and Payment of such Sums and Fines; 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 Commencement of this Act, the several Acts of Parliament hereafter recited shall be repealed; that is to say, an Act passed in the Parliament of Ireland in the Twenty seventh Year of His present Majesty's Reign, intituled *An Act for the better Collection of His Majesty's Revenue arising from forfeited Recognizances*; an Act passed in the said Parliament, in the Twenty ninth Year of His said Majesty's Reign to amend the said recited Act of the Twenty seventh Year; an Act passed in the said Parliament, in the Thirty first Year of His said Majesty's Reign, intituled *An Act to discharge such Recognizances entered into for the Appearance and Prosecution of Offenders, as were forfeited before the Eighteenth Day of January in the Year One thousand seven hundred and eighty seven, and for more effectually executing the Green Wax Process, so far as the said Act of the Thirty first Year of His said Majesty's Reign relates to such Process*; an Act passed in the said Parliament in the Thirty second Year of His said Majesty's Reign, to explain, amend and render more effectual the said recited Acts of the Twenty seventh and Twenty ninth Years of His Majesty's Reign, and to extend the Provisions thereof, and for enlarging the time for *John Howard Kyan* Esquire to account pursuant to his Recognizance, so far as the said Act of the Thirty second Year relates to the Collection of forfeited Recognizances; an Act passed in the said Parliament, in the Thirty eighth Year of His said Majesty's Reign, intituled *An Act for the better Collection of Sums arising from forfeited Recognizances, and from Fines imposed at Assizes, Commissions of Oyer and Terminer and General Gaol Delivery, and Sessions of the Peace, and for the future Application of the same*; an Act passed in the said Parliament, in the Thirty ninth Year of His said Majesty's Reign, to amend the said Act of the Thirty eighth Year; an Act passed in the said Parliament, in the Fortieth Year of His said Majesty's Reign, to continue the said recited Act of the Thirty eighth Year of His said Majesty's Reign, and to repeal and amend Part of the said recited Act of the Thirty ninth Year of His Majesty's Reign; and an Act passed in the Parliament of the United Kingdom, in the Forty ninth Year of His Majesty's Reign, intituled *An Act for the Amendment of the Laws now in force in Ireland, relative to Persons entering into Recognizances in Criminal Cases, in Custody under any Fine, or*

27 G. 3. c. 32.
(1.)

29 G. 3. c. 28.
(1.)

31 G. 3. c. 25.
(1.)

32 G. 3. c. 25.
(1.)

38 G. 3. c. 50.
(1.)

39 G. 3. c. 67.
(1.)

40 G. 3. c. 30.
(1.)

49 G. 3. c. 83.
(U. K.)

under such Recognizances; and the said recited Acts are hereby repealed accordingly; save so far as the same respectively repeal any former Act or Acts of Parliament, or any Clause, matter or thing therein; and save as to any Proceeding in any case wherein any Process of the Pipe shall have actually issued under the said Acts, or any of them, previous to the Commencement of this Act, and the Collection and Application of the Fines and forfeited Recognizances in any such case; and save so far as any of the said Acts purport to discharge any Recognizance theretofore forfeited.

All Recognizances shall specify the Names, Addition and Residence of the Parties bound.

II. And be it further enacted, That from and after the Commencement of this Act, every Recognizance taken in Ireland by or before His Majesty's Court of King's Bench there, or by or before His Majesty's Chief Justice of the said Court of King's Bench, or by or before any of the Justices of the said Court of King's Bench, or by or before any Justice or Justices of Oyer and Terminer or Gaol Delivery, or by or before any Justice or Justices of the Peace, either at their Sessions of the Peace or otherwise, or by any Magistrate or other Person lawfully authorized to take the same, shall contain the Name and Addition of the Person or Persons respectively thereby acknowledging himself, herself or themselves respectively to be bound, and the Name of the Townland, Parish and Barony or Half Barony, or Town or City, and Street therein, (if in a County of a Town or City,) in which the usual or actual Place or Places of Residence of such Person or Persons is or are respectively situated; and all and every Persons or Person who shall hereafter come before His Majesty's said Court of King's Bench, or before any of His Majesty's Justices of the said Court, or before any such Justice or Justices of Oyer and Terminer or Gaol Delivery, or before any Justice or Justices of the Peace, either at their Sessions of the Peace or otherwise, or before any Magistrate or other Person lawfully authorized to admit to Bail, in order to give Bail or be bound for the Appearance of any Person or Persons charged with any Crime or Crimes, (which Person or Persons charged shall by Law be entitled to Bail,) or for keeping the Peace, shall respectively make Oath in one of the Forms here following, or in some other Form of Words to the like Import and Effect respectively; that is to say, if such Person shall reside in a County at large, in this Form; (to wit),

Persons becoming Bail or giving Surety for keeping the Peace, shall make Oath as herein mentioned.

‘ I A. B. do swear, That I am a Householder, and have a House wherein I usually reside, at _____ in the Parish of _____ Barony or Half Barony of _____ and _____ County of _____ and that I support and maintain myself by _____ and that I am worth the Sum of [bere *insert double the Sum in which he or she is to be bound*] over and above all my just Debts.

‘ So help me GOD.’

And if such Person shall reside in a County of a City or Town, the Words ‘reside at’ and from thence to ‘County of’ shall be omitted; and instead thereof, these Words shall be inserted; (to wit,) ‘residing in [naming the Street, Square, Lane or Place] in the Parish of _____ and County of the City or Town of _____;’

Oath annexed to or written on the

and every such Oath shall be annexed to or be written on the same Piece of Paper or Parchment with the Recognizance, and shall be signed

signed by the Person making the same, and attested by the proper Jurat of the Court, Judge, Justice, or other Person taking the same as aforesaid, and shall be sufficient in lieu of all and every Oaths and Oath required by any Law in force in *Ireland* to be taken by any such Surety.

Same Paper with Recognizance.

III. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to require the Person or Persons charged with any Crime, and for whose Appearance any Recognizance shall be about to be entered into, or any Person or Persons who shall become personally bound to keep the Peace, or any Person or Persons who shall or may hereafter become bound for the Prosecution of any Person or Persons charged with any criminal Offence, to take such Part of the said Oath as relates to such Person or Persons being a Householder, or to his, her or their being respectively worth the Sum or Sums of Money for which he, she or they is and are respectively about to be bound, over and above all their just Debts; but every such last mentioned Person and Persons shall, in like manner and form respectively, make Oath as to the Place, Parish, Barony or Half Barony, and County, and the Town or City and Street therein, (if in a County of a Town or City,) in which he, she or they usually or actually reside.

Principals charged and bound to appear, or to keep the Peace, or to prosecute Offenders, shall be sworn only to their Residence.

IV. And be it further enacted, That all and every Justice and Justices of the Peace, and all and every Magistrate and other Person lawfully authorized to take Recognizances, who shall hereafter neglect or refuse to return the Recognizances taken before him alone, or before him and any other Magistrate or Person or Persons so authorized to take the same, in manner hereinafter mentioned, or shall neglect or refuse to insert in any Recognizance taken before him, solely or with any other or others as aforesaid, the proper Name and Names and Addition or Additions of the Person or Persons entering into the same, according to the Provisions of this Act, or shall neglect or refuse to administer the Oaths respectively herein before directed and appointed to be administered in manner so directed, shall for every such Neglect or Refusal (in addition to such Sum as the Judge or Judges of Assize may think fit at the respective Assizes to impose upon any such Justice and Justices of the Peace, or such Magistrate or other Person aforesaid, by way of Fine for such Neglect or Refusal) forfeit the Sum of Fifty Pounds, to be recovered against him by Bill, Plaint or Information in any of His Majesty's Courts of Record in *Dublin*, by any Person or Persons who will prosecute or sue for the same; wherein no Essoign, Protection or Wager of Law shall be allowed, or more than One Impar lance shall be granted.

Justices, &c. neglecting to return Recognizances, or to insert Names, &c. or to administer the said Oaths,

Penalty.

V. And be it further enacted, That the several Clerks of the Crown and Peace throughout *Ireland* shall, on the First Day of every Term next ensuing the time of holding any Commission of Oyer and Terminer and General Gaol Delivery, and Sessions of the Peace respectively, in any County, County of a City, or County of a Town, in *Ireland*, return to the Comptroller of the Pipe in the Court of Exchequer in *Ireland*, distinct Estreats of such Recognizances as aforesaid as shall have been forfeited, and such Fines as shall have been imposed thereat respectively; (save only such Fines as shall have been imposed on Persons actually committed to imprisonment by the Court imposing such Fine, and for the same Offence

Clerks of the Crown and Peace in *Ireland*, on the First Day of Term after Sessions, &c. to return to Comptroller of the Pipe in the Exchequer, Estreats of Recognizances forfeited and Fines imposed. for Exception.

Clerks of Nisi Prius to make Returns.

for which such Fine shall have been imposed;) and that the several Clerks of Nisi Prius in *Ireland* shall also, on the First Day of every *Easter* and *Michaelmas* Term, in like manner return to the said Comptroller of the Pipe Estreats of all Fines (save as aforesaid) which shall have been imposed at the several Sittings of Nisi Prius held in and for the City or County of *Dublin*, and at every Assizes in every County, and County of a City or Town in *Ireland*; and if in any of the said cases there shall be no such Estreats, then the said several Persons shall in every such case make return accordingly.

Return of Effects of forfeited Recognizances and Fines shall specify the Names and the Residence of the Parties.

VI. And be it further enacted, That from and after the Commencement of this Act all Clerks of the Court of King's Bench, Clerks of the Court of Common Pleas, Clerks of the Crown, Clerks of the Peace, Clerks of the Nisi Prius, and others to whom it belongs to make Returns of Estreats into the Exchequer, shall make the said Returns to the Comptroller of the Pipe; and that every Return of any Estreat or Estreats shall be made so that the same shall contain as well the Name and Addition of the particular Person or Persons respectively who are thereby returned as having their Recognizances forfeited and estreated, or having had Fines imposed upon them in the respective Courts from whence the said Returns are or shall be respectively made and estreated, as also the Name of the Place where such Person or Persons usually reside, together with the Name of the Townland, Parish and Barony or Half Barony, and County or Town, or City and Street therein (if in a County of a Town or City), in which such Place or Places of Residence is or are respectively situated.

Oath by the several Clerks returning Estreats in Person.

VII. And be it further enacted, That from and after the Commencement of this Act, all Clerks of the Court of King's Bench, Clerks of the Court of Common Pleas, Clerks of Assize or of Nisi Prius, Clerks of the Crown, Clerks of the Peace, and others to whom it belongs, or shall or may belong, to make Returns of Estreats into the Exchequer, shall, upon Delivery of such Estreats to the Comptroller of the Pipe, when the same shall be so delivered by them in Person respectively, take the Oath following; (that is to say,)

Form of the Oath.

‘ I do swear, That these Estreats now by me delivered are truly and carefully made up and examined, and that all Fines, Issues and Amerciaments, Recognizances and Forfeitures, which were set, lost, imposed or forfeited, and in right and due Course of Law ought to be estreated into the Court of Exchequer, are, to the best of my Knowledge, Understanding and Belief, therein contained; and that in the same Estreats are also contained and expressed all such Fines as have been paid into the Court from which the said Estreats have been made, without any fraudulent or wilful Discharge, Omission, Misnomer or Defect whatsoever; and that, in these Estreats now by me delivered, the Names and Additions of the several Persons respectively mentioned therein, together with their respective Places of Residence, and the Parishes, Baronies, Half Baronies and Counties, and Town and City, and Street therein, in which such Places of Residence are respectively situated, are truly and faithfully set forth according to the best of my Knowledge, Understanding and Belief.

‘ So help me GOD.’

Which

Which said Oath the Barons of the Court of Exchequer, or any One of them, are and is hereby required and empowered to administer from time to time accordingly.

VIII. And be it further enacted, That the Clerks of the Crown and Clerks of the Peace, to whom it belongs to make Returns of Estreats into the Exchequer, if it shall not be convenient to them to deliver such Estreats into the Court of Exchequer in Person, shall and may, in the Place of the said Oath, take and subscribe the Oath following; (that is to say,)

Form of Oath of Clerks of the Crown and Clerks of the Peace, where they cannot deliver the Estreats into the Exchequer in Person.

I do swear, That these Estreats now by me subscribed are truly and carefully made up and examined, and that all Fines, Issues and Amerciaments, Recognizances and Forfeitures, which were set, lost, imposed or forfeited, and in right and due Course of Law ought to be estreated into the Court of Exchequer, are to the best of my Knowledge, Understanding and Belief therein contained; and that in the same Estreats are also contained and expressed all such Fines as have been paid into the Court from which the said Estreats have been made, without any fraudulent or wilful Discharge, Omiffion, Misnomer or Defect whatsoever; and that I will not erase or alter, or cause or consent to be erased or altered these Estreats or any Part thereof; and that, in these Estreats now by me subscribed, the Names and Additions of the several Persons therein mentioned respectively, together with their respective Places of Residence, and the Parishes, Baronies, Half Baronies, and Counties, or Town, or City, and Street therein, in which such Places of Residence are respectively situate, are truly and faithfully set forth according to the best of my Knowledge, Understanding and Belief.

So help me GOD.

Which said Oath a Commissioner for taking Affidavits in the said Court of Exchequer is hereby empowered to administer from time to time in the Presence of Two Justices of the Peace for the County or Place where such Oath shall be taken; and the said Commissioner and Justices shall subscribe the said Oath, and the said Clerk of the Crown or Clerk of the Peace shall, in the Presence of the said Commissioner and Justices, carefully seal up the said Estreats in a Paper Cover, and shall affix his Seal thereto; and the said Commissioner and Justices shall also affix their Seals thereto; and the said Clerk of the Crown or Clerk of the Peace shall cause the said Estreats, so sealed up, to be carefully delivered to the Comptroller of the Pipe in the said Court of Exchequer.

IX. And be it further enacted, That from and after the taking of the said Oaths respectively, the Fines and Recognizances therein referred to respectively shall not be reduced, mitigated or altered by any Court or Judge, or by any Person or Persons whatsoever, save only by the Commissioners of Reductions, or in the manner herein-after mentioned.

By whom only, after such Oaths, Fines may be reduced.

X. And be it further enacted, That the Estreats so to be delivered from the said Clerks of the Crown and Clerks of the Peace in manner last mentioned shall not be received by the Comptroller of the Pipe, unless, at the time of delivering the same, Oath shall be made in the said Court, or before One of the Barons thereof, (which Oath the Barons of the said Court, or one of them, are and is hereby au-

Estreats not received by Comptroller of the Pipe unless Oath made that they have not been opened or altered.

thorized and required to administer,) by the Person who shall have received the same from the said Clerk of the Crown or Clerk of the Peace, for the Purpose of delivering the same to the said Comptroller of the Pipe, that the Estreats or any of them have not been opened or altered since the same were so received for the Purpose aforesaid.

On the last Day of every Term, Comptroller of the Pipe to deliver to the Court of Exchequer in open Court a List of all Persons bound to return any Estreats, &c.

XI. And be it further enacted, That on the last Day of every Term the Comptroller of the Pipe shall at the sitting of the Court of Exchequer deliver in open Court to the Chief Baron, or in his Absence to the senior Puisne Baron present, a Statement in Writing of all the several Officers and Persons by whom any such Estreats ought to have been returned in the said Term as aforesaid, and shall therein specify particularly which of such Persons have or hath duly made such Returns, and which of them have or hath neglected or omitted to make such Return, and shall, if required by the said Court, verify such Statement on Oath in open Court; and such Comptroller of the Pipe shall on the same Court Day of each Term deliver a Copy thereof to the Solicitor for the casual Revenue, who shall enter, as of course, a Rule for a Fine of Twenty Pounds against every Person mentioned in such Statement as having neglected or omitted to make such Return, unless such Person shall make such Return within Four Days if in the County or County of the City of *Dublin*, and within Ten Days if in any other Part of *Ireland*; and the said Solicitor for the casual Revenue shall at the Expiration of such time respectively make such Rule absolute as of course, and shall thereupon issue an Attachment against such Person as of course, and without further Notice; and if any such Comptroller shall neglect or omit to deliver in such Statement as aforesaid, or shall omit therefrom the Names of any Person who ought to be included therein, or shall make any false Statement therein, not being required to verify the same on Oath, or shall omit to furnish such Copy as aforesaid to the Solicitor of the casual Revenue; or if the Solicitor for the casual Revenue shall omit to enter or make absolute such Rule, or to issue such Attachment, such Comptroller and Solicitor for the casual Revenue respectively shall be punished for such Omifion or Neglect by Fine and Attachment at the Discretion of the said Court, and shall for every such Offence forfeit the Sum of Fifty Pounds, to be recovered and levied by and under the summary Order of the Court, by any Person who shall duly apply for the same.

What such List is to specify, and Proceedings thereon.

Comptroller and Solicitor neglecting,

Attachment and Penalty 50l.

Comptroller of the Pipe to issue to Sheriff Second Summons for levying Fines, &c.

XII. And be it further enacted, That the Comptroller of the Pipe shall, on every such Return of Estreats, issue the Second Summons of the Pipe for the levying of all Sums of Money contained in such Estreats, save as aforesaid, out of the Goods, Bodies and Lands of the respective Debtors named in such Process; and such Process shall be directed to the several Sheriffs of Counties, Counties of Cities, Counties of Towns and Districts respectively, in which the several Debtors appear respectively to reside.

All Estreats on which no Process of the Pipe shall have issued, to be delivered to Comptroller, &c.

XIII. And be it further enacted, That all and every Estreat and Estreats which at the Commencement of this Act shall remain or be in any Office of or in the said Court of Exchequer, other than the Office of the Comptroller of the Pipe, and on which no Process of the Pipe shall have actually issued, shall be then forthwith delivered over to the Comptroller of the Pipe, who shall cause the Process of the Pipe, and all subsequent Proceedings, according to the manner and Form and for the Purposes prescribed by this Act, to be issued and

and had on all such Eftreats fo delivered over to him, and alfo on all Eftreats which fhall then remain or be in his Office, and whereon no Procefs of the Pipe fhall have previously iffued.

XIV. And be it further enacted, That fuch Procefs fhall be iffued by the Comptroller of the Pipe within Ten Days after the End of every *Hilary* and *Trinity* Term, and fhall be returnable on the firft Return Day of the next *Hilary* Term, and fuch Procefs fhall and may from time to time be renewed and iffued as often as Occafion fhall require; and fuch Comptroller fhall caufe every fuch Procefs to be delivered to the Sheriffs refpectively to whom the fame fhall be directed, without any unnecessary Delay.

When fuch Procefs to be iffued and made returnable.

XV. And be it further enacted, That the feveral Sheriffs, to whom fuch Procefs fhall be directed, fhall have the fame Powers to levy the Debts therein to be comprifed, and in executing fuch Procefs, whether by fummoning and empannelling Juries, or holding Inquiries upon the feveral Matters aforefaid, or in any other way, as Sheriffs in *Ireland* had by Law in fuch cafes previous to the paffing of the faid Acts fo hereby repealed refpectively.

Sheriffs to have the ufual Powers of levying.

XVI. Provided always, and be it enacted, That every fuch Sheriff fhall, in the firft Place, refort to the Goods of every Perfon againft whom any fuch Procefs fhall be iffued, for the levying thereof of the Debts due by them refpectively, or fo much thereof as fuch Goods fhall be fufficient to anfwer; and fhall not in any cafe refort to the Body or Lands of any fuch Perfon, if fuch Debts can be levied out of his or her Goods.

Sheriff to levy on Goods before reforting to Body or Lands of Debtor.

XVII. And be it further enacted, That there fhall be allowed to every fuch Sheriff the Sum of Six Shillings and Eight pence on every Twenty Shillings which fhall have been actually levied by him for or in refpect of any forfeited Recognizance, in lieu of all other Allowances in that refpect; and the like Sum on every Twenty Shillings for which any Perfon or Perfons fhall have been taken by fuch Sheriff or Sheriffs for or on account of any Recognizance forfeited; and a Sum of Three Shillings and Four pence on every Twenty Shillings which fhall have been actually levied by him for or in refpect of any Fine in fuch Procefs as aforefaid; and a like Sum for every Twenty Shillings for which any Perfon or Perfons fhall have been actually taken by fuch Sheriff or Sheriffs, under fuch Procefs as aforefaid, for or in refpect of any Fine.

Allowance to Sheriff on Levy or Arreft.

XVIII. And be it further enacted, That every Sheriff fhall, at every Affizes within their refpective Jurifdictions, return to the Juftices of Affize a Certificate containing the Names of the feveral Perfons in their Cuftody refpectively, under any Procefs iffued for or by reafon of any Fine or Fines impofed, or any Recognizance or Recognizances forfeited, at any antecedent Court of Oyer and Terminer, Gaol Delivery, Affize or Nifi Prius, within fuch County, County of a City or County of a Town, and who were in their Cuftody at any time during the then next preceding Affizes for fuch County, County of a City or County of a Town, or have been fince committed to them; and fhall alfo at every General Sefions of the Peace return to the Court a like Certificate of Perfons committed under any Procefs iffued for or by reafon of any Fine or Fines impofed, or Recognizance or Recognizances forfeited, at any antecedent Sefions of the Peace for fuch County, County of a City or County of a Town, and who were in their Cuftody at any time during

Sheriffs to return to Juftices of Affize, &c. a Certificate of Names of Prifoners.

during the next preceding Sessions of the Peace, or at any time since; and every such Certificate as aforesaid shall set forth the times when such Persons were respectively committed to Prison, and the Sums for which they were so in Custody, and whether any and which of such Persons then remain in their Custody, and if so, how long such Persons respectively have been in actual Confinement for such Cause, and if not then in Custody, then by what Authority and at what time they were respectively discharged; and the Gaoler of every such Sheriff shall verify the said Certificate by Affidavit, to be sworn before such Justices of Assize, or in case of a Return to the Sessions, before any Two Justices of the Peace (which any Two Justices of the Peace are hereby authorized and required in such case to administer); and such Certificate and Affidavit shall be lodged with the Clerk of the Crown of the County, or if at Sessions, with the Clerk of the Peace, who shall annex the same to the Eſtreats of all forfeited Recognizances returned by them respectively pursuant to this Act.

Gaoler to verify such Certificate on Oath.

Certificate and Affidavit annexed to Eſtreats.

Sheriffs chargeable with Sums for which Prisoners were committed.

XIX. And be it further enacted, That all Sheriffs in whose Custody any such Persons as aforesaid shall be as aforesaid shall be chargeable with all Sums for which such Persons were so in Custody respectively, in the same manner as they are now by Law chargeable for Fines on Persons convicted of any criminal Offences and committed to them for such Fines, and the Comptroller of the Pipe shall issue his usual Process against such Sheriffs for the same accordingly.

In what case Sheriff exonerated by Order of Discharge from Exchequer, &c.

XX. Provided always, and be it enacted, That where any Person for whom any Sheriff or Sheriffs shall have become chargeable as aforesaid shall not remain in the Custody of such Sheriff or Sheriffs, then such Sheriff or Sheriffs shall, upon his or their producing an Order of the said Court of Exchequer in any case, or of Justices of Assize, or of a Court of General Sessions of the Peace in cases cognizable by them respectively for the Discharge of any such Person, be exonerated from the Sum for which such Person so discharged was committed.

Poundage to Sheriff.

XXI. Provided also, and be it enacted, That no Sheriff shall have, receive or be entitled unto any Benefit of Poundage or Allowance under or by virtue of this Act, unless such Sheriff shall pay into the Receipt of the Exchequer, according to the Course of the Court, the Sum with which he shall be chargeable.

In case of false Return to Writs, although not wilful, Court may fine Sheriff or Under Sheriff on Application.

XXII. And be it further enacted, That if any Sheriff shall, for want of exercising due Diligence, make a false Return, not knowing the same to be false, with respect to any of the Persons mentioned in the said Writs or Processes which shall be directed and delivered to him, that it shall be lawful for the Court of Exchequer, on Application made to the Court in that Behalf, to inquire summarily into the Truth of the Charge, and if they shall find that the same is true, to fine the Sheriff, by or in whose Name such Return shall have been made, or his Under Sheriff, in a Sum equal to the full Amount of the Sum which the said Sheriff was by the Writ or Process ordered to levy of the Person with respect to whom such false Return shall have been made, together with the full Costs of such Application, and to enforce the same by Attachment against such Sheriff or his Under Sheriff, as the Court shall judge expedient.

Costs of Application.

XXIII. And be it further enacted, That no Sheriff, Under Sheriff, Bailiff or other Person employed in levying or collecting any

of the said Debts or Sums of Money, shall ask or take or receive any Fee, Gift, Gratuity or Reward whatsoever, of the Person or Persons liable to pay the same, nor of any other Person, for or upon Pretence of such levying or collecting, or for or upon Pretence of forbearing to levy or collect the same, or any Part or Proportion thereof; and in case any Sheriff shall nihil or not duly answer to the Crown any Debt or Sum of Money which shall have been levied, collected or received by him, such Sheriff for every such Offence shall forfeit Treble Damages to the Party aggrieved, and double the Sum nihil and not duly answered as aforesaid, to His Majesty, His Heirs and Successors; which said Damages and Penalty shall be ordered, decreed and given by the Court of Exchequer, on Complaint and Proof of such Abuse as aforesaid, made and exhibited before the Barons of the said Court, in such summary Way and Method as to them shall seem meet; and in case any Sheriff, Under Sheriff, Bailiff or other Person so employed as aforesaid, shall demand, take or receive any Sum or Sums of Money, Gift, Gratuity or Reward of any Kind whatsoever, or any Security, Promise or Engagement of or for any Sum or Sums of Money, Fee, Gift, Gratuity or Reward of any Kind whatsoever, be the same more or less, of any Person whomsoever, for or in respect or upon Pretence of executing any Green Wax Process of the Court of Exchequer in *Ireland*, or for or in respect or upon Pretence of Fees due to them, or any of them, for collecting or receiving the same, or for not executing or for delaying to execute any such Process or any Warrant issued thereon, or shall accept of a less Sum upon Account, or in Payment or Discharge of any such Process or Warrant than as in such Warrant or Process is mentioned; then and in all and every such case, every Person so offending, and being thereof lawfully convicted, shall be deemed guilty of Extortion; and every Person, being thereof lawfully convicted, shall forfeit for every such Offence, to the Party aggrieved in such Process or Warrant, the Amount of the Sum ordered to be levied by such Process or Warrant, and double the Sum so extorted, together with full Costs of Suit, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of the superior Courts of Record in *Dublin*.

XXIV. And be it further enacted, That it shall and may be lawful for the said Court of Exchequer to award and order in a summary Way, to every or any Person or Persons charged in such Process, such Damages, Penalties and Costs, not exceeding the Amount aforesaid respectively, as such Court shall think reasonable; and thereupon such Offender shall not be liable to any Action or Indictment for such Offence; and every such Order and Award shall have the same Effect and Force, to all Intents and Purposes, as any other Order of the same Court; and the said Costs, Damages and Penalties shall be raised and levied by such Process, Ways and Methods as are used in the said Court to enforce a Compliance with any other Order of the same Court.

XXV. And be it further enacted, That it shall and may be lawful, from and after the Commencement of this Act, for all and every Person and Persons who shall hereafter forfeit any Recognizance or Recognizances, or incur any Fine or Fines, or against whom any Arrest or Arrests shall or may hereafter issue, by virtue of this Act or otherwise, and who shall find himself, herself or themselves re-

Sheriffs, &c. not to receive Fee for levying or forbearing to levy.

Sheriff nihiling or neglecting to answer to the Crown for any Sum actually levied, Penalty.

Sheriff, &c. taking Fee or Gift on executing or forbearing to execute any Green Wax Process.

Penalty.

Court of Exchequer may award Damages to Party charged in a summary Way.

Parties aggrieved by Forfeiture of Recognizance, &c. may appeal to Commissioners of Reductions, who may remit Penalties.

spectively aggrieved thereby, to go before His Majesty's Commissioners of Reducements, who are hereby authorized and empowered to examine into the respective Circumstances of the case in a summary manner; and if they shall see sufficient Reason so to do, it shall be lawful for the said Commissioners to remit the Whole or any Part of such Recognizance, Fine or Estreat, as they shall think fit.

Persons obtaining Order for Relief from such Commissioners to serve the same on Comptroller of the Pipe, who is to file the same.

XXVI. Provided always, and be it enacted, That if such Person or Persons shall so have gone before His Majesty's said Commissioners in manner aforesaid, and that they shall have thought fit altogether to remit or partially to reduce the Sum or Sums contained in the said Recognizance or Recognizances, Fine or Fines, Estreat or Estreats, then and in that case the said Person or Persons who shall respectively have obtained an Order of the said Commissioners for that Purpose shall, within Six Days from the time of obtaining the same, serve the said Order upon the Comptroller of the Pipe, or his known Deputy, at his Office in *Dublin*; and the said Comptroller of the Pipe is thereupon required to file the same in his Office, and not to issue Process thereon, or to issue such Process according to the Terms of the said Order, as the case may require.

Poundage on Sums reduced paid to Sheriff by Person obtaining Order of Reducement.

XXVII. Provided also, and be it enacted, That in case any such Fines and Recognizances which shall be so reduced or mitigated by His Majesty's Commissioners of Reducements, shall have been actually levied by any Sheriff, and not paid by him into the Exchequer, that then and in every such case no Allowance shall be made for Poundage on the Debit of any such Sheriff for any such reduced Fines or Recognizances, but that the Poundage or Allowance, provided as aforesaid, on such Fines and Recognizances respectively, shall be paid to such Sheriff by the Person in whose Favour or for whose Benefit the Order of Reducement shall be made, which shall be so expressed in such Order, and every such Sheriff may accordingly deduct the said Poundage upon repaying the Sums so levied.

Court of Exchequer or Assize or Sessions may relieve Parties in Custody.

XXVIII. Provided also, and be it enacted, That if any Person or Persons who shall hereafter be in the Custody of any Sheriff or Sheriffs under any of the Provisions of this Act for the Non Payment of any Sum or Sums, shall petition His Majesty's Court of Exchequer in any case, or the Judges of Assize upon the respective Circuits, or the Court of General Sessions of the Peace in the cases directed to be certified to them respectively as aforesaid, the said Court of Exchequer, and the said Judges of Assize and Court of General Sessions of the Peace respectively shall examine into the Facts of the said Petitions respectively in a summary manner; and it shall be lawful for the said Court of Exchequer and Judges of Assize and Court of General Sessions of the Peace respectively to grant an Order or Warrant (as the case may be) under their Hands to discharge any Person or Persons so in Custody, and petitioning them respectively as aforesaid, if they shall respectively see sufficient Reason so to do; which Order or Warrant, upon being filed with the Comptroller of the Pipe, shall respectively be an Acquittance to the said respective Sheriffs for the Sum and Sums for which the Person or Persons so discharged was or were in Custody.

Order thereon filed, an Acquittance to Sheriff.

Orders at Sessions to be made with Concur-

XXIX. Provided also, and be it enacted, That no such Order or Warrant of the Court of General Sessions of the Peace shall be valid unless made with the Concurrence and under the Hand of the Assistant

ant Barrister of the County in which such Court of General Sessions shall be, or in Counties of Cities and Counties of Towns, unless made with the Concurrence and under the Hand of the Recorder.

XXX. And in order that all Persons who shall be entitled to petition any such Court of General Sessions as aforesaid may be enabled so to do, be it enacted, That whenever the General Sessions of the Peace for any County in *Ireland* shall be held in any City or Town of such County, other than that in or near to which the County Gaol shall be, the Sheriff of such County shall at any time, not more than One Week before the First Day of such Sessions, and he is hereby required to cause each and every Prisoner in such Gaol, who shall be entitled to petition such Court, and shall desire the same, to be removed at the Expense of such Person to the Bridewell of such Town where such Sessions shall be so held, and to detain them respectively therein so long as may be necessary for the Purposes of such Petition; and, before the End of One Week from the last Day of such Sessions, to cause such of them as shall not be discharged to be removed again to the County Gaol.

XXXI. And be it further enacted, That if the Petitioner in any such case shall allege the Poverty or Inability of the Petitioner to pay the Amount of the Sum or Sums for which he or she shall be so in Custody, the Court or Judge, in examining into such Petition, shall inquire whether such Petitioner may not be of Ability or have the Power to pay and discharge some and what Part or Proportion of the Sum or Sums for which he or she shall be so confined; and such Court or Judge shall not on the said Ground of Poverty or Inability order such Petitioner to be so discharged, except on the Payment of such Part or Proportion of such Sum or Sums as he or she may so have the Power to pay and discharge; and if such Petitioner shall have been a Surety in a forfeited Recognizance, then the Court or Judge shall also inquire when and by what Means such Person became unable to pay such Amount; and unless such Court or Judge shall be satisfied that such Inability arose without Fraud, Contrivance or wilful Default, after the time of entering into such Recognizance, such Court or Judge shall not order that such Person be discharged until after the End of Four Calendar Months at the least from the Commencement of his or her Imprisonment under such Process.

XXXII. And be it further enacted, That in any case in which such Petitioner shall have been fined, or shall have been the Principal in any Recognizance in which he or she shall be so in Custody, such Court or Judge shall also inquire into the Nature of the Offence for which such Fine shall have been imposed, or of the Charge in consequence of which such Recognizance shall have been entered into, and under what Circumstances the same was forfeited; and in case such Petitioner shall be so in Custody under any Recognizance to answer or appear to any Charge, and shall after the Forfeiture of such Recognizance have been tried and acquitted of such Charge, such Court or Judge shall inquire whether on such Trial all the Witnesses for the Prosecution attended and were examined; and if not, then whether by the Forfeiture of such Recognizance the Attendance of any such Witness was in any respect prevented; and if such Petitioner shall be a Surety, then such Court or Judge shall inquire whether such Surety used due Diligence to make the Principal amenable

rence, &c. of Assistant Barrister, &c.

Petitioners in County Gaol may be removed to the Bridewell of any Town where the Sessions are held.

In cases of alleged Poverty of Petitioner, the Court to inquire if Petitioner cannot pay Part of the Sum due, &c.

In what case not to discharge such Person until after Four Months.

Where Petitioner is the Party fined, or is the Principal in any forfeited Recognizance, the Court shall inquire into all the Circumstances of the case before granting Relief.

amenable to the Law; and in all and every of such cases the said Court or Judges or Judge of Assize shall have full Power and Authority, if they or he shall think proper, to order the Discharge of such Petitioner, either generally or after such Length of time as such Court or Judges or Judge in his or their Discretion shall think fit, having respect to the Circumstances of the case, and the Length of time that such Petitioner shall have been in Custody previous to the making of such Order, and to the Object and Purposes of this Act; and such Order in such Form shall be good and valid to all Intents and Purposes whatsoever.

Order valid.

Clerks of the Crown and Peace, at Termination of the Assizes or Sessions, to post a List of Recognizances forfeited, &c. and deliver Copy to Treasurer of County.

Inspection thereof.
Clerk of the Crown, &c. offending,

Penalty 5*l*.

Proviso for Rights of Corporation to Fines.

Sheriff, &c. on Action may plead General Issue.

XXXIII. And be it further enacted, That the several Clerks of the Crown and Clerks of the Peace throughout *Ireland* shall, within Three Days after the Termination of the several Assizes or Sessions of the Peace respectively in every County, County of a City, and County of a Town, cause to be posted on the Door of the Court House or Sessions House of such County, County of a City, or County of a Town where such Assizes or Sessions were held, and if such Sessions were held in any Place other than the County Town, then also on the Door of the Court House in such County Town, a true List, signed and subscribed by such Clerk of the Crown or Clerk of the Peace, of all the Recognizances forfeited and Fines estreated at such Assizes or Sessions respectively, specifying the Names, Descriptions and Residences of the Persons against whom such Estreats shall have been made; and shall also deliver or transmit to the Treasurer of the County, County of a City or Town in which such Assizes or Sessions were holden, a Copy of such List; and such Treasurer shall permit all Persons to inspect such Copy who shall apply for that Purpose at his Office at any reasonable time of the Day; and if any Clerk of the Crown or Clerk of the Peace shall omit or neglect to cause such List to be posted as aforesaid, or to deliver or transmit a Copy thereof to the Treasurer of such County, County of a City or Town, such Clerk of the Crown or Clerk of the Peace so offending shall for every such Offence forfeit the Sum of Five Pounds, to be recovered in a summary manner before any One Justice of the Peace of such County, County of a City or Town respectively.

XXXIV. Provided always, and be it enacted, That nothing herein contained shall extend to deprive any Corporation, or any Person or Persons, of any Rights which they now have under their respective Charters or Patents, to any Fines, Amerciaments or Recognizances whatsoever.

XXXV. And be it further enacted, That if any Action upon the case, Trespass, Battery or False Imprisonment, shall be brought against any such Sheriff as aforesaid, or any other Person or Persons, who in his Aid or Assistance, or by his Commandment, shall do any thing touching his aforesaid Office, or for or concerning any Matter, Cause or thing by them or any of them done by reason thereof, it shall be lawful for the Defendant or Defendants in every such Action to plead thereunto the General Issue of not guilty, and to give the Special Matter of Evidence to the Jury who shall try the same; and if upon such Trial a Verdict shall be had for such Defendant or Defendants, or if the Defendant or Defendants shall have Judgment upon Demurrer, or if the Plaintiff or Plaintiffs therein shall be non-suited or suffer any Discontinuance thereof, that in every such case the

the Defendant or Defendants shall have his or their Treble Cofts, which he or they shall have fufained by reafon of fuch A&tion or Suit, for which the faid Defendant or Defendants shall have the like Remedy as in other cafes where Cofts by Law are given to the Defendant.

Treble Cofts.

XXXVI. And be it further enacted, That this A&t may be amended, altered or repealed during the prefent Seffion of Parliament.

A&t may be amended, &c. this Seffion.

XXXVII. And be it further enacted, That this A&t and every Clause and Provision therein contained shall commence and have Effect on and from the Twenty fifth Day of *June* One thousand eight hundred and feventeen, and not fooner.

Commencement of A&t.

C A P. LVII.

An A&t to empower His Majesty to fufpend Training, and to regulate the Quotas of the Militia. [30th *June* 1817.]

‘ **W**HEREAS it is expedient that His Majesty fhould be empowered to fufpend the calling out the Militia for the Purpose of being trained and exercifed, and alfo to caufe the Quotas of the feveral Counties to be regulated;’ Be it therefore enacted by The King’s Mofl Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this prefent Parliament afsembled, and by the Authority of the fame, That it fhall be lawful for His Majesty, by any Order or Orders in Council, to fufpend the calling out of the Militia of the United Kingdom, or any Part of the United Kingdom, or of any County, Riding, Shire, Stewartry, City, Town or Place, for the Purpose of being trained and exercifed in any Year, and to order and direct that no training or exercifing of the Militia of the United Kingdom, or of any Part of the United Kingdom, or of any County or Counties, Riding or Ridings, Shire or Shires, Stewartry or Stewartries, City or Cities, Town or Towns or Place or Places, fpecified in any fuch Order or Orders in Council, fhall take place in any Year; any thing contained in any A&t or A&ts of Parliament relating to the Militia to the contrary notwithstanding.

His Majesty may fufpend the training and exercifing the Militia.

‘ II. And Whereas by an A&t paffed in the Forty fecond Year of the Reign of His prefent Majesty, intituled *An A&t for amending the Law relating to the Militia in England, and for augmenting the Militia*, the Quotas of the Militia of the feveral Counties, Ridings, Shires, Cities, Towns and Places in *Great Britain* were fpecified, and Provisions made for fettling and afcertaining other Quotas at Periods fpecified in the faid A&t; but the Quotas fpecified in the faid A&t have fince remained and continued, but may require to be regulated before the Expiration of the next Period fpecified in the faid A&t; and it is therefore expedient that His Majesty fhould be empowered to caufe the Quotas of the Militia to be regulated when the fame may become neceffary;’ Be it therefore enacted, That it fhall be lawful for His Majesty to order and direct that the Quotas of the feveral and refpective Counties, Ridings, Shires, Cities, Towns and Places in *Great Britain*, fhall be afcertained, fettled, appointed and fixed by His Majesty’s Privy Council, in the Manner fpecified in the faid A&t, if His Majesty fhall deem it neceffary, before the Expiration of the next Period fixed

42 G. 3. c. 90.

His Majesty may order Quotas of Militia of Great Britain to be fixed before the Expiration of the next Period fpecified in recited A&t.

in the said Act for settling and ascertaining such Quotas; and all such Quotas, when so ascertained, settled, appointed, and fixed in pursuance of any such Order of His Majesty, shall be deemed to be Quotas ascertained, settled and fixed under the Provisions of the said Act; and all such Proceedings shall be had thereon, for the Purpose of giving Effect thereto, and apportioning the same respectively among the Hundreds, Rapes, Lathes, Wapentakes or other Divisions of each County, Riding, Shire, City, Town or Place, and the several Parishes, Tithings and Places therein respectively, in like manner in any respect, and all Powers, Authorities, Regulations, Provisions, Clauses, Penalties and Forfeitures, contained in any Act or Acts relating to the Militia of *Great Britain* shall be used, applied and enforced for giving effect to such Quotas and Apportionments, and carrying the Laws relating to the Militia into Execution in relation thereto, in like manner in every respect, and as fully and effectually to all Intents and Purposes, as if such Quotas had been ascertained, settled and fixed at any Period specified in the said recited Act; any thing contained in the said recited Act, or any other Act or Acts of Parliament relating to the Militia, to the contrary notwithstanding.

‘ III. And Whereas Doubts have arisen whether Officers, Serjeants or other Persons enlisting Men to serve the United Company of Merchants of *England* trading to the *East Indies*, are subject to the Penalties, Forfeitures and Provisions contained in the said recited Act of the Forty second Year aforesaid, in relation to enlisting into His Majesty’s other Forces Men enrolled or engaged to serve in the Militia; and whether Militia men so enlisting or Militia men offering themselves to serve for any other Parish or Place than the Parish or Place for which they are first enrolled, are within the Provisions of the said Act contained in relation to offering to be enrolled in any other Regiment, Battalion or Company of Militia;’ For Remedy whereof be it declared and enacted, That every Officer, Serjeant or Person who shall wilfully or knowingly enlist any Man to serve the United Company of Merchants of *England* trading to the *East Indies*, who at the time of such enlisting shall be enrolled or engaged to serve in the Militia, shall be and be deemed to be within the Provisions of the said recited Act, and shall be subject to the Penalties and Forfeitures therein contained for enlisting Militia men to serve in His Majesty’s other Forces; and that every Militia man offering to enlist to serve the United Company of Merchants of *England* trading to the *East Indies*, who shall deny to the Officer, Serjeant or other Person recruiting Men for such Service, that he is at the time of such offering a Militia man, or who shall offer himself to be enrolled and be enrolled as a Militia man for any other Parish or Place than the Parish or Place for which he shall be then enrolled and serving, although in the same Regiment, Battalion or Corps, shall be subject and liable to the Provisions in the said Act contained for the Punishment and subsequent Service of Militia men offering to enlist in His Majesty’s other Forces, or to be enrolled and serve in any other Regiment, Battalion or Corps of Militia; any thing in the said recited Act contained to the contrary notwithstanding.

‘ IV. And Whereas by Two Acts passed in the Forty second Year of His present Majesty’s Reign, relating to the Militias of *England* and

Enlisting Militiamen for the East India Company’s Service,

Penalty. Militiamen offering to be enrolled for another Parish.

Punishment.

‘ and *Scotland* respectively, the Number of Serjeants, Corporals and Drummers to be appointed to the Militia, when not in actual Service, was fixed at the following Proportions; that is to say, One Serjeant and One Corporal to every Thirty Private Men, and One Drummer to every Company, with the Addition of One Drummer to each Flank Company of Regiments or Battalions consisting of more than Five Companies: And Whereas it is expedient that His Majesty should be empowered to diminish those Numbers;’ Be it further enacted, That it shall be lawful for His Majesty, by any Order or Orders signed by His Majesty’s Secretary of State, to direct that the Number of Serjeants, Corporals and Drummers to be retained in the Militia on permanent Pay, when not in actual Service, shall be as follows; that is to say, One Serjeant and One Corporal to every Forty Private Men, and One Drummer for every Two Companies, with an Addition of One Drummer for each Flank Company of Regiments or Battalions consisting of Five or more Companies.

Number of Serjeants, Corporals and Drummers to be retained in the Militia on Pay when not in actual Service.

C A P. LVIII.

An Act to allow *British* Goods to be exported direct from this Country to the United States of *America* upon the same Terms as when exported to any Foreign Country.

[30th June 1817.]

‘ **W**HEREAS by a Convention of Commerce between *Great Britain* and the United States of *America*, signed at *London* on the Third Day of *July* One thousand eight hundred and fifteen, in Article the Second it is provided amongst other Matters, that no higher or other Duties or Charges be imposed in either of the Two Countries on the Exportation of any Articles to His *Britannic* Majesty’s Territories in *Europe* or to the United States respectively, than such as are payable on the Exportation of the like Articles to any other Foreign Country: And Whereas by an Act passed in the Fifty sixth Year of His present Majesty’s Reign, intituled *An Act to carry into Effect a Convention of Commerce concluded between His Majesty and the United States of America*, it is enacted, that upon the Exportation from the United Kingdom of any Goods, Wares or Merchandize, the Growth, Production or Manufacture of the said United Kingdom, or any of His Majesty’s Territories in *Europe*, direct to any of the Territories of the United States of *America*, in any Ship or Vessel built in the said States or condemned as Prize there, and being owned by Subjects of the said States, and whereof the Master and Three Fourths of the Mariners are also Subjects of the said States, no higher or other Duties shall be paid or payable than such as are charged or imposed upon such Goods, Wares or Merchandize when exported in a *British* built Ship or Vessel navigated and registered according to Law: And Whereas it is expedient that the said United States of *America* should be placed, with respect to the Duties on Goods, Wares and Merchandize of the Produce of *Great Britain* exported thither, on the same Footing as when the same are exported to any other Foreign Country whatever;’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

Convention between G. B. and America, July 3, 1815.

56 G. 3. c. 15. § 2.

From 3 July 1815, the same Duties payable on Exportation of British Goods to America as are payable on the like Exportation to any Foreign Country.

Where a greater Duty has been paid the Treasury shall cause it to be repaid.

Continuance of Act.

and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Third Day of July One thousand eight hundred and fifteen the same Duties shall be paid or payable on the Exportation of all Goods, Wares and Merchandize of the Growth, Produce or Manufacture of *Great Britain*, exported direct from thence to any Port or Place within the Territories of the United States of *America* in *British* built Ships owned, registered and navigated according to Law, or in Ships built in the United States of *America*, or condemned as Prize there, and being owned by Subjects of the said States, and whereof the Master and Three Fourths of the Mariners are also Subjects of the said States, as are or shall be payable on the like Exportation to any other Foreign Country whatever.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, and they are hereby authorized and directed, in all cases where a greater Duty has been charged and paid on the Exportation of any Goods, Wares or Merchandize of the Growth, Produce or Manufacture of *Great Britain*, to the United States in manner aforesaid, than has been paid on the Exportation to any other Foreign Country, to cause the same to be repaid.

III. And be it further enacted, That this Act shall continue in force so long as the Convention between His Majesty and the United States of *America* shall continue in force.

C A P. LIX.

An Act for letting to Farm the Post Horse Duties, and for better securing and facilitating the Recovery of the said Duties. [30th June 1817.]

27 G. 3. c. 26.
§ 1.

25 G. 3. c. 51.
§ 4.

44 G. 3. c. 98.
§ 1, 2. and Sch.
(B.)

42 G. 3. c. 100.

‘ WHEREAS by an Act passed in the Twenty seventh Year of His present Majesty's Reign, intituled *An Act to enable the Lord High Treasurer, or Commissioners of the Treasury for the time being, to let to Farm the Duties granted by an Act made in the Twenty fifth Year of His present Majesty's Reign on Horses let to Hire for travelling Post and by time, to such Persons as should be willing to contract for the same*, the Commissioners of the Treasury were empowered to let to Farm the several Duties on Horses let to Hire therein particularly set forth and mentioned to have been granted by the said Act of the Twenty fifth Year of His Majesty's Reign, for any Term not exceeding Three Years, under certain Regulations and Restrictions expressed and contained in the said Act of the Twenty seventh Year of His Majesty's Reign: And Whereas by an Act passed in the Forty fourth Year of His Majesty's Reign, intituled *An Act to repeal the several Duties under the Commissioners for managing the Duties upon stamped Vellum, Parchment and Paper, in Great Britain, and to grant new and additional Duties in lieu thereof*, the several Duties granted by the said Act of the Twenty fifth Year of His Majesty's Reign on Horses let to Hire as therein mentioned, and extended in certain Cases by an Act passed in the Forty second Year of His Majesty's Reign, for enlarging the time for which Horses might be let to Hire without being subject to any annual Duty, and other Pur-

‘ poses,

' poses, were repealed; and in lieu thereof it was enacted, that from
 ' and after the Tenth Day of *October* One thousand eight hundred
 ' and four, there should be raised, levied, collected and paid unto
 ' His Majesty, His Heirs and Successors, the several Duties follow-
 ' ing; (that is to say,) For and in respect of every Horse, Mare
 ' or Gelding hired by the Mile or Stage, to be used in travelling
 ' in *Great Britain*, the Sum of One Penny Halfpenny for every
 ' Mile such Horse, Mare or Gelding should be hired to travel; and for
 ' and in respect of every Horse, Mare or Gelding hired for a
 ' less Period of time than Twenty eight successive Days, for drawing
 ' on any public Road any Coach or other Carriage used in travel-
 ' ling Post or otherwise, if the Distance at the time of hiring should
 ' be ascertained, the Sum of One Penny Halfpenny for every Mile
 ' such Horse, Mare or Gelding should be hired to travel; and for
 ' and in respect of every Horse, Mare or Gelding so hired as last
 ' above mentioned, in any case where the Distance should not at the
 ' time of hiring be ascertained, the Sum of One Shilling and Nine
 ' pence for each Day for which such Horse, Mare or Gelding should
 ' be so hired, with an Exception of Horses, Mares and Geldings
 ' used in licensed Hackney Coaches, where the same should be em-
 ' ployed to go no greater Distance than Ten Miles from the City of
 ' *London or Westminster*, or the Suburbs thereof; which said several
 ' Duties are now secured, raised, levied and collected by and under
 ' the Provisions and Regulations of the said Acts of the Twenty
 ' fifth and Forty second Years of His Majesty's Reign relating to
 ' the said Duties so repealed as aforesaid, and by and under the
 ' Provisions and Regulations of another Act passed in the Forty 48 G. 3. c. 98.
 ' eighth Year of His Majesty's Reign, intituled *An Act for letting*
 ' *to Farm the Duties on Horses hired by the Mile or Stage to be used*
 ' *in travelling, and on Horses hired for a less Period of time than*
 ' *Twenty eight Days for drawing Carriages used in travelling Post or*
 ' *otherwise, in Great Britain, and for better securing the said Duties;*
 ' and by and under the Provisions and Regulations of another Act,
 ' passed in the Fifty first Year of His Majesty's Reign, intituled *An* 51 G. 3. c. 76.
 ' *Act for letting to Farm the Duties on Horses hired by the Mile or*
 ' *Stage to be used in travelling, and on Horses hired for a less Period*
 ' *of time than Twenty eight Days for drawing Carriages used in*
 ' *travelling Post or otherwise, in Great Britain, and for facilitating*
 ' *the Recovery of the said Duties;* and also by and under the Pro-
 ' visions and Regulations of another Act, passed in the Fifty fourth 54 G. 3. c. 174.
 ' Year of His Majesty's Reign, intituled *An Act for letting to Farm*
 ' *the Post Horse Duties:* And Whereas the said Duties granted by
 ' the said Act of the Forty fourth Year of His Majesty's Reign, in
 ' respect of Horses, Mares and Geldings hired in the manner afore-
 ' said, are now let to Farm under the Authority of the said Act
 ' passed in the Fifty fourth Year of His Majesty's Reign, for a Term
 ' of Years which will expire on the Thirty first Day of *January* One
 ' thousand eight hundred and eighteen: And Whereas it is ex-
 ' pedient that the said Duties should be let to Farm for a further
 ' Term, and that other Provisions should be made for better securing
 ' and facilitating the Recovery of the said Duties, in lieu of those
 ' contained in the said Acts of the Forty second, Forty eighth, Fifty
 ' first and Fifty fourth Years of His Majesty's Reign: May it
 ' therefore please Your Majesty that it may be enacted; and be it
 ' enacted

Treasury may let to Farm the Duties on Horses, &c. granted by 44 G. 3. c. 98.

enacted by The King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three or more of them for the time being, and they are hereby empowered, from time to time as it shall be necessary, either by themselves or by the Commissioners of Stamps in *Great Britain*, or some of them, to be authorized for that Purpose under the Hands of the said Commissioners of the Treasury, or any Three or more of them for the time being, to let to Farm the said several Duties granted by the said Act of the Forty fourth Year of His Majesty's Reign, for and in respect of Horses, Mares and Geldings hired in the manner aforesaid, to such Person or Persons as shall be willing to Farm the same after the Expiration of the present Leases thereof, in such separate and particular Districts, and for such term or time as shall be deemed proper and convenient, and under and subject to the Regulations and Restrictions contained in the said Act of the Twenty seventh Year of His Majesty's Reign, with regard to the Duties thereby authorized to be let to Farm, so far as the same are applicable, and not hereby altered: Provided always, that none of the said Duties shall be let to Farm for any longer term or time than until the Thirty first Day of *January* inclusive One thousand eight hundred and twenty-one.

Proviso as to Term.

Powers and Provisions of 27 G. 3. c. 26. in force with regard to the Duties to be let to Farm under this Act.

II. And be it further enacted, That all the Powers, Provisions, Clauses, Regulations and Directions contained in and prescribed by the said Act of the Twenty seventh Year of His Majesty's Reign, shall be deemed and taken to be in full Force and Effect with respect to the said Duties hereby allowed to be let to Farm, and to the Letting of the same, and to the Farmers thereof, and to all other Persons, Matters and things relating thereto, as far as the same are or shall be applicable, and not altered by or repugnant to the express Provisions of this Act, as fully and effectually as if the same had been herein repeated and specially enacted with reference to the said Duties hereby allowed to be farmed.

Treasury may prescribe time for making Deposit by Persons contracting to farm the Duties, and Amount thereof. Contractor failing,

III. And be it further enacted, That it shall be lawful for the said Commissioners of the Treasury, or any Three or more of them, or the said Commissioners of Stamps authorized as aforesaid, to prescribe the time for making a Deposit of a Sum of Money, and the Amount thereof, on account of the Rent to be paid by the Person who shall be the best Bidder for, and be declared the Farmer of any of the said Duties hereby allowed to be farmed; and in case any such Person shall fail to make such Deposit at the time prescribed, or shall fail to execute a proper Contract in Writing, and to give Security for the Payment of the Rent and the due Performance of such Contract, in the manner directed by the said Act of the Twenty seventh Year of His Majesty's Reign, within the time to be appointed for that Purpose, then and in every such case it shall be lawful for the said Commissioners of the Treasury, or any Three or more of them, or the said Commissioners of Stamps authorized as aforesaid, to declare the Bidding and Contract of such Person null and void, and his Deposit, if made, forfeited, and to cause the Duties whereof he shall have been declared the Farmer to be again put

Contract void and Deposit forfeited, and Duties put up again.

put up, to be let to Farm pursuant to the Directions of this and the said Act of the Twenty seventh Year of His Majesty's Reign, and so from time to time as often as such Failure shall be made.

IV. Provided always, and be it further enacted, That if the said Duties arising in any District or Districts shall not be let to Farm at the time to be fixed by Public Advertisement, pursuant to the Directions of this and the said Act of the Twenty seventh Year of His Majesty's Reign, for want of a sufficient Bidding, it shall be lawful for the said Commissioners of the Treasury, or any Three or more of them, or the said Commissioners of Stamps authorized as aforesaid, at any time afterwards to receive Proposals for farming such Duties, and to let the same to Farm by Private Contract, for any Term or time not extending beyond the said Thirty first Day of *January* One thousand eight hundred and twenty one.

Power to let Duties by private Contract, if not let by Auction.

V. And be it further enacted, That it shall be lawful for the Commissioners of Stamps in *Great Britain* for the time being, or the major Part of them, from time to time, as Occasion shall require, to depute and appoint not only the Persons who shall become Farmers or Lessees of the said Duties, and their Executors, Administrators and Assigns, but also any other Person or Persons, at the Request and upon the Nomination, and for the Use of such Farmers or Lessees, or their Executors, Administrators or Assigns, to be Collectors of the said Duties arising within their respective Districts, with full Powers to grant the necessary Licences to Persons within the respective Districts for letting out Horses to Hire in the manner aforesaid, and to take Securities by Bonds from the Persons to be licensed, in the Name of His Majesty, His Heirs and Successors, with such Conditions as are required by the Acts relating to the said Duties, and to receive the Stamp Office Weekly Accounts, by the Acts relating to the said Duties directed and required to be delivered by Persons letting Horses to Hire in the manner aforesaid, within their respective Districts, and the Money due thereon, and to administer the Oath or Affirmation hereinafter required to be made as to the Truth of the Accounts to be delivered by the Persons licensed under the said Acts, and generally to execute and do all other the Powers, Matters and things touching the collecting, managing and enforcing the Payment of the said Duties within and for their respective Districts, which by the several Acts of Parliament relating to the said Duties are given to and authorized to be done by any Collector or Collectors of the said Duties.

Commissioners of Stamps to depute the Farmers of the Duties or other Persons to be Collectors, with full Powers as herein mentioned.

VI. And be it further enacted, That notwithstanding any thing to the contrary contained in an Act of the Fifty fifth Year of His present Majesty's Reign, for repealing the Stamp Duties on Deeds and other Instruments in *Great Britain*, and for granting other Duties in lieu thereof, no Deputation or Commission to be hereafter granted pursuant to the said hereinbefore mentioned Acts and this Act, or any of them, appointing any Person to be a Collector of the said Duties on Horses, Mares and Geldings hired in the manner aforesaid, shall be charged or chargeable with any higher Stamp Duty than One Pound Fifteen Shillings.

Regulation as to Stamp Duty on Deputations, notwithstanding 55 G. 3. c. 184. Sched. Part 1.

VII. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, all Licences for letting Horses to Hire which shall be granted in pursuance of the said hereinbefore mentioned Acts or

Regulation as to Date of Licences for letting Horses to Hire.

any of them, between the Thirty first Day of *January* and the Sixteenth Day of *March* in any Year, shall be dated on the First Day of *February*; and all Licences for letting *Horses* to Hire which shall be granted in pursuance of the said Acts or any of them, at any other time, shall be dated on the Day on which the same shall be granted, and all such Licences respectively shall have effect and continue in force from the Day of the Date thereof, until the Thirty first Day of *January* following, both inclusive, and no longer.

Repeal of Provisions in
48 G. 3. c. 98.
51 G. 3. c. 76.
54 G. 3. c. 174.
for Recovery of Duties by
42 G. 3. c. 100.

VIII. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, all the Regulations and Provisions contained in the said hereinbefore mentioned Acts of the Forty eighth, Fifty first and Fifty fourth Years of His present Majesty's Reign, for better securing and facilitating the Recovery of the said Duties granted by the said Act of the Forty fourth Year of His Majesty's Reign, in respect of *Horses*, *Mares* and *Geldings* hired in the manner aforesaid, and also all the Provisions of the said hereinbefore mentioned Act of the Forty second Year of His Majesty's Reign, which by force of the said Act of the Forty fourth Year of His Majesty's Reign are now applicable to any of the same Duties, shall cease and determine as to all the said Duties arising after the said Thirty first Day of *January*, and as to all Matters and things to be done and performed in respect thereof.

Provisions of
25 G. 3. c. 51.
§ 19.
applied (Exception) to Hirings for less than Twenty eight Days, and to Hirings for Twenty eight Days or above.

IX. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, all the Powers, Provisions, Regulations and Directions, Fines, Forfeitures, Pains and Penalties, contained in and imposed by the said Act of the Twenty fifth Year of His Majesty's Reign, for the raising, levying, collecting and securing of the Duties thereby granted for and in respect of *Horses* hired for a Day or less Period of time,* for drawing on any Public Road any Coach or other Carriage used in travelling Post or otherwise, both where the Distance to be travelled should be ascertained and where not, (save and except the Provision which declares that every Horse hired for any less Period than Two successive complete Days shall be deemed to be hired for a Day,) shall, so far as the same shall be consistent with the express Provisions of this Act, be observed, applied, enforced and put in Execution for the raising, levying, collecting and securing of the said Duties granted by the said Act of the Forty fourth Year of His Majesty's Reign, for and in respect of *Horses*, *Mares* and *Geldings* hired for a less Period of time than Twenty eight successive Days, for drawing on any Public Road any Coach or other Carriage used in travelling Post or otherwise, both where the Distance to be travelled shall be ascertained and where not respectively, as fully and effectually to all Intents and Purposes as if the same had been inserted and specially enacted in this Act, with such Alterations and Variations as may be necessary for applying the same to the said last mentioned Duties and Hirings; and that all the Powers, Provisions, Regulations and Directions, Fines, Forfeitures, Pains and Penalties contained in and imposed by the said Act of the Twenty fifth Year of His Majesty's Reign, with respect to *Horses* hired for Two or more Days for drawing any Carriage used in travelling as aforesaid, shall, so far as the same shall be consistent with

with the express Provisions of this Act, be observed, applied, enforced and put into Execution with respect to Horses, Mares and Geldings hired for Twenty eight successive Days or above, for drawing any Carriage used in travelling as aforesaid, as fully and effectually to all Intents and Purposes as if the same had been inserted and specially enacted in this Act, with such Alterations and Variations as may be necessary for applying the same to Hirings of the Description last mentioned.

X. And be it further enacted, That the said Commissioners of Stamps shall supply all Persons who shall be licensed to let Horses to Hire in the manner aforesaid, with proper and convenient Tickets, and the Toll Gate Keepers with proper and convenient Exchange Tickets, for denoting Hirings for any less Period of time than Twenty eight successive Days, both where the Distance to be travelled shall be ascertained and where not, all which Tickets and Exchange Tickets shall specify the Number of Horses to be let to Hire as heretofore; and the Original Tickets shall have Blanks to be filled up with the Day or Number of Days for which the Hiring shall be made, the Name of the Person letting to Hire, if not an Innkeeper, or the Name of his or her Sign or House if an Innkeeper, the Name of the Place of his or her Residence, and the Month and Year and Day of the Month when the Hiring shall commence; and also in cases of Hirings to go to any certain Place or Places and back, the Name or Description of such Place or Places, and the full Number of Miles thither and back; and also in cases of Hirings for Two or more Days, the Name and Place of Residence of the Person hiring the Horse or Horses; and the Exchange Tickets shall have Blanks to be filled up with the Number of Days for which the Hiring shall be made, the Name of the Town or Place where the original Ticket shall have been issued, and the Date thereof, and the Name of the Toll Gate and County where the Exchange Ticket shall be given; and also in cases of Hirings to go to any certain Place or Places and back, the Name or Description of such Place or Places, and the Number of Miles thither and back, as the same shall be expressed in the original Ticket, and also the Name and Residence of the Hirer if expressed in the original Ticket for which the Exchange Ticket shall be given; and all such Original and Exchange Tickets shall be filled up accordingly, and shall be delivered, shewn and used by all Persons concerned, in such and the like manner as by the said Act of the Twenty fifth Year of His Majesty's Reign is directed of and concerning the Original and Exchange Tickets thereby required to be provided, delivered, shewn and used in cases of or for denoting Hirings for a Day, and under and subject to the like Penalties and Forfeitures for every Refusal, Neglect or Omission as are thereby imposed.

Commissioners of Stamps to supply proper Tickets and Exchange Tickets, to be filled up and used for denoting Hirings for a less Time than Twenty eight Days. What such Tickets to specify.

XI. And be it further enacted, That the said Commissioners of Stamps shall also supply all Persons who shall be licensed to let Horses to Hire in the manner aforesaid with proper and convenient Certificates, and the Toll Gate Keepers with proper and convenient Check Tickets, for denoting Hirings for Twenty eight successive Days or above not liable to the before mentioned Duties, which Certificates shall have Blanks to be filled up with the Number of Horses let to Hire, the Number of Days for which the same shall be hired, the Name and Residence of the Person hiring, and of the

Commissioners of Stamps to supply proper Certificates and Check Tickets, to be filled up and used for denoting Hirings for Twenty eight Days or above.

Person letting to Hire, and the Month and Year and Day of the Month when the Hiring shall commence; and the Check Tickets shall have Blanks to be filled up with the same Particulars as the Certificates for which they shall be given in Exchange, and with the Name of the Toll Gate and County where the Check Tickets shall be given; and all such Certificates and Check Tickets shall be filled up accordingly, and shall be delivered, shewn and used by all Persons concerned, in such and the like manner as by the said Act of the Twenty fifth Year of His Majesty's Reign is directed of and concerning the Certificates and Check Tickets thereby required to be provided, delivered, shewn and used in cases of or for denoting Hirings for Two or more Days, and under and subject to the like Penalties and Forfeitures for every Refusal, Neglect or Omission as are thereby imposed.

When Horses hired for any Period of time are given up before time expires, Exchange Ticket, &c. to be delivered up to Farmer or Collector of Duties.

XII. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, where any Person so licensed as aforesaid shall let to Hire any Horse, Mare or Gelding, Horses, Mares or Geldings for drawing any Carriage used in travelling as aforesaid, either for Two or more Days under Twenty eight, or for a Period of Twenty eight successive Days or above, and the Horse, Mare or Gelding, Horses, Mares or Geldings so let to Hire, shall be given up and returned to the Person letting the same before the Expiration of the time agreed for, the Person so letting the same shall thereupon ask and receive of the Person so returning such Horse, Mare or Gelding, Horses, Mares or Geldings, the Exchange Ticket or Check Ticket which he or she shall have received in Exchange for the original Ticket or Certificate delivered to him or her on the Hiring of such Horse, Mare or Gelding, Horses, Mares or Geldings, and shall deliver up such Exchange Ticket or Check Ticket to the Farmer or other Collector of the aforesaid Duties, to whom he or she shall be bound to deliver his or her Stamp Office Weekly Accounts at the next time of delivering any such Account; and if any Person so licensed as aforesaid shall refuse or neglect to ask for such Exchange Ticket or Check Ticket, or having received the same shall refuse or neglect to deliver up the same to the said Farmer or other Collector at the time aforesaid, he or she shall for every such Offence forfeit and pay the Sum of Ten Pounds; and if he or she shall use such Exchange Ticket or Check Ticket, or permit the same to be used, or give out the same to any Person for the Purpose of being used to cover and protect any other Hiring whatever from the Duty payable by Law for the same, he or she shall for every such Offence forfeit and pay the Sum of Fifty Pounds.

Persons licensed refusing, &c. to ask for or deliver up the same,

Penalty 10l.
Unduly using same,

Penalty 50l.
Persons falsely alleging hired Horses to be their own, and not delivering proper Tickets at Toll Gates,

XIII. And be it further enacted, That if the Hirer of any Horse, Mare or Gelding, Horses, Mares or Geldings, shall not deliver or shew at any Turnpike, Toll Bar or Bridge the proper Ticket, Exchange Ticket, Certificate or Check Ticket which he or she ought to do, pursuant to the Directions of this Act and the said Acts of the Forty fourth and Twenty fifth Years of His Majesty's Reign, or any of them, and shall falsely allege the Horse, Mare or Gelding, Horses, Mares or Geldings, with which he or she shall pass such Turnpike, Toll Bar or Bridge, to be his or her own, or not hired, in order to avoid being stopped, or to avoid the Payment of the Sum which the Toll Gatherer there shall be entitled to demand

in

in default of such Ticket, Exchange Ticket, Certificate or Check Ticket, being delivered or shewn as aforesaid, every Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

XIV. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, where any Person or Persons who shall be licensed to let Horses to Hire in the manner aforesaid, in pursuance of the said herein before mentioned Acts or any of them, shall keep any Carriage or Carriages used in travelling, to be furnished at the same time with any Horse, Mare or Gelding, Horses, Mares or Geldings, by him, her or them let to Hire, by the Mile or Stage, (other than and except Hearses and Mourning Coaches used to attend Funerals, which shall remain subject to the same Regulations as heretofore,) he, she or they shall, before any such Carriage shall be so furnished, cause every Carriage kept by him, her or them for the Purpose aforesaid to be numbered with a different Number, beginning with Number One, and proceeding upwards successively to the highest Number of Carriages which he, she or they shall so keep; and shall also mark or paint or cause to be marked or painted, in one or more straight Line or Lines on the outside Pannel of each Door of every such Carriage which shall have a Door thereto, and on some conspicuous Part of each of the Outfides of every such Carriage which shall not have a Door thereto, his, her or their Christian and Surname, and the Name of the City, Town or Place where he, she or they shall keep such Carriages to be furnished as aforesaid; and the Number of every such Carriage, in large and legible Characters and Figures, of Black or White, whichever shall most differ from the Colour of the Carriage whereon the same shall be marked or painted, each Letter to be at least One Inch in Length, and each Figure at least One Inch and an Half in Length, and both Letters and Figures to be of a proper Breadth in Proportion to the Length thereof respectively, and shall continue the same on every such Carriage as long as such Carriage shall be kept for the Purpose aforesaid, varying the Numbers on such Carriages from time to time as Occasion shall require, so as to make the same correspond with the actual Number of such Carriages which he, she or they shall then keep; and if any Person or Persons so licensed as aforesaid shall neglect or omit to number, mark or paint any such Carriage in manner aforesaid, or paint or cause to be marked or painted thereon any false or fictitious Name or Place, or any higher Number than the greatest Number of such Carriages which he, she or they shall then keep, or shall keep Two or more such Carriages with the same Number marked or painted thereon, or shall continue any Number upon any such Carriage after he, she or they shall cease to keep a Number of such Carriages corresponding therewith, he, she or they shall for every such Offence forfeit and pay the Sum of Ten Pounds.

XV. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, all and every Person and Persons so licensed as aforesaid, shall, instead of the Particulars required by the said (a) Act

(a) [25 G. 3. c. 51. § 27. but see the Particulars required by 48 G. 3. c. 98. § 7. 9. instead of the Particulars required by 25 G. 3. c. 51. § 27.]

Penalty 20l.

Carriages kept to be let with Horses hired by Mile or Stage (Exception) are to be numbered; and the Number and Owner's Name, &c. to be painted thereon, under the Regulations herein mentioned.

Neglecting to mark, or falsely marking Carriages, or unduly continuing Number on Carriage,

Penalty 10l.

Particulars to be inserted in Stamp Office Weekly Accounts, instead

of

of the Particulars of
25 G. 3. c. 51.
§ 27.
In cases of
Hirings by Mile
or Stage.

of the Twenty fifth Year of His Majesty's Reign to be inserted in his, her or their Stamp Office Weekly Account, insert and set forth therein the several Particulars following; (that is to say,) whenever he, she or they shall let to Hire by the Mile or Stage, any Horse, Mare or Gelding, Horses, Mares or Geldings, to be used in travelling, the Number of Horses, Mares or Geldings, so let to Hire, the Number of Miles which the same shall be hired to go, the Names of the Towns or Places from which and to which the same shall be hired to go, the Month and Day of the Month and Week when the same shall be hired, the Sort or Description of every Carriage, if any, which he, she or they shall furnish, together with any such Horse, Mare or Gelding, Horses, Mares or Geldings, and the Number of every such Carriage, if hereby required to be numbered, and the Christian and Surname of every Postillion or Driver employed therewith, and also the Amount of the Duty payable for and in respect of the same, upon every such Hiring; and whenever he, she or they shall let to Hire for any Period of time less than Twenty eight successive Days, any Horse, Mare or Gelding, Horses, Mares or Geldings, for drawing any Carriage used in travelling as aforesaid, the Number of Horses, Mares or Geldings so let to Hire, the Month and Day of the Month and Week when the same shall be hired, the Sort or Description of every Carriage, if any, which shall be furnished therewith, and the Number of every such Carriage, if hereby required to be numbered, the Christian and Surname of every Postillion or Driver employed with such Horse, Mare or Gelding, Horses, Mares or Geldings, the time for which the same shall be hired, and the Number of Miles which the same shall be hired to go or travel, and the Names of the Towns or Places from and to which the same shall be hired to go, where the Distance shall be ascertained, and also the Amount of the Duty payable for and in respect of the same upon every such Hiring; and whenever he, she or they shall let to Hire for Twenty eight successive Days or more, any Horse, Mare or Gelding, Horses, Mares or Geldings, for drawing any Carriage used in travelling as aforesaid, the Number of Horses, Mares or Geldings so let to Hire, the Month and Day of the Month and Week when the same shall be hired, the Sort or Description of every Carriage, if any, which shall be furnished therewith and the Number of every such Carriage, if hereby required to be numbered, the Christian and Surname of every Postillion or Driver employed with such Horse, Mare or Gelding, Horses, Mares or Geldings, the time for which the same shall be hired, and the Name and Place of Abode of the Person hiring the same; and he, she or they shall also insert in every such Account a Memorandum or Notice of all Horses, Mares or Geldings which shall have been let to Hire by him, her or them, for drawing any Carriage used in travelling as aforesaid, either for Two or more Days under Twenty eight, or for Twenty eight successive Days or above, and which since the Date of his, her or their last Account shall have been given up and returned to him, her or them by the Hirer, before the Expiration of the time agreed for; and in case of any Refusal or Neglect to insert the said several Particulars or any of them in any such Weekly Account as aforesaid, he, she or they shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

In cases of
Hirings for any
Time less than
Twenty eight
Days.

In cases of
Hiring for
Twenty eight
Days or more.

In cases of
Hirings for any
Period of time,
when the Horses
shall be given up
before the time
expires.
Neglect, &c.
Penalty 20l.

XVI. And

XVI. And for preventing Frauds and Evasions of the said Duties granted by the said Act of the Forty fourth Year of His Majesty's Reign, be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, where any Person or Persons so licensed as aforesaid shall let to Hire by the Mile or Stage any Horse, Mare or Gelding, Horses, Mares or Geldings, to be used in travelling, and shall charge the Person or Persons hiring the same a specific Sum of Money for the whole Stage or Distance which the same shall be hired to go, and not after the usual Rate *per Mile*, the Person or Persons letting such Horse, Mare or Gelding, Horses, Mares or Geldings, shall be accountable for One Fourth Part of the Sum of Money so to be charged by him, her or them, as and for the Duty imposed by the said Act of the Forty fourth Year of His Majesty's Reign in such case, and shall deliver to the Person or Persons hiring such Horse, Mare or Gelding, Horses, Mares or Geldings, the like Stamp Office Ticket, as if the same had been charged for *per Mile*, and shall add thereto the specific Sum charged for the same; and the Person or Persons letting such Horse, Mare or Gelding, Horses, Mares or Geldings, shall also enter in his, her or their Stamp Office Weekly Account One Fourth Part of the Sum so to be charged as aforesaid, as and for the Duty payable in respect of such Horse, Mare or Gelding, Horses, Mares or Geldings, and shall pay the same accordingly to the Collector or Collectors who shall be authorized to receive the said Duties; and if any such licensed Person or Persons shall refuse or neglect so to do, he, she or they shall for every such Offence forfeit and pay the Sum of Ten Pounds.

XVII. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, all and every Person and Persons so licensed as aforesaid, who shall let to Hire by the Mile or Stage any Horse, Mare or Gelding, Horses, Mares or Geldings, to be used in travelling, or shall let to Hire for any less Period of time than Twenty eight successive Days, or for a Period of Twenty eight successive Days or above, any Horse, Mare or Gelding, Horses, Mares or Geldings, for drawing any Carriage used in travelling as aforesaid, shall enter or cause to be entered in his, her or their Stamp Office Weekly Account the several Particulars by this Act required to be inserted therein, on the same Day on which such Horse, Mare or Gelding, Horses, Mares or Geldings, shall be so let to Hire as aforesaid; and in Default thereof, he, she or they shall for every such Offence forfeit and pay the Sum of Forty Shillings.

XVIII. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, instead of the Oath or Affirmation required by the said Act of the Twenty fifth Year of His Majesty's Reign to be made by Persons licensed to let Horses to Hire as to the Truth of their Stamp Office Weekly Accounts, the following Oath or Affirmation shall be made and subscribed by every Person so to be licensed as aforesaid:

' I *A. B.* do swear [or affirm, in the case of Quakers], That the Stamp Office Weekly Account or Accounts now delivered by me doth or do contain a just and true Statement of all Horses, Mares

Persons licensed charging for Horses, let by the Mile or Stage, a specific Sum for the whole and not by the Mile, to pay One Fourth of Sum charged, as for Duty under 44 G. 3. c. 98. and to deliver Tickets as in case of charging per Mile, and otherwise to act as herein mentioned.

Penalty 10l.

Persons letting Horses to Hire as aforesaid, to make Entries in Stamp Office Weekly Account, on same Day on which Horses let.

Penalty 40s.

Persons licensed to let Horses to Hire to make Oath as to Truth of their Stamp Office Weekly Accounts.

Form.

‘ Mares and Geldings which have been let to Hire by me or my
 ‘ Servants, or on my Behalf, either by the Mile or Stage, with or
 ‘ without a Carriage, or for any less Period of time than Twenty
 ‘ eight successive Days, for drawing any Coach or other Carriage
 ‘ used in travelling, from the Day of
 ‘ to the Day of both inclusive, toge-
 ‘ ther with the true Number of Miles in the cases of Hirings by
 ‘ the Mile or Stage, and the true Number of Days and Miles in the
 ‘ cases of Hirings by time, where the Distance to be travelled was
 ‘ ascertained, and the true Number of Days in the cases of Hirings
 ‘ by time where the Distance to be travelled was not ascertained,
 ‘ for which such Horses, Mares and Geldings respectively were so
 ‘ let to Hire, and also the full and whole Duty due and payable by
 ‘ me, or for which I am accountable or chargeable for or in respect
 ‘ of such Horses, Mares and Geldings so let to Hire as aforesaid;
 ‘ and that the said Account or Accounts doth or do also contain a
 ‘ just and true Statement of all Horses, Mares and Geldings which
 ‘ within the Period aforesaid have been let to Hire by me or my
 ‘ Servants, or on my Behalf, for drawing any Coach or other
 ‘ Carriage used in travelling, for the Space of Twenty eight suc-
 ‘ cessive Days or more, together with the true Number of Days
 ‘ for which the same were so let to Hire in each case; all which
 ‘ said Statements, matters and things, and all the other Particulars
 ‘ contained in the said Account or Accounts, so far as regards my-
 ‘ self and my own Acts, are true, and so far as regards the Acts of
 ‘ my Servants, or of any other Person or Persons on my Behalf,
 ‘ are true to the best of my Knowledge and Belief.

‘ So help me GOD.’

The said Oath
to be made be-
fore Collector.

Which said Oath or Affirmation shall be made and subscribed before the Collector of the said Duties authorized to receive such Account or Accounts, who is hereby empowered to administer such Oath or Affirmation; and if any Person making such Oath or Affirmation shall knowingly and wilfully make a false Oath or Affirmation of or concerning any of the matters to be therein specified and set forth, every Person so offending, and being thereof lawfully convicted, shall be subject and liable to such Pains and Penalties as by any Law now in force Persons convicted of wilful and corrupt Perjury are subject and liable to.

Perjury.

How far
25 G. 3. c. 51.
§ 12. 44.
to extend to
Accounts by this
Act.

XIX. And be it further enacted, That all the Regulations, Provisions, Directions, Forfeitures, Pains and Penalties contained in and imposed by the said Act of the Twenty fifth Year of His Majesty's Reign, relating to the Stamp Office Weekly Accounts, and to the Oath or Affirmation to be made in Verification thereof, so far as the same are not hereby altered or varied, shall be deemed and taken to be in full Force, and to apply to such Accounts with the Alterations and Variations hereinbefore directed to be made therein, and to the Oath or Affirmation hereby required to be made respecting the same as aforesaid.

At what Places
licensed Persons
are to attend
with their Ac-
counts and pay
Duties.

XX. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, every Person so to be licensed as aforesaid, residing in the City of *London* or Liberty of *Westminster*, or within Five Miles of the Head Office of Stamps, or within the Bills of Mortality, shall attend

attend and deliver his or her Stamp Office Weekly Accounts, and pay the Duties for which he or she shall be accountable, unto the Collector authorized to receive the same, at such Place in *London* or *Westminster* and at such time as shall be appointed for that Purpose by a Notice to be written or printed upon the Blank Forms of the Stamp Office Weekly Accounts, which shall from time to time be delivered to him or her by any authorized Collector of the said Duties, for the Purpose of making therein the Entries required by this Act; and every Person so to be licensed as aforesaid, not residing within Five Miles of the Head Office of Stamps, or within the Bills of Mortality, shall attend and deliver his or her Stamp Office Weekly Accounts, and pay the Duties for which he or she shall be accountable, unto the Collector authorized to receive the same, at such Place in the Market Town in which he or she shall reside, or in the nearest Market Town to his or her Place of Residence, if out of a Market Town, and at such time as shall be appointed for that Purpose by a Notice to be written or printed upon the Blank Forms of the Stamp Office Weekly Accounts, which shall from time to time be delivered to him or her by any authorized Collector of the said Duties, for the Purpose of making therein the Entries required by this Act, under the Penalty of Ten Pounds for every Default in not delivering such Account, and double the Amount of the Duties due and payable by such licensed Person for the Non payment thereof.

Not delivering Account, and not paying Duties, Penalty.

XXI. And be it further enacted, That if any Person or Persons, not being licensed as aforesaid, shall, after the said Thirty first Day of *January* One thousand eight hundred and eighteen, let to Hire by the Mile or Stage any Horse, Mare or Gelding to be used in travelling, or shall let to Hire for any Period of time less than Twenty eight successive Days any Horse, Mare or Gelding for drawing any such Coach or other Carriage as aforesaid, he, she or they shall be chargeable with and accountable for the Duty or Duties granted by the said Act of the Forty fourth Year of His Majesty's Reign for and in respect of every Horse, Mare or Gelding so to be let to Hire, in such and the same manner as if he, she or they had obtained such Licence as aforesaid, and had received such Duty or Duties of and from the Person or Persons hiring such Horse, Mare or Gelding, and shall from time to time, upon a Week's Notice in Writing for that Purpose given by any Collector of the said Duties for the County, District or Place where he, she or they shall so let any Horse, Mare or Gelding to Hire as aforesaid, deliver to such Collector whenever by him requested, after the Expiration of such Notice, a true Account in Writing, signed by him, her or them, of every Horse, Mare and Gelding which he, she or they shall have let to Hire in the manner aforesaid, and shall not then have already accounted for, and of the mode and manner in which every such Horse, Mare and Gelding shall have been let to Hire, and of the Duty or Duties payable in respect thereof, in such and the same manner as is hereby required to be done by Persons licensed as aforesaid, and shall also verify such Account by Oath or Affirmation (to be administered by such Collector), in like manner as licensed Persons are hereby required to do, and shall thereupon pay to such Collector the Amount of such Duty or Duties; and in case of any Refusal or Neglect so to do, then he, she

Persons not licensed accountable for Duties for Horses let to Hire by them the same as if they had been licensed.

Penalty.

or

Proviso for Delivery of Account and Payment of Duty upon Notice and Request.

or they shall forfeit and pay the Sum of Twenty Pounds for every Default in not delivering such Account verified as aforesaid, and double the Amount of the Duty or Duties which he, she or they shall be then chargeable with for the Non Payment thereof: Provided always, that where any such Notice shall have been given and Request made for the Delivery of such Account as aforesaid, then, upon the Delivery of such Account and Payment of the Duty due thereon, in pursuance of such Notice and Request, and upon taking out such Licence or Licences as ought to have been taken out by him, her or them previously thereto, the Person or Persons so delivering such Account shall be indemnified and discharged from any Penalty or Penalties which he, she or they may be then liable to in consequence of having let to Hire any Horse, Mare or Gelding, in the manner mentioned in such Account without having obtained such Licence as aforesaid.

Duties not exceeding 10l. may be recovered by Distress.

XXII. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and eighteen, where any Person or Persons liable to account for and pay any Duty or Duties granted by the said Act of the Forty fourth Year of His Majesty's Reign, for and in respect of any Horse, Mare or Gelding, Horses, Mares or Geldings, by him, her or them let to Hire as aforesaid, shall refuse or neglect to account for and pay the same, according to the Directions of the said herein before mentioned Acts, or any of them, or of this Act, to the Collector appointed to receive such Duties for the County, District or Place where he, she or they shall have let to Hire such Horse, Mare or Gelding, Horses, Mares or Geldings, and such Duty or Duties shall not exceed the Sum of Ten Pounds, it shall be lawful for such Collector, first obtaining a Warrant for that Purpose under the Hand and Seal or Hands and Seals of any One or more of His Majesty's Justices of the Peace residing near the Place where any such letting to Hire shall have been made, (which Justice or Justices, on Complaint made to him or them, shall summon the Party complained of, and the Witnesses on either Side, and examine into the Matter of Fact, and shall grant such Warrant, on due Proof being made of the Sum due and owing for such Duty or Duties as aforesaid, by the voluntary Confession of the Party, or by the Oath of One or more credible Witnesses or Witnesses,) to distrain such Person or Persons by his, her or their Goods and Chattels for the Amount of such Duty or Duties, and the Distress so to be taken to detain and keep for the Space of Four Days, at the Costs and Charges of such Person or Persons; and if he, she or they shall not within that time pay the Amount of such Duty or Duties, with the Costs and Charges of taking and keeping such Distress, then the Goods and Chattels so distrained shall be sold by such Collector, who shall render the Overplus of the Money arising by the Sale thereof, if any shall remain, after deducting and retaining the Amount of such Duty or Duties, and the Costs and Charges of taking, keeping and selling such Distress, to the Person or Persons so to be distrained as aforesaid; and it shall also be lawful for such Collector, for the Purpose of taking such Distress, to break open in the Day time any House or Place where any Goods or Chattels of such Person or Persons shall be, being thereunto authorized by such Warrant as aforesaid, and calling to his Assistance a Constable,

Proceedings on Distress.

House, &c. may be broken open in the Day time by Collector for taking Distress, calling to his Assistance

Tythingman

Tythingman or Headborough of the County, Shire, Stewartry, City, Town or Place where any Refusal or Resistance shall be made, which said Officers are hereby required to aid and assist therein; and that the leaving of the Summons to appear before such Justice or Justices at the Dwelling House or usual or last known Place of Abode of the Party complained of, shall be deemed a good Service thereof.

XXIII. And to prevent Doubts, be it further enacted and declared, That from and after the passing of this Act the said hereinbefore mentioned Duties shall not be deemed to attach upon or be payable for or in respect of any Horses, Mares or Geldings which shall be hired for drawing any Carts or Carriages kept or usually employed for the Conveyance of Fish, or for or in respect of any Horses, Mares or Geldings used in Chariots or other Carriages duly licensed by the Commissioners of Hackney Coaches, where the same shall be hired to go no greater Distance than Ten Miles from the City of London or Westminster or the Suburbs thereof; but that the said Duties shall be deemed to attach upon and be payable for or in respect of Horses, Mares and Geldings which shall be hired for drawing Hearses, in the same manner as those hired for drawing Mourning Coaches or other Carriages.

XXIV. And be it further enacted, That from and after the said Thirty first Day of January One thousand eight hundred and eighteen, it shall be lawful for Two or more Justices of the Peace for any Division in Great Britain, to cause the Distances between any Places in their Division and the Neighbourhood to be measured by some proper Person or Persons, who shall be paid for such Measurement such Sum as shall appear reasonable to the said Justices out of the County Stock by the Treasurer of such County, upon the Warrant of the said Justices; and the Measurement being verified before the said Justices by the Oath of the Person or Persons making the same, to publish such Measurement under the Hand of the Clerk of such Division, Twice in some Newspaper of the County for which such Justices shall act; and from and after such Publication, if any Person letting Horses to hire shall charge for a greater Number of Miles than shall be specified in the Table of Distances so to be published, if the Stage or Distance for which any Horse, Mare or Gelding shall be hired shall exceed Seven Miles, he or she shall forfeit and pay for every such Offence the Sum of Ten Pounds.

XXV. And be it further enacted, That from and after the said Thirty first Day of January One thousand eight hundred and eighteen, all pecuniary penalties amounting to Ten Pounds or upwards, and not amounting to Fifty Pounds, imposed by this Act or by the said Act of the Twenty fifth Year of His Majesty's Reign, may be sued for, recovered and levied, either in the manner prescribed by that Act with regard to Penalties amounting to Fifty Pounds, or in the manner thereby prescribed with regard to Penalties not amounting to Fifty Pounds; and all pecuniary Penalties not amounting to Ten Pounds imposed by this Act shall be sued for, recovered and levied in the manner prescribed by the said Act of the Twenty fifth Year of His Majesty's Reign, with regard to Penalties of the same Amount.

XXVI. And be it further enacted, That from and after the said Thirty

Justice a Constable, &c.

Duties not to attach on Horses drawing Fish Carts or Hackney Chariots, &c. but to attach on those drawing Hearses.

Justices of Peace may cause Roads to be measured and publish Measurement, being verified on Oath.

In what case Post Masters charging for more Miles than Measurement,

Penalty 10l.

Penalties how recovered.

Application of Penalties.

Thirty first Day of *January* One thousand eight hundred and eighteen, all pecuniary Penalties imposed by this Act, and by the said hereinbefore mentioned Acts or any of them, in anywise relating to the said Duties hereinbefore particularly mentioned, which shall be sued for within Six Calendar Months after the same shall be incurred, shall be divided and go in the manner following; that is to say, One Moiety thereof shall go to His Majesty, His Heirs and Successors, and the other Moiety thereof, together with full Costs of Suit, shall go to the Person or Persons who shall inform and sue for the same; and it shall be lawful for any Person or Persons whomsoever to inform and sue for the same within the time aforesaid, notwithstanding the Provisions to the contrary contained in the said Act of the Forty fourth Year of His Majesty's Reign, or in any other Act or Acts; and all such Penalties as shall not be sued for within the time aforesaid shall go and belong wholly to His Majesty, His Heirs and Successors.

Prosecutions for Penalties not to be commenced without Consent in Writing of Commissioners of Stamps, and to be carried on by their Solicitor, &c.

XXVII. Provided always, and be it further enacted, That it shall not be lawful for any Farmer of any of the said Duties, or for any other Person or Persons, to prosecute for any such pecuniary Penalty in any of His Majesty's Courts at *Westminster*, or in *Scotland*, without having first obtained the Consent in Writing of the said Commissioners of Stamps, or any Two of them, nor unless the Prosecution for the same shall be carried on by the Solicitor of Stamps, or some other Solicitor or Attorney approved of by the said Commissioners, or any Two of them; and it shall be lawful for the said Commissioners of Stamps, or the major Part of them, if they shall think fit, to order the Proceedings to be stayed in any such Prosecution, on Payment of Part only of the Penalty incurred, with or without Costs, or on Payment only of the Costs incurred in such Prosecution, or any Part thereof, as they shall judge proper and expedient.

What Proofs shall be sufficient in Actions for Duties and Penalties.

XXVIII. And be it further enacted, That from and after the passing of this Act, it shall not be necessary upon the Trial or Hearing of any Action, Suit or Prosecution already commenced, or hereafter to be commenced for the Recovery of any of the said Duties on Horses, Mares and Geldings hired in the manner aforesaid, which are or shall be let to Farm in pursuance of the said Act of the Fifty fourth Year of His Majesty's Reign or of this Act, or of any future Act of Parliament, or for the Recovery of any Penalty or Penalties imposed by the said herein before mentioned Acts or any of them, or by this Act or any future Act in anywise relating to the said Duties, to produce the Instrument whereby the Commissioners of Stamps in *Great Britain* or any of them were or shall be authorized by the Commissioners of His Majesty's Treasury to let to Farm the said Duties on Horses, Mares and Geldings, or any of them, or to produce the Commission whereby the said Commissioners of Stamps were constituted and appointed such Commissioners, or to prove the Execution of any Contract or Agreement whereby any of the said Duties on Horses, Mares and Geldings are or shall be let to Farm, or of any Assignment of any such Contract or Agreement, or of any Commission, Deputation or Authority whereby any Person or Persons is or are or shall be appointed a Collector or Collectors of any of the same Duties by the said Commissioners of Stamps, or any of them, or to prove the Signatures

natures of the said Commissioners to any Consent to prosecute for any such pecuniary Penalty as aforesaid: Provided always, that such Contract, Agreement, Assignment, Commission, Deputation or Authority and Consent to prosecute, shall be produced on the Trial or Hearing of such Action, Suit or Prosecution, and it shall be made to appear that the Person or Persons claiming under such Contract, Agreement, Assignment, Commission, Deputation or Authority, had in fact acted as the Farmer or Farmers, Collector or Collectors of the Duties therein mentioned and described, or some of them; and that, in every such case such Proof shall be deemed and taken by the Judges or Justices before whom any such Trial or Hearing shall be had, to be good and legal Evidence of such Person or Persons being the Farmer or Farmers, Collector or Collectors of the Duties mentioned and described in such Contract, Agreement, Assignment, Commission, Deputation or Authority, unless by other Evidence the contrary shall be made to appear; any Law or Usage to the contrary thereof notwithstanding.

C A P. LX.

An Act. to regulate certain Offices in the Court of Exchequer in *England*.

[7th July 1817.]

‘**W**HEREAS it is expedient that certain Offices in the Court of Exchequer in *England*, not given or granted by the Lord Chief Baron or Barons of the Court of Exchequer, or any or either of them, or by the Chief Justice or Judge of either of His Majesty’s Courts of Record at *Westminster*, and certain Offices in the Alienation Office, should be regulated;’ 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 and upon the Termination respectively of the present existing Interests in the undermentioned Offices, *videlicet*, King’s Remembrancer, Clerk of the Pleas, Clerk of the Pipe, Comptroller of the Pipe, Marshal, Foreign Appofer, Surveyor and Receiver General of Green Wax, Lord Treasurer’s Remembrancer, Clerk of Foreign Estreats, Clerk of the Nichells, Comptroller of First Fruits; and in the Alienation Office Three Commissioners, the Receiver General, Two entering Clerks, Master in Chancery and the Solicitor of the Exchequer; and so soon as the said Offices respectively shall become vacant by the Death, Resignation or Removal of the Person or Persons now holding the same, the Duties thereof respectively shall be discharged by the Officers respectively appointed to hold the same in Person, and not by Deputy; and from time to time as any of the said respective Offices shall become vacant as aforesaid, it shall be lawful for the Lord High Treasurer of the United Kingdom of *Great Britain and Ireland*, or the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three or more of them for the time being, and they are hereby authorized and required to regulate the Duties, Emoluments and Establishments of the said respective Offices as they become vacant, so as that the several Duties to be discharged therein respectively shall be performed in Person,

Certain Offices, after the Termination of the present Interests therein, to be executed in Person, and not by Deputy;

and as they become vacant, the Duties, Emoluments and Establishments to be regulated by the Treasury.

and not by Deputy; and for that Purpose shall appoint such and such Number of fit and proper Persons as may be sufficient and necessary to perform and execute the Duties to be done, performed and executed in the said Offices respectively, as the said Lord High Treasurer or Commissioners shall deem fit, with such Salaries or Allowances as shall be ordered and appointed by the said Lord High Treasurer or Commissioners, or any Three or more of them in that Behalf; Regard being had in every such case to the Nature and Extent of the Duties to be performed, and to the Responsibility which may attach or belong to the several and respective Offices or Persons executing the Duties of the said Offices respectively; and all such Regulations, Appointments, Salaries and Allowances, when so made and established, shall thereupon become and be in full Force and Effect in relation to the said Offices respectively; any thing contained in any Act or Acts of Parliament, or any Law or Laws, or Usage, Custom or Practice to the contrary notwithstanding.

The Fees at present charged to continue and to be applicable to Payment of Salaries; and the Residue to make Part of the Consolidated Fund.

II. Provided always, That any Fees at present charged or chargeable for or in respect of any of the said Offices, or received or receivable according to Law in any of the said Offices respectively, shall continue to be received, and the same shall be applied in Payment of the Salary or Salaries, Allowance or Allowances, authorized by this Act to be granted or made in each of the said Offices in which such Fees shall be received; and if any Balance of such Fees shall remain, after paying and satisfying such Salaries or Allowances respectively, the same shall be paid by such Officer or Officers so to be appointed as aforesaid, once in every Three Months, into the Receipt of His Majesty's Exchequer, and go to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

C A P. LXI.

An Act to abolish the Offices of the Wardens, Chief Justices and Justices in Eyre, North and South of *Trent*.

[7th July 1817.]

‘ **W**HEREAS the Office of Warden, Chief Justice and Justice in Eyre of His Majesty's Forests, Chases, Parks and Wards North of *Trent*, and the Office of Warden, Chief Justice and Justice in Eyre of His Majesty's Forests, Chases, Parks and Wards South of *Trent*, are Offices of considerable Emolument, and by reason of the Disafforesting of many of the great Forests, and the enclosing of others of such Forests, and the Regulations which have from time to time been made relative to the Management of the Woods, Forests and Land Revenues of the Crown, and the Rights appertaining thereto or connected therewith, the efficient Duties of the said Offices have in a great measure ceased, and the remaining Duties of such Offices may be otherwise provided for without Prejudice to the Rights of the Crown; and it is therefore expedient that such Offices respectively should, upon the Termination of the present existing Interests therein, be abolished:’
 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

the Authority of the same, That the said respective Offices of Wardens, Chief Justices and Justices in Eyre of His Majesty's Forests, Chafes, Parks and Warrens North and South of *Trent* respectively, shall, upon the respective Terminations of the present existing Interests therein, be wholly abolished; and from and after such Abolition all the Duties of, such Offices respectively shall be performed by the First Commissioner for the time being of His Majesty's Woods, Forests and Land Revenues; and for that Purpose all the respective Powers and Authorities belonging or appertaining to the said Offices of Wardens, Chief Justices and Justices in Eyre of His Majesty's Forests, Chafes, Parks and Warrens North and South of *Trent* respectively, shall, immediately upon the ceasing of such Offices respectively, become and be and remain vested in such First Commissioner for the time being, without any special or other Appointment for that Purpose or in that Behalf; and every such First Commissioner for the time being shall and he is hereby authorized, empowered and required to perform all such Duties, and for that purpose to use and exercise all such Powers and Authorities, and enforce the same by all such and the like Ways, Means, Suits and Proceedings, and do and perform all such Acts, matters and things, as may be necessary in that Behalf, as fully and effectually to all Intents and Purposes as if the said First Commissioner had been duly and legally appointed to the said Offices respectively, and was, in virtue of a legal Appointment, Warden, Chief Justice and Justice in Eyre of His Majesty's Forests, Chafes, Parks and Warrens North and South of *Trent* respectively; provided that such First Commissioner shall not be entitled to, or have, take or receive any Salary, Fee or Emolument whatever in respect thereof.

II. And be it further enacted, That the Salaries of the said Officers shall, upon the Termination thereof respectively, make Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*; and a Sum equal to the Amount of each of such Salaries shall, upon such Termination of each of such Offices respectively, be retained in the Exchequer as Part of the Consolidated Fund, and not issued or carried to the Account of the Civil List; any thing contained in any Act or Acts of Parliament to the contrary notwithstanding.

C A P. LXII.

An Act to abolish certain Offices, and to regulate certain other Offices, in *Ireland*. [7th July 1817.]

WHEREAS the Offices in *Ireland* herein after mentioned respectively are Offices some of which it is expedient to abolish, and with respect to others it is expedient to make Provision for a more effectual and economical Execution of the Duties thereof respectively after the Termination of the present existing Interests therein respectively; May it therefore please Your Majesty that it may be enacted; and be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after upon the respective Terminations of the respective present existing Interests in each and every of the following Offices;

The Offices of Wardens, &c. abolished on Termination of existing Interests, and the Duties to be performed by the First Commissioner of His Majesty's Woods, Forests and Land Revenues;

who is not to receive any Salary, Fee or Emolument.

Salaries of the abolished Offices to make Part of the Consolidated Fund.

Certain Offices in *Ireland*, on Termination of existing Interests, abolished.

that is to say, Surveyor General of Crown Lands; Keeper of Records in the *Birmingham Tower* at *Dublin*; Keeper of the Records of Parliament; Clerk of the Paper Office; and as each of the said Offices shall respectively become vacant, upon the Termination of such present existing Interests, each and every of the said Offices shall be abolished; and the said Offices shall not, nor shall any of them, from and after the passing of this Act, be granted to any Person or Persons whomsoever; and the said Offices are hereby, from and after the respective times when the same shall respectively become vacant, wholly abolished.

The Records, &c. of the said Offices transferred to the Public Record Office, under Directions of Lord Lieutenant.

Lord Lieutenant, either before or after the Termination of existing Interests, may order such Records to be removed into the said Office.

Certain other Offices abolished on Termination of existing Interests.

Salary, &c. (Exception) of certain Offices

II. And be it further enacted, That all Records, Maps, Books and Papers whatsoever, now in the Custody, Power or Possession of the said before mentioned Officers, or any of them, or of any of their Clerks or Deputies, shall upon the respective Terminations of the present existing Interests in each and every of the said Offices respectively, be removed, transferred and delivered to the Office or Offices, Place or Places appointed or to be appointed for the preserving and securing of the Records of *Ireland*; and shall from thenceforth be there safely kept and preserved according to the Directions of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being; and it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, at any time either before or after the Termination of the present existing Interests in any of the said Offices hereby abolished, to order and direct that all such Records, Books, Maps and Papers shall be removed, transferred and delivered into the said Record Office or Offices, and the same shall then be forthwith removed, transferred and delivered accordingly; and it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, from time to time to give such Orders and Directions for the safe Custody, Preservation and Arrangement of the said Records, and of all or any other Records relating to *Ireland*, as to such Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall at any time seem fitting and expedient.

III. And be it further enacted, That from and after and upon the respective Terminations of the respective existing Interests in each and every of the following Offices; that is to say, Accountant to the Board of General Officers; Secretary to the said Board; Corrector and Supervisor of His Majesty's Printing Presses; Compiler of the *Dublin Gazette*; Master of the Revels; Seneschal of His Majesty's Manors; Accountant General (now held by *Stephen Moore Esquire*); Supervisor of Accounts in the Barrack Department; Barrack Master of the Royal Barracks; and as each of the said Offices shall respectively become vacant upon the Termination of such present existing Interests, each and every of the said Offices shall be respectively abolished; and the said Offices shall not, nor shall any of them, from and after the passing of this Act, be granted to any Person or Persons whomsoever; and the said Offices are hereby, from and after the respective times when the same shall respectively become vacant, wholly abolished.

IV. And be it further enacted, That from and after and upon the respective Terminations of the respective existing Interests in each and every of the following Offices; that is to say, Constable of the Castle

Castle of *Limerick*; Constable of the Castle of *Dublin*; Constable of the Castle of *Castlemain*; no Salary or Allowances whatsoever, other than and except the Rents and Profits of the Lands and Hereditaments attached to the said Offices respectively, shall be paid or payable out of His Majesty's Civil List or otherwise to the said Officers, or to any or either of them; but all such Salaries or Allowances (except as aforesaid) shall cease and determine; and the said Salaries and Allowances (except as aforesaid) are hereby, from and after the respective times when the said Offices shall respectively become vacant at any time after the passing of this Act, wholly abolished.

abolished on
Termination of
existing Interests.

V. And be it further enacted, That the several and respective Duties of the several and respective Offices in *Ireland* hereafter mentioned; that is to say, Clerk of the Council; Muster Master General; Pratique Master of the Port of *Dublin*; Storekeeper of the Customs in the said Port; shall from and after and upon the respective Terminations of the respective present existing Interests in each of the said Offices respectively, and as each of the said Offices shall become vacant upon the Termination of such present existing Interests, be regulated under the Provisions hereinafter in this Act contained; and shall thereafter be executed and performed by the several and respective Persons to be appointed to execute the same in Person.

Certain Offices
regulated.

VI. And be it further enacted, That from time to time as any of such Four last mentioned Offices shall become vacant upon the Termination of the present existing Interest or Interests therein, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, in Concurrence with the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the time being, or any Three or more of such Commissioners, and they are hereby authorized and required, to regulate the Duties and Establishments of the said last mentioned Offices so becoming vacant, so as that the said Duties shall be performed in Person by such and such Number of fit and proper Persons as may be sufficient and necessary to perform and execute the Duties to be done, performed and executed in the said Offices, as the said Lord Lieutenant or other Chief Governor or Governors of *Ireland* and the said Commissioners of His Majesty's Treasury shall deem fit, with such Salaries or Emoluments as shall be ordered and appointed by the said Lord Lieutenant or other Chief Governor or Governors, and the said Commissioners of His Majesty's Treasury, or any Three or more of them, in that Behalf; Regard being had in every such case to the Nature and Extent of the Duties to be performed, and to the Responsibility which may attach or belong to the several and respective Officers or Persons executing the Duties of the said Offices respectively; and all such Regulations, Appointments and Salaries, when so made and established, shall become and be in full Force and Effect in relation to the said Offices respectively; any thing contained in any Act or Acts of Parliament, or any Law or Usage, Custom or Practice, to the contrary notwithstanding.

Lord Lieutenant of Ireland; with Concurrence of Treasury, to make Provision for the Execution of the Duties of such Offices becoming vacant after the Expiration of existing Interests, and appoint Salaries adequate to the Duties and Responsibilities attached to each Office.

VII. And be it further enacted, That the Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three or more of them for the time being, shall within Six Weeks after the Regulation under the Provisions of this Act of any such Office so becoming vacant as aforesaid, if Parliament shall be then sitting, or if Parlia-

Treasury to lay before Parliament Statement of former and new Establishment.

ment shall not be then fitting, then within Six Weeks after the Commencement of the then next Session of Parliament, lay before both Houses of Parliament an Account of such new Establishment of the Office so regulated, with a Statement of the Number of Offices and Amount of Salaries of each respectively, together with a Statement of the former Establishment of the Office so regulated.

Offices of Commissioners of the Board of Works abolished as they become vacant, &c. ;

and Lord Lieutenant, with Concurrence of Treasury, to make Arrangements for the Execution in Person of Duties under Charge of the said Board.

VIII. And be it further enacted, That from and after and upon the respective Terminations of the respective present existing Interests in each and every of the Offices of Commissioners of the Board of Works in *Ireland*, and as each of the said Offices shall respectively become vacant upon the Termination of the present existing Interests, each and every of the said Offices shall respectively be abolished, and the said Offices shall not, nor shall any of them, from and after the passing of this Act, be granted to any Person or Persons whomsoever; and the said Offices are hereby, from and after the respective times when the same shall respectively become vacant, wholly abolished; and after the Offices of the said Commissioners shall become vacant, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, in Concurrence with the Lord High Treasurer or the Commissioners of His Majesty's Treasury for the time being, to make such Arrangement, by the Appointment of One or more Officer or Officers, as shall provide for the efficient Execution in Person of all Duties connected with the Superintendence of the public Buildings now under the Charge of the said Board of Works, at such reasonable Rate of Salary or Salaries as shall be sufficient for the Purpose; and an Account of every such Appointment and Rate of Salary shall be laid before Parliament in like manner as by this Act is required with respect to the Regulation of other Offices under this Act.

Savings arising by new Regulations of the Establishment of such Offices, to go to the Consolidated Fund.

IX. And be it further enacted, That all Sums of Money arising from Salaries, Fees or Emoluments, which shall by reason of the Regulation of any such Office be more than sufficient to defray the Salaries and incidental Charges of the new Establishment of any such Office, shall be paid (by the Orders and Directions of the Lord High Treasurer or Commissioners of His Majesty's Treasury, which Orders and Directions the said Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three or more of them, are hereby authorized and required to make and give for that Purpose) into the Receipt of the Exchequer in *Ireland*, and shall be carried to and make Part of the Consolidated Fund of the United Kingdom; any thing in any Act or Acts of Parliament to the contrary notwithstanding: Provided always, that any such Salary or Allowance as shall be payable to any or either of the said Offices out of the Civil List of *Ireland*, shall be carried to and make Part of the said Consolidated Fund during the Life of His present Majesty only, and no longer, unless Provision shall hereafter be made by Parliament for that Purpose.

Persons belonging to the said Offices when regulated, incapable of sitting or voting as Members of the

X. And be it further enacted, That every Office and Appointment belonging to and making Part of the Establishment of any of the said Offices respectively, when so regulated as aforesaid, shall be deemed and taken to be a new Office within the true Intent and Meaning of an Act passed in the Forty first Year of the Reign of His

His present Majesty, intituled *An Act for declaring what Persons shall be disabled from sitting and voting in the House of Commons of the United Kingdom of Great Britain and Ireland; and also for carrying into effect Part of the Fourth Article of the Union of Great Britain and Ireland, by providing in what cases Persons holding Offices or Places of Profit under the Crown of Ireland shall be incapable of being Members of the House of Commons of the Parliament of the said United Kingdom; and every Person holding any such Office shall be incapable of sitting or voting as a Member of the House of Commons; and every such Officer who shall sit or vote in the House of Commons shall be liable and subject to the Penalties and Forfeitures contained in the said recited Act with respect to such Person or Persons as shall be disabled or incapacitated by the holding or accepting of any Office, Employment or Place of Profit in the said Act enumerated and particularized.*

House of
Commons.
41 G. 3. c. 52.

XI. And be it further enacted, That from and after and upon the Termination of the present existing Interest in the Office of Keeper of the King's Privy Seal for *Ireland*, the said Office shall be granted during The King's Pleasure only; and that the said Office shall from thenceforth always be holden, and the Duties thereof shall be executed, by the Person who for the time being shall hold the Office of Chief Secretary to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*: Provided always, that none of the Provisions in this Act before contained, with respect to the several other Offices hereinbefore mentioned, shall extend to the said Office of Keeper of the Privy Seal; but that the said Office shall, from and after the Termination of the present existing Interest therein, be holden by such Chief Secretary for the time being in like manner in all Respects as the same was usually holden before the Grant of such present existing Interest.

Office of Keeper
of the Privy
Seal in *Ireland*
shall in future be
granted during
Pleasure and
holden in manner
herein mention-
ed by the Chief
Secretary to the
Lord Lieutenant.

C A P. LXIII.

An Act to regulate the Offices of Clerks of the Signet and Privy Seal. [7th July 1817.]

WHEREAS it is expedient that the respective Offices of Clerks of the Signet and of Clerks of the Privy Seal should be regulated: 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 and upon the respective Terminations of the respective existing Interests in each of the said Offices of Clerks of the Signet and Privy Seal respectively, and as each of the said Offices shall become vacant, upon the Termination of such present existing Interests, the Duties of the said Offices respectively shall be executed and performed by the several and respective Persons who shall be appointed to execute the same in Person.

After Termination of existing Interests, Offices of Clerks of the Signet and Privy Seal to be performed in Person.

II. And be it further enacted, That from time to time as any of the said Offices of the Clerks of the Signet and of the Clerks of the Privy Seal respectively, shall become vacant, upon the Termination of the present existing Interests therein respectively, it shall be lawful for the Lord High Treasurer of the United Kingdom of *Great Britain and Ireland*, or the Commissioners of His Majesty's Treasury of

Treasury to make Provision for the Execution of the Duties of the Offices,

the United Kingdom of *Great Britain and Ireland* for the time being, or any Three or more of them, and they are hereby authorized and required, to regulate the Duties and Establishments of the Offices so becoming vacant, so as that the said Duties shall be performed in Person by such Number of fit and proper Persons to be appointed by the Persons authorized to appoint such respective Clerks as the said Commissioners of the Treasury or any Three or more of them shall deem fit, with such Salaries or Emoluments as shall be ordered and appointed by the said Commissioners or any Three or more of them in that behalf, Regard being had in every such case to the Nature and Extent of the Duties to be performed, and to the Responsibility which may attach or belong to the several and respective Officers or Persons executing the Duties of the said Offices respectively; and all such Regulations, Appointments and Salaries, when so made and established, shall become and be in full Force and Effect in relation to the said Offices respectively; any thing contained in any Act or Acts of Parliament, or any Law or Laws, or Usage, Custom or Practice, to the contrary notwithstanding.

and for Salaries,
&c.

Treasury to lay
Statements of
former and new
Establishment
before Parlia-
ment.

III. And be it further enacted, That the said Lord High Treasurer or Commissioners of the Treasury of the United Kingdom, or any Three or more of them for the time being, shall, within Six Weeks after the Regulation under the Provisions of this Act, of any such Office of Clerk of the Signet or Clerk of the Privy Seal so becoming vacant as aforesaid, if Parliament shall be then sitting, or if Parliament shall not be then sitting, then within Six Weeks after the Commencement of the next Session of Parliament, lay before both Houses of Parliament an Account of such new Establishment of the Office so regulated, with a Statement of the Number of Offices and Amount of Salaries of each respectively, together with a Statement of the former Establishment of the Office so regulated.

Savings arising
by new Regula-
tions to go to the
Consolidated
Fund.

IV. And be it further enacted, That all Sums of Money arising from Salaries, Fees or Emoluments, which shall by reason of the Regulation of any such Offices of Clerks of the Signet and Privy Seal respectively be more than sufficient to defray the Salaries and incidental Charges of the new Establishment of any such Office, shall, by the Orders and Directions of the said Lord High Treasurer or Commissioners of the Treasury (which Orders and Directions the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, are hereby authorized and required to make and give for that Purpose) be carried to and paid into and make Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

Persons belong-
ing to the said
Offices, when
regulated, inca-
pable of sitting
or voting as
Members of the
House of
Commons.
6 Ann. c. 7.
15 G. 2. c. 22.

V. And be it further enacted, That every Office and Appointment belonging to and making Part of the Establishment of any of the said Offices respectively, when so regulated as aforesaid under the Provisions of this Act, shall be deemed and taken to be a new Office within the true Intent and Meaning of an Act passed in the Sixth Year of the Reign of Her late Majesty Queen *Anne*; and every Person holding any such Office shall be incapable of sitting or voting as a Member of the House of Commons; and every such Officer who shall sit or vote in the House of Commons shall be liable and subject to the Penalties and Forfeitures contained in an Act passed in the Fifteenth Year of the Reign of His late Majesty
King

King George the Second, intituled *An Act to exclude certain Officers from being Members of the House of Commons.*

C A P. LXIV.

An Act to abolish certain Offices, and regulate others in *Scotland*.
[7th July 1817.]

‘**W**HEREAS certain Offices in *Scotland* require to be regulated, and it is expedient that certain other Offices in that Part of the United Kingdom should be abolished:’ 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 and upon the Termination of the present existing Interest in the Office of Keeper of the Great Seal for *Scotland*, or when the said Office shall become vacant, it shall not be lawful for His Majesty, His Heirs or Successors, to grant any higher Salary to the Keeper of the Great Seal for *Scotland*, nor shall any Keeper of the Great Seal for *Scotland* henceforth to be appointed enjoy a higher Salary in respect of such Appointment than the Sum of Two thousand Pounds *per Annum*.

After Termination of existing Interest, the Salary of Keeper of the Great Seal for *Scotland* limited to 2,000 *per Annum*.

II. And be it further enacted, That the Fees heretofore charged or chargeable for or in respect of any Charters, Letters Patent or other Instruments passing the Great Seal of *Scotland*, shall continue to be paid and payable for or in respect of such Instruments passing the same; and all such Fees shall be applied, in the first Place, in the paying and defraying such Salary as the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners of His Majesty’s Treasury of the said United Kingdom for the time being, or any Three or more of them, shall think fit to grant to the Deputy Keeper of the said Great Seal; and, in the next Place, in the paying to the Keeper of the said Great Seal the said Salary of Two thousand Pounds *per Annum* hereby authorized to be granted to him; and the Surplus of such Fees shall, at the Expiration of every Quarter, be paid to the Receiver General of *Scotland* for the time being, to be by him accounted for with other Public Monies received by him; and if such Fees shall not be sufficient to pay such Salary, the Balance remaining unsatisfied by such Fees shall and may be defrayed in the same manner as the Salary of the Keeper of the Great Seal is at present paid and defrayed.

Fees continued.

Application thereof.

If Fees insufficient, Deficiency how defrayed.

III. And be it further enacted, That from and after and upon the Termination of the present existing Interest in the Office of Keeper of the Privy Seal for *Scotland*, or when the said Office shall become vacant, it shall not be lawful for His Majesty, His Heirs or Successors, to grant any higher Salary to the Keeper of the Privy Seal for *Scotland*, nor shall any Keeper of the Privy Seal for *Scotland* henceforth to be appointed enjoy a higher Salary in respect of such Appointment than the Sum of One thousand two hundred Pounds *per Annum*.

Salary of Keeper of the Privy Seal for *Scotland* in like manner limited to 1,200 *per Annum*.

IV. And be it further enacted, That the Fees at present charged or chargeable for or in respect of Instruments passing the Privy Seal of *Scotland*, shall continue and be paid and payable for or in respect of such Instruments passing the same; and all such Fees shall be applied

Fees continued.

Application thereof.

If Fees insufficient, Deficiency how defrayed.

After Termination of existing Interests, Office of Keeper of the Signet discharged by Lord Register, Salary limited to 1,200l. per Annum.

Clerks, &c. appointed by Treasury.

Fees continued.

Application thereof.

Balance of Fees how and to whom to be paid.

applied in the first Place in paying and defraying such Salary as the said Lord High Treasurer, or the said Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, shall think fit to grant to the Deputy Keeper of the said Privy Seal; and in the next Place, in the Payment of the said Salary of One thousand two hundred Pounds *per Annum* hereby authorized to be granted to the Keeper of the Privy Seal; and any Balance which may remain of such Fees shall be paid at the Expiration of every Quarter to the Receiver General of *Scotland* for the time being, to be by him accounted for with other Public Monies received by him; and if such Fees shall not be sufficient to pay such Salaries, the same shall and may be defrayed in the same manner as the Salary heretofore granted to the said Keeper of the Great Seal is paid and defrayed.

V. And be it further enacted, That from and after and upon the Termination of the present existing Interests in the Offices of Keeper of the Signet and Lord Register in *Scotland* respectively, or upon either of the same becoming vacant, the Duties of Keeper of the Signet in *Scotland* shall be discharged by the Lord Register; and it shall not be lawful for His Majesty, His Heirs or Successors, to grant to any Person who shall henceforth be appointed to discharge the Duties of Lord Register in *Scotland* a higher Salary, nor shall any Person who shall be appointed to discharge such Duties enjoy a higher Salary in respect of such Appointment than One thousand two hundred Pounds *per Annum*; and every Person henceforth to be appointed Lord Register shall discharge the Duties of Keeper of the Signet, as well as of Lord Register, with the Aid of such Assistance from Clerks and other Officers as the said Lord High Treasurer or the said Commissioners of His Majesty's Treasury, or any Three or more of them for the time being, shall think fit to appoint.

VI. And be it further enacted, That the Sums at present paid and payable to the Keeper of the Signet for *Scotland*, and the Fees at present payable for or in respect of Instruments passing the Signet in *Scotland*, and also the Fees paid and payable to the Lord Register for *Scotland*, or in respect of the Duties at present discharged by any Person or Persons in the Office of the said Lord Register, shall continue to be paid and payable in the same manner as such Fees respectively are now paid and payable; and such Fees shall be applied in the first Place in satisfying and paying such Salaries or Allowances as the said Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three or more of them, shall think fit to grant and direct to be paid to any Person or Persons whom they may think necessary for the due Discharge of the Business appertaining to the Offices of Lord Register and Keeper of the Signet for *Scotland* respectively; and in the next Place, in the Payment of the said Salary of One thousand two hundred Pounds *per Annum* hereby authorized to be granted to the Person holding the said Office of Lord Register; and any Balance of such Fees which shall remain after such Payment shall be paid to the Receiver General of *Scotland* at least Once in Three Months, or as the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, shall direct, and shall be paid and accounted for by him with the other Public Monies received by him.

VII. Pro-

VII. Provided always, and be it enacted, That if the present existing Interests in the said Office of Keeper of the Signet shall terminate, or the said Office shall become vacant before the present existing Interests in the said Office of Lord Register shall terminate, or before the said last mentioned Office shall become vacant, then the Duties of Keeper of the Signet shall be discharged by the present Lord Register for *Scotland*, and the Duties and Establishment of the said Office of Keeper of the Signet shall thereupon be regulated in the manner directed by this Act; and the said Fees appertaining to the said Office of Keeper of the Signet, or received therein, shall, after paying and defraying the Salaries and Allowances to be granted to the several Persons to be appointed by the said Commissioners of His Majesty's Treasury, for the due Discharge of the Business of the Office of Keeper to the Signet, be paid to the Receiver General for *Scotland* at least Once in every Three Months, and shall be paid and accounted for by him in the same manner with other Public Monies received and accounted for by him.

Provision if Office of Keeper of the Signet become vacant before that of Lord Register, as to Performance of Duties and Payment of Fees to Receiver General.

VIII. And be it further enacted, That if the present existing Interests in the said Office of Lord Register shall terminate, or the said Office shall become vacant before the existing Interests in the said Office of Keeper of the Signet shall terminate, or before the said last mentioned Office shall become vacant, then the Duties and Establishment of the said Office of Lord Register shall be regulated in the manner directed by this Act; and the Fees at present payable for or in respect of the said Office of Lord Register, or received therein, after paying and defraying the Salaries and Allowances of such Person or Persons as shall be appointed by the said Lord High Treasurer, or Commissioners of His Majesty's Treasury, for the Purpose of transacting the Business of the said Office of Lord Register, shall be paid and applied towards Payment of the Salary by this Act allowed to be granted to the Lord Register; and if any Balance of such Fees shall remain after being so applied, the same shall, at least Once in Three Months, be paid to the Receiver General of *Scotland*, and shall be paid and accounted for by him in the same manner with other Public Monies received and accounted for by him.

The like Provision in case the Office of Lord Register shall become vacant before that of Keeper of the Signet.

IX. And be it further enacted, That every Cashier and Receiver General of Excise in *Scotland* henceforth to be appointed shall discharge the Duties of the said Office in Person, subject to such Rules and Regulations as shall be established by the said Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three or more of them for the time being for that Purpose, which they are hereby authorized and required to direct to be observed for the due Discharge of the Duties of the said Office; and no Cashier or Receiver General of Excise henceforth to be appointed shall enjoy or receive, for or in respect of such Appointment, a higher Salary than One thousand Pounds *per Annum*; and every such Cashier or Receiver General shall give such Security for the due Discharge of the Duties of his Office in Person as the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, shall think fit to order and direct in that Behalf.

Offices of Cashier and Receiver General of Excise in *Scotland* regulated, and Salary limited to 1,000l. per Annum.

Cashier, &c. to give Security.

X. And be it further enacted, That no Person henceforth to be appointed to either of the Offices of Knight Marshal or Vice Admiral

Knight Marshal and Vice Admiral

ral to have no Salary.

Certain other Offices regulated.

Salaries appointed by Treasury.

Fees continued.

Application thereof.

Balance paid to Receiver General.

After Termination of existing Interests, certain other Offices abolished.

in *Scotland* shall enjoy or receive any Salary whatever for or in respect of either of the said Offices.

XI. And be it further enacted, That from and after and upon the Termination respectively of the present existing Interests in the under mentioned Offices, *videlicet*, the Office of Auditor of the Exchequer in *Scotland*, the Office of King's Remembrancer in Exchequer in *Scotland*, the Office of Lord Treasurer's Remembrancer in Exchequer in *Scotland*, the Office of Presenter of Signatures in Exchequer in *Scotland*, the Office of Keeper of the General Register of Seizins in *Scotland*, the Office of Clerk to the Admission of Notaries in *Scotland*, the Office of Director of the Chancery in *Scotland*, the Office of Clerk of the Chancery in *Scotland*, and the Office of Clerk of the Court of Admiralty in *Scotland*; and so soon as the said Offices or any or either of them respectively shall become vacant, the Duties thereof shall be discharged by the Officer appointed to hold the same in Person; and from time to time as any of the said respective Offices shall become vacant, it shall be lawful for the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them for the time being, and they are hereby authorized and required, to regulate the Duties and Establishments of the said Offices respectively as they respectively become vacant, so as that the several Duties to be discharged therein respectively shall be performed in Person; and thereupon and thereafter such and such Number of fit and proper Persons shall be appointed, or shall be authorized and directed to be appointed, as may be sufficient and necessary to perform and execute the Duties to be done, performed and executed in the said Offices respectively, as the said Commissioners shall deem fit, with such Salaries or Allowances as shall be ordered and appointed by the said Lord High Treasurer or Commissioners of the Treasury in that behalf, Regard being had in every such case to the Nature and Extent of the Duties to be performed, and to the Responsibility which may attach or belong to the several and respective Offices or Persons executing the Duties of the said Offices respectively; and all such Regulations, Appointments, Salaries and Allowances when so made and established shall become and be in full Force and Effect in relation to the said Offices respectively, any thing contained in any Act or Acts of Parliament, or any Law or Laws, or Usage, Custom or Practice to the contrary notwithstanding: Provided always, that any Fees at present charged or chargeable for or in respect of any of the said Offices, or received or receivable according to Law in any of the said Offices respectively, shall continue to be received; and the same shall be applied in Payment of the Salary or Salaries, Allowance or Allowances, authorized by this Act to be granted or made in each of the said Offices in which such Fees shall be received; and if any Balance of such Fees shall remain after paying and satisfying such Salaries or Allowances respectively, the same shall be paid at least Once in Three Months to the Receiver General of *Scotland*, and shall by him be paid and accounted for in the same manner with any Public Monies received and accounted for by him.

XII. And be it further enacted, That from and after and upon the Termination respectively of the existing Interests in the following Offices; *videlicet*, the Office of One of the Clerks of the Pipe in *Scotland*, the Office of Clerk Assistant to the General Surveyors and Inspectors of Taxes in *Scotland*, the Office of Comptroller General of

of the Customs in *Scotland*, the Office of Receiver of Bishops' Rents in *Scotland*, the Offices of Inspectors of Wheel Carriages in *Scotland*, the Office of Gazette Writer in *Scotland*, and the Office of Inspector General of the Roads in *Scotland*, without Prejudice nevertheless to the Discharge of the Duties of the Inspector of Roads, pursuant to an Act passed in the Fifty fourth Year of the Reign of His present Majesty, intituled *An Act for maintaining and keeping in Repair certain Roads and Bridges made in Scotland for the Purpose of Military Communication, and for making more effectual Provision for maintaining and repairing Roads made and Bridges built in Scotland under the Authority of the Parliamentary Commissioners for Highland Roads and Bridges*; and so soon as any of the said Offices shall become vacant, the same shall be and from thenceforth become for ever abolished.

XIII. And be it further enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Treasury, and they are hereby authorized and required, to order and direct in what manner the Bishops' Rents in *Scotland*, heretofore collected by the said Collector of Bishops' Rents, shall be collected at the least possible Expence with Certainty and Safety after the Abolition of the said Office, and to grant such Salary, or to make such Allowances, as shall be deemed necessary for that Purpose.

XIV. And be it further enacted, That the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them for the time being, shall, within Six Weeks after the Regulation, under the Provisions of this Act, of any Office hereby directed to be regulated, if Parliament shall be then sitting, or if Parliament shall not be then sitting, within Six Weeks after the Commencement of the next Session of Parliament, lay before both Houses of Parliament an Account of every new Establishment of any such Office so regulated, with a Statement of the Number of Officers, and Amount of Salaries or Allowances of each respectively, together with a Statement of the former Establishment of the Office so regulated; and the said Commissioners of the Treasury shall in like manner within the above mentioned Period lay before Parliament a Statement of every Office that shall be abolished under the Provisions of this Act, shewing the Saving thereby made to the Public.

XV. And be it further enacted, That the Regulation of any Office under the Provisions of this Act, which was an Office existing previous to an Act passed in the Sixth Year of the Reign of Her late Majesty Queen Anne, intituled *An Act for the Security of Her Majesty's Person and Government, and of the Succession to the Crown of Great Britain in the Protestant Line*, shall not be held to be a new Office within the Intent and Meaning of that Act of Parliament; but every Person holding any such Office so regulated shall be and remain in the same Situation with respect to that Act of Parliament, as if the same had not been regulated under the Provisions of this Act.

Proviso for Duties of Inspector of Roads pursuant to 54 G. 3. c. 104.

Treasury to order how Bishops' Rents shall be collected.

Salary, &c.

Treasury to lay before Parliament a comparative Statement of former and new Establishment.

Regulation of any Office existing previous to 6 Ann. c. 7. not to bring it within the Provisions of that Act.

C A P. LXV.

An Act to enable His Majesty to recompense the Services of Persons holding, or who have held, certain high and efficient Civil Offices. [7th July 1817.]

‘ **W**HEREAS the Abolition and Regulation of various Offices will deprive the Crown of Part of the Means by which His Majesty has been heretofore enabled to recompense the Services of Persons holding, or who have held, high and efficient Civil Offices: And Whereas it is expedient and necessary, and consistent with sound Policy and proper Economy, that upon the Abolition and Regulation of various Offices of Emolument, other Means should be afforded to His Majesty, His Heirs and Successors, of recompensing the meritorious Services of Persons filling or who have filled high effective Civil Offices, and making competent Provision for Persons holding such Offices upon their quitting or being removed from the same:’ May it therefore please Your Majesty that it may be enacted; and be it enacted by The King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the Expiration of Two Years from the passing of this Act, it shall be lawful for His Majesty, His Heirs and Successors, by any Warrant under His Royal Sign Manual, countersigned by any Three or more of the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain and Ireland* for the time being, to grant unto any Person who shall have served His Majesty, His Heirs or Successors, for any Period not less than Two Years in the whole, either uninterruptedly or at different times, in any one or more of the Offices of First Lord of the Treasury or of one of His Majesty’s Principal Secretaries of State, or Chancellor of the Exchequer, or First Lord of the Admiralty, a Pension during Life not exceeding Three thousand Pounds *per Annum*; and at the Expiration of every further progressive Period of Two Years more from the passing of this Act, to grant in like manner other like Pensions to any other such Persons as aforesaid, until, at the Expiration of Twelve Years from the passing of this Act, Six of such Pensions shall have been granted in the whole; and from and after such Six Pensions of Three Thousand Pounds each shall have been granted to Six such Persons as aforesaid, it shall not be lawful for His Majesty, His Heirs or Successors, to grant any further or other Pension in respect of any such Offices as aforesaid: Provided always, that from time to time whenever and as often as any such Pension shall cease, by Death, Forfeiture or Resignation thereof respectively of the Person holding the same, it shall be lawful for His Majesty, His Heirs and Successors, to grant in like manner other like Pensions to any other such Persons as aforesaid, under such and the like Circumstances, Limitations, and Restrictions as aforesaid; so as that no more or greater Number of such Pensions than are allowed under the Provisions of this Act shall be in force at the same time, and so as that after the Expiration of Twelve Years no greater Number than Six such Pensions shall thereafter be granted or existing at any one and the same time, except as is in this Act excepted.

After the Expiration of certain Periods, His Majesty empowered to grant Pensions of 3,000l. to Persons holding certain Offices, under Limitations and Restrictions herein mentioned.

‘ II. And

‘ II. And Whereas it may be essential to the Good of His Majesty’s Service, and is therefore expedient and necessary, that His Majesty should be empowered to grant One other like Pension, not subject to such Limitations and Restrictions as aforesaid;’ Be it therefore further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by any Warrant under His Royal Sign Manual, countersigned by any Three or more of the said Commissioners of the Treasury for the time being, to grant, at any time after the Expiration of Two Years from the passing of this Act, One other like Pension of Three thousand Pounds, to any Person who shall hold or who shall have held any One or more of such Offices as aforesaid, although the Person to whom such Pension shall be so granted shall not have held any such Office as aforesaid for such Period of Two Years as aforesaid, and although the full Number of Pensions allowed to be granted under the Provisions of this Act shall have been then granted and remain in force: Provided always, that every such Pension so granted as aforesaid shall be deemed a super-numerary Pension, and shall, upon the ceasing of the first of any such Pensions as shall then be in force under the Provisions of this Act, become and be and be deemed, considered and counted as One of the Number of Pensions allowed by this Act, as if the same had been granted at the Expiration of any Period allowed by this Act, or upon the ceasing of any One of the Number of Pensions allowed by this Act.

His Majesty empowered to grant one other like Pension, not subject to the said Limitations, although Six filled up, to be deemed a super-numerary Pension; and become One of the regular Number on the first falling in.

III. And be it further enacted, That after the Expiration of Four Years from the passing of this Act, it shall be lawful for His Majesty, His Heirs and Successors, by any Warrant under the Royal Sign Manual, countersigned by any Three or more of the Commissioners of His Majesty’s Treasury, to grant to any Person who shall have served His Majesty, His Heirs or Successors, for any Period not less than Five Years in the whole, either uninterruptedly or at different times, in either or both of the Offices of Chief Secretary for *Ireland*, or Secretary at War, a Pension during Life not exceeding Two thousand Pounds *per Annum*; and at and upon the Expiration of every further progressive Period of Four Years more from the passing of this Act, to grant in like manner other like Pensions to any other such Persons as aforesaid, until, at the Expiration of Twelve Years from the passing of this Act, Three of such Pensions shall have been granted in the whole; and from and after such Three Pensions of Two thousand Pounds each shall have been granted to Three such Persons as aforesaid, it shall not be lawful for His Majesty, His Heirs or Successors, to grant any further or other such Pension in respect of any of such Offices as aforesaid: Provided always, that from time to time, when and as often as any such Pension shall cease, by Death, Forfeiture or Resignation thereof respectively of the Person holding the same, it shall be lawful for His Majesty, His Heirs and Successors, to grant in like manner other like Pensions to any other such Persons as aforesaid, under such and the like Circumstances, Limitations and Restrictions as aforesaid; so as that no more or greater Number of such Pensions than are allowed under the Provisions of this Act shall be in force at the same time, and so as that after the Expiration of Twelve Years no greater Number than Three such Pensions shall thereafter be granted or existing at one and the same time.

After the Expiration of certain Periods, His Majesty allowed to grant Pensions of 2,000l. to certain other Persons holding Civil Offices, under Limitations and Restrictions herein mentioned.

IV. And

After the Expiration of certain Periods, His Majesty empowered to grant Pensions of 1,500l. to certain other Persons holding Civil Offices, under Limitations and Restrictions herein mentioned.

IV. And be it further enacted, That after the Expiration of Two Years from the passing of this Act, it shall be lawful for His Majesty, His Heirs and Successors, by any Warrant under the Royal Sign Manual, countersigned by any Three or more of the Commissioners of the Treasury for the time being, to grant to any Person who shall have served His Majesty, His Heirs or Successors, for any Period not less than Five Years, in any one or more of the Offices of One of the Joint Secretaries of the Treasury, or First Secretary of the Admiralty, a Pension during Life not exceeding One thousand five hundred Pounds *per Annum*; and at the Expiration of every further progressive Period of Two Years more from the passing of this Act, to grant in like manner another like Pension to any other such Person as aforesaid, until, at the Expiration of Twelve Years from the passing of this Act, Six of such last mentioned Pensions shall have been granted in the whole; and from and after such Six Pensions of One thousand five hundred Pounds each shall have been granted to Six such Persons as aforesaid, it shall not be lawful for His Majesty, His Heirs or Successors, to grant any further or other Pension in respect of any such last mentioned Offices as aforesaid: Provided always, that from time to time, when and as often as any such Pension shall cease, by Death, Forfeiture or Resignation thereof respectively of the Person holding the same, it shall be lawful for His Majesty, His Heirs and Successors, to grant in like manner other like Pensions to any other such Persons as aforesaid, under such and the like Circumstances, Limitations and Restrictions as aforesaid; so as that no more or greater Numbers of such Pensions than are allowed under the Provisions of this Act shall be in force at the same time, and so as that after the Expiration of Twelve Years no greater Number than Six such Pensions shall thereafter be granted or existing at any one and the same Period of time.

Duties of Chancellor of the Exchequer of Ireland altered by 56 G. 3. c. 98.

V. And Whereas, in consequence of the Provisions contained in an Act made in the last Session of Parliament, intituled *An Act to unite and consolidate into one Fund all the Public Revenues of Great Britain and Ireland, and to provide for the Application thereof to the General Service of the United Kingdom*, the Duties of the Chancellor of the Exchequer of Ireland, from and after the Fifth Day of *January* last, have become such as not to require that the Services of any Person who may hereafter fill the said Office should be recompensed in respect thereof in the same manner as heretofore; but it may happen that some Person or Persons, having filled the said Office for some Period less than Five Years before the said Fifth Day of *January*, may be appointed to some other high and efficient Office, in respect whereof a Pension is granted by this Act; Be it enacted, That it shall be lawful for His Majesty, His Heirs and Successors, under the Regulations of this Act, to grant to any Person who shall have filled the Office of Chancellor of the Exchequer of Ireland for any Period previous to the said Fifth Day of *January*, and who shall serve His Majesty, His Heirs or Successors, in any other Office, in respect whereof His Majesty is by this Act enabled to grant any Pension less than Three thousand Pounds, and who shall have served and shall serve in the said Office of Chancellor of the Exchequer of Ireland, and also, in any one or more of the said other Offices, not less than Five Years in the whole, reckoning the Period during which such Person shall have filled

His Majesty may grant a Pension to any Person having been Chancellor of the Exchequer of Ireland, and afterwards holding any efficient Office as herein mentioned.

filled the Office of Chancellor of the Exchequer of *Ireland* as Part of the said Five Years, a Pension to the like Amount, and in like manner and under the like Regulations in all respects, as His Majesty, His Heirs and Successors, are by this Act enabled to grant to any Person having served not less than Five Years in one or more of such other Offices respectively.

VI. And be it further enacted, That after the Expiration of Two Years from the passing of this Act, it shall be lawful for His Majesty, His Heirs and Successors, by any Warrant under the Royal Sign Manual, countersigned by any Three or more of the Commissioners of His Majesty's Treasury for the time being, to grant to any Person who shall have served His Majesty, His Heirs or Successors, for any Period not less than Ten Years in any One or more of the Offices of the Under Secretaries of State, or Clerk of the Ordnance, or Second Secretary to the Admiralty, a Pension during Life not exceeding One thousand Pounds *per Annum*; and at the Expiration of every further progressive Period of Two Years more from the passing of this Act, to grant in like manner another like Pension to any other such Person as aforesaid, until the Expiration of Twelve Years from the passing of this Act, Six of such last mentioned Pensions shall have been granted in the whole; and from and after such Six Pensions of One thousand Pounds each shall have been granted to Six such Persons as aforesaid, it shall not be lawful for His Majesty, His Heirs or Successors, to grant any further or other Pension in respect of any such last mentioned Offices as aforesaid: Provided always, that from time to time and as often as any such Pension shall cease, by Death, Forfeiture, or Resignation thereof respectively of the Person holding the same, it shall be lawful for His Majesty, His Heirs and Successors, to grant in like manner other like Pensions to any other such Person as aforesaid, under such and the like Circumstances, Limitations and Restrictions as aforesaid; so as that no more or greater Number of Pensions than are allowed under the Provisions of this Act shall be in force at the same time, and so as that after the Expiration of Twelve Years no greater Number than Six such Pensions shall thereafter be granted or existing at any one and the same Period of time.

VII. Provided always, and be it enacted, That in case it shall happen that any Person shall have served His Majesty, His Heirs or Successors, in more than One of the Classes of Offices specified in this Act, in respect whereof His Majesty is by this Act enabled to grant any Pension less than Three thousand Pounds, it shall be lawful for His Majesty, His Heirs and Successors, to grant under the Regulations of this Act to such Person any Pension not exceeding such Pension as is annexed to the highest Class of Office in which such Person may have been employed, whenever the whole Period of the Service of such Person in the several Offices in which he shall have been employed shall amount to Eight Years, although the Period of the Service of such Person in such highest Class shall not have extended to the Period of Five Years; provided always, that such Person shall have served in such highest Class for a Period of not less than Three Years.

VIII. And be it further enacted, That every Grant of any Pension under this Act, if made to any Person actually holding at the Period of such Grant any Office entitling him to the same, shall not take effect during the time of the Person to whom such Pension

After the Expiration of certain Periods, His Majesty empowered to grant Pensions of 1,000*l.* to certain other Persons holding Civil Offices, under Limitations and Restrictions as herein mentioned.

When Persons have served Eight Years in several Classes of certain Offices, the Pension attached to the highest Class of such Offices may be granted on Three Years' Service in the highest Office.

Regulations as to Pensions made to Persons holding Offices, as to the taking effect,

Suspension and Abatement of such Pensions.

shall be granted continuing to hold such Office; and that every Grant of any Pension made under this Act shall also contain a Provision and Limitation for the Suspension of such Pension during the Period of the Person to whom the same is granted holding any Office, Place or Employment under His Majesty, the Salary or Profits whereof shall be not less than double the Amount of such Pension, and shall also contain a Provision and Limitation for the Abatement of One Half of the Pension granted, during the time any Person having any such Pension shall continue to hold any Place, Office or Employment under His Majesty of equal or greater Amount in Salary, Profit or Emolument than the Amount of such Pension; and no Grant of any such Pension shall be valid unless such Grant shall contain such Provisions and Limitations as aforesaid.

Interest of Persons in Office to cease with respect to such Office on obtaining Pensions.

IX. And be it further enacted, That if any Pension shall be granted under the Provisions of this Act to any Person holding any Office, Place or Employment, or any Offices, Places or Employments, for the Abolition or Regulation of which any Provision shall have been made by any Act or Acts of Parliament which shall have been passed in the present Session of Parliament, or which shall have been included and returned in the List made out and certified under the Provisions of this Act; then and in every such case all the Interest of such Person in such Office or Offices, Place or Places, Employment or Employments, shall, upon and from the time of the Receipt of any Payment to such Person in respect of such Pension, wholly cease and determine; and every such Office, Place or Employment, which shall by the ceasing of such Interest become vacant, shall thereupon be abolished or regulated according to the Provisions contained in relation thereto in any such Act or Acts of Parliament as aforesaid of this present Session of Parliament.

Persons holding Pensions heretofore granted (Exception) on obtaining Pensions under this Act, to relinquish such previous Pensions, and the same to go to Consolidated Fund.

X. And be it further enacted, That all the Right, Title, Claim and Interest of any Person to whom any Pension shall be granted under the Provisions of this Act, in every other Pension which may be held by such Person (other than and except such Pension or Pensions as are or may be charged by any Act or Acts of Parliament upon the Consolidated Fund) shall, upon and from the Commencement of any Pension granted under the Provisions of this Act, wholly cease and determine; and the Amount of every such Pension shall, from and after such Determination thereof, and during the Period of the Interest of such Person in such Pension, go to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*; and the Lord High Treasurer or Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three or more of them for the time being, shall and they are hereby required in every such case to order and direct the retaining in or paying into the Receipt of the Exchequer, to the Credit of and as Part of the said Consolidated Fund of the United Kingdom, the Amount of every such Pension during the Period of the Interest of such Person therein, and so long as such Person would have been entitled to hold, take and receive the same under any Letters Patent, Warrant, Instrument or Grant by which such Person held or received such Pension; and all such Orders and Directions so made by the Lord High Treasurer or Commissioners of the Treasury shall be valid and effectual, and be carried into Execution by all Persons concerned in the issuing or paying any such Pensions; any

Order of Treasury in respect thereof valid.

thing contained in any Act or Acts of Parliament, or Letters Patent, Warrant, Instrument or Grant, or Law or Custom, to the contrary notwithstanding.

XI. And be it further enacted, That every Pension granted under this Act shall be issued and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, next in Order of Payment to and after paying or reserving sufficient to pay all such Sums of Money as have been directed to be paid by any former Act or Acts, but with Preference to all other Payments hereafter to be charged thereon as aforesaid; and the same shall from time to time be paid and payable quarterly, free and clear of all Taxes and Deductions whatsoever, at the four usual Days of Payment in the Year; (that is to say) the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, in each and every Year, by even and equal Portions.

Pensions under this Act payable Quarterly out of the Consolidated Fund, free from Taxes.

XII. And be it further enacted, That it shall be lawful for the Lord High Treasurer, or the Commissioners of the Treasury of the United Kingdom of *Great Britain and Ireland* for the time being, or any Three or more of them, and they are hereby authorized and required, by Warrant under their Hands, to direct Debentures to be made forth and passed by the proper Officers at the Receipt of His Majesty's Exchequer from time to time, for paying the said several Pensions or Sums of Money in manner as aforesaid, and as the same shall from time to time become due and payable, according to the true Intent and Meaning of this Act, without any Fees or Charges to be demanded or taken for paying the same or any Part thereof; which said Warrants and Debentures to be made forth and passed thereupon respectively, shall be sufficient Authority to the several and respective Officers of the Receipt of the Exchequer, now and for the time being, for the Payment of all such Pensions or Sums of Money at the respective Days in this Act before appointed for such Payments, without any further or other Warrants to be sued for, had or obtained in that behalf.

The Treasury may by Warrant direct the Officers of the Exchequer to pass Debentures for Payment of the Pensions, without Fees.

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

Warrants not determinable on the Death of His Majesty, &c.

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

The Treasury and Exchequer to do without Fee all things herein directed.

The Receipts of the Pensioners to be sufficient Discharges.

Pensions Tax free.

Officers of the Exchequer refusing to pay, &c.

Kemedy.

XV. And be it further enacted, That the Acquittance or Acquittances, Receipt or Receipts of the Person or Persons to whom any such Pensions shall have been granted as aforesaid, shall be good and sufficient Discharges for the Payment of the said Pensions respectively before mentioned, without any further or other Warrant to be sued for or obtained in that behalf; and that the said several Pensions, and every Part thereof shall be clear and free from all Taxes, Impositions and other Charges whatsoever; and in case any of the Officers of the Receipt of His Majesty's Exchequer shall refuse or neglect to pay any such Pension, or any Part thereof, according to the true Intent and Meaning of this Act, or to do any Act necessary to enable any Person to whom any such Pension shall have been granted as aforesaid to receive the same, then any such Person as aforesaid may from time to time sue, prosecute and implead such Officers or any of them, their Heirs, Executors or Administrators, by Bill, Plaint or Action of Debt, and shall and may recover Judgment, and sue out Execution thereupon against such Officers respectively, their respective Heirs, Executors or Administrators, for so much of any such Pension respectively, then due and owing, or any Part thereof, as shall be in the Hands of the Officer or Officers of the Receipt of the Exchequer, at the time or times when such Demand shall have been legally made for Payment of any such Pensions, or any Part thereof as aforesaid, or for the Refusal or Neglect to do any Act necessary to be done by any such Officer or Officers respectively.

XVI. And Whereas it is expedient that Accounts should be from time to time laid before Parliament of the various Offices which may be abolished or regulated by or under or in pursuance of any of the Provisions of any Act or Acts of Parliament which may be passed in the present Session of Parliament; Be it therefore enacted, That within One Month after the Expiration of the present Session of Parliament, a List shall be made out and certified by the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three or more of them for the time being, and returned to and entered in the Exchequer, of all Offices and Places which have been abolished, or for the Abolition or Regulation of which any Provision shall have been made by any Act or Acts of Parliament which shall have been passed in the present Session of Parliament; and the Lord High Treasurer of the United Kingdom, or Commissioners of His Majesty's Treasury of the United Kingdom, or some Three or more of them for the time being, shall within Six Weeks after the next Session of Parliament cause Accounts to be laid before both Houses of Parliament of every Office contained in such List, together with every Office dependent upon any Office contained in such List, which shall have been abolished or become vacant, and been regulated under or in pursuance of the Provisions of any Act or Acts of this present Session of Parliament since the passing thereof respectively; and shall also from time to time cause like Returns to be made to both Houses of Parliament within Six Weeks after the Meeting of every subsequent Session of Parliament, until all the Offices contained in such List, and all Offices dependent upon any such Offices, shall have been abolished or regulated in manner directed by the said Acts of Parliament.

Certified Lists of all Offices abolished or regulated by any Act of the present Session, to be returned to the Exchequer, and Accounts to be laid by Treasury before Parliament at the Commencement of every Session, of the Offices abolished or regulated since the passing of such Acts.

C A P. LXVI.

An Act to amend an Act of the Twenty second Year of His present Majesty, for suppressing or regulating certain Offices therein mentioned, so far as relates to the Board of Trade; and for enabling the Vice President of the Board of Trade to send and receive Letters and Packets free from the Duty of Postage.

[7th July 1817.]

WHEREAS an Act passed in the Twenty second Year of the Reign of His present Majesty, intituled *An Act for enabling His Majesty to discharge the Debt contracted upon His Civil List Revenues, and for preventing the same from being in Arrear for the future, by regulating the Mode of Payments out of the said Revenues, and by suppressing or regulating certain Offices therein mentioned which are now paid out of the Revenues of the Civil List* &c. 22 G. 3. c. 82. And Whereas it is expedient to make Provision for enabling His Majesty to grant a competent Salary to the Person holding the Office of Vice President of the Committee of Council appointed for the Consideration of Matters relating to Trade and Foreign Plantations, in consideration of the Duties and Responsibility attached to the said Office; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for His Majesty, by any Order or Warrant under His Royal Sign Manual, countersigned by the Lord High Treasurer, or by the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three or more of them for the time being, to order and direct that the Vice President of the Committee of Council, appointed for the Consideration of Matters relating to Trade and Foreign Plantations, for the time being, shall have a Salary not exceeding Two thousand Pounds, to be paid and payable out of the Fee Fund of the Council Office; and such Office shall not, by reason of such Salary being annexed thereto, be deemed a new Office: Provided always, that no such Order or Warrant, or Receipt of Salary under the same by the Person holding such Office at the time of passing this Act, shall make void the Election of any such Person, nor shall any new Writ issue for a new Election in consequence of any such Order or Warrant, or Receipt of Salary under the same; any thing in any Act or Acts to the contrary notwithstanding.

Salary of 2,000l to the Vice President of the Board of Trade.

Not to be considered a new Office.

II. And Whereas by an Act passed in the Forty sixth Year of the Reign of His present Majesty, intituled *An Act to authorize certain Public Officers to send and receive Letters and Packets by the Post free from the Duty of Postage*, certain Public Officers therein named were authorized to send and receive Letters by the Post free from the Duty of Postage in the United Kingdom, in the manner and under the Restrictions therein mentioned: And Whereas it is expedient that the Vice President of the Committee of Council appointed for the Consideration of matters relating to Trade and Foreign Plantations should in like manner send and receive Letters and Packets by the Post free from Postage; Be it therefore enacted, That from and after the passing of this Act it shall be lawful for the Vice President of the Committee of Council, appointed for

Vice President to receive and send Letters and

Packets free of Postage.

the Consideration of Matters relating to Trade and Foreign Plantations, for the time being, to send and receive Letters and Packets by the Post free from the Duty of Postage within the United Kingdom, in the same manner and under such Restrictions as the several Public Officers specified in the said recited Act are authorized by the Laws now in force to send and receive Letters and Packets free from Postage.

C A P. LXVII.

An Act to regulate certain Offices, and abolish others, in His Majesty's Mints in *England* and *Scotland* respectively.

[7th July 1817.]

14 G. 3. c. 92.

‘ WHEREAS the Duties of the Office of Warden of His Majesty's Mint in *England* have been heretofore usually executed by Deputy; and several of the said Duties have, under an Order of His Royal Highness the Prince Regent in Council, and certain Indentures of the Mint made in pursuance thereof, been transferred to the Master and other Officers of the Mint: And Whereas an Act passed in the Fourteenth Year of His present Majesty's Reign, intituled *An Act for regulating and ascertaining the Weights to be made use of in Weighing the Gold and Silver Coin of this Kingdom*; and Whereas the Duties required by the said Act to be performed by the said Warden may be executed by the Master of the Mint or his Deputy; and it is therefore expedient that the said Office of Warden should, upon the Termination of the present existing Interest therein, be abolished: May it therefore please Your Majesty, that it may be enacted, and be enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Office of Warden of His Majesty's Mint in *England* shall, upon the Termination of the present existing Interest therein, be wholly abolished; and that from and after the passing of this Act, all the Duties required to be performed by the said Warden, under or by virtue of the said recited Act of the Fourteenth Year of His present Majesty's Reign, shall be performed by His Majesty's Master and Worker of the said Mint, or his Deputy; and for that Purpose all the Powers and Authorities belonging or appertaining to the said Office of Warden of the Mint, whether such Powers and Authorities, or any of them, are required to be executed and performed by the said Warden alone, or by the said Warden in conjunction with the said Master, or with any other Person or Persons whomsoever, shall immediately from and after the passing of this Act become and be and remain vested in His Majesty's Master and Worker of the said Mint for the time being, without any special or other Appointment for that Purpose, or in that behalf; and every such Master and Worker for the time being, or his Deputy, shall and he is hereby authorized, empowered and required to perform all such Duties, and for that Purpose to use and exercise all such Powers and Authorities, and to do and perform all such Acts, Matters and things as may be necessary in that behalf, as the said Warden might have done either in conjunction with or separately from the said Master or any other Person or Persons: Provided that such Master and Worker, or his Deputy, shall not be entitled to, nor shall have, take or receive any

Office of Warden of the Mint abolished after Termination of existing Interest. Duties to be performed by the Master and Worker of the Mint without any additional Salary, &c.

any additional Salary, Fee or Emolument whatever, for executing the Duties of the said Warden, or any other than such as the said Master and Worker and his Deputy is and are entitled unto by virtue of their said Offices of Master and Worker, or Deputy Master and Worker respectively.

‘ II. And Whereas it is expedient, that, after the Termination of the existing Interest in the Office of Comptroller of the Mint in *England*, the Duties thereof should be executed in Person and not by Deputy;’ Be it therefore enacted, That from and after the Termination of the present existing Interest, in the said Office of Comptroller of His Majesty’s Mint in *England*, and when the said Office shall become vacant by the Termination of such existing Interest, the Duties of the said Office shall be performed in Person by the Officer to be appointed to such Office of Comptroller; and it shall not be lawful for any such Comptroller to appoint any Deputy or other Person to execute the Duties of the said Office; and that from and after the passing of this Act the said Office of Comptroller shall not be granted to any Person or Persons whomsoever, with Power to execute the same by Deputy; any Law, Usage or Custom to the contrary in anywise notwithstanding.

After Termination of existing Interests, Office of Comptroller of the Mint hereafter to be executed in Person, and not by Deputy.

‘ III. And Whereas it was enacted by the said recited Act of the Fourteenth Year of His present Majesty’s Reign, that Duplicates or Copies of the Standard Weights of the Gold and Silver Coin of the Realm should be lodged in the Custody of an Officer to be appointed by His Majesty, with a Salary not exceeding the yearly Sum of Two hundred and fifty Pounds, to be paid out of the Monies arising by the Coinage Duties, and that all Weights to be made use of for weighing the said Gold and Silver Coin should be stamped by the said Officer: And Whereas by an Act made in the Fifteenth Year of His present Majesty’s Reign, intituled *An Act for allowing the Officer appointed to mark or stamp the Weights to be made use of in weighing the Gold and Silver Coin of this Kingdom, in pursuance of an Act made in the last Session of Parliament, to take certain Fees in the Execution of his Office*, it was enacted that it should be lawful for such Officer to ask, demand and receive any Sum of Money not exceeding One Penny for every Twelve Weights so stamped: And Whereas it is expedient, that upon the Termination of the present existing Interest in the said Office, the said Salary of Two hundred and Fifty Pounds a Year should be abolished;’ Be it therefore enacted, That from and after and upon the Termination of the present existing Interest in the said Office, no Salary whatever shall be granted or paid or payable to the said Officer under or by virtue of the said recited Act of the Fourteenth Year of His present Majesty’s Reign, nor any Salary, Fee or Emolument whatsoever, other than and except such Fees and Sums of Money as the said Officer is authorized to ask, demand, and receive under and by virtue of the said recited Act of the Fifteenth Year of His present Majesty’s Reign; any thing in the said recited Act of the Fourteenth Year aforesaid of the Reign of His present Majesty to the contrary notwithstanding.

14 G. 3. c. 92.
§ 2.

15 G. 3. c. 30.

After Termination of existing Interest, no Salary to Stamp-er of Weights, but to take only Fees allowed under

15 G. 3. c. 30.

‘ IV. And Whereas it is expedient that the Office of Governor of the Mint in *Scotland* should, upon the Termination of the present existing Interest therein, be held by the Master of the Mint in *England* for the time being; and that the other Offices of the Mint

Office of Governor of the Mint in Scotland, after Termination of existing Interest, to be held by Master of Mint in England; and Buildings sold and other Offices of Mint in Scotland, after existing Interests, abolished.

Treasury to direct Mint Buildings in Scotland to be sold.

‘ in *Scotland* should, upon the Termination of the respective present existing Interests therein, be held by the Officers discharging Duties corresponding to the Duties of these Offices in *England*; and that the Buildings of the Mint in *Scotland* should be sold; Be it further enacted, That from and after the Termination of the present existing Interest in the Office of the Governor of the Mint in *Scotland*, the said Office shall vest in and thenceforth and for ever thereafter be held by the Master and Worker of the Mint in *England* for the time being, without any special Appointment for that Purpose or in that behalf, and without any Salary, Fee or Emolument in respect thereof; and all the other Offices in the Mint in *Scotland* shall, from and after the respective Terminations of the present existing Interests therein respectively, be held by the Officers respectively discharging in *England* Duties corresponding to the Duties of such Offices, without any additional Salary, Fee or Emolument in respect thereof; any thing contained in any Act or Acts of Parliament, or Law or Laws, or Custom or Indenture relating to the Mint of *Scotland*, to the contrary notwithstanding.

V. And be it further enacted, That upon the Termination of the whole of the existing Interests of such of the said Officers as are entitled to Apartments in the said Buildings, or upon their relinquishing their Rights thereto, it shall be lawful for the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners of His Majesty's Treasury of the said United Kingdom, or any Three or more of them, and they are hereby authorized and required, as soon as conveniently may be after such Termination or Relinquishment, to order and direct the Buildings appropriated to the Mint in *Scotland* to be sold, and the Proceeds, after deducting the Charges attending the Sale or Sales, to be paid to the Receiver General in *Scotland*; and the same when so paid shall be accounted for by him in the same manner with any Public Monies received by him.

C A P. LXVIII.

An Act to amend the Laws relating to Sheriffs in *Ireland*.

[7th July 1817.]

‘ **W**HEREAS it is expedient that the Laws relating to Sheriffs in *Ireland* should be amended, as well for the Relief of such Sheriffs as to enforce a more regular Discharge of their 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 Commencement of this Act it shall and may be lawful to and for every Sheriff in *Ireland* to account and make like Return for, upon and in respect of any Writ or Process issued against the Person's Lands and Goods, or any of them, of any former Sheriff, as if such Writ or Process had issued against any other Person whatsoever; any Law, Usage, Confruction or Intendment to the contrary in anywise notwithstanding.

II. And be it further enacted, That whenever any Sheriff or any Person or Persons who shall have been a Sheriff or Joint Sheriff in *Ireland*; shall obtain Judgment in any Action against any Person who shall then be or shall have been his or their Under Sheriff, or against the

Sheriffs may make like Return of Writs against former Sheriffs as against any other Persons.

In Actions by Sheriffs against Under Sheriffs, &c. for Breach of Duty.

the Surety or Sureties or any of the Sureties of such Under Sheriff such Surety or Sureties having become such after the Commencement of this Act, for or by reason or in respect of any Breach of the Duty of such Office, or for or by reason or in respect of any Malfeazance, Misfeazance, Nonfeazance or Neglect therein, then and in every such case the Plaintiff in every such Action shall be entitled to Double Costs of Suit, to be included in such Judgment, and such Plaintiff shall for that Purpose be entitled, under the Direction of the Court in which such Action shall be brought, to suggest on the Record that such Action was brought for such Cause, if the same shall not sufficiently appear on the Pleadings.

Double Costs.

III. And be it further enacted, That in all cases in which by Law any Action or Actions might be maintained against any Sheriff for any Neglect or Misconduct in Office, it shall and may be lawful for the Person or Persons to whom such Action or Actions shall accrue, to bring such Action or Actions against the Under Sheriff, in lieu and in stead of the High Sheriff, if such Person or Persons shall think proper so to do, unless it shall appear that the Cause of Action arose from some immediate Act or Default of the High Sheriff alone, and not at all from any Act or Default of the Under Sheriff.

Actions against Sheriff for Misconduct may be brought against Under Sheriff.

Proviso.

IV. And be it further enacted, That it shall and may be lawful to and for any Sheriff, or any Person who shall have been Sheriff in *Ireland*, to pay or cause to be paid into His Majesty's Exchequer of *Ireland*, at any time before such Sheriff shall by Law be bound or required so to do, any Sum or Sums of Money which he shall think proper, on account of any Revenue which it shall belong to him or be his Duty to collect, receive or account for; and such Sheriff in such case shall be entitled to have and obtain an Acquittance from the proper Officer for such Sum or Sums so paid, and shall be entitled to Credit for the same, and for Interest by way of Discount, out of the Sum so paid, at the Rate of Six Pounds *per Centum per Annum* from the time of such Payment until the time when, by or under any Act of Parliament, or by the Course of the Court of Exchequer, such Sheriff ought to pay in the same.

Sheriffs paying Money into Exchequer before the time required by Law shall be allowed Discount thereon.

V. And be it further enacted, That from and after the time when any Attachment shall be sealed in the Court of Exchequer in *Ireland*, against any Sheriff or Person who shall have been Sheriff, for not accounting, such Sheriff shall be chargeable and charged with and shall pay legal Interest on all and every Sum and Sums of Public Money with which he shall be chargeable, so long as such Sum or Sums shall remain unpaid; and that from and after the time when any Attachment shall be actually sealed in the Court of Exchequer in *Ireland*, against any Sheriff or Person who shall have been Sheriff, for the Non Payment of any Sum of Public Money, such Sheriff shall be chargeable and charged with and shall pay double the ordinary legal Interest on such Sum until the Payment of such Sum; and the Payment of all such Interest and double Interest shall be enforced in the same manner as the Payment of the Principal Sum in respect whereof such Interest or double Interest shall be payable as aforesaid.

After Attachment for not accounting, Sheriff shall pay Interest for all Money remaining unpaid by him. After Attachment for Non-Payment, Sheriff to pay Double Interest.

C A P. LXIX.

An Act to continue until the Twenty ninth Day of *September* One thousand eight hundred and eighteen, and to amend an Act passed in *Ireland*, in the Thirty sixth Year of His present Majesty, for the Improvement and Extension of the Fisheries on the Coasts of *Ireland*. [7th July 1817.]

Irish Act,
36 G. 3.

‘ **W**HEREAS an Act was made in the Parliament of *Ireland* in the Thirty sixth Year of the Reign of His present Majesty, intituled *An Act for continuing and amending the several Acts for the further Improvement and Extension of the Fisheries on the Coasts of this Kingdom*; which said recited Act has by several subsequent Acts been continued, and is in force until and upon the Twenty ninth Day of *September* One thousand eight hundred and seventeen, and it is expedient that the said recited 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 recited Act shall be and the same is hereby further continued and shall be in force in *Ireland* from the said Twenty ninth Day of *September* One thousand eight hundred and seventeen, until and upon the Twenty ninth Day of *September* One thousand eight hundred and eighteen.

continued.

Bounties on the Exportation of Fish, &c. under Acts in force in *Ireland* to be paid under the established Regulations.

II. And be it declared and enacted, That all Bounties and Allowances payable under any Act or Acts in force in *Ireland* upon the Exportation of any Fish caught on the Coasts of *Ireland*, or in respect of the Duty on the Salt used in the curing of Fish caught on the said Coasts, shall be payable and paid and allowable and allowed in respect of all such Fish which, having been caught on the said Coasts, shall be salted and cured either at Sea or in Warehouses on Shore, under the Inspection of the Officers of the Customs there, under such Rules and Regulations as are required by any Act or Acts in force in *Ireland*, or as may be made from time to time by the Commissioners of Customs and Port Duties in *Ireland*, for the Prevention of Fraud in the claiming of such Bounties and Drawbacks.

C A P. LXX.

An Act to relieve Persons impugning the Doctrine of the Holy Trinity from certain Penalties, in *Ireland*. [7th July 1817.]

19 G. 3. c. 44.

‘ **W**HEREAS an Act was passed in the Nineteenth Year of the Reign of His present Majesty, by the Parliament of *Great Britain*, intituled *An Act for the further Relief of Protestant Dissenting Ministers and Schoolmasters*, and the Provisions of the said Act have not been enacted or made Law in *Ireland*: And Whereas it has been and may be reasonably doubted, whether the Provisions of an Act passed in the Fifty third Year of the Reign of His present Majesty by the Parliament of the United Kingdom, intituled *An Act to relieve Persons who impugn the Doctrine of the Holy Trinity from certain Penalties*, do extend to or were intended to affect *Ireland*; and it is meet and proper that equal Freedom of Religious Worship should be secured by Law to every Part of the United Kingdom:’ May it therefore please Your Majesty that it may

53 G. 3. c. 160.

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 such of the Provisions of an Act passed by the Parliament of *Ireland*, in the Sixth Year of His late Majesty King *George the First*, intituled *An Act for exempting the Protestant Dissenters of this Kingdom from certain Penalties to which they are now subject*, as purport to affect by Penalties or Disqualifications any Person who by his preaching or writing shall deny the Doctrine of the Blessed Trinity, be and the same are hereby absolutely annulled, repealed and made void; and that all and every of the Provisions contained in each of the Two before mentioned Acts of the Nineteenth and Fifty third Years of His Majesty shall be henceforth deemed and taken to be of full Force and Effect in that Part of the United Kingdom called *Ireland*, in like manner as if the same and every Part of each of the said Acts had been hereby and in Terms fully set forth and re-enacted.

6 G. 1. (1.) repealed, and the above recited Acts extended to Ireland.

C A P. LXXI.

An Act to amend an Act of the Fiftieth Year of His present Majesty's Reign, for repealing the several Laws relating to Prisons in *Ireland*, and for re-enacting such of the Provisions thereof as have been found useful, with Amendments.

[7th July 1817.]

WHEREAS it is expedient that an Act made in the Fiftieth Year of His present Majesty's Reign, intituled *An Act for repealing the several Laws relating to Prisons in Ireland, and for re-enacting such of the Provisions thereof as have been found useful, with Amendments*, should be amended in manner hereinafter provided for; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for the Grand Jury of any County, County of a City, or County of a Town in *Ireland*, to rent or purchase any Lands or Hereditaments, or any Rights, Easements or Advantages in, through or over any Lands or Hereditaments which may be required for the constructing, building, repairing, cleansing, emptying and keeping in Repair of any Sewer or Sewers, or Drain or Drains, belonging to any Gaol or Prison, or which shall by such Grand Jury be deemed necessary for the keeping any such Gaol or Prison free from Filth or Nuisance of any Kind, although such Lands or Hereditaments shall not be included in the Site of such Gaol or Prison, and to direct that all Lands or Hereditaments so rented or purchased, and all Rights, Easements and Advantages therein, shall be conveyed to such Commissioners as such Grand Jury shall have appointed or shall appoint according to the Directions of the said recited Act, and to their Heirs, Executors, Administrators and Assigns, in trust and for the Uses and Purposes aforesaid, as fully and effectually to all Intents and Purposes as such Grand Jury might do with respect to any Lands or Hereditaments necessary for the Site of any Gaol or Prison, and with all such Powers and under such Regulations as are mentioned and expressed in the said recited

50 G. 3. c. 103.

Grand Juries may rent or purchase Premises for Sewers or Drains to Gaols;

and may direct a Conveyance thereof to Commissioners in trust as herein mentioned.

recited Act with respect to any Lands or Hereditaments necessary for the Site of any Gaol or Prison, and as if all such Powers and Regulations, and all Clauses in the said recited Act relating to the same, were repeated and reenacted in this Act.

Grand Juries may present the whole Sums necessary for completing the building or repairing of Gaols over and above Sums in hand as herein mentioned.

‘ II. And Whereas in some Instances the building, enlarging or repairing of Gaols or Prisons for some Counties and Counties of Cities and Counties of Towns in *Ireland*, has been begun according to the Provisions of some Act or Acts specially relating thereto passed before the passing of the said recited Act of the Fiftieth Year of His present Majesty’s Reign, and the said Works are in some Instances not yet completed by reason of the restricted Powers of Grand Juries in such cases, and of the Want of Authority under such Acts in the Lord Lieutenant or other Chief Governor of *Ireland* to advance the Sums necessary for the Completion thereof, upon Presentments of the same by Grand Juries, to be repaid by Instalments; by reason whereof the said Works have proceeded slowly, to the great Inconvenience of the Public, and are likely to be attended with greater Expence in the End than if the whole Sum necessary for the Completion thereof were to be advanced in the first Instance;’ Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for the Grand Jury of every such County, County of a City, or County of a Town so circumstanced, in all cases in which they shall think the same expedient, at any Assizes after the passing of this Act, to present the whole Sum necessary to be expended in completing and finishing the building, enlarging and repairing of such Gaol or Prison, over and above such Sum or Sums as may at the time of making such Presentment be in the Hands of any Body or Person or Persons under the Provisions of any such special Act or Acts, and remaining unexpended; and to direct, in and by such Presentment, that such Sum so to be presented shall be raised on the County, County of a City or County of a Town, by such Half Yearly or Yearly Sums or Instalments, and in such manner and at such times, as shall be specified in such Presentment, and such Sums shall be so raised accordingly; and it shall be lawful for any subsequent Grand Jury at any Assizes to present that any of the said Instalments shall be increased to any Sum which shall be found necessary or proper; and after such Presentment for such Sum so deemed necessary for completing and finishing the building, enlarging and repairing of such Gaol or Prison, shall be made, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being to cause to be advanced at the Receipt of His Majesty’s Exchequer in *Ireland*, to the Treasurer of such County, County of a City or County of a Town, on the Faith of such Presentment, the whole of the Sum so presented, or so much thereof as shall not have been raised or received at the time of such Advance, or any Part, Share or Proportion thereof; and such Sum or Sums shall be applied by such Treasurer to the Purposes of such Presentment, and shall be repaid by such Treasurer to the Collector of Excise of the District, in like manner and under the like Regulations in all respects as are mentioned, specified and set forth in the said recited Act of the Fiftieth Year of His Majesty’s Reign, with respect to Advances by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Purposes of the said recited Act;

Lord Lieutenant may order to be advanced at the Exchequer Money on such Presentments.

Act; and that it shall be lawful for the Grand Jury making such Presentment (if they shall think fit so to do) to appoint Commissioners for causing the said Presentments to be carried into Execution and Effect, and for such Commissioners to act in carrying such Presentments into Execution and Effect, and to contract for the Execution thereof, and also to receive and expend and account for all Monies on account of such Presentment in such and the like manner, and with all such Powers and under all such Regulations to all Intents and Purposes, as such Grand Jury and Commissioners respectively, or any other Person or Persons, are authorized and required to do, under or by virtue of the said recited Act of the Fiftieth Year of His Majesty's Reign, in all cases provided for by the said recited Act, and as if all such Powers and Regulations, and all Clauses in the said recited Act relating to the same, were repeated and reenacted in this Act; any thing in any Act or Acts specially relating to such Gaol or Prison to the contrary in anywise notwithstanding.

Commissioners may be appointed by Grand Jury.

III. Provided always, and be it enacted and declared, That before any Advance shall be made by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being in manner authorized by this Act, the Place or Site upon which such Gaol is intended to be built, or has been in part built, together with the Plan adopted for the Execution of the said Work, and also the Contract or Contracts for completing the same, shall be laid before and approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being; and that it shall not be lawful for the Grand Jury or Commissioners to depart from the Plan so approved of.

Before Money is advanced Plan of the Works and Contracts to be approved by Lord Lieutenant.

IV. And be it further enacted, That in all cases in which the Grand Jury of any County, County of a City, or County of a Town, shall, under the Provisions of this Act, make such Presentment as aforesaid, and that such Advance shall be thereupon made by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, then and in every such case, all Rights, Powers and Authorities given by such special Act or Acts to all Bodies and Persons therein mentioned shall cease and determine, and be of no Effect, any thing in any such Act or Acts notwithstanding; and that all Monies theretofore raised by virtue of any such special Act or Acts, and remaining unapplied in the Hands or Power of any Body, or Person or Persons, to the Purposes thereof, shall, after the making of such Presentment and Advance, be forthwith paid over or transferred by such Body or Person or Persons respectively to the Treasurer of such County, County of a City, or County of a Town, in aid of such Presentment to be made under this Act, as if such Money had been originally presented for such Purposes under the Provisions of the said Act of the Fiftieth Year of His Majesty's Reign, or of this Act; and that from and after the Appointment of the Commissioners so to be appointed as aforesaid, all Materials previously purchased or procured for or towards the Completion of any such Gaol or Prison shall be and become vested in such Commissioners for the Purposes of this Act: Provided always, that nothing herein contained shall prevent the Person or Persons who may have received Money under the Provisions of any such special Act or Acts, and who shall not have the same forthcoming at the

Powers given by special Acts to cease, after such Advances are made.

Unapplied Monies raised under such Acts to be paid over to Treasurer of the County in Aid of Presentments.

Materials previously purchased vested in Commissioners.

Persons who have received Money to account.

time of making any Presentment or Advance by virtue of this Act, or who shall not have accounted for the same, from being liable to account for the same in the manner provided by such special Act or Acts, any thing in this present Act contained to the contrary thereof notwithstanding; and that all the Provisions of any such special Act or Acts for the suing for and recovering all such Sums as shall not be accounted for shall remain in such cases in full Force; and all such Sums as shall be so recovered shall be paid over or transferred to the Treasurer of such County, County of a City, or County of a Town, to be applied in manner hereinbefore mentioned.

C A P. LXXII.

An Act to continue until the End of the next Session of Parliament Two Acts made in the Fifty fourth and Fifty sixth Years of His present Majesty for regulating the Trade in Spirits between *Great Britain* and *Ireland* reciprocally.

[7th July 1817.]

54 G. 3. c. 149. ' WHEREAS an Act was made in the Fifty fourth Year of
' the Reign of His present Majesty, intituled *An Act to regu-*
' *late until the End of the next Session of Parliament the Trade in Spi-*
55 G. 3. c. 132. ' *rits between Great Britain and Ireland reciprocally*, and which, by
' an Act made in the Fifty fifth Year of the Reign of His present
56 G. 3. c. 105. ' Majesty, was continued until the End of the then next Session of
' Parliament: And Whereas by an Act made in the last Session of
' Parliament to amend and continue the said recited Act of the
' Fifty fourth Year aforesaid, and to grant and allow new counter-
' vailing Duties and Drawbacks on Spirits imported and exported
' between *England* and *Scotland* and *Ireland* respectively, the said
' recited Act of the Fifty fourth Year aforesaid was and is further
' continued, except so far as the same was altered by the last men-
' tioned Act, until the End of the present Session of Parliament,
' and it is expedient that the said recited Act of the Fifty fourth
' Year aforesaid, so altered as aforesaid, and such Parts of the
' said recited Act of the last Session of Parliament as are now in
' force 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 recited Act of the Fifty fourth Year aforesaid, as
altered by the said recited Act of the last Session of Parliament,
and also such Parts of the said recited Act of the last Session of Par-
liament as are now in force, and the several Duties and Drawbacks
thereby granted and allowed and now payable, shall be and the same
is and are hereby further continued from and after the End of this
present Session of Parliament, and shall remain and continue in force
from thence until the End of the next Session of Parliament.

54 G. 3. c. 149.
as altered by
56 G. 3. c. 105.
&c. continued.

C A P. LXXIII.

An Act to allow the Exportation of Woollen or, Bay Yarn from *Ireland* by Licence obtained there. [7th July 1817.]

10 & 11 W. 3.
c. 20.

' WHEREAS an Act passed in the Tenth and Eleventh Years
' of the Reign of His late Majesty King *William* the Third,
' intituled

intituled *An Act to prevent the Exportation of Wool out of the Kingdoms of Ireland and England into Foreign Parts, and for the Encouragement of the Woollen Manufactures in the Kingdom of England*: And Whereas another Act passed in the Twenty sixth Year of the Reign of His Majesty King George the Second, intituled *An Act for permitting the Exportation of Wool or Woollen or Bay Yarn from any Port in Ireland to any Port in Great Britain*: And Whereas it is expedient to extend and amend the Provisions of the said recited Acts; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful to export from that Part of the United Kingdom called *Ireland*, and to import into that Part of the United Kingdom called *Great Britain*, any Woollen or Bay Yarn: Provided always, that Notice be first given to the Commissioners of Revenue in *Ireland*, or the Chief Officers in the Port from which the same is intended to be brought, of the Quantity, Quality and Package, together with the Marks and Number thereof, with the Name of the Ship and the Master or Commander on which the said Goods are to be laden, and the Place or Port into which they are intended to be imported; and that Bond be first entered into, to the Use of His Majesty, His Heirs and Successors, with One or more sufficient Sureties, in Treble the Value of the Goods so intended to be exported, that the same shall (the Dangers of the Seas excepted) be landed at the Port to which they are intended to be brought; and that a Licence be also first taken under the Hands of the said Commissioners of Revenue, or any Two or more of them for the time being, or from the Chief Officers of the Port where such Bond is given, for the Landing thereof as aforesaid, which Licence they are hereby authorized and required to grant without any Fee or Reward, or any other Charge to the Person demanding the same; any Law, Statute or Usage to the contrary in anywise notwithstanding.

26 G. 2. c. 11.

Exportation from Ireland to Great Britain of Woollen or Bay Yarn allowed, on Notice, and other the Conditions herein mentioned.

Licence granted without Fee.

C. A P. LXXIV.

An Act to extend several Acts for allowing the Importation and Exportation of certain Goods and Merchandize to *Porto Maria* in the Island of *Jamaica*, and to the Port of *Bridgetown* in the Island of *Barbadoes*. [7th July 1817.]

WHEREAS it is provided by an Act passed in the Forty fifth Year of His present Majesty's Reign, intituled *An Act to consolidate and extend the several Laws now in force for allowing the Importation and Exportation of certain Goods and Merchandizes into and from certain Ports in the West Indies*, that certain Articles therein enumerated may be imported into the several Ports therein named from Foreign Colonies in the *West Indies*: And Whereas by one other Act, passed in the Forty eighth Year of His said Majesty's Reign, intituled *An Act to permit the Importation of Rice, Grain and Flour from any Foreign Colonies on the Continent of America, into certain Ports in the West Indies; and to allow certain Articles to be imported from the United States of America into the British Provinces in North America, for the Purpose of Exportation*

45 G. 3. c. 57. § 1.

48 G. 3. c. 125. § 2.

47 G. 3. sess. 2.
c. 34.

50 G. 3. c. 21.

‘portation to the British Islands in the West Indies, it is enacted, that in addition to the Articles enumerated in the afore recited Act passed in the Forty fifth Year of His present Majesty’s Reign, it shall be lawful to import, under the like Authority, Restrictions, Rules, Regulations, Penalties and Forfeitures provided in the said recited Act, the Articles of Rice, Grain of all Sorts, and Flour, from any Colonies and Plantations in America belonging to and under the Dominion of any Foreign European Sovereign or State, into any of the Free Ports in Colonies or Plantations belonging to His Majesty in the West Indies which are particularly enumerated in the said Act, or in another Act passed in the Forty seventh Year of His Majesty respecting the Port of Amsterdam, in the Island of Curacoa, in any Foreign Ship, Schooner or other Foreign Vessel whatever, not having more than One Deck, and being manned and navigated by Persons inhabiting any of the said Colonies or Plantations belonging to any Foreign Sovereign or State: And Whereas by one other Act, passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act for amending, and continuing so amended, until the Twenty fifth Day of March One thousand eight hundred and twelve, an Act of the Forty fifth Year of His present Majesty, for consolidating and extending the several Laws in force for allowing the Importation and Exportation of certain Goods and Merchandizes into and from certain Ports in the West Indies, it is enacted, that until the Twenty fifth Day of March One thousand eight hundred and twelve, it shall and may be lawful to import and export the Articles in the said Act mentioned at the Ports therein mentioned, under the Rules and Regulations of the said Act, in any Foreign Sloop, Schooner or other Vessel as therein described, although such Sloop, Schooner or Vessel shall have more than One Deck; which by a subsequent Act was continued until the Twenty fifth Day of March One thousand eight hundred and fourteen, and by one other subsequent Act was revived and made perpetual: And Whereas it is expedient to permit the like Importation and Exportation of certain Goods and Commodities into and from the Port Maria on the North Side of the Island of Jamaica, and into and from the Port of Bridgetown in the Island of Barbadoes, in the West Indies;’ 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 such Goods and Commodities as by the afore recited Act passed in the Forty fifth Year of His Majesty’s Reign may be imported into and exported from the Ports therein mentioned, and also Rice, Grain of all Sorts and Flour, may be also imported into and exported from the Port Maria on the North Side of the Island of Jamaica, and into and from the Port of Bridgetown in the Island of Barbadoes, in the West Indies, from and to any Colonies and Plantations in America, belonging to and under the Dominion of any Foreign European Sovereign or State, in the like Ships and Vessels, under such Rules, Regulations, Restrictions and Conditions, and subject to such Penalties and Forfeitures for Breach thereof, as are contained, described, and provided in the said Acts, and in the aforesaid recited Act passed in the Fiftieth Year of His present Majesty’s Reign.*

Goods as by
45 G. 3. c. 57.
may be imported
into and exported
from the Ports
therein mention-
ed, and also Rice,
Grain, &c. may
be imported into
and exported
from Port Maria
in Jamaica, and
Bridgetown in
Barbadoes, to
any Foreign
Colonies in
America.

C A P. LXXV.

An Act to abolish the Punishment of Public Whipping on Female Offenders. [7th July 1817.]

WHEREAS the Punishment of Public Whipping of Female Offenders has been found inexpedient; 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 Judgment shall not be given and awarded against any Female or Females convicted of any Offence that such Female Offender or Offenders do suffer the Punishment of being publicly whipped; any Law, Statute or Usage to the contrary notwithstanding.

Judgment of Public Whipping shall not be awarded on Females.

II. And be it further enacted, That in all cases where the Punishment of Public Whipping on Female Offenders has hitherto formed the Whole or Part of the Judgment to be pronounced, it shall and may be lawful for the Court before whom any such Offender shall be tried, to pass such Sentence of Confinement to Hard Labour in the Common Gaol or House of Correction, in lieu of the Sentence of being publicly whipped, as to the said Court shall seem most proper: Provided, that nothing herein contained shall extend or be construed to extend in any manner to change, alter or affect any Punishment whatsoever, which may now be by Law inflicted in respect to any Offence, except only the Punishment of Public Whipping on Female Offenders, in manner as herein above is enacted.

Instead thereof Hard Labour in the House of Correction.

Proviso.

C A P. LXXVI.

An Act to amend an Act of the Fifty fourth Year of His present Majesty, to regulate the Payment of Drawback on Paper allowed to the Universities in Scotland.

[7th July 1817.]

WHEREAS by an Act made in the Fifty fourth Year of the Reign of His present Majesty, intituled *An Act to regulate the Payment of Drawback on Paper allowed to the Universities in Scotland*, it is enacted, that no Allowance shall be made for Paper used in the Printing of any Books in the Latin, Greek, Oriental or Northern Languages, within the said Universities, unless the Chief Managers of the Press in such Universities shall subscribe at the Foot of the Certificate mentioned in the said Act an Oath in Writing, made before the Vice Chancellors of the same, that the Whole of the said Edition of the Book so printed is printed for the Use and Behoof of the Universities respectively for which the same expressly to be printed: And Whereas it is expedient that the said Oath should be made in the Terms and before the Person or Persons hereinafter mentioned: Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act such Allowance as is by the said recited Act granted shall be made for

54 G. 3. c. 153: § 2.

Oath to be made to certain Particulars before

the Drawback on Paper allowed to the University shall be paid.

Paper used in the printing such Books in the Latin, Greek, Oriental or Northern Languages within the said Universities, at any time from and after the Twenty eighth Day of *July* in the Year of our Lord One thousand eight hundred and fourteen, provided the Chief Manager or Managers of the Press in such Universities respectively shall subscribe at the Foot of such Certificate respectively, as is in the said Act mentioned, an Oath in Writing made before the Vice Chancellor, Principal or Rector, or by whatever other Name or Names the Principal of such Universities respectively may be known or distinguished, that the Whole of the said Edition of the Book so printed was and is printed for the said Universities respectively for which the same express to be printed, and that no Bookseller or Book-fellers or other Person or Persons had or hath or have any Share or Interest therein, or in the Drawback or Allowance payable on or in respect of the Paper on which the same was and is printed, which Certificate shall be produced to the Commissioners of Excise or any Two of them, and without which the said Commissioners shall not be and are not authorized to cause Payment to be made of such Drawback or Allowance of the Duties on the Paper so used, or any Part thereof; and provided also, that all other the Conditions, Rules, Regulations, Restrictions and Provisions contained or referred to in the said Act, be fully observed, performed and fulfilled.

Certificate to be produced to Commissioners of Excise.

C A P. LXXVII.

An Act for extending the Provisions of an Act of the Fifty fourth Year of His present Majesty, for regulating the Payment of Army Prize Money; and for authorizing the Commissioners of *Chelsea* Hospital to suspend the Pensions of such Persons as shall be guilty of Frauds in respect of Prize Money or Pensions. [7th July 1817.]

54 G. 3. c. 86.

WHEREAS An Act passed in the Fifty fourth Year of the Reign of His present Majesty, intituled *An Act for regulating the Payment of Army Prize Money, and to provide for the Payment of unclaimed and forfeited Shares to Chelsea Hospital*: And Whereas Doubts may arise whether the said Act, and the Provisions, Powers, Regulations, Pains and Penalties therein contained, are applicable and relate to Grants, Captures or Prizes made in any War or Hostilities subsequent to that which existed at the time when the said recited Act was passed: And Whereas it is expedient that the said Doubts should be prevented or removed, and that the said Act should be explained, and the Provisions, Powers, Regulations, Pains and Penalties therein contained should be declared to extend to all Grants, Captures and Prizes made in any War or Hostilities in which His Majesty has been engaged since the passing of the said recited Act; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Clauses, Enactments, Provisions, Rules, Regulations, Powers, Pains and Punishments, as well of Death as otherwise, and all Penalties, Forfeitures, matters and things in the said recited Act contained, or thereby continued, and all Forms, matters and things in the Schedules to the said recited Act set forth and con-

Provisions of recited Act applicable to Prizes subsequently made.

contained, shall be and the same are hereby declared to be applicable, as well to all Grants, Captures and Prizes made during the War which was in Existence at the time when the said Act was passed, as to all Grants, Captures and Prizes made in or in consequence of any War or Hostilities in which His Majesty has been engaged since the passing of the said recited Act, and that as fully and effectually to all Intents and Purposes, as if the said Clauses, Enactments, Provisions, Rules, Regulations, Powers, Pains, Punishments, Penalties, Forfeitures, matters, Forms and things were severally repeated and reenacted in the Body of, and made Part of this Act.

‘ II. And Whereas no sufficient Provision is made for punishing Frauds relating to Pensions or Prize Money, and it is expedient that Power should be given to the Commissioners of the Royal Hospital for Soldiers at *Chelsea*, to take away or suspend the Pensions of such Persons as shall be guilty of Frauds or other gross Misconduct;’ Be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful for the Commissioners of the said Royal Hospital at *Chelsea*, and they are hereby authorized and empowered upon Complaint and Proof being made to them of any Fraud, either with respect to the Receipt of Prize Money or Pension, or any other Money in the Nature of Allowance or Bounty Money, or of other gross Misconduct attempted or practised by any Person being a Pensioner of the said Royal Hospital, to suspend or entirely to take away the Pension of the Person so offending, and to issue to the Paymaster of Out Pensions of the said Royal Hospital a Certificate, under the Hand of the said Commissioners or Three or more of them, of any Pension being so suspended or taken away; and upon the said Certificate being issued to the said Paymaster of Pensions, he shall suspend the Payment of the Pension therein mentioned, according to the Tenor of the said Certificate; any thing in any other Act contained to the contrary thereof in anywise notwithstanding.

Commissioners of *Chelsea* Hospital may suspend or take away Pensions, &c. in cases of Fraud.

III. And be it further enacted, That it shall and may be lawful for the Secretary at War for the time being, upon Proof having been satisfactorily made to him that there were any Regimental Debts due from any Non Commissioned Officer or Soldier at the time of his Death, and such Non Commissioned Officer and Soldier had Prize Money due to him at his Decease, to issue to the Agent for the said Prize Money, or if the same shall have been paid over to *Chelsea* Hospital, then to the Treasurer of the said Hospital or his Deputy, a Certificate of the Amount of such Regimental Debts, together with a Requisition that the same may be paid out of the Prize Money of such Non Commissioned Officer or Soldier; and the said Agent or Treasurer of *Chelsea* Hospital respectively shall thereupon reserve out of the said Prize Money and pay over to the Person named in such Requisition the Amount so due from the said Non Commissioned Officer or Soldier, before any other Claims upon the said Prize Money shall be paid; and the Order of the said Secretary at War and the Receipt of the Payee in such Requisition named shall be the full and sufficient Vouchers and Discharge to the said Agent or Treasurer of *Chelsea* Hospital respectively, for the Amount so paid by virtue of and in compliance with the said Requisition.

Regimental Debts of deceased Non Commissioned Officers or Soldiers to be paid out of their Prize Money.

IV. And be it enacted, That all Sums of Money due in respect

Military Clothing, Appointments, &c. to be deemed Regimental Debts.

of any Military Clothing, Appointments or Equipments, or in respect of any Quarters, or of any Mess or Regimental Accounts, and all Sums of Money due to any Agent or Paymaster or Quartermaster, or any other Officer upon such Account as aforesaid, or on account of any Advances made for any such Purpose as aforesaid, shall be deemed and taken to be Regimental Debts for the Purposes of this Act.

Act may be altered, &c. this Session.

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

C A P. LXXVIII.

An Act for fixing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.

[7th July 1817.]

WHEREAS by Two Acts passed in the present Session of Parliament for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, it is enacted, that Officers and Soldiers shall be furnished with Diet and Small Beer upon paying and allowing for the same the several Rates that are or shall be established by any Act or Acts of Parliament; and an Option is given to Innholders, and others upon whom Officers and Soldiers are quartered and billeted, to furnish certain Articles gratis in lieu of Diet and Small Beer; and it is just and expedient that an adequate Allowance shall be made and established for Provision and other Articles furnished to Officers and Soldiers: 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 those Parts of the United Kingdom specified in the said recited Acts, 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 Acts, shall pay and allow for the same the Sum of Ten pence *per Diem* until the Twenty fourth Day of July inclusive, and from and after that Day the Sum of One Shilling and Two pence *per Diem*; and that for such Allowances of Ten pence and One Shilling and Two pence the Innholder or other Person shall furnish One Meal; *videlicet*, a hot Dinner, if required, in each Day to each Non Commissioned Officer, Trumpeter, Drummer and Private Soldier quartered and billeted on him, to consist of such Quantities of Diet and Small Beer as have been or shall be specified and fixed in and by any Regulations made or to be made from time to time by His Majesty in that Behalf, but not to exceed One Pound and a Quarter of Meat previous to being dressed, One Pound of Bread, One Pound of Potatoes or other Vegetables previous to being cooked, and Two Pints of Small Beer, and Vinegar, Salt and Pepper; and that the Accounts of the same shall be rendered, and Payment thereof made, in like manner as is directed by the said Acts.

II. And be it further enacted, That in case any Innholders, or other

Allowances for the Diet of Non Commissioned Officers and Soldiers 10d. per Diem till July 24, and after that Day 1s. 2d.

other Persons on whom any Non Commissioned Officers or Private Men shall be quartered within the aforesaid Parts of the United Kingdom, shall, by virtue of the said Option in the said Acts, furnish such Non Commissioned Officers or Soldiers with the Articles therein mentioned in lieu of furnishing Diet and Small Beer, at the Rate 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; which Sum of One Halfpenny *per Diem* shall be accounted for and paid in like manner as is directed touching the Rate aforesaid.

Further Allowance of One Halfpenny *per Diem*.

III. And be it further enacted, That the Sum to be paid to the Innholder or other Person within the aforesaid Parts of the United Kingdom, on whom any of the Horses belonging to His Majesty's Forces shall be quartered by virtue of the said Acts, for Hay and Straw, shall be Ten pence *per Diem* for each Horse until the Twenty fourth Day of July inclusive, and from and after that Day One Shilling *per Diem*.

For Horses quartered, 10d. *per Diem* to be paid for Hay and Straw till July 24; after that Day 1s.

IV. And be it further enacted, That all Non Commissioned Officers and Soldiers shall be entitled to receive their Diet and Small Beer from the Innholders or other Persons on whom they may be billeted, within the aforesaid Parts of the United Kingdom, at the Rate hereinbefore prescribed while on the March, as also on and for the Day of their Arrival at the Place of their final Destination, and on the Two subsequent Days, unless either of the Two subsequent Days shall be a Market Day in and for the Town or Place where such Officers or Soldiers shall be billeted, or within the Distance of Two Miles thereof; in which case it shall be lawful for the Innholder or other Person as aforesaid to discontinue on and from such Market Day the Supply of Diet and Small Beer, and to furnish in lieu thereof the Articles in the said recited Act specified, and at the Rate hereinbefore prescribed.

Regulation with respect to dieting Non Commissioned Officers and Soldiers on their March.

V. Provided always, That if any Victualler or other Person liable by the said recited Acts 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 Acts, 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 Acts, the several things respectively directed to be furnished to Non Commissioned Officers or Soldiers so quartered or billeted on him or her as aforesaid.

Persons liable to billeting paying Money to Non Commissioned Officers or Soldiers on the March in lieu of furnishing Diet and Small Beer, liable to be fined.

VI. Provided also, and be it further enacted, That if any Regiment, Troop, Company or Detachment, when on the March, shall be halted, either for a limited or indefinite time, at any intermediate Place, the Non Commissioned Officers and Soldiers belonging thereto shall be entitled to receive their Diet and Small Beer from the Persons on whom they shall be billeted at such intermediate Place, for such time only for which they would be entitled to receive the same after arriving at the Place of their final Destination, according to this Act.

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 Market Day, their Diet and Small Beer not to be discontinued.

VII. Provided nevertheless, That whenever it shall happen that any Regiment, Troop, Company or Detachment, when on their March, shall be halted, and it shall appear by the Marching Orders that it is not intended that such Regiment, Troop, Company or Detachment shall halt for any longer time than One entire Day after the Day of their Arrival at the Place of Halting, and the Day after such Arrival shall be such Market Day as aforesaid, it shall not be lawful for the Innholders or other Persons on whom the Non Commissioned Officers and Soldiers shall be billeted to discontinue on such Market Day the Supply of Diet and Small Beer to any such Officers or Soldiers; but that all such Officers and Soldiers shall be entitled to receive their Diet and Small Beer from such Innholders and other Persons aforesaid upon such Market Day as aforesaid, at the Rates hereinbefore prescribed, in like manner as they would have been entitled thereto, if such Day had not been a Market Day; any thing hereinbefore contained to the contrary hereof notwithstanding.

Regulations respecting Recruiting Parties and Recruits on their March.

VIII. And be it further enacted, That all Non Commissioned Officers and Private Men employed in Recruiting, and the Recruits by them raised, shall, while on the March, and for Two Days after the Day of their Arrival at any Recruiting Station, be entitled to the same Benefits as are hereinbefore provided in regard to Troops upon the March; but no Recruit enlisted after the Two Days subsequent to the Arrival of the Party at their Recruiting Station shall be entitled to be supplied with Diet and Small Beer at the Rates hereinbefore prescribed, except at the Option of the Person on whom he shall be quartered: Provided also nevertheless, that in case any such Recruiting Party, with the Recruits by them raised, shall remove from their Station, and after a time shall return to the same Place, they and the Recruits by them raised, so returning, shall not be again entitled to the Supply of Diet and Small Beer for such Two Days as aforesaid, unless the Period between the time of their Removal from such Place, and their Return thereto, shall have exceeded Twenty eight Days.

Continuance of Act.

IX. And be it further enacted, That this Act shall have Continuance and be in force from the Twenty fourth Day of *March* One thousand eight hundred and seventeen until the Twenty fifth Day of *March* One thousand eight hundred and eighteen; and that all Payments which have been made, and all Acts, matters and things done in pursuance of or in conformity with the Provisions thereof, shall be as good, valid and effectual to all Intents and Purposes as if this Act had passed before the said Twenty fourth Day of *March* One thousand eight hundred and seventeen.

Act may be altered, &c. this Session.

X. Provided always, and be it further enacted, That this Act may be altered and varied by any Act to be made in this Session of Parliament.

C A P. LXXIX.

An Act to permit the Transfer of Capital from certain Public Stocks or Funds in *Great Britain*, to certain Public Stocks or Funds in *Ireland*. [7th July 1817.]

WHEREAS it is expedient that Facility should be given to the Transfer from *Great Britain* to *Ireland* of certain Public

lic Funds, Stocks or Annuities, and that for that Purpose the Dividends and Interest upon certain *Irish* Funds, Stocks, Annuities and Debentures should be made payable at the same Periods as the Dividends and Interest of certain *British* Stocks, Funds or Annuities are payable: In order to carry the same fully into Effect, Be it enacted by The King's Most Excellent Majesty, by and with the 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 Dividends or Interest which, under and by virtue of any Acts in force immediately before the passing of this Act, are due and payable at the Bank of *Ireland* on the Twenty fifth Day of *March* and Twenty ninth Day of *September* in every Year, and at the Bank of *England* on the Twenty fifth Day of *March* and the Twenty fifth Day of *September* in every Year, on the several *Irish* Annuities, after the Rate of Five Pounds *per Centum per Annum*, transferrable at the said Bank of *Ireland* and Bank of *England* respectively, shall be paid up to the Twenty ninth and Twenty fifth Days respectively of *September* next after the passing of this Act; and that on the Tenth Day of *October* next ensuing the said Twenty ninth and Twenty fifth Days respectively of *September*, Eleven Days' Interest or Dividends on such of the said Annuities as are transferrable at the Bank of *Ireland*, and Fifteen Days' Interest or Dividends on such of the said Annuities as are transferrable at the Bank of *England*, from the said Twenty ninth and Twenty fifth Days respectively of *September* to the said Tenth Day of *October*, shall be paid to the Holders of any such Annuities, in addition to such former Half Yearly Interest or Dividends up to the said Twenty ninth and Twenty fifth Days respectively of *September*, so as fully to meet the Demand of the Public Creditor up to the said Tenth Day of *October*; and that all succeeding Half Yearly Payments of Dividends and Interest on the said Annuities shall become due and payable, and shall be paid and made at the said Banks respectively, on the Fifth Day of *April* and the Tenth Day of *October* in each and every Year; and the Dividends and Interest which under and by virtue of any such Acts are due and payable at the Bank of *Ireland* upon the Twenty fourth Day of *June* and Twenty fifth Day of *December* in every Year, on the several Annuities after the Rate of Three Pounds and Ten Shillings and Four Pounds *per Centum per Annum*, transferrable at the said Bank, and on the Debentures payable there with Interest after the Rate of Three Pounds and Ten Shillings and Four Pounds *per Centum per Annum*, shall be paid up to the Twenty fifth Day of *December* next after the passing of this Act; and that on the Fifth Day of *January* One thousand eight hundred and eighteen, Eleven Days' Interest or Dividends from the said Twenty fifth Day of *December* to the said Fifth Day of *January* shall be paid to the Holders of any such last mentioned Annuities or Debentures, in addition to such former Half Yearly Interest or Dividend up to the said Twenty fifth Day of *December*, so as fully to meet the Demand of the Public Creditor up to the said Fifth Day of *January*; and that all succeeding Payments of Dividends and Interest on such last mentioned Annuities and Debentures shall become due and be payable, and shall be paid and made at the said Bank, Half Yearly on the Fifth Day of *July* and the Fifth Day of *January* in each and every succeeding

Dividends payable on March 25, and Sept. 29, on Irish 5 per Cent. Annuities, to be paid at the times herein mentioned.

The Dividends payable on the Irish 3½ per Cent. and 4 per Cent. Annuities to be paid up to the times herein mentioned.

Year, in such manner to all Intents and Purposes as if the said several Periods of Payment had been severally mentioned and specified in the several Acts whereby the said several Stocks, Funds, Annuities or Debentures, or any of them, or any Part of them, were severally created, and the Dividends and Interest thereon respectively made payable; any thing in the said Acts, or any of them, or any other Act or Acts to the contrary in anywise notwithstanding.

Proviso for issuing Sum necessary to discharge Dividends for the 11 Days beyond the former Days of Payment out of Irish Consolidated Fund.

II. And be it further enacted, That upon Certificate from the Governor and Company of the Bank of *Ireland*, chequed and certified by the Loan Clerk in the Exchequer of *Ireland*, of the Sum necessary to meet the Payment of such several Interests or Dividends as shall be payable in *Ireland* for such Periods of Eleven Days respectively, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and he and they is and are hereby authorized and required, to grant his or their Warrant for issuing out of the Produce of the Consolidated Fund arising in *Ireland*, to the said Governor and Company, such Sum or Sums as may be necessary to discharge such several Interests or Dividends for such Periods of Eleven Days respectively.

Persons holding 3 per Cent. Consols Stock transferrable at the Bank of England may transfer the same for corresponding Stock transferrable at the Bank of Ireland.

III. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and seventeen it shall and may be lawful for any Person or Persons holding Stock in the Three Pounds *per Centum per Annum* Consolidated Annuities transferrable at the Bank of *England*, to transfer such Stock or Annuities for the Purpose of having corresponding Sums written in and consolidated with and made Part of the Capital of Three Pounds and Ten Shillings *per Centum per Annum* Annuities and Debentures transferrable at the Bank of *Ireland*; and that from and after the Tenth Day of *October* One thousand eight hundred and seventeen it shall and may be lawful for any Person or Persons holding Stock in the *British* Funds of Four Pounds *per Centum per Annum* Consolidated Annuities transferrable at the Bank of *England*, or in the Five Pounds *per Centum per Annum* Annuities of the Year One thousand seven hundred and ninety seven, transferrable at the Bank of *England*, or in *Irish* Five Pounds *per Centum per Annum* Annuities transferrable at the said Bank of *England*, to transfer such Stock or Annuities respectively for the Purpose of having corresponding Sums written in and consolidated with and made Part of the Capital of Five Pounds *per Centum per Annum* Annuities transferrable at the Bank of *Ireland*; and that all such Transfers shall be made according to the Scale and on the Terms and Conditions hereinafter mentioned and set forth.

Scale upon which such Transfers shall be made.

IV. And be it further enacted, That the Scale upon which every such Transfer or Transfers shall be made under the Authority of this Act, of any Sum or Sums from the several before mentioned Stocks, Funds, or Annuities transferrable at the Bank of *England* for the Purpose of having corresponding Sums written into or consolidated with the said several before mentioned Stocks, Funds, Annuities or Debentures transferrable at the Bank of *Ireland*, shall be as follows; that is to say, that every Person who shall so transfer any such Sum or Sums shall, for every Sum of One hundred Pounds in the Three Pounds *per Centum per Annum* Consolidated Annuities transferrable at the Bank of *England*, so transferred, be entitled

entitled to the Sum of Ninety two Pounds Seventeen Shillings and Two pence in the Three Pounds and Ten Shillings *per Centum per Annum* Annuities and Debentures transferrable at the Bank of *Ireland*; for every Sum of One hundred Pounds in the Four Pounds *per Centum per Annum* Consolidated Annuities transferrable at the Bank of *England*, so transferred, every such Person shall be entitled to the Sum of Eighty six Pounds Thirteen Shillings and Fourpence in the Five Pounds *per Centum per Annum* Annuities transferrable at the Bank of *Ireland*; and for every Sum of One hundred Pounds in the Five Pounds *per Centum per Annum* Annuities of the Year One thousand seven hundred and ninety seven, transferrable at the Bank of *England*, or in the *Irisb* Five Pounds *per Centum per Annum* Annuities transferrable at the Bank of *England*, so transferred, every such Person shall be entitled to the Sum of One hundred and eight Pounds Six Shillings and Eight pence in the Five Pounds *per Centum per Annum* Annuities and Debentures transferrable at the Bank of *Ireland*; and so in proportion for any greater or less Quantity or Sum of any such Stocks, Funds or Annuities so transferred respectively.

V. And be it further enacted, That it shall and may be lawful for any Person or Persons having or possessing any Stock in the several before mentioned Stocks, Funds or Annuities transferrable at the Bank of *England*, to apply in writing to the Governor and Company of the Bank of *England*, and which Application shall be according to such Form as shall be established by the said Governor and Company, and shall be the same in all cases, for Permission to transfer such Stocks, Funds or Annuities respectively, for the Purpose of having corresponding Sums written in and consolidated with the several before mentioned Stocks, Funds, Annuities or Debentures transferrable at the Bank of *Ireland*, as the case may require, according to the Provisions of this Act; and thereupon, and upon such Person or Persons transferring such Stocks, Funds or Annuities so transferrable at the Bank of *England*, or any Part thereof, in the Books of the Governor and Company of the Bank of *England*, into the Names of the Commissioners for the Reduction of the National Debt, for the Purpose of their cancelling and discharging the same from the National Debt in *Great Britain*, it shall and may be lawful for the Governor or Deputy Governor of the Bank of *England* for the time being, and they are hereby respectively authorized and required, to grant a Certificate to the Person or Persons making such Transfer, directed to the Governor and Company of the Bank of *Ireland*, and which Certificate shall be also according to a Form which shall be established by the said Governor and Company of the Bank of *England*, and shall be the same in all cases; and such Certificate shall state that the Person, or Persons therein mentioned has or have transferred the Stocks, Funds or Annuities therein described to the said Commissioners for the Reduction of the National Debt, for the Purpose of having corresponding Sums written in the Name of such Person or Persons and consolidated with such Stocks, Funds, Annuities or Debentures in *Ireland* as the same are applicable to, describing the same, and stating the Amount in such *Irisb* Stocks, Funds, Annuities or Debentures respectively to which such Person or Persons shall be so entitled in respect of such Transfer, according to the Scale hereinbefore set forth.

Application for transferring Stock to be made to the Bank of England in Writing.

In cases of Transfers made to the Commissioners for the Reduction of the National Debt, Certificates to be granted directed to the Bank of Ireland.

What such Certificate is to state.

VI. And

Stock transferred to the said Commissioners cancelled.

VI. And be it further enacted, That immediately upon any such Transfer as aforesaid being made at the Bank of *England* to the Commissioners for the Reduction of the National Debt in *Great Britain*, the Stocks, Funds or Annuities so transferred to them shall be cancelled and for ever discharged from the Account of the National Debt in *Great Britain*.

Books provided for entering Transfers made to the said Commissioners may be inspected without Fee.

VII. And be it further enacted, That in the Office of the Accountant General of the Governor and Company of the Bank of *England* for the time being, a Book or Books shall be provided and kept, in which shall be fairly entered the Names of all Persons making any such Transfer of any such Stocks, Funds or Annuities to the Commissioners for the Reduction of the National Debt, under the Provisions of this Act, to which Book or Books it shall and may be lawful for all Persons making any such Transfer, their respective Executors, Administrators and Assigns, from time to time and at all reasonable times to resort and to inspect the same without any Fee or Charge; and the said Accountant General shall on or before the Fifteenth Day of *March*, the Fifteenth Day of *June*, the Fifteenth Day of *September* and the Fifteenth Day of *December* in each and every Year, transmit a Certificate, fairly written on Paper, of the total Amount of the several Stocks, Funds or Annuities so transferred, specifying the annual Interest thereon, into the Office of the Auditor of His Majesty's Exchequer in *Great Britain*, and also into the Office of the Commissioners for the Reduction of the National Debt; and the Monies heretofore set apart at His Majesty's Exchequer in *Great Britain*, for the Payment of the Interest of the Capitals of the said Stocks, Funds or Annuities so transferred, shall thenceforward cease and determine, and be no longer issued out of the Consolidated Fund in *Great Britain*.

- Certificate of Amount of Stock transferred to the Exchequer.

No such Transfers shall be made within One Month preceding the Days when the Dividends become due.

VIII. Provided always, and be it enacted, That it shall not be lawful for any Person to make any Transfer, for the Purposes of this Act, of any such *British* Three Pounds *per Centum per Annum* Consolidated Annuities, at any time within One Calendar Month next preceding the Fifth Day of *January* or the Fifth Day of *July* in any Year, nor to make any such Transfer of any such *British* Four Pounds *per Centum per Annum* Consolidated Annuities, or Five Pounds *per Centum per Annum* Annuities of the Year One thousand seven hundred and ninety seven, or *Irish* Five Pounds *per Centum per Annum* Annuities transferrable at the Bank of *England*, at any time within One Calendar Month next preceding the Fifth Day of *April* or the Tenth Day of *October*, in any Year; any thing hereinbefore contained to the contrary in anywise notwithstanding.

On Production of Certificate of Bank of *England*, Bank of *Ireland* to write the Sums therein specified into their Books, to be consolidated with the several existing Stocks.

IX. And be it further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *Ireland*, and they are hereby authorized and required, upon the Production to them of any such Certificate or Certificates from the Governor or Deputy Governor of the Bank of *England*, so given for the Purposes of this Act, to write or cause to be written into the Books of the Bank of *Ireland* relating to the several Stocks, Funds, Annuities, or Debentures respectively, the Sums specified and contained in every such Certificate, in the Name or Names of the Party or Parties specified in every such Certificate; and all and every such Sums and Sum shall be respectively added to and made One joint Stock with the then existing Annuities of Three Pounds and Ten Shillings *per Centum*

lum per Annum or Five Pounds *per Centum per Annum* respectively, transferrable at the Bank of *Ireland*, as the case shall require, and shall be payable and transferrable at the Bank of *Ireland* at the same time and in the same manner as such existing Annuities of Three Pounds Ten Shillings *per Centum per Annum*, and Five Pounds *per Centum per Annum* respectively, are payable and transferrable; and all such Sums so written into the said Books of the Bank of *Ireland* shall be entitled to Interest or Dividend from the last Dividend Day immediately previous to the Transfer made under this Act of the several Stocks, Funds or Annuities in respect of which such Sums were so written in, and up to which Day the Dividend or Interest on such several Stocks, Funds or Annuities shall have been payable at the Bank of *England*.

X. Provided always, and be it enacted, That it shall not be lawful to write in or consolidate any such Sum or Sums in the Books of the Governör and Company of the Bank of *Ireland* relating to the Three Pounds Ten Shillings *per Centum per Annum* Annuities transferrable at the Bank of *Ireland*, at any time within Three Weeks next preceding the Fifth Day of *January* or the Fifth Day of *July* in any Year; nor to write in or consolidate any such Sum or Sums in the Books of the said Governor and Company relating to the Five Pounds *per Centum per Annum* Annuities transferrable at the said Bank, at any time within Three Weeks next preceding the Fifth Day of *April* or the Tenth Day of *October* in any Year; any thing hereinbefore contained to the contrary in anywise notwithstanding.

XI. And be it further enacted, That the said Governor and Company of the Bank of *Ireland* shall, upon making up their Books preparatory to the Payment of each and every Half yearly Interest or Dividend, certify to the Auditor General of His Majesty's Exchequer in *Ireland*, and to the Loan Clerk there, the Amount of all Stocks, Funds, Annuities or Debentures which shall have been written into the Books of the said Governor and Company pursuant to this Act in the Course of the preceding Half Year, and for which Interest or Dividend shall be and become payable pursuant to this Act; and such Loan Clerk shall certify by his Signature such Application from the said Bank of *Ireland* for the total Amount of the Interest or Dividend falling due, and so to be applied for, with the least possible Delay, provided such Demand from the said Governor and Company of the Bank of *Ireland* shall be correct; and thereupon it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and he or they is and are hereby authorized and required, to grant his or their Warrant to issue out of the Produce of the Consolidated Fund arising in *Ireland* a sufficient Sum of Money for paying to the said Governor and Company of the Bank of *Ireland* the full Amount of all Interest or Dividend so becoming payable; any Act or Acts in force in *Ireland*, or any Law, Usage, or Custom to the contrary in anywise notwithstanding.

XII. Provided always, and be it further enacted, That in case of the Loss or Destruction of any Certificate of the Governor or Deputy Governor of the Bank of *England*, given for the Purposes of this Act, it shall and may be lawful for the Governor or Deputy Governor of the Bank of *England*, and they are hereby respectively authorized and empowered, upon Proof of such Loss or Destruction

No such Sums to be written into the Books of the Bank of *Ireland* within Three Weeks previous to the respective Dividend Days.

Bank of *Ireland* to certify to Auditor of the Exchequer and Loan Clerk there, the Amount of Stock written into their Books.

Interest to be issued out of the Consolidated Fund arising in *Ireland*.

Duplicates may be granted of Certificates lost or destroyed.

to

Security to be given against the Production of the Original.

If Original tendered after Duplicate acted upon, it may be detained and cancelled.

Counterfeiting Certificates, &c.

Felony.

Taking Fee for receiving any Certificate, &c.

Penalty 20l.

to their Satisfaction, to grant a Duplicate of such Certificate; and such Duplicate shall be full and sufficient Authority to the Governor and Company of the Bank of *Ireland* for the Purposes of this Act, and shall stand in the Place and Stead of the original Certificate, if such original Certificate shall not have been previously found and produced to and acted upon by the Governor and Company of the Bank of *Ireland*: Provided always, that upon any Loss or Destruction, or alleged Loss or Destruction, of any such original Certificate, and on the Production of any such Duplicate Certificate, the Governor and Company of the Bank of *Ireland* shall and they are hereby authorized and required to demand and take from the Party or Parties tendering any such Duplicate full and sufficient Security to His Majesty, His Heirs and Successors, to indemnify the said Governor and Company against the Production of, or any Claim which shall be made under or by virtue of, any such original Certificate so lost or destroyed, or alleged to have been lost or destroyed; and if, at any time after a Duplicate Certificate shall have been produced and acted upon under this Act, the Original of such Certificate shall be tendered to the said Governor and Company of the Bank of *Ireland*, it shall and may be lawful for the said Governor and Company, and they are hereby authorized and required, to detain such original Certificate, and to cancel the same, and to transmit the same so cancelled to the Governor and Company of the Bank of *England*, and to deliver up such Security as shall have been entered into touching the said original Certificate, to the Party or Parties entering into such Security, or such of them as shall require the same.

XIII. 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 such Certificate or Duplicate Certificate, or shall alter any Number, Figure or Word therein, or shall utter or publish as true any such false, forged, counterfeited or altered Certificate, with Intent to defraud the Governor and Company of the Bank of *England*, or the Governor and Company of the Bank of *Ireland*, or any Body Politic or Corporate, or any Person or Persons whatsoever, every such Person or Persons so forging or counterfeiting, or causing or procuring to be forged or counterfeited, or willingly acting or assisting in the forging or counterfeiting, or altering, uttering or publishing as aforesaid, being thereof convicted in due Form of Law, shall be adjudged guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

XIV. 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 any such Certificate or Duplicate Certificate, 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* or *Dublin* respectively, wherein no Essoign, Protection, Privilege, Wager of Law, Injunction or Order of Restraint, or any more than One Impar lance, shall be granted or allowed.

C A P.

C A P. LXXX.

An Act for raising the Sum of Nine Millions, by Exchequer Bills, for the Service of the Year One thousand eight hundred and seventeen. [10th July 1817.]

“ TREASURY may raise 9,000,000*l.* by Exchequer Bills, in manner prescribed by 48 G. 3. c. 1.—§ 1. The Clauses, &c. in recited Act extended to this Act. § 2. Treasury to apply the Money raised. § 3. Exchequer Bills to be payable out of Supplies for next Session. § 4. Exchequer Bills to bear an Interest not exceeding 3½*d.* *per Centum per Diem.* § 5. Exchequer Bills current at the Exchequer after April 5, 1818.—§ 6. Bank of England may advance 6,000,000*l.* on the Credit of this Act, notwithstanding 5 & 6 W. & M. c. 20.—§ 7.

C A P. LXXXI.

An Act for raising the Sum of Three millions six hundred thousand Pounds *British* Currency, by Treasury Bills, in Ireland, for the Services of the Year One thousand eight hundred and seventeen. [10th July 1817.]

“ Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, in Parliament assembled, being desirous of raising the necessary Supplies which we have cheerfully and voluntarily granted to Your Majesty in this Session of Parliament, have resolved that a Sum not exceeding Three millions six hundred thousand Pounds *British* Currency be raised by Treasury Bills in *Ireland*, in manner hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the time being, or for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, now or for the time being, if he or they shall judge it advisable, at any time or times after the passing of this Act, to prepare and make and issue, or cause to be prepared or made and issued, any Number of Bills entitling the Bearer to the Sum or Sums respectively specified therein, (not exceeding in the Whole the Amount hereinafter mentioned and directed,) and declaring such Sum or Sums to be payable, or such Bills to pass current at the Receipt of His Majesty's Exchequer in *Ireland*, at such time and times as shall be directed by the said Lord High Treasurer or Commissioners of His Majesty's Treasury for the time being, or any Three of them, and as shall be expressed in such Bills respectively, and such Bills shall bear an Interest not exceeding the Rate of Five Pounds *per Centum per Annum*; and the said Bills shall be numbered in Arithmetical Progression, beginning with Number One.

Treasury may issue Bills to a certain Extent, to bear Interest.

II. Pro-

Bills issued not to exceed 3,600,000l.

II. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to authorize the said Lord High Treasurer or Commissioners of the Treasury to issue any such Bills under this Act to any Amount exceeding in the Whole the Sum of Three millions six hundred thousand Pounds *British* Currency; and that such Bills shall be issued for so much only of the said Sum of Three millions six hundred thousand Pounds *British* Currency as shall be actually paid by any Person or Persons into the Receipt of His Majesty's Exchequer in *Ireland*, at the Instance or by and with the Consent and Approbation of the said Lord High Treasurer or Commissioners of His Majesty's Treasury or any Three of them now or for the time being; and that the Interest on the said Bills, not exceeding Five Pounds *per Centum per Annum*, shall commence from the issuing thereof respectively, and shall be paid to the Person or Persons entitled thereto, without any Fee or Charge, and free from all Deductions whatsoever; and that every such Bill so to be issued for the said Sum of Three millions six hundred thousand Pounds *British* Currency, or any Part thereof as aforesaid, shall or may, on or after such time or times as shall be appointed by the said Lord High Treasurer for the time being, or by the said Commissioners of His Majesty's Treasury now or for the time being, or any Three of them, if not sooner paid off, be received and taken by and be current to any Receiver or Collector in *Ireland* of the Customs, Excise or any Revenue, Aid or Tax arising in *Ireland*, for and in Satisfaction of any Custom, Excise, or any Aid, Revenue or Tax, then or thereafter respectively to become due or payable to His Majesty, His Heirs and Successors, in *Ireland*, and shall be taken, pass and be current at the Receipt of His Majesty's Exchequer in *Ireland*, from every such Receiver or Collector, for or in respect of the Customs, Excise, or any Revenue, Aid or Tax by him collected or received, at or after such time or times so to be appointed as aforesaid.

Bills, if not paid off, shall be taken in Payment of the Revenue in *Ireland* after such time as the Treasury shall appoint.

Interest to cease.

III. And be it further enacted, That as soon as any of the said Treasury Bills, which shall or may be issued in pursuance of this Act, shall be received by any Receiver or Collector, pursuant to the Provisions of this Act, all Interest shall cease from the Day of such Receipt, and shall be no longer payable thereon, and the same, when paid by such Receiver or Collector into the Receipt of His Majesty's Exchequer in *Ireland*, shall be cancelled.

Money carried to Irish Consolidated Fund.

IV. And be it further enacted, That all the Monies to be received under or by virtue of this Act shall be paid into the Receipt of His Majesty's Exchequer at *Dublin*, and shall be carried to and form Part of the Consolidated Fund of the United Kingdom arising in *Ireland*.

Bills to be chargeable on Consolidated Fund of U. K.

V. And be it further enacted, That all the said Treasury Bills, and all Interest thereon, or which shall become payable in respect of the said Sum of Three millions six hundred thousand Pounds *British* Currency, shall be and are hereby charged and chargeable upon, and shall be repaid out of the Consolidated Fund of the United Kingdom.

Bank of *Ireland* and Bank of *England* may advance the Sum of 3,600,000l. on the Credit of this Act.

VI. And be it further enacted, That it shall and may be lawful for the Governor and Company of the Bank of *Ireland*, and the Governor and Company of the Bank of *England*, to advance or lend to His Majesty, at the Receipt of His Exchequer in *Dublin*, or at the Receipt of His Majesty's Exchequer in *London*, any Sum or Sums

Sums of Money, not exceeding in the Whole the Amount of Three millions six hundred thousand Pounds *British* Currency, any Act or Acts to the contrary notwithstanding; so that no greater or higher Sum, by way of Interest, Discount, Gratuity or other Consideration, shall be demanded or taken by such or any of the said Governors and Companies respectively, or by any Person on their Behalf, than at the Rate of Five Pounds *per Centum per Annum* for any Money so advanced.

VII. And be it further enacted, That the said Lord High Treasurer, or Commissioners of His Majesty's Treasury, do and shall order and direct, and cause to be paid into the Bank of *England*, without any Fee or Charge, and free from all Deductions whatsoever, all Interest which shall become due and payable on such Part of the said Sum as shall be raised or advanced in that Part of the United Kingdom called *England*, until such time as the Holders of such Treasury Bills shall be paid their Principal Money, with all Interest remaining due thereon, at One entire Payment, at the said Bank of *England*.

Interest arising in England to be paid into the Bank till Holders paid Principal and Interest.

VIII. And be it further enacted, That the proper Officers of His Majesty's Exchequer in *Ireland* be and they are hereby authorized and required to obey all such Orders, as to the Issue and Delivery of such Treasury Bills as shall be required to be transmitted to *England*, as they shall from time to time receive from the Lord High Treasurer or Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*.

Transmitting Treasury Bills to England.

C A P. LXXXII.

An Act to continue an Act passed in *Ireland* in the Thirteenth and Fourteenth Years of His present Majesty respecting certain Annuities, so long as the said Annuities shall be payable.

[10th July 1817.]

WHEREAS an Act was made in the Parliament of *Ireland* in the Thirteenth and Fourteenth Years of the Reign of His present Majesty, intituled *An Act to explain and amend an Act, passed in this Session of Parliament, intituled An Act for granting Annuities in the manner therein provided, to such Persons as shall voluntarily subscribe towards raising a Sum not exceeding the Sum of Two hundred and sixty five thousand Pounds*; which said Act has by several subsequent Acts been continued, and is in force until and upon the Twenty ninth Day of *September* One thousand eight hundred and seventeen, and it is expedient that the said recited Act should be further continued; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and the same is hereby further continued, and shall be in force in *Ireland* from the said Twenty ninth Day of *September* One thousand eight hundred and seventeen, so long as the said Annuities shall be payable, and as the said Act for granting Annuities or any of the Provisions for the same shall remain in force, and require to be carried into Effect; and the said Act for granting Annuities, and the said Act for explaining and amending the same, shall be construed together as one Act.

13 & 14 G. 3. (1)

continued.

C A P.

C A P. LXXXIII.

An Act to amend an Act, made in the last Session of Parliament, for providing for the Charge of certain Additions to the Public Debt of *Ireland*. [10th July 1817.]

56 G. 3. c. 89.

‘ **W**HEREAS by an Act made in the last Session of Parliament, intituled *An Act to provide for the Charge of certain Additions to the Public Debt of Ireland, for the Service of the Year One thousand eight hundred and sixteen*, it was enacted, that the Sum of One million eight hundred fifty two thousand and seventy two Pounds Five Pounds *per Centum* Consolidated Annuities, standing in the Books of the Governor and Company of the Bank of *Ireland* in the Names of the Commissioners for the Reduction of the National Debt in *Ireland*, should be cancelled: And Whereas Part of the said Sum of One million eight hundred fifty two thousand and seventy two Pounds Five Pounds *per Centum* Annuities, was, at the time of the passing of the said Act, standing in the Books of the Governor and Company of the Bank of *England* in the Names of the said Commissioners, and it was intended that the same should be cancelled by 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 from and after the Twenty fifth Day of *March* One thousand eight hundred and seventeen, the Sum of One hundred eighty thousand two hundred ninety six Pounds Nine Shillings and Four Pence Five Pounds *per Centum Irish* Annuities, standing in the Books of the Governor and Company of the Bank of *England* in the Names of the late Commissioners for the Reduction of the National Debt of *Ireland*, or in the Names of the Commissioners for the Reduction of the National Debt of the United Kingdom, shall be cancelled, and the said Sum is hereby declared to be cancelled from the said Twenty fifth Day of *March* accordingly; and that from and after the said Twenty fifth Day of *March* the Interest or Dividend which would have been payable upon the said Sum so cancelled shall cease to be issued from the Receipt of the Exchequer in *Ireland* or in *Great Britain*, or to be charged upon the Consolidated Fund of the United Kingdom, and the Money which would have been applicable to the Payment thereof shall remain and be a Part of the growing Produce of the said Consolidated Fund, for the Purpose of defraying the Charge occasioned by any Addition made or to be made to the Public Debt in the present Year.

180,296l. 9s. 4d. Five per Cents. standing in the Books of the Bank of England in the Names of the Commissioners for the Reduction of the National Debt of Ireland or U. K. declared cancelled from 25th March.

Bank to place the Dividends to the Account of the Commissioners for the Reduction of the National Debt, 26 G. 3. c. 31. and indemnified.

II. And be it further enacted, That it shall be lawful for the Governor and Deputy Governor of the Bank of *England*, and they or either of them are and is hereby authorized and required, to receive all the Arrears of Interest or Dividends now due on the said Annuities, and to place the same to the Account of the Commissioners for the Reduction of the National Debt, raised in their Books under and in virtue of an Act passed in the Twenty sixth Year of His present Majesty, intituled *An Act for vesting certain Sums in Commissioners at the End of every Quarter of the Year, to be by them applied to the Reduction of the National Debt*; and that

the said Governor and Deputy Governor of the Bank of *England*, and their Successors, shall be and they are hereby held harmless and indemnified from and against all Claims and Demands of or by any Person or Persons for or by reason or in consequence of the Payments by the said Governor or Deputy Governor of the Bank of *England* of the Dividends hereinbefore directed to be received; and the said Governor or Deputy Governor of the Bank of *England* shall not be required to see to the Application of the said Dividends, nor be in any manner responsible for the Misapplication or Nonapplication thereof.

C A P. LXXXIV.

An Act to regulate the Offices of His Majesty's Exchequer in *England* and *Ireland* respectively. [10th July 1817.]

WHEREAS the Offices of Auditors and Tellers of His Majesty's Exchequer in *England* and *Ireland* respectively, and of Clerks of the Pells in *England* and *Ireland* respectively, are Offices with respect to which it is expedient that a more economical Execution of the Duties thereof respectively; after the Termination of the present existing Interests therein respectively, should be adopted; May it therefore please Your Majesty that it may be enacted; and be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several and respective Duties of the several and respective Offices of Auditor, and of each of the Four Tellers of His Majesty's Exchequer and Clerk of the Pells in *England*, and of Auditor and of Teller of His Majesty's Exchequer and Clerk of the Pells in *Ireland*, shall, from and after and upon the respective Terminations of the respective present existing Interests in each of the said Offices respectively, and as each of the said Offices shall become vacant upon the Termination of such present existing Interests, be regulated under the Provisions of this Act, and thereafter be executed and performed by the several and respective Persons appointed to execute the same in Person.

Duties of certain Offices, after Expiration of existing Interests, to be performed in Person.

II. And be it further enacted, That from time to time as any of such respective Offices shall become vacant upon the present existing Interest or Interests therein, it shall be lawful for the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the time being, or any Three or more of them, and they are hereby authorized and required, to regulate the Duties and Establishments of the Offices so becoming vacant, so as the said Duties shall be performed in Person by such and such Number of fit and proper Persons as may be sufficient and necessary to perform and execute the Duties to be done, performed and executed in the said Offices, as the said Commissioners shall deem fit, with such Salaries or Emoluments as shall be ordered and appointed by the said Commissioners or any Three or

Treasury to regulate the Execution of the Duties of such Offices, and appoint Salaries adequate to the Duties.

more of them in that Behalf ; Regard being had in every such case to the Nature and Extent of the Duties to be performed, and to the Responsibility which may attach or belong to the several and respective Officers or Persons executing the Duties of the said Offices respectively ; and all such Regulations, Appointments and Salaries, when so made and established, shall become and be in full force and Effect in relation to the said Offices respectively ; any thing contained in any Act or Acts of Parliament, or any Law or Laws, or Usage, Custom or Practice, to the contrary notwithstanding.

Treasury to lay before Parliament Statement of former and new Establishment of Office so regulated.

† *Sic.*

III. And be it further enacted, That the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them for the time being, shall within Six Weeks after the Regulation, under the Provisions of this Act, of any such Office so becoming vacant as aforesaid, if Parliament shall be then sitting, or if Parliament shall not be then sitting, then within Six Weeks after the Commencement of the next Session of Parliament, † an Account of such new Establishment of the Office so regulated, and all the Regulations above mentioned, with a Statement of the Number of Officers and Amount of Salaries of each respectively, together with a Statement of the former Establishment of the Office so regulated.

Savings arising by new Regulations of the Establishment of such Office, to go to the Consolidated Fund.
56 G. 3. c. 46.

IV. And be it further enacted, That all Sums of Money arising from Salaries, Fees or Emoluments, which shall by reason of the Regulation of any such Offices be more than sufficient to apply the Sum of Forty eight thousand Pounds *per Annum* to the Civil List Revenues, under the Provisions of an Act passed in the last Session of Parliament, intituled *An Act for the better Regulation of the Civil List*, and to defray the Salaries and incidental Charges of the new Establishment of any such Office, shall, by the Orders and Directions of the said Lord High Treasurer or Commissioners of the Treasury (which Orders and Directions the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, are hereby authorized and required to make and give for that Purpose), be paid into the Receipt of the Exchequer, and be carried to and make Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* ; any thing in any Act or Acts of Parliament to the contrary notwithstanding.

Persons belonging to the said Offices, when regulated, incapable of sitting or voting as Members of the House of Commons.
15 G. 2. c. 22.

V. And be it further enacted, That every Office and Appointment belonging to and making Part of the Establishment of any of the said Offices respectively, when so regulated as aforesaid, shall be deemed and taken to be a new Office within the true Intent and Meaning of an Act passed in the Sixth Year of the Reign of Her late Majesty Queen *Anne* ; and every Person holding any such Office shall be incapable of sitting or voting as a Member of the House of Commons ; and every such Officer who shall sit or vote in the House of Commons shall be liable and subject to the Penalties and Forfeitures contained in an Act passed in the Fifteenth Year of the Reign of His late Majesty King *George the Second*, intituled *An Act to exclude certain Officers from being Members of the House of Commons*.

Persons appointed to certain Offices to have the

VI. And be it further enacted, That every Person who shall be appointed to discharge the Duties of the several and respective Offices

Offices of Auditor and of Teller of His Majesty's Exchequer and of Clerk of the Pells in *England*, and of Auditor and Teller of His Majesty's Exchequer, and of Clerk of the Pells in *Ireland*, according to the Establishment of any of the said Offices respectively to be made in pursuance of this Act, shall be deemed and taken to have the same Interest in the said Offices as if the same had been granted by His Majesty's Letters Patent during good Behaviour.

same Interest in such Offices as if granted by Letters Patent.

C A P. LXXXV.

An Act to permit, until the Fourteenth Day of *November* One thousand eight hundred and seventeen, the Importation of Corn and other Articles in any Ship and from any Country; to permit such Articles which may have been warehoused for Exportation only to be entered for Home Consumption; and for indemnifying all Persons who have given Directions for the Importation of Corn and other Articles, or the taking the same out of Warehouse free of Duty, and who have acted in obedience thereto. [10th July 1817.]

WHEREAS it is expedient to allow for a limited time Corn, Grain, Meal, Flour and Rice to be imported in any Ship or Vessel from any Country whatever, and that such Articles warehoused for Exportation only should be allowed to be entered for Home Consumption, provided the Ports shall continue open during such limited time for such Species of Grain, under the Provisions of an Act passed in the Fifty fifth Year of the Reign of His present Majesty, intituled *An Act to amend the Laws now in force for regulating the Importation of Corn, and that Rye Meal now warehoused or imported for Exportation be admitted for Entry for Home Consumption Duty free;* 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 Fourteenth Day of *November* inclusive in this present Year, it shall and may be lawful for any Person or Persons to import Corn, Grain, Meal, Flour and Rice in any Ship or Vessel from any Country whatever, any Law, Custom or Usage to the contrary thereof notwithstanding: Provided always, that the Importation of Grain shall during the aforesaid Period continue to be legal, under the Provisions of the aforesaid Act passed in the Fifty fifth Year of His present Majesty's Reign.

55 G. 3. c. 26.

Corn, &c. may be imported in any Vessel from any Country till 14th November.

Proviso.

II. And be it further enacted, That from and after the said passing of this Act, until the said Fourteenth Day of *November* inclusive in this present Year, any Corn, Grain, Meal, Flour and Rice which may have been warehoused for Exportation only may be entered for Home Consumption provided the Ports shall continue open until the aforesaid Fourteenth Day of *November* for such Species of Corn respectively, under the Provisions of the

Corn, &c. warehoused for Exportation only may be entered for Home Consumption.

Proviso.

aforefaid A&t passed in the Fifty fifth Year of the Reign of His present Majesty.

The like as to Rye Meal warehoused, &c.

III. And be it further enacted, That from and after the passing of this A&t, and until the Fourteenth Day of *November* inclusive in this present Year, any Rye Meal which may have been warehoused or imported for Exportation only may be admitted to Entry for Home Consumption Duty free.

IV. And Whereas the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* have thought it expedient to give Directions for the Importation of the aforefaid Articles in any Ship or Vessel, and from any Country whatever; and that such of the aforefaid Articles as may have been warehoused for Exportation only be entered for Home Consumption, agreeably to the Provisions of the aforefaid A&t passed in the Fifty fifth Year of the Reign of His present Majesty, and that Rye Meal warehoused or imported for Exportation may be admitted to Entry Duty free; and it is expedient that such Proceeding should be sanctioned by Parliament, and that all Persons issuing, giving or advising such Directions, or concerned in the issuing, giving, or advising any such Directions, and also all Persons acting under or in pursuance thereof, should be respectively indemnified; Be it therefore enacted, That all Persons issuing, giving or advising any such Directions as aforefaid, or concerned in the issuing, giving or advising any such Directions, and also all Persons acting or who may act under or in pursuance of the said Directions, shall be and they are hereby indemnified for and on account of the same, and of any A&t, Matter or thing done in pursuance of, or in obedience to, or in conformity with such Directions as aforefaid, as fully and effectually to all Intents and Purposes whatever as if the same Directions had been given, and such A&ts, Matters and things had been done in pursuance of any A&t or A&ts of Parliament.

Treasury indemnified for giving Directions for the Importation of such Articles in any Vessel and from any Country.

C A P. LXXXVI.

An A&t to permit the Importation of Foreign Cambricks and Lawns into *Ireland*, on Payment of the like Duties as are chargeable in *Great Britain*. [10th July 1817.]

WHEREAS it is expedient that the Importation of Foreign Cambricks and Lawns into *Ireland* should be permitted under the like Duties as are payable on the Importation thereof into *Great Britain*; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Eleventh Day of *August* One thousand eight hundred and seventeen, so much of an A&t made in the Forty fifth Year of His present Majesty's Reign, intituled *An A&t for granting to His Majesty, until the Twenty fifth Day of March One thousand eight hundred and six, certain Rates and Duties, and to allow certain*

So much of 45 G. 3. c. 18. § 9. as enacts that no Cambricks or Lawns, except the Manufacture of

tain Drawbacks and Bounties, upon Goods, Wares and Merchandize imported into and exported from Ireland, in lieu of former Rates and Duties, Drawbacks and Bounties as enacts that no Cambricks or Lawns except of the Manufacture of *Great Britain* shall be imported into *Ireland*, shall be and the same is hereby repealed.

G. B. shall be imported into *Ireland*, repealed.

II. And be it further enacted, That from and after the said Eleventh Day of *August* One thousand eight hundred and seventeen, there shall be raised, levied, collected and paid, unto His Majesty, His Heirs and Successors, upon the Importation into *Ireland* of any Foreign Cambricks and Lawns, the several and respective Duties of Customs inserted, described and set forth in the Table hereunto annexed marked (A.), and that the same shall be under the Management of the Commissioners of the Customs and Port Duties in *Ireland*.

Duties in Table (A.) paid on Importation into *Ireland* of Foreign Cambricks and Lawns.

III. And be it further enacted, That all Monies which shall from time to time arise from the said Duties, the necessary Charges of raising and accounting for the same being deducted, shall be carried to and shall be made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Duties carried to Consolidated Fund.

IV. And be it further enacted, That on the Exportation from *Ireland* of any Foreign Cambricks or Lawns so imported, and on which the Duties imposed by this Act shall have been fully paid and satisfied, there shall be allowed and paid such Drawbacks as are inserted, described and set forth in Figures in the said Table marked (A.), to this Act annexed, under and subject to all such Rules, Regulations and Restrictions as Drawbacks of the like Nature are payable by virtue of any Act or Acts in force in *Ireland*.

Drawbacks in Table (A.) on Exportation of Cambricks and Lawns.

V. And be it further enacted, That the said Duties and Drawbacks shall be managed, ascertained, raised, levied, collected, paid, allowed and recovered, in such and the like manner as any Duties of Customs of a like Nature in *Ireland* are managed, ascertained, raised, levied, collected, paid and recovered, and under and subject to the several Powers, Conditions, Rules, Regulations, Restrictions, Penalties and Forfeitures, of any Act or Acts of Parliament now in force, in relation to or made for securing the Revenue of Customs in *Ireland*; and all Pains, Penalties, Fines and Forfeitures, for any Offences whatever, 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 in *Ireland*, or for the Regulation or Improvement thereof, and the several Clauses, Powers and Directions therein contained, shall be in full Force and Effect as to the said Duties and Drawbacks, as fully and effectually to all Intents and Purposes as if they were at large repeated and re-enacted in this Act.

Duties and Drawbacks how levied and paid.

TABLE (A.) to which this Act refers.

A TABLE of the Duties of Customs payable on the Importation into *Ireland* of Foreign Cambricks and Lawns, and of the Drawbacks on the Exportation thereof.

	DUTY. British Currency.			DRAWBACK. British Currency.		
	£.	s.	d.	£	s.	d.
CAMBRICKS and LAWNS commonly called French Lawns, plain, the Piece, not exceeding Eight Yards in Length, and not exceeding Seven eighths of a Yard in Breadth - - - -	—	11	6	—	4	—
Exceeding Eight Yards in Length or exceeding Seven eighths of a Yard in Breadth, the Piece, and in that Proportion for a greater less Quantity - - - -	—	14	4½	—	5	—
LAWNS Silesia, and all other Lawns, plain, (except Cambricks and French Lawns) not bleached in <i>Holland</i> , the Piece, not exceeding Eight Yards in Length - - - -	—	7	8	—	2	8
Silesia and all other Lawns, plain, (except Cambricks and French Lawns) bleached in <i>Holland</i> , the Piece, not exceeding Eight Yards in Length - - - -	—	9	7	—	3	4

C A P. LXXXVII.

An Act to amend Two Acts passed in the Forty fifth Year of His present Majesty, and in the last Session of Parliament, for the making more effectual Provision for the Prevention of Smuggling. [10th July 1817.]

56 G. 3. c. 104.
§ 16.

‘ **W** HEREAS by an Act made in the Fifty sixth Year of the Reign of His present Majesty for, amongst other Things, the making more effectual Provision for the Prevention of Smuggling, and rewarding Officers and Persons making Seizures and capturing Smuggling Vessels, it is enacted, that all Foreign Brandy, Rum, Geneva and other Spirits which shall be seized by any Officer or Officers of His Majesty’s Army, Navy or Marines, or Officer acting under the Orders of the Lord High Admiral, or of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* or *Ireland*, or under the Orders of the Commissioners of Customs or Excise in *England*, *Scotland* or *Ireland* respectively, or by Officers on Half Pay, Military or Naval, authorized as in the said Act mentioned, at Sea or on Shore, or having been unshipped or landed without Payment of His Majesty’s Duties of Customs or Excise, ‘ payable

‘ payable on the lawful Importation of such Spirits respectively, shall after the Seizure thereof be lodged with the proper Officer of Excise, and secured, and gauged, and taken, and kept Account of, and after the Condemnation thereof respectively upon Prosecution thereof, by Order of the Commissioners of Excise, shall be forthwith conveyed to such respective Places as are mentioned or provided in an Act made in the Forty-fifth Year of the Reign of His present Majesty, intituled *An Act for the more effectual Prevention of Smuggling*, and there re-distilled under the Orders of the Commissioners of Excise, for the Purpose of making the same of a proper Import Strength, and shall afterwards be sold or otherwise disposed of as directed by the said Act; and by another Act made in the Forty seventh Year of the Reign of His present Majesty, intituled *An Act to make more effectual Provision for the Prevention of Smuggling*; and by this Act, under the Orders of the Commissioners of Excise: And Whereas it is expedient that so much of the said recited Act should be altered as hereinafter mentioned;’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, all and every Seizure and Seizures made by any Officer or Officers of Customs, or of His Majesty’s Navy, or acting under the Orders of the Lord High Admiral or of the Commissioners for executing the Office of Lord High Admiral aforesaid (not being an Officer or Officers of His Majesty’s Army or Marines, or any Military or Naval Officer on Half Pay, or any Officer or Person employed in the Smuggling Preventive Boat Service, either separately or jointly with any other Person or Persons whatsoever, except an Officer of Excise, or an Officer of His Majesty’s Army or Marines, or any Military or Naval Officer on Half Pay, or any Officer or Person employed in the Smuggling Preventive Boat Service), shall be lodged and secured under the Provisions of the said Acts made in the said Forty fifth and Forty seventh Years of His Majesty’s Reign, and be disposed of or prosecuted for Condemnation, by Order and under the Directions of the Commissioners of Customs; and that such Commissioners shall be authorized to direct and pay all Rewards for the making of every such Seizure and Seizures, and of all Costs and Expenses relating thereto, in the same manner as if so much of the Act hereinbefore recited had not been made; any thing in the said Act to the contrary thereof notwithstanding; subject nevertheless to any special Order and Directions touching the Distribution of any such Reward or Rewards which shall be given by the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain and Ireland*, or any Three of them, to such Commissioners of Customs, before such Distribution has been made.

‘ II. And for obviating Doubts touching the Seizures to which the further Rewards granted by the said recited Act in lieu of the Rewards then payable, and the said recited Provisions of the said Act, do or shall extend;’ Be it declared and enacted, That such Seizures only as shall be made for any Offence against any Law or Laws of Customs or Excise passed for the Prevention of Smuggling,

45 G. 3. c. 121.
§ 13.

47 G. 3. Sess. 2.
c. 66. § 29.

Seizures by Officers of the Customs, &c. to be secured under the Provisions of the recited Acts of
45 G. 3. c. 121.
and
47 G. 3. Sess. 2.
c. 66.

Commissioners of Customs to direct Payment of Rewards, subject to Orders of Treasury.

Seizures by Officers of Excise, &c. to be delivered over to

proper Officer and prosecuted, and Commissioners of Excise to direct Payment of Rewards, subject to Orders of Treasury.

Smuggling, and where the Person or Persons engaged or concerned therein is or are by any such Law or Laws liable, if a *British* Subject, to Arrest and Detention, shall be deemed and taken to be Seizures in respect of which the further Rewards directed by the said recited Act shall extend and apply, and be payable and paid; and that all Spirits so seized for any such Offence as aforesaid, and the Ships and other Vessels, Carts and other Carriages, Horses and other Cattle, seized therewith or on account thereof, except by any Customs Officer or Officers, or any Officer or Officers of His Majesty's Navy, or acting under the Orders of the Lord High Admiral, or of the Commissioners for executing the Office of Lord High Admiral aforesaid, either separately or jointly with any other Person or Persons, not being an Excise Officer, or an Officer of His Majesty's Army or Marines, or any Military or Naval Officer on Half Pay, or any Officer or Person employed in the Smuggling Preventive Boat Service as aforesaid, shall be delivered over to and lodged with the proper Officer of Excise, and be disposed of or prosecuted to Condemnation by Order of the Commissioners of Excise, as directed by the said recited Act of the Fifty sixth Year aforesaid; and such Commissioners shall be authorized to direct and pay all Rewards for the making of every such Seizure and Seizures, except as aforesaid, and of all Costs and Expences relating thereto, subject nevertheless to any special Order and Direction touching the Distribution of any such Reward or Rewards which shall be given by the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three of them, to such Commissioners of Excise, before such Distribution has been made.

56 G. 3. c. 104.
§ 10.

§ 11.

‘ III. And Whereas by the said Act it is enacted, that One Half Part of all such Rewards as aforesaid, after Deduction of all Costs and Expences, shall be paid by the Commissioners of Customs or Excise respectively by whom the Prosecution shall be directed, to such Officer or Officers or other Person or Persons who shall be entitled to the same, immediately upon the Condemnation of any such Seizure, and the other Half Part thereof upon the Account or Accounts relating to such Seizure being finally made up and adjusted; and that all Costs and Expences attending the Seizure, Detention, Custody, Removal, Prosecution, Condemnation and Sale of any Ship, Boat or other Vessel, Carriage, Horse, Cattle, Goods, Wares or Merchandize respectively forfeited under any Law or Laws of Customs or Excise, shall, except in the cases hereinafter mentioned, be paid out of the gross Proceeds arising from the Sale of such Seizure, whenever such Goods, Wares or Merchandize respectively are sold; and in case any such Goods, Wares or Merchandize shall not be sold, but be destroyed or otherwise disposed of by any Order of the said Commissioners of His Majesty's Treasury for the time being, or any Three of them as aforesaid, all such Costs and Expences shall be paid out of His Majesty's Share of Customs or Excise Seizures which shall or may be seized or condemned: And Whereas it is expedient that the whole of such Rewards as aforesaid should, for the greater Encouragement of the Officers and Persons employed for the Prevention of Smuggling, be paid immediately upon the Condemnation of any such Seizure as aforesaid;’ Be it therefore enacted, That
from

from and after the passing of this Act, the whole of the Rewards granted by the said Act of the Fifty sixth Year aforesaid shall, immediately on the Condemnation of any such Seizure as aforesaid, be paid as aforesaid, upon the Value of every such Seizure to be estimated or fixed in the manner directed by the said Act with respect to Goods, Wares and Merchandize, after deducting from such estimated Value the Sum of Ten Pounds *per Centum* for the Expences attending and occasioned by such Seizure and Condemnation.

IV. And be it further enacted, That all and every the Provisions, Clauses, Powers, Authorities, Exemptions, Privileges, Protections, Matters and things contained in the said Act of the Fifty sixth Year aforesaid respecting or relating to Officers of the Army or Navy on Half Pay, shall extend and be applied to, and be had, used and exercised by such Person and Persons as may be authorized and appointed by any Warrant or other Instrument to be granted by the Commissioners of His Majesty's Treasury, or any Three of them; or by the Commissioners of Customs or Excise in *England, Scotland or Ireland*, to make such Seizures as are in the said Act mentioned, and who shall be employed to act in or with the Boat Service established for the Prevention of Smuggling, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted with respect to such Person and Persons in this Act.

V. And Whereas by an Act made in the Forty fifth Year of the Reign of His present Majesty, for the more effectual Prevention of Smuggling, it is enacted, that every Person being a Subject of His Majesty, who shall be found or taken on board, or discovered to have been on board any Ship, Vessel or Boat liable to Forfeiture under any of the Provisions of that Act, or liable to Forfeiture under the Provisions of any other Act or Acts, for being found or having been at Anchor, or hovering within any such Distances of any of the Dominions of His Majesty, with such Goods on board as subject such Ship, Vessel or Boat, or Goods to Forfeiture, and who shall not prove that he was only a Passenger on board such Ship, Vessel or Boat; and every Person found aiding or assisting in unshipping to be laid on Land, or found carrying, conveying, concealing or assisting in the carrying away, conveying or concealing any Foreign Brandy, Rum, Geneva or Spirits subject to Forfeiture under that Act, or any Law or Act relating to the Revenue of Customs or Excise in the United Kingdom, shall forfeit for every such Offence, either Treble the Value of the Goods that shall be found or taken from such Person or Persons, or the Sum of One hundred Pounds, at the Option and subject to the Election and Discretion of the Commissioners of Customs or Excise respectively, who shall direct any Prosecution or Suit to be commenced against any such Person, such Penalty of Treble the Value, or of One hundred Pounds, as the case may be, to be recovered as any like Penalty may be recovered under any Act or Acts relating to the Revenue of Customs or Excise in the United Kingdom, and that One Half of every such Penalty of Treble Value or of One hundred Pounds shall go and be applied to the Use of the Person or Persons finding and taking and detaining such Person, or informing for the same, and that such Person shall also be liable to such other Punishment as may by any Law or Act of Parliament be inflicted on any such Offender; and that it shall be lawful

The whole of the Rewards payable under 56 G. 3. c. 104. § 10, 11. to be immediately paid on Condemnation of the Seizure, after deducting 10 per Cent. for Expences.

Provisions of 56 G. 3. c. 104. extended to Persons appointed by Treasury or Commissioners of the Customs or Excise, to make Seizures.

45 G. 3. c. 121. § 7.

for

' for any Officer or Officers of the Army, Navy, Marines, Customs
 ' or Excise, and he and they is and are thereby authorized, em-
 ' powered and required to stop, arrest, and detain every such Person
 ' being a Subject of His Majesty, and to convey the said Person
 ' before One or more of His Majesty's Justices of the Peace resid-
 ' ing near to the Port or Place into which such Ship, Vessel or Boat
 ' shall be taken or carried, or near to the Place where any such
 ' Person shall be so taken or arrested; and it shall be lawful for such
 ' Justice or Justices of the Peace, and he and they is and are thereby
 ' required, upon Proof on Oath by One or more credible Witness
 ' or Witnesses that such Person was so found or taken or discovered
 ' as aforesaid, unless any such Person found or taken, or having
 ' been on board of any such Ship, Vessel or Boat, shall prove to
 ' the Satisfaction of such Justice that he was only a Passenger on
 ' board such Ship, Vessel or Boat, to hold such Person to Bail,
 ' with Two good and sufficient Sureties in the Sum of One hundred
 ' Pounds each, for the Appearance of such Person to answer to any
 ' Indictment or Information that may be brought against him in
 ' that Behalf, and to pay such Penalty and abide any Judgment for
 ' any such Offence; and in default of any such Person finding such
 ' good and sufficient Bail as aforesaid, or until the same shall be
 ' found, to commit such Person to any Gaol or Prison or House
 ' of Correction to answer as aforesaid: Provided nevertheless, that
 ' if any such Person so found or discovered and taken as aforesaid
 ' shall be capable and desirous of entering and serving as a Seaman
 ' or Marine in any of His Majesty's Ships of War, it shall be lawful
 ' for the Officer or Officers of the Army, Navy or Marines, or of
 ' the Customs or Excise, by whom such Person was taken, arrested
 ' and detained as aforesaid, or for any Justice of the Peace or Magis-
 ' trate before whom any such Person may be carried, and such Officer
 ' and Officers is and are thereby authorized, empowered and required,
 ' instead of taking such Person before any Justice or Magistrate,
 ' and such Justice or Magistrate is thereby authorized, instead of
 ' holding any such Person to Bail, to carry and convey or cause to
 ' be carried or conveyed such Person on board any of His Majesty's
 ' Ships of War, in order to his being entered and received as a
 ' Seaman or Marine: And Whereas it is expedient, for the more
 ' speedy Conviction and Punishment of all such Offenders as aforesaid,
 ' that such Justice and Justices as aforesaid should respectively
 ' have Power and Authority to hear and determine forthwith any
 ' Information against any such Person or Persons arrested under the
 ' said recited or any other Act or Acts of Customs or Excise for
 ' the Prevention of Smuggling, without any previous Commitment
 ' of such Person as aforesaid to Prison; Be it therefore enacted,
 ' That it shall and may be lawful to and for any such Justice or Jus-
 ' tices of the Peace before whom any such Person so arrested as aforesaid,
 ' being a Subject of His Majesty, and not being fit and able to
 ' serve His Majesty in His Naval Service, shall be carried, on the
 ' Confession of any such Person of any such Offence as aforesaid
 ' with which he may be charged in any Information or Complaint to
 ' be then and there laid or exhibited by any Officer of Customs or
 ' Excise against him, or on Proof thereof on the Oath of One or
 ' more credible Witnesses or Witnesses, to convict such Person in such
 ' Penalty respectively as aforesaid; and every such Person so convicted

Persons found
 on board Smug-
 gling Vessels, and
 not able to serve
 the King in the
 Navy, to pay
 down the Penal-
 ty on Conviction
 before a Justice,
 who may commit
 them in Default
 of Payment.

as aforesaid shall immediately on such Conviction pay down into the Hands of such Officer the said Penalty in which he or she shall be so convicted; and if any such Person or Persons so convicted shall not forthwith pay down the said Penalty, the said Justice or Justices shall and he and they is and are hereby respectively authorized and required, by Warrant under his or their Hand and Seal, to commit the Person so convicted as aforesaid to any Gaol or Prison or House of Correction until such Penalty shall be paid.

VI. And be it further enacted, That in all cases where any Person liable to be arrested under any of the Acts made for the Prevention of Smuggling shall be fit and able to serve His Majesty in His Naval Service, and liable under the said Acts or any of them to be impressed into such Service, every such Person so arrested shall be taken before such Justice or Justices as aforesaid, and shall, upon such Proof as by the said Act of the Forty fifth Year aforesaid or any other Act is required, be committed by such Justice or Justices to Prison, to answer such Information and abide such Judgment as may be thereon given against him in that behalf; and that it shall and may be lawful for the Gaoler or Keeper of any Prison or House of Correction in which such Person shall be so imprisoned, or for any Officer of Customs or Excise, on the Order of the Commissioners of Customs or Excise respectively directing the Prosecution to such Gaoler or Keeper and Officer respectively, to carry and convey or cause to be carried or conveyed any such Person on board of any of His Majesty's Ships of War, in order to his being impressed into His Majesty's Naval Service; and if such Person shall at any time or times after any such Commitment as aforesaid, and before the Expiration of Five Years from the time of his Arrest, escape or desert from or leave such Custody or Service, he shall, over and beside all Punishment to which he shall be subject for such Desertion, be liable to be at any time or times afterwards again arrested and imprisoned or delivered over as aforesaid: Provided always, that every Officer or other Person who shall arrest any such Person or Persons as aforesaid, so that he shall be so convicted or committed to Prison as aforesaid, shall be entitled to and shall thereupon have and receive the like Reward as if such Person or Persons were delivered by him over to and impressed into His Majesty's Naval Service; and provided, that no such Justice or Justices shall accept or receive any Bail for any such Person so arrested, who shall be fit and able to serve His Majesty in His Naval Service, or liable under all or any of the said Acts to be impressed into such Service; any thing in any other Act or Acts to the contrary thereof notwithstanding.

VII. And be it further enacted, That from and after the passing of this Act, in all cases where any Goods, Wares, Merchandize, Boats, Carriages, Horses or Cattle shall be seized as forfeited under any Law or Laws of His Majesty's Customs or Excise, and no Person or Persons shall appear to the Officer or Officers who made such Seizure to claim the same, if such Seizure shall happen to be made out of the Limits of the Chief Office of Excise in London, it shall and may be lawful for the Officer or Officers who shall make such Seizure or Seizures to cause public Notice to be given by Proclamation at the next Market Town to the Place or Places where such Seizure or Seizures shall have been made, upon the Market Day next after the Expiration of Six Days from the time of such Seizure

Offenders able to serve in the Navy may be carried on board a King's Ship in order to be impressed.
45 G. 3. c. 121. § 7.

Escaping or deserting;

Proceedings.

Reward to Officer, &c. arresting such Person.

Justices not to accept Bail.

Condemnation of Seizures to be proceeded in, though the Owners of the Goods do not appear.

Proclamation.

zure or Seizures respectively, of the Day and Place when and where the Justice or Justices of the Peace will proceed to hear the matter of such Seizure or Seizures, and of Condemnation of the Goods so seized as aforesaid, in which case it shall and may be lawful for the said Justices to proceed to examine into the Cause of such Seizure or Seizures, and to give Judgment for the Condemnation of such Goods, and of the Casks, Vessels, or other Package or Packages containing the same, and of the Boat or Boats, Cart or Carts, or other Carriage or Carriages, Horse or Horses, or Cattle seized as aforesaid, as upon due Examination shall appear to be forfeited; which Judgments shall be as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if the respective Owner or Owners thereof, or Person or Persons in whose Custody the same was or were at the respective time or times of the Seizure thereof, had been respectively summoned to attend the said Justices.

Judgments valid as if Owners of Goods, &c. had been summoned.

Penalties of Treble the Value of the Goods, how to be estimated.

VIII. And be it further enacted, That wherever by any Law or Laws now in force relating to His Majesty's Revenue of Customs or Excise, a Penalty of Treble the Value of the Goods is imposed upon any Offender or Offenders, such Offender or Offenders shall severally forfeit and lose for every such Offence the Sum of One hundred Pounds, or Treble the Value of the Goods, to be estimated and taken according to and at the Rate and Rates, Price and Prices, which the best Goods, Wares, Merchandizes and Commodities of the like Sorts, Kinds and Denominations, and for which the Duty or Duties thereon have been paid, were sold at the time of such Seizure, at the Election of His Majesty's Attorney General, or the Person or Persons who shall sue or prosecute for the same; and that no such Penalty shall be mitigated by any Justice or Justices below One fourth Part thereof; any thing in any other Act or Acts to the contrary thereof notwithstanding.

Obstructing Officers,

IX. And Whereas further Provision is necessary for the Protection of Officers in the Execution of their Duty; Be it therefore enacted, That if any Officer or Officers, or other Person or Persons in the said Act of the Fifty sixth Year aforesaid or this Act mentioned, or other Person or Persons acting in their Aid or Assistance, being on Shore or going on board, or being on board or returning from on board any Ship, Boat or Vessel liable to Search under any Law or Laws now in force relating to His Majesty's Revenue of Customs or Excise, shall be hindered, opposed, molested or obstructed in the due Execution of his or their Office or Duty by any Person or Persons whatsoever, every Person or Persons so hindering, opposing, molesting, or obstructing such Officer or Officers, or other Person or Persons in the due Execution of his or their Office or Duty, or so hindering, opposing, molesting or obstructing any other Person or Persons acting in their or any of their Aid or Assistance, and also every Person and Persons aiding and assisting any such Person or Persons in the Commission of any such Offence, shall forfeit and lose the Sum of Two hundred Pounds.

Penalty 200l.

X. And Whereas large Quantities of Goods, on the Exportation of which as Merchandize a Drawback or Drawbacks of Excise are payable, have been packed and shipped for Exportation on Drawback of so bad and unmerchantable a Quality as to be of little or no Value, and have been so shipped and exported for the Purpose only of obtaining such Drawback, to the great Injury of His

' Majesty's Revenue;' For Remedy whereof be it enacted, That no Drawback or Drawbacks of Excise shall be paid or payable upon any Goods, Wares or Merchandize packed or shipped for Exportation, which shall be of so bad and unmerchantable a Quality as not to be worth or of the Value at the least of the Duty or Duties of Excise chargeable or sworn or stated in the Notice of shipping such Goods, Wares or Merchandize, required by the said Act of the Fifty sixth Year aforesaid to have been paid thereon, if sold for Home Consumption; and that in such Notice as aforesaid as well the Rate and Amount of the Duty or Duties paid on the Goods, Wares or Merchandize therein mentioned, as of the Drawback or Drawbacks claimed to be payable on the Exportation thereof, and the Value of such Goods, Wares and Merchandize, if sold for Home Consumption, shall be stated and made Part of the Description of such Goods, Wares and Merchandize; any thing contained in any other Act or Acts to the contrary thereof notwithstanding.

XI. And be it further enacted, That in every case where a Notice of shipping any Goods, Wares or Merchandize for Exportation on Drawback shall be given, it shall be lawful for any Officer or Officers of Excise to open any or all of the Package or Packages mentioned or described in such Notice, and unpack and examine the Contents thereof, and that the Exporter or Exporters thereof shall, on the Request of such Officer or Officers, repack such Goods (unless he, she or they shall choose to receive back such Goods unpacked) in the Presence of a proper Officer or Officers of Excise, in order that the same may be secured and sealed as by Law is required for Goods packed for Exportation on Drawback, he, she or they being afterwards allowed and paid by the Commissioners of Excise the reasonable Expences of such repacking, and shall either forthwith ship the same under the before mentioned Notice, or give a fresh Notice for that purpose, as the Occasion may require, and as required by the said Act.

XII. And be it further enacted, That, if upon Notice being given for shipping any Goods, Wares or Merchandize for Exportation upon Drawback, any other Goods or Packages than such as are mentioned or described in such Notice shall be shipped as and for such Goods or Packages mentioned or described in such Notice, or if any of the Packages or Goods mentioned or described in such Notice shall, after the Shipment thereof be returned into or relanded in *Great Britain*, (Shipwreck and other inevitable Accident excepted,) without Payment of the Duty or Duties imposed upon the Importation of Goods of the like Kind, all such Goods, with the Packages containing the same, and the Ship, Boat or Vessel from which the same shall be unshipped, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and the Person or Persons so offending or aiding or assisting therein shall for each and every such Offence forfeit and lose the Sum of Two hundred Pounds, or Treble the Value of such Goods, at the Election of His Majesty's Attorney General, or the Person or Persons who shall sue and prosecute for the same; and such Penalty shall be in addition to the Penalty of the Bond given on the Shipment of any of such Goods for Exportation, and over and besides all other Forfeitures and Penalties whatsoever.

To prevent Drawbacks on Goods of unmerchantable Quality.

56 G. 3. c. 104. § 25.

Notice of shipping Goods, what to contain.

Packages of Goods for Exportation on Drawback may be opened to examine the Contents.

Expences of repacking repaid.

Where other Goods shipped than those mentioned in Notice, or if Goods shipped be again relanded without Payment of Duty.

Penalty.

XIII. And

Penalties how recovered and applied.

XIII. And be it further enacted, That all Fines, Penalties and Forfeitures imposed by this Act, or by the said recited Act of the Fifty sixth Year of His present Majesty, shall be sued for, recovered, levied or mitigated by such Ways, Means or Methods (except as herein specially altered) as any Fine, Penalty or Forfeiture may be sued for, recovered, levied or mitigated by any Law or Laws now in force, 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.

8 G. I. c. 18.
§ 3.

XIV. And Whereas by an Act passed in the Eighth Year of the Reign of His Majesty King *George the First*, intituled *An Act to prevent the clandestine running of Goods, and the Danger of Infection thereby, and to prevent Ships breaking their Quarantine, and to subject Copper Ore of the Production of the British Plantations, to such Regulations as other enumerated Commodities of the like Production are subject*, it is enacted, That if any Boat, Wherry, Pinnace, Barge or Galley rowing or made or built to row with more than Four Oars, shall be found upon the Water, or in any Barge-House, Work-house, Shed or other Place within any of the Counties of *Middlesex, Surrey, Kent, Essex* or in the River of *Thames*, either above or below *London Bridge*, or within the Limits of the Ports of *London, Sandwich, or Ipswich*, or the Members or Creeks to them or either of them respectively belonging, such Boat, Wherry, Pinnace, Barge or Galley, with all her Tackle and Furniture, or the Value thereof, shall be forfeited, and shall and may be seized by any Officer or Officers of the Customs, and the Owner or Owners thereof, or any Person using or rowing in such Boat, Wherry, Pinnace, Barge or Galley, shall also forfeit and lose the Sum of Forty Pounds: And whereas it is expedient to make further Provision to prevent the Use of such Boats, Wherries, Pinnaces, Barges or Gallies rowing or made or built to row with more than Four Oars; Be it therefore further enacted, That the Owner or Owners or any Person using or rowing in such Boat, Wherry, Pinnace, Barge or Galley found within the Counties and Places aforesaid, shall forfeit and lose the Sum of One hundred Pounds, instead of the Penalty of Forty Pounds by the before-recited Act.

Using Boats with more than Four Oars in the Places herein mentioned. Penalty.

Boats of the like Description found in any Part of the British or Irish Channels, &c. to be forfeited, and

XV. And be it further enacted, That if any Boat, Wherry, Pinnace, Barge or Galley rowing or made or built to row with more than Four Oars, belonging wholly or in part to His Majesty's Subjects, or whereof One half of the Persons on board shall be Subjects of His Majesty, shall be found in any Part of the *British* or *Irish* Channels, or elsewhere on the High Seas, within One hundred Leagues of any Part of the Coasts of *Great Britain* or *Ireland*, or shall be discovered to have been within the said Limits, such Boat, Wherry, Pinnace, Barge or Galley, with all her Tackle and Furniture, shall be forfeited, and shall and may be seized by any Officer or Officers of His Majesty's Navy or Marines, or of the Customs or Excise; and the Owner or Owners thereof, or any Person using or rowing in such Boat, Wherry, Pinnace, Barge or Galley, shall also forfeit and lose the Sum of One hundred Pounds: Provided always,

Penalty rool.

always, that this Act shall not extend or be construed to extend to any Barge or Galley belonging to or to belong to His Majesty or any of the Royal Family, or to any Boat, Wherry, Pinnace, Barge or Galley belonging to and used in the Service of any Merchant Ship or Vessel, or belonging to any Ship or Vessel in the Service of His Majesty's Navy, Victualling, Ordnance, Customs, Excise or Post Office, nor to any Boat, Wherry, Pinnace, Barge or Galley whatsoever, the Owner of which shall have a Licence from the Commissioners of His Majesty's Customs in *England, Scotland or Ireland* respectively, or any Three of them for the time being.

Proviso for certain Vessels of the Royal Family, Navy, &c.

XVI. And be it further enacted, That the several last mentioned Forfeitures and Penalties in this Act mentioned shall and may be prosecuted and determined by Bill, Plaint or Information in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer at *Edinburgh* respectively.

Penalties how to be prosecuted.

XVII. And Whereas by an Act passed in the Forty seventh Year of His present Majesty's Reign, intituled *An Act to make more effectual Provision for the Prevention of Smuggling*, it is enacted, that no Ship, Vessel or Boat belonging in the whole or in part to His Majesty's Subjects, or whereof One half of the Persons on board shall be Subjects of His Majesty, and not being a Luggger, and at the time fitted and rigged as such, shall have on board or be navigated by a greater Number of Men (Officers and Boys included) than in certain Proportions to the Number of Tons of her Measurement, or if a Luggger, also in certain Proportions; and that in case any such Ship, Vessel, or Boat shall be found or discovered to have been within certain Limits or Distances of the United Kingdom, having on board any greater Number of Men than in such Proportions, every such Ship, Vessel, or Boat, and all her Guns, Furniture, Ammunition, Tackle, and Apparel shall be forfeited: And whereas the Object of the above in part recited Clause was to prevent Vessels engaged in illicit Practices from having a greater Number of Men than was necessary for their Navigation, which Excess enabled them the better to carry on such illicit Proceedings; and as it is expedient that square-rigged Vessels should not be so restricted, in order that a greater Opportunity may be afforded for the Employment of Seamen of the United Kingdom; Be it therefore enacted, That nothing in the said recited Clause shall extend or be construed to extend to forfeit any Ship or Vessel which shall be square rigged, by reason of any Man or Men exceeding the aforesaid Proportions.

47 G. 3. Sess. 2. c. 66. § 5.

not to extend to square rigged Vessels.

XVIII. And Whereas by the aforesaid recited Act, passed in the Fifty sixth Year of the Reign of His present Majesty, it is required that the Owner or Owners of any Ship, Vessel or Boat requiring a Licence shall give the necessary Security for the same, at the Port to which such Ship, Vessel or Boat shall belong, and no other: And whereas it may happen that such Ship, Vessel or Boat may not be at the Port to which she is to belong at the time when a Licence and Security shall become necessary; Be it therefore enacted, That it shall and may be lawful for the Commissioners of His Majesty's Customs in *England, Scotland or Ireland*, or any Three or more of them respectively, in such cases, on Proof to their Satisfaction that the Master or Owner of such *British* Vessel or Boat really

56 G. 3. c. 104. § 23.

Commissioners of the Customs may grant Licence to Vessels though not at the Port to

which they belong.

really and *bonâ fide* intends to proceed without Delay (Wind and Weather permitting) to the Port at which she belongs, or is intended to belong, to grant a Certificate to such Master or Commander of such Ship, Vessel or Boat, of such Proof having been given, by virtue of which Certificate such Ship, Vessel or Boat, shall not be liable to Seizure on account of not being licensed, so long as such Ship, Vessel or Boat shall be in due Course of her Voyage (Wind and Weather permitting) to the Port at which she belongs or is intended to belong.

Sureties in cases of Licence to make Oath of their Sufficiency.

‘XIX. And Whereas it is required that the Persons who are to become Security shall be Persons approved by the Collector and Comptroller of the Customs sufficient and responsible, and it is expedient to require further Satisfaction as to such Sufficiency and Responsibility;’ Be it therefore further enacted, That the Persons who are intended to become Security, shall make Oath before the Collector and Comptroller of the Customs (who are hereby authorized to administer the same), that they are respectively possessed of sufficient Property to answer and pay the Sum for which they intend to become Security.

Commissioners of the Customs may grant Deputations to Persons not Officers to make Seizures of Goods, &c. specified in Deputation.

Such Persons liable, &c. as Officers.

‘XX. And Whereas it is expedient, for the more effectual Execution of the Laws now in force or hereafter to be made for the Benefit of His Majesty’s Revenue of Customs, and the Suppression of Smuggling, that the Commissioners of His Majesty’s Customs should be empowered to grant their Deputations to any such Person or Persons as they may think fit, although he or they may not hold any specific Office under the said Revenue, authorizing him or them to make Seizures of any Wine, Spirituous Liquors, Tea or Tobacco, or any prohibited *East India* or *French* Goods, or any other Goods specified in such Deputation, which may be subject to Seizure under any Law or Laws relating to the Revenue of Customs or Excise respectively, or any Vessel, Boat, Horse, Cattle or Carriage used or employed in the Importation or Removal of such prohibited or run Goods;’ be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for the Commissioners of His Majesty’s Customs in *England*, or any Four or more of them for the time being, or for the Commissioners of His Majesty’s Customs in *Scotland*, or any Three or more of them for the time being, to grant their Deputation to any Person or Persons to make Seizures of Wine, Spirituous Liquors, Tea or Tobacco, or any prohibited *East India* or *French* Goods, or any other Goods specified in such Deputation, which may be subject to Seizure under any Law or Laws relating to the Revenue of Customs or Excise respectively, or any Vessel, Boat, Horse, Cattle or Carriage used or employed in the Importation or Removal of such prohibited or run Goods, although such Person or Persons shall not hold or be appointed to any Office or Offices of the Customs at any specific Port or Place; and such Person or Persons so deputed shall and may make such Seizures in like manner as any Officer or Officers of the Customs; and such Person or Persons shall be subject to the like Penalties as Officers of the Customs; and all Seizures made by such Person or Persons so deputed shall be sued for, prosecuted, and recovered by the like Means, Ways and Methods as any Seizure made by Officers of the Customs or Excise may by any Law or Laws now in force be sued for, prosecuted and recovered.

‘XXI. And

‘ XXI. And Whereas by the aforesaid Act passed in the Fifty 56 G. 3. c. 104.
 ‘ sixth Year of the Reign of His present Majesty, it is enacted, that § 20.
 ‘ from and after the First Day of *January* One thousand eight hun-
 ‘ dred and seventeen, every Ship or Vessel belonging in the Whole or
 ‘ in any Part to any of His Majesty’s Subjects, whereof One Half
 ‘ of the Persons on board are Subjects of His said Majesty, and being
 ‘ a square rigged Ship or Vessel of the Burthen of Two hundred Tons
 ‘ and upwards, the Difference of whose Draught of Water forward
 ‘ and aft shall exceed One Inch and One Quarter of an Inch for
 ‘ every Foot of the Breadth of such Ship or Vessel, such Draught of
 ‘ Water to be ascertained by a straight Line along the Rabbit of the
 ‘ Keel, adding to such Draught of Water forward and aft the Depth
 ‘ of the Main Keel in the Middle of the said Ship or Vessel on the Out-
 ‘ side, and the Draught of Water to be taken when the said Ship or
 ‘ Vessel, whether light or loaded, shall be in Sailing Trim, which
 ‘ shall be found in the Limits of any Port of this Kingdom, or within
 ‘ any Part of the *British* or *Irish* Channels, or elsewhere within One
 ‘ hundred Leagues of the Coast of this Kingdom, for which a Licence
 ‘ shall not have been procured from the Commissioners of Customs
 ‘ for navigating the same, shall be forfeited, and shall and may be
 ‘ seized by any Officer or Officers of His Majesty’s Army, Navy or
 ‘ Marines, or of the Customs or Excise: And whereas it is expedient
 ‘ that the said last in part recited Act should be repealed, and other
 ‘ Provisions made;’ be it therefore enacted by the Authority afore-
 ‘ said, That from and after the passing of this Act, every Ship or
 ‘ Vessel belonging in the Whole or in Part to any of His Majesty’s
 ‘ Subjects, or whereof One Half of the Persons on board are Subjects
 ‘ of His said Majesty, (not being a square rigged Ship or Vessel of the
 ‘ Burthen of Two hundred Tons or upwards,) the Difference of whose
 ‘ Draught of Water forward and aft shall exceed One Inch and One
 ‘ Quarter of an Inch for every Foot of the Breadth of such Ship or
 ‘ Vessel, such Draught of Water to be ascertained by a straight Line
 ‘ along the Rabbit of the Keel, adding to such Draught of Water
 ‘ forward and aft the Depth of the Main Keel in the Middle of the
 ‘ said Ship or Vessel on the Outside, and the Draught of Water to be
 ‘ taken when the said Ship or Vessel, whether light or loaded, shall
 ‘ be in Sailing Trim, which shall be found in the Limits of any Port
 ‘ of this Kingdom, or within any Part of the *British* or *Irish* Channels,
 ‘ or elsewhere within One hundred Leagues of the Coast of this King-
 ‘ dom, for which a Licence shall not have been procured from the
 ‘ Commissioners of the Customs for navigating the same, shall be for-
 ‘ feited, and shall and may be seized by any Officer or Officers of
 ‘ His Majesty’s Army, Navy, or Marines, or of the Customs or
 ‘ Excise.

Vessels of the Description herein mentioned and without Licence, found within certain Limits, or within 100 Leagues of the Coast, forfeited.

‘ XXII. And be it further enacted, That this Act or any of the
 ‘ Provisions thereof may be altered, varied or repealed by any Act or
 ‘ Acts to be passed in this Session of Parliament. Act may be altered, &c. this Session.

C A P. LXXXVIII.

An Act to permit Fullers Earth, Fulling Clay and Tobacco Pipe Clay, to be carried Coastwise under certain Restrictions.

[10th July 1817.]

28 G. 3. c. 38.
39. 41. 43.

‘ WHEREAS an Act was passed in the Twenty eighth Year of His present Majesty’s Reign, intituled *An Act to explain, amend, and reduce into One Act of Parliament, several Laws now in being for preventing the Exportation of live Sheep, Rams and Lambs, Wool, Woolfels, Mortlings, Shortlings, Yarn and Worsted, Cruels, Coverlids, Waddings and other Manufactures or pretended Manufactures made of Wool slightly wrought up or otherwise put together, so as the same may be reduced to and made use of as Wool again; Mattresses or Beds stuffed with combed Wool or Wool fit for combing; Fullers Earth, Fulling Clay and Tobacco Pipe Clay, from this Kingdom, and from the Isles of Jersey, Guernsey, Alderney, Sark and Man, into Foreign Parts; and for rendering more effectual an Act passed in the Twenty third Year of the Reign of King Henry the Eighth, intituled An Act for the Winding of Wool: And whereas it is expedient to amend the said Act so far as relates to Fulling Earth, Fullers Clay and Tobacco Pipe Clay carried Coastwise;’ 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 aforesaid Act as relates to the carrying Coastwise of Fullers Earth, Fulling Clay or Tobacco Pipe Clay, shall be and the same is hereby repealed.*

So much of recited Act as relates to carrying Coastwise Fullers Earth, &c.

repealed.

Such Articles when carried Coastwise shall be liable to all the Regulations imposed by 32 G. 3. c. 50. on Goods prohibited to be exported.

II. And be it further enacted, That from and after the passing of this Act the said Articles shall, when carried Coastwise, be liable to all the Rules, Regulations and Restrictions, Penalties and Forfeitures, imposed by an Act passed in the Thirty second Year of His present Majesty’s Reign, 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, upon Goods, Wares or Merchandize which are or shall be prohibited to be exported from Great Britain, and no other; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.*

C A P. LXXXIX.

An Act to allow the Importation of Oranges and Lemons from the Azores and the Madeiras into the British Colonies in North America.

[10th July 1817.]

51 G. 3. c. 97.
§ 2.

‘ WHEREAS by an Act passed in the Fifty first Year of His present Majesty’s Reign, intituled *An Act to regulate the Trade between Places in Europe South of Cape Finisterre, and certain Ports in the British Colonies in North America*, it is enacted, that any Fruit the Produce of any Part of *Europe South of Cape Finisterre* may be shipped and laden in any Port or Place of *Europe South*

South of *Cape Finisferre* for Exportation direct to certain Ports in *North America*, on board of any *British* Ship or Vessel owned, navigated, and registered according to Law, which shall have arrived at any Port or Place in *Europe* South of *Cape Finisferre* with Articles of the Growth or Produce of the said Colonies, or with Fish taken and cured by His Majesty's Subjects carrying on the Fisheries from any of the said Colonies or Plantations, or from any Part of the United Kingdom, or with any of the Goods or Commodities hereinafter mentioned from the Province of *Canada*, whether such Goods and Merchandize shall be the Growth or Produce of the Province of *Canada*, or shall have been brought into the said Province by Land or Inland Navigation: And Whereas it is expedient to allow Oranges and Lemons to be exported direct from the *Azores* and the *Madeiras* into the *British* Colonies in *North America* in any *British* built Ship or Vessel owned, registered and navigated according to Law; 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 any Oranges or Lemons, the Produce of the *Azores* or the *Madeiras*, may be shipped and laden there for Exportation direct to any of the Ports of the *British* Colonies in *North America*, and may be imported into the said Ports in any *British*-built Ship or Vessel owned, registered and navigated according to Law; any Law, Custom or Usage to the contrary notwithstanding.

Oranges or Lemons, Produce of the *Azores* or the *Madeiras*, may be imported thence into the *British* Colonies of *America*.

C A P. XC.

An Act for the Prevention of Persons going armed by Night for the Destruction of Game; and for repealing an Act, made in the last Session of Parliament, relating to Rogues and Vagabonds.

[10th July 1817.]

WHEREAS idle and disorderly Persons frequently go armed in the Night time for the Purpose of protecting themselves, and aiding and abetting each other in the illegal Destruction of Game or Rabbits: And Whereas such Practices are found by Experience to lead to the Commission of Felonies and Murders: For the more effectual Suppression thereof, be it enacted by The King's Most Excellent Majesty, by and with the 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, having entered into any Forest, Chase, Park, Wood, Plantation, Close or other open or inclosed Ground, with the Intent illegally to destroy, take or kill Game or Rabbits, or with the Intent to aid, abet and assist any Person or Persons illegally to destroy, take or kill Game or Rabbits, shall be found at Night, that is to say, between the Hours of Six in the Evening and Seven in the Morning from the First Day of *October* to the First Day of *February*, between Seven in the Evening and Five in the Morning from the First Day of *February* to the First Day of *April*, and between Nine in the Evening and Four in the Morning for the Remainder of the Year, armed with any Gun, Cross Bow, Fire Arms, Bludgeon or any other offensive

Persons found at certain times within any Forest, &c. with Intent to destroy, take or kill Game, and armed, deemed guilty of Misdemeanour.

Transportation for Seven Years, or other Punishment. Offenders returning to be transported for Life.

Weapon, every such Person so offending, being thereof lawfully convicted, shall be adjudged guilty of a Misdemeanour, and shall be sentenced to Transportation for Seven Years, or shall receive such other Punishment as may by Law be inflicted on Persons guilty of Misdemeanour, and as the Court before which such Offenders may be tried and convicted shall adjudge; and if any such Offender or Offenders shall return into *Great Britain* before the Expiration of the term for which he or they shall be so transported, contrary to the Intent and Meaning hereof, he or they so returning, and being thereof duly convicted, shall be adjudged guilty of Felony, and shall be sentenced to Transportation for the term or terms of his or their natural Life or Lives.

Rangers, Keepers, &c. may apprehend Offenders, and deliver them to a Peace Officer.

II. And for the more easy and speedy bringing the Offenders against this Act to Justice; be it further enacted, That 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, Close 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 alleged 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 the Crime of being found armed at Night as aforesaid, it shall and may be lawful for such Justice to admit such Person or Persons so charged to Bail, and in default of Bail to commit such Person or Persons to the County Gaol until the next General Quarter Sessions of the Peace, or the next General Commission of Gaol Delivery, to be holden for the same County or Place, there to be tried and dealt with as by this Act is directed; and if in *Scotland*, until such Person or Persons so charged shall be dealt with as any Person or Persons charged with a transportable Offence may be dealt with according to the Law and Practice of *Scotland*.

Justice on Information, &c. may in default of Bail commit till Quarter Sessions or Gaol Delivery.

Scotland.

Persons found in Forest, &c. at Night with Engine, &c. for destroying Game, may be taken before a Justice.

III. And be it further enacted, That if any Person or Persons shall after the passing of this Act unlawfully enter into or be found in any Forest, Chase, Park, Wood, Plantation, Close or other open or inclosed Ground at Night, according to the Provisions of this Act, with respect to what shall be deemed Night for the Purposes hereof, having any Net, Engine or other Instrument, for the Purpose and with the Intent to destroy, take or kill, or shall wilfully destroy, take or kill Game, 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, Close or other open or inclosed Ground, and also for his, her or their Keeper and

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 alleged to have been committed, to be dealt with according to Law.

IV. And be it further enacted, That an Act made in the last Session of Parliament, intituled *An Act to repeal an Act made in the Thirty ninth and Fortieth Years of His present Majesty's Reign, intituled '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,'* and to make other Provisions in lieu thereof, shall be and the same is hereby repealed. 56 G. 3. c. 130. repealed.

V. And be it further enacted, That the said Act made in the Thirty ninth and Fortieth Years of His present Majesty, intituled *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,'* shall be and the same is hereby repealed. 39 & 40 G. 3. c. 50. repealed.

C A P. XCI.

An Act to enable Justices of the Peace to settle the Fees to be taken by the Clerks of the Peace of the respective Counties and other Divisions of *England* and *Wales*.

[10th July 1817.]

WHEREAS Doubts have arisen touching the Fees and Allowances due and to be made to the Clerks of the Peace of the several Counties and other Divisions of *England* and *Wales*; For the removing of such Doubts, be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *July* next it shall and may be lawful to and for the Justices of the Peace for the County of *Kent*, and for the County Palatine of *Lancaster*, at their Annual General Sessions of the Peace, and for the Justices of the Peace in every other County, Riding, Division, City, Town, Liberty or Precinct, within *England* and *Wales*, at their respective General Quarter Sessions of the Peace, to ascertain, make and settle a Table of Fees and Allowances to be taken by the Clerk of the Peace for such County of *Kent* and such County Palatine, and such other Counties, Ridings, Divisions, Cities, Towns, Liberties and Precincts respectively; and such Table of Fees and Allowances, when so made, shall be subject to the Approbation of the Justices of the Peace at the then next succeeding General Annual Session of the Peace for the County Palatine of *Lancaster*, and for the County of *Kent*, and at the then next succeeding General Quarter Session of the Peace for every other

Justices of Peace for *Kent* and *Lancashire*, at their Annual General, and for every other County, &c. at their General Quarter Sessions, to settle a Table of Fees to be taken by the Clerks of the Peace for the said Counties. Such Table to be laid before Judges of Assize

such County, Riding, Division, City, Town, Liberty or Precinct as aforesaid, or at some Adjournment of such Sessions respectively; and such Table of Fees respectively, when so approved respectively, shall be laid before the Judges of Assize at the next Assizes for such Counties and Places respectively, except the several Places being Counties in which Assizes are not constantly or regularly holden in every Year, and in those cases before the Justices at the next Assizes for the adjoining County where Assizes are constantly and regularly holden, and to which Prisoners are generally removed for Trial from such Places respectively, and also except the Counties in *Wales* and the County Palatine of *Chester*, and before the Justices at the next Great Sessions for the several Counties in *Wales*, and for the County Palatine of *Chester*; and the said Judges and Justices respectively are hereby authorized to ratify and confirm such Tables respectively, either as settled and approved as aforesaid, or with such Alterations, Additions, and Improvements as to such Judges and Justices last mentioned shall appear to be just and reasonable; and it shall be lawful for the said Justices of the Peace, at their respective Quarter or General Sessions of the Peace, from time to time in like manner to make other Table of Fees and Allowances, instead of or in addition to the Tables of Fees and Allowances before made, which shall and may be approved and afterwards ratified and confirmed in like manner; which Fees and Allowances contained in such Tables respectively, when so made and approved, and afterwards ratified and confirmed as aforesaid, shall be the only Fees and Allowances which shall be taken by the Clerks of the Peace of the several Counties and Places for which such Tables respectively shall be so made, approved, ratified and confirmed, from and after such Ratification and Confirmation thereof respectively; any thing in any Act or Acts of Parliament, or any Law, Usage or Custom to the contrary in anywise notwithstanding.

Fees in such Tables, when approved by Judges, to be the only Fees.

Clerks of the Peace taking greater Fees than allowed,

Penalty 5l.

Printed or written Copies of such Table of Fees to be hung up in some conspicuous Place where the General or Quarter Sessions shall be held. Clerks of the Peace neglecting,

II. And be it further enacted, That if at any time after any such Table of Fees and Allowances shall have been so ratified and confirmed as aforesaid, any Clerk of the Peace, or any Person or Persons acting as such, shall, under Pretence of any matter or thing done, transacted or performed, demand or receive any other or greater Fee or Allowance, than the Fee or Allowance, Fees or Allowances, ascertained, ratified and confirmed as aforesaid, such Clerk of the Peace or other Person shall for every such Offence forfeit and pay the Sum of Five Pounds to any Person 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*, wherein no Essoign, Privilege, Protection, Wager of Law, or more than One Imparllance shall be granted or allowed.

III. And be it further enacted, That every Table of Fees and Allowances which shall be made, approved, ratified and confirmed from time to time as aforesaid, shall be deposited with the Clerk of the Peace for the County or Place for which such Table of Fees shall have been so made, approved, ratified and confirmed as aforesaid; and a true and exact written or printed Copy or Copies thereof shall be placed and constantly kept in a conspicuous Part of every Room or Place wherein any General or Quarter Sessions of the Peace for such County or Place shall be held; and if any Clerk of the Peace, or Person acting as such, shall at any time neglect to cause

cause every such Copy to be so placed and constantly kept according to the Provisions of this Act, he shall forfeit and pay to any Person who shall sue for the same, for every such Offence, the Sum of Five Pounds, to be recovered by Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Privilege, Protection, Wager of Law, nor more than One Imparance shall be granted or allowed. Penalty 5l.

IV. And be it further enacted, That all Suits and Actions which shall be brought or commenced by virtue of this Act, shall be brought before the End of Three Calendar Months after the Offence committed, and not otherwise. Limitation of Actions.

C A P. XCII.

An Act to regulate the Administration of Oaths in certain cases to Officers in His Majesty's Land and Sea Forces.

[10th July 1817.]

WHEREAS by certain Acts passed in the Reigns of His Majesty's Royal Predecessors, it was provided, that Officers in His Majesty's Royal Navy and Officers in His Majesty's Army shall take certain Oaths, and make and subscribe certain Declarations, before they shall enter upon the Offices or Places of Trust to which they may be appointed: And Whereas Doubts have been entertained whether the Provisions of the said Acts are still in force in that behalf: And whereas the Practice of taking the said Oaths, and making and subscribing the said Declarations, by Officers previous to their receiving Commissions in His Majesty's Army, hath been long disused: And Whereas it is expedient to remove such Doubts, and to assimilate the Practice of the Two Services: Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful to and for His Majesty's Principal Secretaries of State, the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, the Commander in Chief of His Majesty's Land Forces, the Master General of the Ordnance, and the Secretary at War for the time being, respectively, or any other Persons thereunto lawfully authorized, to deliver Commissions or Warrants to any Officer or Officers in His Majesty's Royal Navy, Land Forces or Royal Marines, without previously requiring such Officer or Officers to take the said Oaths, or make and subscribe the said Declarations; any thing in any Act or Acts contained to the contrary thereof in anywise notwithstanding.

The Secretaries of State, &c. may deliver Commissions or Warrants to Officers of the Navy, Land Forces, &c. without previously requiring them to take certain Oaths, &c.

II. Provided always, That nothing herein contained shall extend or be construed to extend to any Oaths required by any Act or Acts now in force to be taken, or to any Declarations thereby required to be made and subscribed, by such Officer or Officers as aforesaid, after he or they shall have accepted and received such Commissions or Warrants as aforesaid.

Proviso respecting Oaths, &c. to be taken by Officers after receiving Commissions.

C A P. XCIII.

An Act to regulate the Costs of Distresses levied for Payment of Small Rents. [10th July 1817.]

‘ **W**HEREAS divers Persons acting as Brokers, and distraining on the Goods and Chattels of others, or employed in the Course of such Distresses, have of late made excessive Charges, to the great Oppression of Poor Tenants and others; and it is expedient to check such Practices;’ 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 whatsoever making any Distress for Rent, where the Sum demanded and due shall not exceed the Sum of Twenty Pounds for and in respect of such Rent, nor any Person whatsoever employed in any manner in making such Distress, or doing any Act whatsoever in the Course of such Distress, or for carrying the same into Effect, shall have, take or receive out of the Produce of the Goods or Chattels distrained upon and sold, or from the Tenant distrained on, or from the Landlord, or from any other Person whatsoever, any other or more Costs and Charges for and in respect of such Distress, or any Matter or thing done therein, than such as are fixed and set forth in the Schedule hereunto annexed and appropriated to each Act which shall have been done in the Course of such Distress; and no Person or Persons whatsoever shall make any Charge whatsoever for any Act, Matter or thing mentioned in the said Schedule, unless such Act shall have been really done.

II. And be it further enacted, That if any Person or Persons whatsoever shall in any manner levy, take or receive from any Person or Persons whatsoever, or retain or take from the Produce of any Goods sold for the Payment of such Rent, any other or greater Costs and Charges than are mentioned and set down in the said Schedule, or make any Charge whatsoever for any Act, Matter or thing mentioned in the said Schedule and not really done, it shall be lawful for the Party or Parties aggrieved by such Practices to apply to any One Justice of the Peace for the County, City, Town, and acting for the Division where such Distress shall have been made, or in any manner proceeded in, for the Redress of his, her or their Grievance so occasioned; whereupon such Justice shall summon the Person or Persons complained of to appear before him at a reasonable time to be fixed in such Summons; and such Justice shall examine into the Matter of such Complaint by all legal Ways and Means, and also hear in like manner the Defence of the Person or Persons complained of; and if it shall appear to such Justice that the Person or Persons complained of shall have levied, taken, received, or had other and greater Costs and Charges than are mentioned or fixed in the Schedule hereunto annexed, or made any Charge for any matter or thing mentioned in the said Schedule, such Act, matter or thing not having been really done, such Justice shall order and adjudge Treble the Amount of the Monies so unlawfully taken, to be paid by the Person or Persons so having acted to the Party or Parties who shall thus have preferred his, her or their Complaint thereof, together with full Costs; and in case of Non Payment of any Monies or Costs so ordered

No Person making Distress for Rent, where the Sum due shall not exceed 20l to take other Charges than mentioned in the Schedule annexed;

nor to charge for any Act not done.

Party aggrieved by any such Practice may apply to a Justice of the Peace.

Justice may adjudge Treble the Amount of the Monies unlawfully taken to be paid with Costs, which may be levied by Distress.

ordered and adjudged to be paid, such Justice shall forthwith issue his Warrant to levy the same by Distress and Sale of the Goods and Chattels of the Party or Parties ordered to pay such Monies or Costs, rendering the Overplus (if any) to the Owner or Owners, after the Payment of the Charges of such Distress and Sale; and in case no sufficient Distress can be had, such Justice shall by Warrant under his Hand commit the Party or Parties to the Common Gaol or Prison within the Limits of the Jurisdiction of such Justice, there to remain until such Order or Judgment be satisfied.

If no Distress,
Imprisonment.

III. And be it enacted by the Authority aforesaid, That it shall be lawful for such Justice, at the Request of the Party complaining or complained against, to summon all Persons as Witnesses, and to administer an Oath to them, touching the matter of such Complaint or Defence against it; and if any Person or Persons so summoned shall not obey such Summons, without any reasonable or lawful Excuse, or refuse to be examined upon Oath, or if a Quaker upon solemn Affirmation, then every such Person so offending shall forfeit and pay a Sum not exceeding Forty Shillings, to be ordered, levied and paid in such manner and by such Means, and with such Power of Commitment, as is hereinbefore directed as to such Order and Judgment to be given between the Party or Parties in the original Complaint, excepting so far as regards the Form of the Order, and hereinafter provided for.

Justices may
summon Wit-
nesses.
Refusing to
attend or be
examined,
Penalty.

IV. And be it further enacted, That it shall be lawful for such Justice, if he shall find that the Complaint of the Party or Parties aggrieved is not well founded, to order and adjudge Costs not exceeding Twenty Shillings to be paid to the Party or Parties complained against, which Order shall be carried into Effect, and levied and paid in such manner, and with like Power of Commitment, as is hereinbefore directed as to the Order and Judgment founded on such original Complaint: Provided always, that nothing herein contained shall empower such Justice to make any Order or Judgment against the Landlord for whose benefit any such Distress shall have been made, unless such Landlord shall have personally levied such Distress: Provided always, that no Person or Persons who shall be aggrieved by any Distress for Rent, or by any Proceedings had in the Course thereof, or by any Costs and Charges levied upon them in respect of the same, shall be barred from any legal or other Suit or Remedy which he, she or they might have had before the passing of this Act, excepting so far as any Complaint to be preferred by virtue of this Act shall have been determined by the Order and Judgment of the Justice before whom it shall have been heard and determined; and which Order and Judgment shall and may be given in Evidence, under the Plea of the General Issue, in all cases where the matter of such Complaint shall be made the Subject of any Action.

If Complaint
unfounded, Jus-
tice may give
Costs to the
Party com-
plained against.

No Judgment to
be given against
any Landlord,
unless he per-
sonally levies
the Distress.
Parties not
barred of other
legal Remedies.

Order of Justice
may be given in
Evidence.

V. And be it further enacted, That such Orders and Judgments on such Complaints shall be made in the Form in the Schedule hereunto annexed, and may be proved before any Court by Proof of the Signature of the Justice to such Order and Judgment; and such Orders as regard Persons who may have been summoned as Witnesses shall be made in such Form as to such Justice shall seem most fit and convenient.

Signature of
Justice Proof of
Judgment.

VI. And

Brokers to give
Copies of their
Charges to Per-
sons distrained.

VI. And be it further enacted, That every Broker or other Person who shall make and levy any Distress whatsoever shall give a Copy of his Charges, and of all the Costs and Charges of any Distress whatsoever, signed by him, to the Person or Persons on whose Goods and Chattels any Distress shall be levied, although the Amount of the Rent demanded shall exceed the Sum of Twenty Pounds.

Printed Copy of
Act to be hung
up in Sessions
House.

VII. And be it further enacted, That a fair printed Copy of this Act shall be hung up in some convenient Place in such Halls or Rooms where the Justices of each and every County in *England* and *Wales* shall hold either their Quarter or other Sessions.

SCHEDULE referred to in this Act.

FORM of the Order and Judgment of the Justice before whom Complaint is preferred, where the Order and Judgment is for the Complainant.

In the matter of the Complaint of *A. B.* against *C. D.* for a Breach of the Provisions of an Act of the Fifty seventh Year of His Majesty King George the Third, intituled *An Act* [*here insert the Title of this Act*] I, *E. F.* a Justice of the Peace for the County of _____ and acting within the Division of _____ do order and adjudge that the said *C. D.* shall pay to *A. B.* the Sum of _____ as a Compensation and Satisfaction for unlawful Charges and Costs levied and taken from the said *A. B.* under a Distress for Rent; and the further Sum of _____ for Costs on this Complaint.

(Signed) *E. F.*

FORM of the Order and Judgment of the Justice, where he dismisses the Complaint as unfounded, and with or without Costs, as the case may be.

In the matter of the Complaint of *A. B.* against *C. D.* for the Breach of the Provisions of an Act of the Fifty seventh Year of His Majesty King George the Third, intituled *An Act* [*here insert the Title of this Act*] I, *E. F.* a Justice of the Peace for the County of _____ and acting within the Division of _____ do order and adjudge that the Complaint of the said *A. B.* is unfounded [*if Costs are given*] and I do further order and adjudge, that the said *A. B.* shall pay unto the said *C. D.* the Sum of _____ for Costs.

(Signed) *E. F.*

SCHEDULE of the Limitation of Costs and Charges on Distresses for Small Rents.

	£.	s.	d.
Levying Distress	0	3	0
Man in Possession, per Day	0	2	6
Appraisement, whether by One Broker or more, Six pence in the Pound on the Value of the Goods	-	-	-
Stamp, the lawful Amount thereof	-	-	-
All Expences of Advertisements, if any such	0	10	0
Catalogues, Sale and Commission, and Delivery of Goods, One Shilling in the Pound on the Net Produce of the Sale.	-	-	-

C A P.

C A P. XCIV.

An Act to amend an Act of the last Session of Parliament, for the more easy assessing of County Rates.

[10th July 1817.]

WHEREAS an Act was passed in the last Session of Parliament, to explain and amend an Act passed in the last Session of Parliament, for the more easy assessing, collecting and levying of County Rates: And Whereas it is expedient to repeal so much of the said Act as directs, that in all cases in which any Appeal or Appeals shall be made under the said recited Act to any Rate or Assessment made in pursuance thereof or of this Act, the same should be made to the next General or Quarter Sessions of the Peace after the Cause of Appeal shall have arisen, and that Fourteen clear Days' Notice in Writing should be given of the Intention to try such Appeal, previous to such General or Quarter Sessions; and that, notwithstanding such Appeal or Notice thereof, the Rate or Rates made upon any Parish, Township or Place (whether Parochial or otherwise) under the said recited Act and this Act, should be paid, and should and might be levied, recovered and received in the same manner as if no Appeal had been made or Notice given thereof; and that if upon the Hearing of any such Appeal or Appeals, the Court of General or Quarter Sessions of the Peace should order any Rate or Assessment to be decreased or lowered, and it should appear to the said Court that any Parish, Township or Place have or hath, previously to the Hearing such Appeal or Appeals, paid any Sum or Sums of Money in consequence of such Rates or Assessments, which ought not to have been paid or charged therein, then and in every such case the said Court should order all and every such Sum and Sums of Money to be repaid and returned to the Person or Persons, Parish, Township or Place, having paid the same respectively: Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the hereinbefore recited Provision shall be and the same is hereby repealed.

56 G. 3. c. 49.
§ 5.

repealed.

II. And be it further enacted, That from and after the passing of this Act the Rate or Rates made upon any Parish, Township or Place (whether Extra Parochial or otherwise) under any Act or Acts passed for the assessing, collecting and levying of County Rates, shall be paid, and shall and may be levied, recovered and received, notwithstanding any Appeal or Appeals may have been made to the General or Quarter Sessions of the Peace against any such Rate or Rates; and such Rate or Rates shall continue to be raised, levied and received, until the Decision of the Justices shall be made upon such Appeal or Appeals: Provided always, that if upon the Hearing of any such Appeal or Appeals the Court of General or Quarter Sessions of the Peace shall order any Rate or Assessment to be set aside, decreased, or lowered, and it shall appear to the said Court that any Parish, Township or Place have or hath, previously to the Determination of such Appeal or Appeals, paid any Sum or Sums of Money in consequence of such Rates or Assessments, which ought not

Rate to be raised notwithstanding Appeals, until Determination of Justices.

In case Justices order Rate to be set aside, decreased or lowered;

Money paid subsequent to the time of Appeal to be returned out of the General County Rate.

Notice of Appeal.

not to have been paid or charged therein, then and in every such case the said Court shall order such Proportion of such Sum or Sums of Money as shall have been so paid by any Person or Persons, Parish, Township or Place, subsequently to the Notice which shall have been given of such Appeal or Appeals, to be repaid and returned to the Person or Persons, Parish, Township or Place, which have or hath paid the same respectively, out of the General Rate of the County in which the Cause of Appeal shall have arisen: Provided always, that Fourteen clear Days' Notice in Writing shall be given by the Parties intending to appeal against any Rate or Assessment, to the Parties against whose Rate the Appeal is to be made, the Clerk of the Peace of the County, and the Hundred Constable, of the Intention to try such Appeal at the next General Quarter Sessions of the Peace; any thing in any Act or Acts to the contrary notwithstanding.

III. And be it further enacted, That so much of the said recited Act as directs that the Expences of all Appeals, Actions, Suits or Proceedings at Law, in respect of any thing done in pursuance of the said recited Act, shall be paid by such respective Parishes, Townships, Places and Persons as the said Justices in General or Quarter Session shall direct, or such Court wherein such Proceeding shall be instituted shall order, and shall not be charged to or be paid out of the County Rate, shall be and the same is hereby repealed. [*No such Enactment appears in 56 G. 3. c. 49. but it appears in 55 G. 3. c. 51. § 15. By 56 G. 3. c. 49. § 7. the Powers, Clauses, &c. of 55 G. 3. c. 51. are applied to 56 G. 3. c. 49.*]

Expences of Appeals paid in such Proportions, &c. as Justices shall award.

IV. And be it further enacted, That in case of any Appeals, Actions, Suits or Proceedings at Law respecting any thing done in pursuance of this Act, or any other Act or Acts relating to the County Rate, the Expences of all such Appeals, Actions, Suits, or Proceedings at Law shall be borne and paid by such respective Parishes, Townships, Places and Persons, or such of them, and in such Proportions, as the said Justices shall upon any Appeal in their General or Quarter Sessions award and order, or as such Courts wherein such Actions, Suits or Proceedings shall be instituted shall adjudge and order.

Where there are no High Constables, other Constables may levy the Rates.

V. And Whereas there are several Parishes, Townships and Places in and over which the High Constables have no Jurisdiction; Be it therefore further enacted, That in all such cases it shall be lawful for the Justices of the Peace of any County in which such Parishes, Townships or Places shall be situate, to issue their Warrants for collecting the County Rate to One or more of the Constables of such Parishes, Townships or Places, and such Constable or Constables shall collect, levy and pay such County Rate in such and the like manner as the High Constables are by the said Act empowered and required to do, and shall be subject to the like Penalties in case he or they shall neglect to demand, levy or account for such County Rates, as the said High Constables are subject or liable to by any Law or Statute now in force.

C A P. XCV.

An Act to exempt the Territories within the Limits of the *East India Company's* Charter from certain of the Navigation Laws. [10th July 1817.]

WHEREAS by an Act passed in the Twelfth Year of the 12 C. 2. c. 18.
 Reign of His late Majesty King *Charles* the Second, for
 the encouraging and increasing of Shipping and Navigation; and
 by another Act passed in the Fifteenth Year of the same Reign, 15 C. 2. c. 7.
 for the Encouragement of Trade; and by another Act passed
 in the Twenty second and Twenty third Years of the same Reign, 22 & 23 C. 2.
 among other things, for regulating the Plantation Trade; and by c. 26.
 another Act passed in the Twenty fifth Year of the same Reign, 25 C. 2. c. 7.
 amongst other things, for the better securing the Plantation Trade;
 and by another Act passed in the Seventh and Eighth Years of the 7 & 8 W. 3.
 Reign of His late Majesty King *William* the Third, for the Increase c. 21.
 and Encouragement of Seamen; and by another Act passed in the
 Third and Fourth Years of the Reign of Her late Majesty Queen 4 & 5 A. c. 5.
Anne, for granting to Her Majesty a further Subsidy on Wines and
 Merchandizes imported; and by another Act passed in the Eighth 8 G. 1. c. 18.
 Year of the Reign of His late Majesty King *George* the First,
 amongst other things, to subject Copper Ore of the Production of
 the *British* Plantations to such Regulations as other enumerated
 Commodities of the like Production are subject; divers Prohibitions,
 Regulations and Provisions have been enacted, respecting the Im-
 portation of Goods and Commodities of the Growth, Production
 or Manufacture of *Europe*, into any Lands, Islands, Plantations,
 Colonies, Territories or Places to His Majesty belonging or in his
 Possession, in *Asia*, *Africa* or *America*, and also respecting the
 Transportation of certain Articles of the Growth, Production or
 Manufacture of *British* Plantations in *Asia*, *Africa* or *America*:
 And Whereas the said Prohibitions, Regulations and Provisions
 have been commonly supposed not to apply, and have not in Practice
 been applied, and it is not expedient that the same should be applied,
 to the Trade of His Majesty's Subjects to and from the *East Indies*:
 And Whereas it is reasonable and just that Relief should be given
 to Persons who may have inadvertently incurred Penalties and
 Forfeitures, by offending against such Prohibitions, Regulations and
 Provisions; Be it enacted by The King's Most Excellent Majesty,
 by and with the Advice and Consent of the Lords Spiritual and Tem-
 poral, and Commons, in this present Parliament assembled, and by
 the authority of the same, That nothing contained in the said Acts,
 or in any other Act or Acts passed for the like Purposes or any of
 them, shall extend or be construed to extend to or in any way affect
 the Importation or Exportation by the United Company of Merchants
 trading to the *East Indies*, or by any other of His Majesty's Subjects
 in *British* registered Vessels navigated according to Law, or in Vessels
 registered or trading under the Provisions of an Act passed in the
 Fifty fifth Year of the Reign of His present Majesty, intituled *An* 55 G. 3. c. 116.
Act to make further Regulations for the Registry of Ships built in India,
 of any Goods, Wares or Merchandize at, into or from any Port or
 Place within the Limits of the Charter of the said Company, or to
 affect the Importation or Exportation at, into or from any Place what-
 soever

Nothing in the recited Acts to affect Import and Export within the *East India Company's* Charter.

soever in such Vessels as aforesaid of any Goods, Wares or Merchandize of the Growth, Produce or Manufacture of any Place within the Limits aforesaid, or to require that any Bond for the Exportation or Importation of Goods in any particular manner, shall be given in respect of any such Vessels bound to or from any Place situate within the Limits aforesaid.

Persons not to be sued for Penalties or Seizures after 25th Dec. next.

Ships, &c. seized before 25th Dec. next, restored, &c.

Proviso for Appeal.

Proviso for 53 G. 3. c. 155.

54 G. 3. c. 34.

55 G. 3. c. 116.

57 G. 3. c. 36.

and for other Laws herein mentioned.

II. And be it further enacted, That from and after the Twenty fifth Day of *December* next, no Person or Persons, Body Politic or Corporate, shall be liable to be sued for any Penalty, nor any Ship, Vessel, Goods, Wares or Merchandize liable to be seized by reason of any Trading contrary to any such Prohibition, Regulation or Provision as aforesaid, or by reason of any such Bond as aforesaid nor having been given in respect of any Ship or Vessel bound to or from any Place within the Limits aforesaid; and further, that all Ships, Vessels, Goods, Wares and Merchandizes, which before the said Twenty fifth Day of *December* next shall have been seized, and all Penalties which before the said last mentioned Day shall have been sued for by reason of any such Offence as aforesaid, shall be forthwith restored or remitted to the Person or Persons, Body or Bodies Politic or Corporate, by whom the same may have been forfeited, upon Payment to the Person or Persons who shall have seized or sued for the same, of his or their reasonable Costs of Seizure or Suit; any Law, Statute or other thing to the contrary notwithstanding: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Person or any Body Politic or Corporate from disputing the Legality of any Judgment or other Proceeding by Appeal or otherwise, in the same manner as if this Act had not been passed, or to prevent any Person or Body Politic or Corporate from taking the Benefit of any other Mode of Relief from any such Forfeiture or Penalty as aforesaid, to which he or they by any Act or Acts now in force or otherwise may be entitled.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter or affect the Provisions of an Act passed in the Fifty 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 certain exclusive Privileges; for establishing further Regulations for the Government of the said Territories and the better Administration of Justice within the same; and for regulating the Trade to and from the Places within the Limits of the said Company's Charter*; and another Act passed in the Fifty fourth Year of the same Reign, intituled *An Act for the further Regulation of the Trade to and from the Places within the Limits of the Charter of the East India Company*; and another Act passed in the Fifty fifth Year of the same Reign, intituled *An Act to make further Regulations for the Registry of Ships built in India*; and another Act passed in this present Session, intituled *An Act to regulate the Trade to and from the Places within the Limits of the Charter of the East India Company, and certain Possessions of His Majesty in the Mediterranean*; or to alter or affect the Laws now in being relative to the Trade of Foreign Nations in Amity with His Majesty with the said *British Territories* under the Government of the said Company in the *East Indies*.

IV. Provided also, and be it further enacted, That His Majesty's Settlement at the *Cape of Good Hope* shall, for the Purposes of this Act, be deemed, construed, and taken to be within the Limits of the Charter of the *East India Company*.

Cape of Good Hope within Limits of Charter.

V. And be it further enacted, That it shall and may be lawful to import into any Island or Territory within the Limits of the said Company's Charter, not being under the Government of the said Company, in Vessels which may belong to any State being in Amity with His Majesty (not being an *European State*), and lying within the said Limits, any Articles of the Growth, Produce or Manufacture of any such State, and to export in any such Vessel any Goods which by virtue of this or any other Act may have been legally imported into His Majesty's said Islands or Territories.

Goods may be imported into or exported from any Place within Limits of Charter, not under Government of Company, &c.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect an Act passed in the present Session of Parliament, intituled *An Act to continue and extend the Provisions of an Act of the Forty ninth Year of His present Majesty, for regulating the Trade and Commerce to and from the Cape of Good Hope, until the Fifth Day of July One thousand eight hundred and twenty, and also for regulating the Trade of the Island of Mauritius.*

Proviso for c. 1. ante.

C A P. XCVI.

An Act for suspending until the First Day of *August* One thousand eight hundred and twenty the Duties on Coals and Culm removed Coastwise within the Principality of *Wales*, and granting other Duties in lieu thereof.

[10th July 1817.]

WHEREAS by an Act passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties of Customs chargeable in Great Britain, and for granting other Duties in lieu thereof*, Duties of Customs are to be raised, levied, collected and paid upon Goods, Wares or Merchandise brought or carried Coastwise from one Port or Place in *Great Britain* to any other Port or Place within the same; And Whereas it is expedient to suspend, for a time to be limited, the Duties now payable on Coal and Culm brought or carried Coastwise within the Principality of *Wales*; 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 Duties of Customs on Coals and Culm brought or carried Coastwise, to any Port or Place within the Principality of *Wales* shall be suspended during the Period hereinafter mentioned, save and except in all cases relating to the recovering, allowing or paying any Arrears thereof respectively which may on the said passing of this Act remain unpaid, or to any Fines, Penalties and Forfeitures relating thereto respectively, which shall have been incurred at any time before the said passing of this Act.

49 G. 3. c. 98.

Duties of Custom on Coals and Culm brought Coastwise to Wales suspended,

II. And be it further enacted, That from and after the passing of this Act, in lieu and instead of the Duties of Customs hereby suspended, there shall be raised, collected and paid unto His Majesty,

and instead thereof the Duties in Table A.

His

His Heirs and Successors, in ready Money (except as hereinafter is provided), without any Discount whatever, upon Coals and Culm brought or carried Coastwise to any Port or Place within the Principality of *Wales*, the several Duties of Customs, as the same are respectively inserted, described and set forth in Figures in the Table hereunto annexed, marked A.

Drawback on Coals used at Tin Plate Manufactory at Pennygored allowed as by 35 G. 3. c. 39.

III. And be it further enacted, That from and after the passing of this Act, for all Coals used for any Purpose relating to the carrying on the Works for the manufacturing of Tin Plates at *Pennygored* in the County of *Pembroke*, called *The Pennygored Works*, for which the Duties granted by this Act shall have been duly paid, a Drawback shall be allowed of all such Duties, not exceeding the Sum of One thousand Pounds in any One Year: Provided always, that the Drawback by this Act allowed shall be paid upon the Proofs and under the Conditions required by an Act passed in the Thirty-fifth Year of the Reign of His present Majesty, intituled *An Act for allowing a Drawback of the Duties upon Coals used in carrying on the Pennygored Works in the County of Pembroke*.

Duties on Coals used in smelting Copper, &c. in Anglesey repaid as by 26 G. 3. c. 104.

IV. And be it further enacted, That from and after the passing of this Act, the Duties of Customs by this Act imposed on all Coals which shall be used in calcining or smelting Copper or Lead Ore within the Isle of *Anglesey*, or which shall be used in Fire Engines for draining Water out of the Mines of Copper and Lead within the said Isle, shall be repaid; any Law, Custom or Usage to the contrary notwithstanding: Provided always, that the Drawback by this Act allowed shall be paid upon the Proofs required by an Act passed in the Twenty sixth Year of the Reign of His present Majesty, intituled *An Act for allowing a Drawback of the Duties upon Coals used in smelting Copper or Lead Ores, and in Fire Engines for draining Water out of the Copper and Lead Mines within the Isle of Anglesey*.

Application of Duties.

V. And be it further enacted, That the said Duties of Customs by this Act granted and imposed shall be appropriated and applied in such and the like manner and to the same Uses and Purposes as the former Duties on Coals, Culm and Cinders, granted by the said first recited Act passed in the Forty third Year of the Reign of His present Majesty, were appropriated and applied.

Duties how to be levied.

VI. And be it further enacted, That the several Duties of Customs by this Act imposed may and shall respectively be managed, ascertained, raised, levied, collected, answered, paid and recovered in such and the like manner, and by the same Means, Ways or Methods, as the former Duties of Customs by this Act repealed were or might be managed, ascertained, raised, levied, collected, answered, paid and recovered; and such Coals, Culm and Cinders shall be and the same are hereby made subject and liable to all and every the Conditions, Regulations, Rules, Restrictions, Seizures, Sales and Forfeitures to which such Coals, Culm and Cinders were subject and liable by any Act or Acts of Parliament in force on or immediately before the said passing of this Act, respecting the Revenue of Customs; and all Pains, Penalties, Fines and Forfeitures, of whatever Nature or Kind the same may be, as well Pains of Death or others, for any Offence whatever committed against or in breach of any Act or Acts of Parliament in force on or immediately before the said passing of this Act made for securing the Revenue of Customs, or for the Regulation or Improvement thereof, and the several Clauses, Powers, Provisions

Former Acts relating to Customs extended to this Act.

Provisions and Directions contained in any such Act or Acts, shall and are hereby directed and declared to extend to and shall be respectively applied, practised and put in Execution, for and in respect of the several Duties of Customs hereby charged, in as full and ample manner to all Intents and Purposes whatever as if the said Acts, Clauses, Powers, Provisions, Directions, Fines, Pains, Penalties or Forfeitures were particularly repeated and re-enacted in the Body of this present Act, and made Part thereof.

VII. And be it further enacted, That this Act shall continue in force until the First Day of *August* One thousand eight hundred and twenty. Continuance of Act.

SCHEDULE A.

	£	s.	d.
Coals (except Charcoal made of Wood) brought Coastwise to any Port or Place within the Principality of Wales, in case they are such as are most usually sold by Weight, the Ton of 20 Cwt.	0	0	9
Coals, in case they are such as are most usually sold by Measure, the Chalder, Winchester Measure	0	1	0
Culm, in case most usually sold by Weight, the Ton of 20 Cwt.	0	0	1½
Culm, in case most usually sold by Measure, the Chalder, Winchester Measure	0	0	2

C A P. XCVII.

An Act for ratifying Articles of Agreement entered into by the Right Honourable *Henry Hall* Viscount *Gage*, and the Commissioners of His Majesty's Woods, Forests and Land Revenues; and for the better Management and Improvement of the Land Revenues of the Crown.

[10th July 1817.]

WHEREAS Articles of Agreement, bearing Date the Fifteenth Day of *May* in this present Year of our Lord One thousand eight hundred and seventeen, have been made and entered into between the Right Honourable *Henry Hall* Viscount *Gage*, of the First Part; the Right Honourable *William Huskisson*, *William Dacres Adams*, and *Henry Dawkins*, Esquires, Commissioners of His Majesty's Woods, Forests and Land Revenues, for and on the behalf of His Majesty, of the Second Part; and The King's Most Excellent Majesty, of the Third Part; in Substantance and to the Effect following; (that is to say,) The said *Henry Hall* Viscount *Gage*, for himself, his Heirs, Executors and Administrators, did thereby covenant, promise and agree to and with The King's Most Excellent Majesty, his Heirs and Successors, to sell and dispose of, and the said Commissioners, Parties to the said Articles of Agreement (by and with the Consent and Approbation of the Commissioners of His Majesty's Treasury) for and on the behalf of The King's Majesty, his Heirs and Successors, did thereby agree to purchase and buy of and from the said *Henry Hall* Viscount *Gage*, his Heirs and Assigns, all those several Manors of *Staunton* and *Bicknor*, otherwise *English Bicknor*, situate in the Counties of *Gloucester* and *Monmouth*, or One

Agreement, dated 15th May 1817, for the Purchase of the High Meadow Estate, recited.

of them, together with all Courts Leet, Courts Baron, Customary
 and other Courts, Profits and Perquisites of Courts, Fines, Chief
 or Quit Rents, Heriots, Fisheries, and all other Rights, Royal-
 ties, Privileges and Appurtenances to the said Manors or either
 of them incident, appertaining or in anywise belonging; and all
 Right of Soil and other Rights of him the said *Henry Hall*
Viscount Gage, his Heirs or Assigns, of and in all Waste Lands
 and Commons situate within or being Part and Parcel of the said
 Manors or either of them; and all Rights of Common and other
 Rights of him the said *Henry Hall Viscount Gage* in or upon the
 Forest of *Dean* or any Part thereof; and all that newly erected
 Messuage or Dwelling House situate at *Braceland*, with the Out
 Buildings thereto belonging or in anywise appertaining; and all
 the Right of him the said *Henry Hall Viscount Gage* in or to the
 Pews in the Parish Church of *Newland*, to the late Mansion House
 of *High Meadow* belonging, or usually held, used or occupied
 by the Owners or Proprietors of such Mansion House; and all
 those several Messuages, Dwelling Houses, Cottages, Farms,
 Arable, Meadow, Pasture and Wood Lands of him the said *Henry*
Hall Viscount Gage, situate, lying and being in the several Parishes,
 Districts or Places of *Bicknor*, *Staunton*, *Dixton* and *Newland*,
 and each and every of them, in the said Counties of *Gloucester* and
Monmouth, then or late in the several Tenures or Occupations of
 him the said *Henry Hall Viscount Gage*, and of certain Persons
 in the said Articles of Agreement named, as Tenants to him the
 said *Henry Hall Viscount Gage*; all which said Lands and Pre-
 mises contained together by Estimation Four thousand two hun-
 dred and fifty seven Acres and Fifteen Perches, or thereabouts
 (be the same more or less); and all Timber and other Trees now
 growing, arising or being in or upon any of the said Woods,
 Plantations, Farms, Lands and Premises; and all those Forges,
 Furnaces, Iron and Tin Works of him the said *Henry Hall Vis-*
count Gage, situate at *Redbrooke* and *Lidbrook* in the Counties of
Gloucester and *Monmouth* or One of them; and all those Corn Mills
 situate at *Redbrooke* and *Lidbrook* aforesaid; and all those Lime
 Kilns situate at *Cherry Orchard*, *Coldwell*, or elsewhere in or upon
 any of the Lands or Premises thereinbefore described; and all
 that Market House situate at *Coleford* in the said County of *Glou-*
cester, and all Tolls, Customs, Profits, Commodities, Advantages
 and Appurtenances arising from the Market of *Coleford*, or to
 the said Market belonging; and all Waters, Fishings, Ways,
 Roads, Paths, Easements, Rights, Members, Privileges and Ap-
 purtenances whatsoever, to the said Manors, Messuages, Dwelling
 Houses, and other Houses, Farms, Lands and Premises, or any
 of them belonging or in anywise appertaining, (except the Ad-
 vowsons of the Rectory of *Staunton* and of the Vicarage of *Dix-*
ton), at or for the Price or Sum of One hundred and fifty five
 thousand eight hundred and sixty three Pounds Three Shillings
 and Two pence, to be paid at the times, in the Proportions, and
 by the Instalments thereafter mentioned; (that is to say,) the
 Sum of Thirty one thousand one hundred and seventy two Pounds
 Twelve Shillings and Seven pence, Part thereof, on the Second
 Day of *August* then and now next; the Sum of Thirty one thou-
 sand one hundred and seventy two Pounds Twelve Shillings and

‘ Seven pence (other Part thereof) on the Second Day of *August*
 ‘ One thousand eight hundred and eighteen; the Sum of Thirty one
 ‘ thousand one hundred and seventy two Pounds Twelve Shillings and
 ‘ Seven pence (other Part thereof) on the Second Day of *August* One
 ‘ thousand eight hundred and nineteen; the Sum of Thirty one thou-
 ‘ sand one hundred and seventy two Pounds Twelve Shillings and
 ‘ Seven pence (other Part thereof) on the Second Day of *August*
 ‘ One thousand eight hundred and twenty; and the Sum of Thirty
 ‘ one thousand one hundred and seventy two Pounds Twelve Shil-
 ‘ lings and Ten pence, Residue thereof on the Second Day of *August*
 ‘ One thousand eight hundred and twenty one, together with Interest
 ‘ for the same several Sums, or so much thereof as should from time to
 ‘ time remain unpaid, at and after the Rate of Five Pounds *per*
 ‘ *Centum per Annum*, such Interest to be computed from the said
 ‘ Second Day of *August* then and now next, and to be paid by Half
 ‘ Yearly Payments until the whole of the said Principal Purchase
 ‘ Money should be fully paid and discharged; and the said *Henry*
 ‘ *Hall* Viscount *Gage* did thereby for himself, his Heirs, Executors,
 ‘ Administrators and Assigns, further covenant, promise and agree
 ‘ to and with The King’s Majesty, His Heirs and Successors, that
 ‘ he the said *Henry Hall* Viscount *Gage*, his Heirs or Assigns, should
 ‘ and would, within Two Calendar Months from the Date of the said
 ‘ Articles of Agreement, cause or procure to be made out and de-
 ‘ livered to the Commissioners for the time being of His Majesty’s
 ‘ Woods, Forests and Land Revenues, a complete and perfect Ab-
 ‘ stract of the Title of him the said *Henry Hall* Viscount *Gage* or his
 ‘ Heirs, to the said Manors, Messuages, Dwelling Houses, and other
 ‘ Houses, Farms, Lands and all other the Hereditaments and Prem-
 ‘ ises by the said Articles of Agreement contracted to be sold, and
 ‘ every Part thereof, and should and would thereby or therein make
 ‘ out and deduce a good and perfect Title to the Inheritance thereof
 ‘ in Fee Simple, free from all Incumbrances (save such as are herein
 ‘ after mentioned, and except that a small Part of the said Premises
 ‘ in *Dinton*, then late *Pritchard’s*, was Copyhold of Inheritance,
 ‘ with respect to which only a Title as Copyhold of Inheritance
 ‘ was to be made out or required); and that he the said *Henry*
 ‘ *Hall* Viscount *Gage* or his Heirs, and all other necessary Parties,
 ‘ should and would, on or before the Second Day of *August* which
 ‘ would and will be in the Year One thousand eight hundred and
 ‘ eighteen, by such good and sufficient Conveyances and Assurances
 ‘ as the Law Officers of His Majesty, His Heirs or Successors,
 ‘ should reasonably advise or require, convey and assure the said
 ‘ Manors, Messuages, Dwelling Houses and other Houses, Lands
 ‘ and all and singular other the Hereditaments and Premises therein
 ‘ before contracted to be sold, with their and every of their Appur-
 ‘ tenances (except as aforesaid), and charged nevertheless with the
 ‘ due Payment of whatever Part or Parts of the said Purchase Money
 ‘ should then remain unpaid, and Interest for the same, unto and to
 ‘ the Use of The King’s Majesty, His Heirs or Successors, or unto
 ‘ and to the Use of such Person or Persons, and upon such Trust or
 ‘ Trusts and in such manner and Form as the Commissioners of His
 ‘ Majesty’s Treasury for the time being, or any Three or more of
 ‘ them, or the said Commissioners, Parties to the said Articles of
 ‘ Agreement, or the Commissioners for the time being of His Ma-

' jesty's Woods, Forests and Land Revenues, should direct or ap-
 ' point, free from the Land Tax (the same having been redeemed),
 ' and from all other Charges and Incumbrances whatsoever (save and
 ' except certain annual Sums payable to Colonel *Berkeley*, to the
 ' Duke of *Beaufort*, to the Stampers at *Redbrook*, to
 ' *Wyrball* Spinster and to the Poor of *Staunton*, as specified in the
 ' Survey of the said Estate, and which altogether amounted to the
 ' annual Sum of Sixteen Pounds Sixteen Shillings and Five pence,
 ' but did not exceed that Sum, and also except Three Heriots pay-
 ' able to Colonel *Berkeley*, and the Rents, Customs and Services
 ' thereafter to become due to the Lord of the Manor of which the
 ' said Copyhold Premises were holden); and that the said *Henry*
 ' *Hall* Viscount *Gage*, his Heirs, Executors or Administrators,
 ' should and would in and by such Conveyance covenant and de-
 ' clare, that the Lands called *Mailscott Wood*, containing Seven
 ' hundred and twenty seven Acres Three Roods and Fifteen Perches,
 ' then in the Tenure of him the said *Henry Hall* Viscount *Gage*,
 ' and the Lands containing Fifteen Acres One Rood and Ten
 ' Perches, then in the Tenure of *John Delaney*, Parts of the said Pre-
 ' mises thereby agreed to be sold, were Extra Parochial, and warrant
 ' the same so to be: And the said Commissioners, Parties to the
 ' said Articles of Agreement, did thereby, for and on the behalf of
 ' The King's Majesty, His Heirs and Successors, and by and with
 ' the Consent and Approbation of the Commissioners of His Ma-
 ' jesty's Treasury, testified as aforesaid, further covenant, promise
 ' and agree, to and with the said *Henry Hall* Viscount *Gage*, his
 ' Heirs, Executors, Administrators and Assigns, that the said Sum
 ' of One hundred and fifty five thousand eight hundred and sixty
 ' three Pounds Three Shillings and Two Pence, the Purchase Mo-
 ' ney aforesaid, should be paid by and out of the Land Revenues of
 ' the Crown to the said *Henry Hall* Viscount *Gage*, his Heirs, Exe-
 ' cutors, Administrators or Assigns, at such times, by such Instal-
 ' ments or Proportions, and with such Interest as therein before in
 ' that behalf mentioned, in case the said *Henry Hall* Viscount *Gage*,
 ' his Heirs or Assigns, should make out and shew a good and per-
 ' fect Title to the said Manors, Messuages, Dwelling Houses and
 ' other Houses, Farms, Lands, Hereditaments and Premises, and
 ' every Part thereof, and make and execute such Conveyance thereof
 ' as therein before mentioned, according to the true Intent and
 ' Meaning of the said Articles of Agreement: And after agreeing
 ' in what manner, in what Proportions, and by whom the Expences
 ' of the necessary Deeds, Conveyances, Abstracts for and the fur-
 ' ther Expences incurred in the completing and perfecting the Pur-
 ' chase or Contract by the said Articles of Agreement made and en-
 ' tered into, it is by the said Articles of Agreement further agreed,
 ' that all Outgoings for the said Premises should be borne, paid and
 ' defrayed by the said *Henry Hall* Viscount *Gage*, his Heirs or Assigns,
 ' up to the said Second Day of *August* then and now next; and that
 ' His Majesty, His Heirs and Successors, should be entitled to the
 ' Possession of such Parts of the said Premises as were then in Hand
 ' on the said Second Day of *August* then and now next, and to
 ' receive the Rents, Issues and Profits of the Remainder of the said
 ' Premises as and from that Day; and after reciting that the Lands
 ' and Woods in the Parish of *Dixton*, Parts of the said Premises, had
 ' been

‘ been valued to the Crown, in the Computation of the said Purchase Money, as being exempt from all Rectorial and Vicarial Tithes, it was further agreed, that if the said *Henry Hall* Viscount *Gage*, his Heirs or Assigns, should not make out and deduce a clear and satisfactory Title to the Tithes of the said last mentioned Lands and Woods, or to an Exemption from the Payment thereof, then and in such case the said *Henry Hall* Viscount *Gage*, his Heirs or Assigns, should either deduct or allow unto The King’s Majesty, His Heirs or Successors, out of the said Purchase Money, the Sum of One thousand five hundred and eleven Pounds Five Shillings, or to the Satisfaction of the said Commissioners indemnify His Majesty, His Heirs and Successors, from any Loss, Damage, Costs, Charges or Expences on account of such Tithes or any Claims or Demands in respect thereof; and it was by the Articles of Agreement expressly agreed, that nothing therein contained should extend or be construed to charge the Commissioners, Parties thereto, in their own Persons, or their or any of their own proper Lands or Tenements, Goods or Chattels, with or for the Performance of any of the Covenants or Agreements in the said Articles of Agreement contained, but that such Covenants or Agreements should only be enforced as against the Land Revenues of the Crown; and that all Costs, Charges and Expences which should or might become payable by reason or means of any such Covenants or Agreements, or any Breach or Non Performance thereof, should be enforced, raised, levied and recovered by, from or out of such Revenues only, any thing in the said Articles of Agreement contained to the contrary in anywise notwithstanding: And after further reciting that it was intended to apply to Parliament in the then and now present Session for an Act to confirm the said Agreement, and to enable the Commissioners of His Majesty’s Woods, Forests and Land Revenues to raise the Sums requisite to pay the several Instalments of the Purchase Money before mentioned, as they should respectively become due, by Sales of competent Parts of the Land Revenues of the Crown, it was thereby expressly provided and declared, that if such Act of Parliament as aforesaid should not be passed in this present Session of Parliament, then the said Articles of Agreement and the Contract thereby made, and every thing therein contained, should cease, determine and be wholly void: And Whereas from the Quantity of thriving Oak Timber now growing on the said Estates, Manors, Lands, Tenements and Hereditaments by the said Articles of Agreement agreed to be sold and disposed of, and the Facility of conveying the Timber growing thereon when cut to the Government Dock Yards by Water Carriage, and from the Contiguity of the said Estate, Manors, Lands, Tenements and Hereditaments to the Royal Forest of *Dean*, whereby the same may be managed as the Crown Lands by the Officers of the said Forest at a small Expence, the same appears to be a desirable Purchase, and it is therefore expedient to make Provisions for enabling the said Commissioners, Parties to the said Articles of Agreement, to make good the Contract thereby entered into on behalf of His Majesty, and to carry the same into Effect; and in order to have a Fund ready for the Payment of the several Instalments of the said Purchase Money as they shall respectively become due, it is expedient

x Ann. Stat. 1.
c. 7. § 5.

‘ that the Commissioners for the time being of His Majesty’s
 ‘ Woods, Forests and Land Revenues should be authorized and em-
 ‘ powered to sell and dispose of certain Parts and Possessions of the
 ‘ Land Revenues of the Crown, to raise the Monies which will be
 ‘ requisite to pay the said Instalments as they shall become payable,
 ‘ and should be enabled to apply the Monies so to be raised in the
 ‘ Payment thereof accordingly : And Whereas by an Act passed in
 ‘ the First Year of the Reign of 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 and
 ‘ declared, that all and every Grant, Lease or other Assurance,
 ‘ which from and after the Twentieth Day of *March* One thousand
 ‘ seven hundred and two, should be made or granted by the said
 ‘ Queen, Her Heirs or Successors, Kings or Queens of this Realm,
 ‘ under any of the Seals therein mentioned, or by Copy of Court
 ‘ Roll, or otherwise howsoever, of any Manors, Messuages, Lands,
 ‘ Tenements, Tithes, Woods or other Hereditaments (Advowsons,
 ‘ Churches and Vicarages only excepted), to any Person or Persons,
 ‘ Body Politic or Corporate whatever, whereby any Estate or Inter-
 ‘ est should pass from the said Queen, Her Heirs or Successors,
 ‘ should be void and of none Effect, unless the same should be made
 ‘ for some Term or Estate not exceeding Thirty one Years or Three
 ‘ Lives, and unless there should be reserved by such Grants, Leases
 ‘ or Assurances such Rents as in the said Act is expressed ; in which
 ‘ said Act is contained a Proviso, that where the greatest Part of
 ‘ the yearly Value of any Tenements or Hereditaments which be-
 ‘ longed to the said Queen, Her Heirs and Successors, should, at the
 ‘ time of making any Lease or Grant thereof, consist of the Building
 ‘ or Buildings thereupon which might want to be repaired or re-
 ‘ edified, in every such case, to encourage the Rebuilding or Repar-
 ‘ ation thereof, it was declared and enacted, that it should be lawful
 ‘ for the said Queen, Her Heirs and Successors, at any time after the
 ‘ said Twentieth Day of *March* One thousand seven hundred and
 ‘ two, to demise or grant such Tenements or Hereditaments to any
 ‘ Person or Persons for any Term or Estate, so as such Term or
 ‘ Estate did not exceed Fifty Years or Three Lives, and so as such
 ‘ Lease or Grant should be made to commence from the Date or
 ‘ making thereof ; or if such Grant or Lease 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 same Tene-
 ‘ ments or Hereditaments should not exceed Fifty Years or Three
 ‘ Lives from the Date or making thereof as aforesaid, and so as the
 ‘ same should not be made dispensable of Waste, and so as there
 ‘ should be reserved and payable upon every such Lease or Grant
 ‘ during such Term, not exceeding Fifty Years or Three Lives,
 ‘ as much Rent as was by the said Act required to be reserved for the
 ‘ same Tenements or Hereditaments respectively in case of a Lease
 ‘ not exceeding One and thirty Years or Three Lives and not other-
 ‘ wise : And Whereas since the passing of the said Act certain
 ‘ Parts and Portions of the Lands and Land Revenues of the
 ‘ Crown, which from their unimprovable Nature, inconvenient Si-
 ‘ tuation or other Circumstances, were not desirable to be held or
 ‘ retained, have from time to time been sold and disposed of under
 ‘ the Authority of divers Acts of Parliament passed for that Pur-
 ‘ pose ;

‘ pose ; and some Part of the Monies which have been produced
 ‘ thereby have been applied in the Redemption of the Land Tax
 ‘ charged on the Crown Estates, or have been set apart and appro-
 ‘ priated for that Purpose, and some Parts thereof have been dis-
 ‘ posed of in the Purchase of other Estates of a more improvable
 ‘ Nature, which have been conveyed or settled so as to form and be-
 ‘ come Part of the Possessions of the Crown, and other Parts of
 ‘ such Monies have been appropriated to ameliorate and improve
 ‘ divers Parts of the Crown Estates : And Whereas it would greatly
 ‘ tend to the better Management and Improvement of the Land Re-
 ‘ venues of the Crown, if the Commissioners of His Majesty’s
 ‘ Woods, Forests and Land Revenues were authorized and em-
 ‘ powered to purchase and buy, with the Consent and Approbation
 ‘ of the Lord High Treasurer of the United Kingdom of *Great*
 ‘ *Britain and Ireland*, or the Commissioners of His Majesty’s Treas-
 ‘ urery of the United Kingdom of *Great Britain and Ireland* for the
 ‘ time being, for and on the behalf of His Majesty, from time to time
 ‘ as advantageous Opportunities may arise or occur, any Estates,
 ‘ Manors, Lands, Tenements or Hereditaments, (to become Part of
 ‘ the Land Revenues of the Crown, and to be placed within the
 ‘ Government and under the Ordering and Survey of the Court of
 ‘ Exchequer,) which can be procured on fair and reasonable Terms,
 ‘ which may be situate, adjoining or near to any of the Royal For-
 ‘ rests, or to any extensive Estates already forming Part of the Pos-
 ‘ sessions of the Crown, and which from their Situation or other
 ‘ Circumstances may be conveniently placed wholly or principally
 ‘ under the Management of the Officers or Agents having already
 ‘ the Care of such Forests or other Estates of the Crown, under the
 ‘ Superintendance and Controul of the Commissioners for the time
 ‘ being of His Majesty’s Woods, Forests and Land Revenues, and
 ‘ which in their Judgment shall be desirable to be purchased for and
 ‘ on the behalf of His Majesty, His Heirs and Successors ; and that
 ‘ for raising the Funds necessary for effecting such Purchases, the said
 ‘ Commissioners of His Majesty’s Woods, Forests and Land Reven-
 ‘ ues should be authorized and empowered from time to time, by
 ‘ and with the Consent and Approbation of the said Lord High
 ‘ Treasurer, or Commissioners of the Treasury for the time being,
 ‘ to make Sale and dispose of any Part or Parts of the Possessions
 ‘ or Land Revenues of the Crown within the Ordering and Survey
 ‘ of the Court of Exchequer, which shall in their Judgment be de-
 ‘ sirable to be sold, and which shall be sufficient to raise the necessary
 ‘ Purchase Monies for effecting and completing such Purchases ; and
 ‘ it is also expedient to make other Provisions for the benefit and
 ‘ Improvement of the Land Revenue of the Crown :’ Be it there-
 ‘ fore enacted by The King’s Most Excellent Majesty, by and with
 ‘ the Advice and Consent of the Lords Spiritual and Temporal, and
 ‘ Commons, in this present Parliament assembled, and by the Au-
 ‘ thority of the same, That the said hereinbefore in part recited Ar-
 ‘ ticles of Agreement, bearing Date the said Fifteenth Day of *May*
 ‘ in this present Year One thousand eight hundred and seventeen,
 ‘ shall be and the same are hereby ratified and confirmed, and made
 ‘ valid and effectual to all Intents and Purposes whatsoever.

Recited Articles
of Agreement
ratified and con-
firmed.

II. And be it further enacted, That it shall and may be lawful
for the Commissioners of His Majesty’s Woods, Forests and Land
Revenues

Commissioners
of Woods em-
powered to sell.

other Possessions or Land Revenues of the Crown, in order to raise the Purchase Money to be paid to Lord Gage with Interest.

Revenues for the time being, and they are hereby authorized and empowered, to contract and agree with any Person or Persons, Body or Bodies Politic or Corporate, for the Sale of, or absolutely to make Sale and dispose of any Part or Parts of the Possessions or Land Revenues of the Crown within the Ordering and Survey of the Exchequer, which do or shall consist of any Royalties, Honours, Hundreds, Manors, Lordships, Franchises or any Rights, Members or Appurtenances thereof, or thereto belonging or appertaining, or any Fines, Issues, Amerciaments, Profits, Dues or Monies arising therefrom, or incident to, or receivable in respect thereof, or any Messuages, Lands, Tithes, Rents, Mines, Minerals, Collieries, Woods, Wood Grounds, Fens, Marshes, Waste Lands or any other Tenements or Hereditaments whatsoever, which shall in their Judgment be desirable to be sold, at or for the best Prices or Considerations in Money which the said Commissioners of His Majesty's Woods, Forests and Land Revenues shall, under the Direction and with the Approbation of the said Lord High Treasurer or Commissioners of the Treasury for the time being, or any Three or more of them, be able to procure for the same, as will raise a Sum sufficient to pay the said Purchase Money so to be paid to the said *Henry Hall Viscount Gage*, and the Interest due thereon; and the Expences of making and completing the said Purchase and Sales, and the Monies arising from the Sale or Sales of any of the said Possessions or Land Revenues of the Crown, shall be laid out, by the Order of the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, (who are for that Purpose hereby authorized to make Drafts on the Bank for the same,) in the Payment and Discharge of the respective Instalments of such Purchase Money as they shall respectively become due, and the Interest then payable to the said *Henry Hall Viscount Gage*, his Heirs and Assigns, and in the Payment of such Expences as aforesaid; and in the mean time, and until such respective Instalments and the Interest thereon shall become due and payable, and such Payments shall be required, all and every Sum and Sums of Money arising from such Sales shall from time to time be paid into the Bank of *England*, and placed to the Account directed, by an Act passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act for uniting the Offices of Surveyor General of the Land Revenues of the Crown and Surveyor General of His Majesty's Woods, Forests, Parks and Chaces*, to be raised in the Books of the Governor and Company of the Bank of *England*, intituled "The Account of the Public Monies of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being *The Woods and Forests Fund*."

50 G. 3. c. 65.

Commissioners of Woods, &c. empowered to purchase Lands on behalf of the Crown, lying adjacent to the Royal Forests, or to other extensive Properties of the Crown.

III. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, from time to time as advantageous Purchases may arise or occur, by and with the Consent and Approbation of the Lord High Treasurer or Commissioners of the Treasury for the time being, or any Three of them, to contract for and purchase for and on the behalf of His Majesty, His Heirs or Successors, any Estates, Manors, Lordships, Messuages, Lands, Tenements or Hereditaments in Fee Simple, or any Copyhold Lands or Hereditaments which can be procured on fair and reasonable Terms, situate and lying contiguous or near to any of the Royal Forests,

Forests, or any extensive Estates already forming Part of the Possessions of the Crown, and which from their Situation or other Circumstances may be conveniently placed wholly or principally under the Management of the Officers or Agents having already the Care of such Forests or other Estates of the Crown, under the Superintendance and Controul of the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, and which on those Accounts, or for any other Reason, shall in their Judgment be desirable to be purchased for and on the behalf of His Majesty, His Heirs or Successors; and all such Estates, Manors, Lordships, Messuages, Lands, Tenements and Hereditaments so to be purchased, as well as the said Manors, Lordships, Messuages, Lands, Tenements and Hereditaments comprized in the said recited Articles of Agreement, shall, on the Completion of the respective Purchases thereof, become Part of the Land Revenues of the Crown within the Ordering and Survey of the Exchequer in *England*, and shall be settled and administered to the same Uses and in the same manner as such Land Revenues now are or hereafter may be settled or administered.

IV. And for the providing Funds for the Payment of the Purchase Monies of such Estates, Manors, Lordships, Messuages, Lands, Tenements and Hereditaments so to be purchased under the Authority of this Act, be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, and they are hereby authorized and empowered, from time to time to contract and agree with any Person or Persons, Body or Bodies Politic or Corporate, for the Sale of, and absolutely to make Sale and dispose of any Part or Parts of the Possessions or Land Revenues of the Crown within the Ordering and Survey of the Exchequer in *England*, which do or shall consist of any Royalties, Honours, Hundreds, Manors, Lordships or Franchises, or any Rights, Members or Appurtenances thereof or thereto belonging or appertaining, or any Fines, Issues, Amerciaments, Profits, Dues or Monies arising therefrom or incident to or receivable in respect thereof; or any Messuages, Lands, Tithes, Rents, Mines, Minerals, Collieries, Woods, Wood Grounds, Fens, Marshes, Waste Lands or any other Tenements or Hereditaments whatsoever, or any other Revenues of or belonging to the Crown, within the Ordering and Survey aforesaid, which shall in their Judgment be desirable to be sold, for the best Prices or Considerations in Money which the said Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues shall, under the Direction and with the Approbation of the Lord High Treasurer or Commissioners of the Treasury for the time being, or any Three or more of them, be able to procure for the same; and all and every Sum and Sums of Money arising from such Sales shall from time to time be paid into the Bank of *England*, and placed to the Account intituled 'The Account of the Public Monies of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being *The Woods and Forests Fund*;' and the Monies so paid in shall be laid out and applied from time to time, by the Order of the said Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, (who are hereby authorized to make Drafts on the Bank for that Purpose,) in the Payment and Dis-

Commissioners empowered to sell Parts of the Crown Lands for the Purpose of providing for the Purchase Monies of Estates to be bought by them on behalf of the Crown,

and of Interest
and Expences,
and of Incum-
brances affecting
Estates of the
Crown.

No Contract for
Sale made but by
Special Warrant
of Treasury.

When Sales are
made, Commis-
sioners to grant
Certificates to
Purchasers,
describing the
Premises, &c.

Receipt of the
Purchase Money
without Fee.

Form of Certifi-
cate and Receipt.

Inrolment
thereof.

charge of any Purchase Monies for any Estates, Manors, Lordships, Messuages, Lands, Tenements or Hereditaments so to be purchased for and on behalf of His Majesty, His Heirs or Successors, by the said Commissioners under the Authority of this Act, when and as such Purchase Monies shall become due and payable to the Person or Persons entitled thereto, and of all Interest due on such Purchase Monies; and in the Payment and Discharge of all Expences incurred in or about the making and completing any Purchases or Sales under the Authority of this Act, and also in the Payment and Discharge of any Incumbrances or Charges affecting any of the Estates and Possessions of His Majesty within the Ordering and Survey of the Exchequer; but such Monies shall not be applicable to or applied or disposed of for any other Use or Purpose whatsoever.

V. Provided always, and be it further enacted, That no Contract for the Purchase or Sale of any Estate or Estates shall be made under the Authority of this Act, unless by Special Warrant to be issued for that Purpose by the said Lord High Treasurer or the Commissioners of the Treasury, or any Three or more of them for the time being.

VI. And be it further enacted, That whenever the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being shall have contracted with any Person or Persons, Body or Bodies Politic or Corporate, for the Sale of any of the Possessions or Land Revenues of the Crown hereby authorized to be sold for the Purposes aforesaid, the said Commissioners shall grant the Purchaser or respective Purchasers thereof a Certificate under their Hands, describing the Premises so agreed to be sold, and the Amount of the Purchase Money to be paid for the same, and which shall accordingly be paid into the Bank of *England* within Thirty one Days after the Date of such Certificate; and the Cashiers of the Bank, or One of them, shall upon the Production of such Certificate accept and receive the Purchase Monies therein mentioned, and carry the same to the Account therein specified, and at the Foot or on the Back of such Certificate, acknowledge the Receipt of the same, without Fee or Reward; and every such Certificate and Receipt shall be according to the Form contained in the Schedule to this Act annexed, or as near thereto as the Circumstances of the case will admit; and every such Certificate and Receipt shall, within Two Calendar Months after the Date of such Certificate, be taken to the Office of the Auditor of the Land Revenue for the District within which the Premises therein described are situate, and be there forthwith inrolled in the proper Books for that Purpose; and such Auditor, having inrolled the said Certificate and Receipt, shall attest the same under his Hand, and shall, upon receiving the usual Fees for such Inrolment, return the said Certificate and Receipt to the Purchaser or Purchasers; and from and after such Inrolment, and thenceforth for ever, the respective Purchasers, their Heirs or Successors, shall by force and virtue of this Act be and be adjudged, deemed and taken to be in the actual Seisin and Possession of the Premises, Rights and Interests to be by them respectively purchased, and shall hold and enjoy the same peaceably and quietly, freed and discharged from all Claims and Demands of His Majesty, His Heirs and Successors, or of any Person or Persons claiming under him or them,

them, as fully and amply to all Intents and Purposes as His Majesty, His Heirs and Successors, might or could have held and enjoyed the same if such Sale had not taken place; and every such Certificate shall be respectively witnessed and attested as to the signing thereof by the said Commissioners, by one of the Principal Clerks or other Officers in their Office; and every such Certificate and Receipt, being enrolled as aforesaid, shall effectually discharge the respective Purchasers to whom the same shall be given or granted, of and from the Consideration or Purchase Money therein expressed, and such Purchasers shall never afterwards be liable to be called upon, sued, troubled, molested or questioned, for or in respect thereof or any Part thereof.

A Discharge to Purchasers.

VII. Provided always, and be it further enacted, That if any Person or Persons to whom any such Certificate as aforesaid shall be granted, shall neglect to pay into the Bank the Consideration Money therein to be specified, for the Space of Thirty one Days after the Date of such Certificate, or shall neglect to inrol such Certificate and the said Cashier's Receipt for the Money, for the Space of Two Calendar Months after the Date of such Certificate, then every such Certificate shall be null and void, and the Consideration Money, if paid into the Bank, shall be forfeited, unless the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being shall, for any reasonable Cause to be shewn to them for the Omission of such Inrolment, order the same Certificate and Receipt to be inrolled *nunc pro tunc*, and which, upon such Cause being shewn, they are hereby authorized and empowered to do.

Not paying Purchase Money into Bank, or not inrolling Certificate and Receipt in proper time,

Penalty.

VIII. Provided also, and be it further enacted, That whenever any of such Possessions or Land Revenues of the Crown as aforesaid shall be sold and disposed of by the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, under the Authority of this Act, with the Approbation and under the Authority of a Warrant from the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them for the time being, issued for that Purpose, the Purchaser or Purchasers thereof shall not be bound or required to make any further Enquiry, whether the same were or are saleable under the Authority of this Act, or into the Powers of the Commissioners in making such Sale; but every such Purchaser or Purchasers thereof, having ascertained the same to have been sold under the Authority of a Warrant from the Lord High Treasurer, or the Commissioners of the Treasury for the time being, or any Three or more of them, and having obtained such Certificate as aforesaid, and paid the Purchase Money therein specified, and procured the Receipt of the Cashiers of the Bank of *England*, or One of them, for such Purchase Money, and having inrolled the said Certificate and Receipt with the Auditor of the Land Revenue within the time and in manner required by this Act, shall hold the Premises so purchased by him, her or them, and shall have free, quiet and peaceable Possession and Enjoyment thereof, and shall not be liable to be thereafter disturbed under any Pretence or Pretences that the Estates, Possessions or Revenues so sold and purchased by him, her or them, were not saleable under the Powers or Authorities of this Act, or any other Pretence or Pretences whatsoever.

Warrant from Treasury a sufficient Indemnity to Purchaser.

IX. And

IX. And Whereas Doubts have arisen and may hereafter arise in cases where any Notice, Claim, Demand or Entry may be requisite to be given or made by or on the behalf of The King's Majesty, His Heirs or Successors, touching any of the Estates or Land Revenues of the Crown within the Ordering or Survey of the Exchequer, either with a View to the obtaining Possession thereof, by compelling the Tenant, Lessee or Occupier thereof to quit and yield up the same, or with a View to enforce the Performance of any Covenant, Contract or Agreement, or of any other Act in relation thereto, or the Payment of any Sum of Money which is or ought to be paid in respect thereof, or for any other Purpose relative to such Estates or Land Revenues, or any Part thereof, whether the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues can lawfully give such Notices or make any such Claims, Demands or Entries, where no express Powers are reserved or given to them for those Purposes; and it is expedient that such Doubts should be removed, and that the said Commissioners should be authorized and empowered to do all such Acts as hereinafter mentioned, for or on the behalf of His Majesty, His Heirs or Successors; Be it therefore further enacted, That it shall be lawful for the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, and they are hereby authorized and empowered, to give any Notice or Notices, or make any Claim or Demand, Claims or Demands, and to depute or authorize any Person or Persons to make any Entry or Entries, which shall be requisite or expedient to be given or made by or on the behalf of His Majesty, His Heirs or Successors, either with a View to compel any Tenant, Lessee or Occupier of any of the Estates which do now or shall hereafter belong to His Majesty, His Heirs or Successors, within the Ordering and Survey of the Exchequer, to quit or deliver up the Possession thereof, or to perform any Covenant, Contract or Engagement in relation thereto, or to do any Act which is or ought to be done in regard to the Reparation, Cultivation or Management of any of such Estates, or otherwise in relation thereto, or to the Payment of any Sum of Money which is, shall or ought to be paid to or for the Use of His Majesty, His Heirs or Successors, in respect thereof, or any other Notice, Claim, Demand or Entry which shall or may be requisite or expedient to be given or made by or for, or on the behalf of His Majesty, His Heirs or Successors, touching any of the Estates, Possessions or Land Revenues which do now or shall hereafter belong to His Majesty, His Heirs or Successors, within the Ordering and Survey of the Exchequer; and that every such Notice, Claim or Demand which shall heretofore have been or which shall be given or made in Writing under the Hands of the said Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, or any Two of them, for any of the Purposes aforesaid; and every Entry which shall or may be made by any Person or Persons by them deputed or authorized to make the same on the behalf of His Majesty, His Heirs or Successors, into or upon any of the said Estates or Possessions, shall be good, valid and effectual to all Intents and Purposes whatsoever, and shall have such and the like Force and Effect as if the same had been or were respectively given or made by His Majesty, His Heirs or Successors, or some Person authorized

Power of Commissioners to give Notices, and compel Tenants to quit Estates, &c. belonging to the Crown.

All Entries made under Authority of Commissioners declared valid.

authorized by Law to give or make the same respectively on his or their behalf, and all such Notices, Claims, Demands or Entries shall respectively be deemed, construed and taken to have been and to be given and made by or on behalf of His Majesty, His Heirs and Successors; any Law, Custom or Usage to the contrary in anywise notwithstanding.

‘ X. And Whereas there are at *Newmarket*, in the County of *Cambridge*, certain Buildings and Grounds held and enjoyed therewith respectively, belonging to the Crown, but of more Expence than Value to the Crown, and it is expedient that the same should be sold, namely, a certain Building called *The Palace*, and a certain Building (heretofore the *Greyhound Inn*) thereto adjoining, and now or heretofore united or therewith occupied or enjoyed, with the Areas, Courts and Garden Grounds thereto belonging, extending from the *High Street* in Front to *Ram Lane* in the Rear thereof, in *Newmarket* aforesaid; and also certain Buildings called *The King's Great Stables*, with the Tenements, Offices, Yards and Ground thereto belonging, situate in *Ram Lane* aforesaid; and also a certain Tenement, with the Offices, Yards and Garden Ground thereto belonging, called *The Nunnery*, or *The King's Store Yard*, in *Saxton Lane* in *Newmarket* aforesaid, and adjoining in Part to the Yard of *All Saints Church* there; and also a certain Building used as and for a Depository for Ice, and called *The Ice House* or *Ice Well*, in *Newmarket* aforesaid: And Whereas Doubts may arise whether such Premises are within the Survey and Receipt of the Exchequer in *England*, and whether the same are saleable under the Powers contained in this present or any existing Act of Parliament for the Sale of Property belonging to the Crown; Be it therefore further enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, with the Consent and Approbation of the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of the time being, to make Sale and absolutely to dispose of the said Buildings at *Newmarket* (except any Parts thereof of which the old Materials may have been already sold or disposed of), and the Ground and Soil whereon the same stand, and any other of the Hereditaments and Premises situate at *Newmarket* hereinbefore described, for the best Price or Consideration in Money which the said Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being shall, under the Direction and with such Approbation as aforesaid, be able to obtain for the same; and such Sale shall be good, valid and effectual in the Law to all Intents and Purposes whatsoever, and shall be made in the same manner and under the like Rules and Regulations as other Sales are hereby directed to be made under the Authority of this Act; and the Purchase Monies arising therefrom shall be applied in the same manner and to and for same Purposes as any other Purchase Monies arising from the Sale of any other of the Possessions or Land Revenues of the Crown, hereby authorized to be sold, are hereby directed or authorized to be applied.

Power to sell the Palace and certain other Buildings and Premises at *Newmarket*.

‘ XI. And Whereas an Act was passed in the Fifty third Year 52 G. 3. c. 121. of the Reign of His present Majesty, intituled *An Act for making* § 34. *a more convenient Communication from Mary le bone Park, and the Northern Parts of the Metropolis in the Parish of Saint Mary le*

' le bone, to Charing Cross, *within the Liberty of Westminster; and*
 ' *for making a more convenient Sewage for the same;* by which said
 ' A&t the Commissioners thereby appointed were empowered, amongst
 ' other things, by and with the Consent and Approbation in Writing
 ' of the said Lord High Treasurer or Commissioners of the Trea-
 ' sury, or any Three or more of them, to convey in Exchange all or
 ' any Part of the Houses, Buildings, Lands, Tenements and
 ' Hereditaments of or belonging to His Majesty, His Heirs and
 ' Successors, situate within any or either of the Parishes through
 ' which the said Streets and Places respectively to be erected and
 ' built, altered, stopped up, repaired or improved, under or by virtue
 ' of that A&t, extend, in lieu of and in Exchange for any other
 ' Houses, Buildings, Lands, Tenements and Hereditaments which
 ' should be wanted for the Purposes of that A&t; and also to demise
 ' or lease, or previous to any such Demise or Lease to enter into any
 ' Contract or Agreement for the demising or leasing, with such
 ' Consent and Approbation as aforesaid, all or any Part of the
 ' Houses, Buildings, Lands, Tenements and Hereditaments to be
 ' purchased, erected, built, altered, repaired and improved under or
 ' by virtue of that A&t, for any term or terms of Years not exceed-
 ' ing Ninety-nine Years from the making thereof, at such Rent or
 ' Rents, and under such Covenants, Conditions, Clauses and Re-
 ' strictions, and in such manner as the said Commissioners for
 ' executing that A&t should from time to time, with such Consent
 ' and Approbation as aforesaid, judge proper and think most advan-
 ' tageous, and to receive and take any Fine or Fines for granting
 ' such Leases, and to apply all such Fines to the Purposes of that
 ' A&t: And Whereas Doubts have arisen whether under the
 ' Authorities thereby granted, the said Commissioners have Power
 ' of granting Leases in Exchange for other Leasehold Property;
 ' which Doubts it is expedient should be removed; and it is likewise
 ' expedient that the leasing Power contained in the said last recited
 ' A&t and in this A&t should be extended so as to comprize the Plot
 ' of Ground herein after described, and the Buildings erected or to
 ' be erected thereon; Be it therefore further enacted, That it shall
 ' and may be lawful for the Commissioners for the time being for
 ' carrying the said last mentioned A&t into Execution, by and with
 ' the Consent in Writing of the Lord High Treasurer or Commis-
 ' sioners of the Treasury for the time being, or any Three or more of
 ' them, to demise or lease, or previous to any Demise or Lease to
 ' enter into any Contract or Agreement for the demising or leasing,
 ' all or any Part of the Houses, Buildings, Lands, Tenements and
 ' Hereditaments of or belonging to His Majesty, His Heirs or Suc-
 ' cessors, situate within any or either of the Parishes through which
 ' the said Streets and Places respectively to be erected and built,
 ' altered, stopped up, repaired or improved, under or by virtue of the
 ' said last mentioned A&t, do extend, to any Person or Persons for any
 ' Term of Years not exceeding Ninety nine Years from the making
 ' thereof, at such Rent or Rents, and under such Covenants, Con-
 ' ditions, Clauses and Restrictions, and in such manner as the said
 ' Commissioners for the time being for executing the said last mentioned
 ' A&t shall from time to time, with such Consent and Approbation as
 ' aforesaid, judge proper, either wholly or in Part, in lieu of or in
 ' Exchange for any Lease or Leases, Assignment or Assignments, of
 ' any

The Commis-
 sioners under
 53 G. 3. c. 127.
 enabled to make
 Leases in Ex-
 change for other
 Leasehold Pro-
 perty.

any other Houses, Buildings, Lands, Tenements or Hereditaments which shall be wanted for the Purposes of the said Act, and in which said Houses, Buildings, Lands, Tenements and Hereditaments so wanted, the Person or Persons treating for such Exchange may have only a Leasehold or some other limited Interest.

' XII. And Whereas some of the Houses, Buildings, Lands, Tenements and Hereditaments belonging to the Crown, situate on the West Side of the Street called *The Haymarket*, and behind the same on the East Side of the New Street, extending from *Piccadilly* on the North to *Charles Street* on the South, and from the *Haymarket* on the East to the East Side of the New Street on the West, are adjacent to and in some Degree connected with the Improvements now making under the Authority of the said Act of the Fifty third Year of His present Majesty's Reign; but Doubts have arisen whether the same are within the Provisions of the said Act; but if all such Houses, Buildings, Lands, Tenements and Hereditaments were expressly included in the Provisions for granting Leases comprized herein and in the said Act, it would remove such Doubts and tend to encourage Builders and other Persons to undertake the carrying into Execution the Buildings and Works intended to be made with a View to the Improvement of the Western Side of the said Street called *The Haymarket*, and behind the same as aforesaid, and such Improvement would be of great public Utility; Be it therefore further enacted, That it shall and may be lawful for the Commissioners for the time being for carrying the said Act of the Fifty third Year of His Majesty's Reign into Execution, with the Consent and Approbation in Writing of the Lord High Treasurer or Commissioners of the Treasury for the time being, or any Three of them, to demise or lease, or previous to any such Demise or Lease to enter into any Contract or Agreement with any Person or Persons for the demising or leasing, with such Consent and Approbation as aforesaid, all or any Part of the said Houses, Buildings, Lands, Tenements and Hereditaments belonging to His Majesty, His Heirs or Successors, within the Ordering and Survey of the Exchequer, situate on the West Side of the said Street called *The Haymarket*, and all or any Part of the Houses, Buildings, Lands, Tenements and Hereditaments belonging to His Majesty, His Heirs or Successors, within the Ordering and Survey aforesaid, situate between *Piccadilly* on the North and *Charles Street* aforesaid on the South, and between the Street called *The Haymarket* on the East and the East Side of the New Street aforesaid on the West, for any Term or Terms of Years not exceeding Ninety nine Years from the making thereof, at such Rent or Rents and under such Covenants, Conditions, Clauses and Restrictions, and either in Exchange or not in Exchange for any other Houses, Buildings, Lands or Hereditaments, and in such manner as the said Commissioners for the time being for carrying the said last mentioned Act into Execution shall from time to time, with such Consent and Approbation as aforesaid, judge proper and think most advantageous, and to receive and take any Fine or Fines for granting such Leases, and to apply all such Fines to the Purposes of the said Act; and that every Lease of the said Houses, Buildings, Lands, Tenements and Hereditaments hereinbefore described, so to be granted by the said Commissioners for carrying the said last mentioned Act into Execution,

Extending the Powers of the Commissioners, as to leasing the Houses on the West Side of the Haymarket and between the Haymarket, Piccadilly, &c. and the East Side of the New Street.

tion, shall be valid and effectual, and the Rents arising therefrom shall be reserved, received and applied in such and the like manner as if the said Houses, Buildings, Lands, Tenements and Hereditaments had been included within the Provisions of the said last mentioned Act, and in the Map or Plan and Book of Reference therein referred to; and all and every such Lease and Leases of the said Houses, Buildings, Lands, Tenements and Hereditaments, and all and every Lease and Leases to be made in Exchange under the Authority of this Act, shall be made according to the Forms and under the like Rules, Regulations and Provisions, as other Leases made by the said Commissioners under the Authority of the said recited Act of the Fifty third Year of the Reign of His present Majesty, are or usually have been made, or as near thereto as the Circumstances of the case will admit.

‘ XIII. And Whereas a certain Street or Place called *Market Row South*, situate on the South Side of *Saint James’s Market*, in the Parish of *Saint James* within the Liberty of *Westminster*, hath been used for several Years past, by the Permission of His Majesty’s Lessees, as a public Street or Thoroughfare, but the Soil and Freehold of the said Street have remained and continued and are now vested in His Majesty in Right of His Crown: And Whereas the Commissioners for carrying the said Act of the Fifty third Year of the Reign of His Majesty into Execution are empowered to cause several of the Streets, Ways, Passages or Places therein described to be widened, altered, stopped up or improved; but Doubts have arisen whether such Powers extend to authorize or enable the said Commissioners to stop up the said Street called *Market Row South*; but such Street has ceased to be any longer used as a public Thoroughfare, in consequence of another Street or Way being about to be opened from *Norris Street* into the New Street in lieu or stead thereof, and of the Alterations now made and making in the Neighbourhood thereof, and it is desirable that the said Street and the Soil and Freehold thereof should be vested in His Majesty, freed and discharged from all public or other Rights of passing or repassing over the same;’ Now therefore it is hereby further enacted, That the said Street or Place called *Market Row South* shall henceforth for ever hereafter cease to be a public Street, Way or Passage, and that the Soil and Freehold of the said Street or Place shall remain and continue at all times hereafter vested in His Majesty, His Heirs or Successors, freed and discharged from all public and private Right of passing or repassing over and along the same, and that the same Street, and the Scite, Soil and Freehold thereof shall be liable to be sold, exchanged, leased or disposed of by the Commissioners for carrying the said last mentioned Act into Execution, in such and the like manner as any other of the Estates or Possessions of the Crown which are comprized within the Provisions of the said last mentioned Act, and which shall not be wanted for the Purposes of such Act, are thereby authorized to be sold, exchanged or leased.

‘ XIV. And Whereas by an Inquisition taken on the Ninth Day of *December* in the Fifty sixth Year of the Reign of His present Majesty, by virtue of a Commission issued out of His Majesty’s Court of Exchequer, it was found that *William Henry White* was indebted to the Crown in the Sum of Forty one thousand Pounds;

The Street or Row called *Market Row South*, to be shut up.

‘ Pounds; and the said *William Henry White*, at the Date of such
 ‘ Inquisition, was seised of or entitled to a great Number of small
 ‘ Rents, which were heretofore Crown Rents, Chief Rents, Fee
 ‘ Farm and Quit Rents, or other small Rents issuing out of and
 ‘ payable from various Estates situate in many different Counties in
 ‘ *England* and *Wales*: And Whereas, from the said Rents being
 ‘ separately of small annual Amount, and issuing out of Estates
 ‘ situate and lying disperfed in different Counties and Parts of
 ‘ *England* and *Wales* as aforesaid, the ordinary Course of Proceeding
 ‘ to a Sale thereof by Extent, and by making Sale thereof before
 ‘ the Deputy Remembrancer of the Court of Exchequer, will nearly
 ‘ exhaust the Proceeds of such Sales; and it is therefore expedient
 ‘ to make other Provisions for the Disposal of such Rents:’ Be it
 therefore enacted, That all and every the Rents which were heretofore Crown Rents, Chief Rents, Fee Farm, Quit Rents or other small Rents issuing out of and payable from any Estate or Estates, Lands, Tenements or Hereditaments wherefoever, in *England* or *Wales*, the same may be situate, which were the Property of or belonging to the said *William Henry White*, or in or to which he was in any way seised or entitled on or subsequent to the Ninth Day of *December* in the Year of our Lord One thousand eight hundred and fifteen, shall, from and immediately after the passing of this Act, vest in the Commissioners of His Majesty’s Woods, Forests and Land Revenues for the time being (subject to the Dower of *Ann* the Wife of the said *William Henry White* therein, if any such she shall be entitled to), in Trust to sell and dispose thereof in manner hereinafter directed; and the said Commissioners shall and they are hereby authorized and empowered, as soon as conveniently may be after the passing of this Act, to contract and agree with any Person or Persons, or any Body or Bodies Politic or Corporate, for the Sale of and absolutely to make Sale and dispose of all or any of the said Rents hereby vested in them in Trust as aforesaid, at or for the best Prices or Considerations in Money which the said Commissioners of His Majesty’s Woods, Forests and Land Revenues can reasonably procure for the same.

Inquisition,
 9th Dec. 56 G. 3.
 Small Rents be-
 longing to the
 late Wm. Henry
 White, issuing
 out of Estates in
 divers Counties,
 vested in the
 Commissioners
 of His Majesty’s
 Woods, &c. in
 trust to be sold
 for Payment of
 the Debt due
 from him to the
 Crown.
 Subject to
 Dower of *Ann*
 his Wife.

XV. And for facilitating the Conveyance of the aforesaid Rents to the respective Purchasers thereof, be it further enacted, That whensoever the said Commissioners of His Majesty’s Woods, Forests and Land Revenues shall have contracted with any Person or Persons, Bodies Politic or Corporate, for the Sale of any Rent or Rents hereby authorized to be sold by them, the said Commissioners shall grant unto the Purchaser or Purchasers thereof a Certificate under their Hands, specifying the Rent or Rents so contracted for, the Estates from whence they issue, and the Amount of the Purchase Money to be paid for the same; and the Cashiers of the Bank of *England*, or one of them, shall, upon the Production of such Certificate, accept and receive from such Purchaser or Purchasers the Purchase Monies therein specified, and at the Foot or on the Back of such Certificate acknowledge the Receipt of the said Monies, without Fee or Reward, and return the said Certificate and Receipt to the Purchaser or Purchasers; and from and immediately after such Purchase Money shall be so paid, and such Receipt given, and thenceforth for ever, the respective Purchasers of all and every or any of such Rents, and their Heirs, Successors or Assigns, shall

Certificates to be
 given to Pur-
 chasers of the
 said Small Rents,
 and the Purchase
 Monies to be
 paid into the
 Bank.

by force of this Act be adjudged, deemed and taken to be in the actual Seisin and Possession of the Rents so by them respectively purchased, and shall hold and enjoy the same peaceably and quietly, and as fully and amply to all Intents and Purposes as the said *William Henry White*, his Heirs or Assigns, might or could have held or enjoyed the same if the said Extent had never been issued.

Certificates to be in the following Form.

XVI. And be it further enacted, That the Certificates to be granted by the said Commissioners, upon the Sale of any such Rent or Rents of the said *William Henry White* as aforesaid, shall be in the Words and Figures following, or as near thereto as Circumstances will admit ; (that is to say,)

‘ By the Commissioners of His Majesty’s Woods, Forests and Land Revenues.

‘ THESE are to certify, That *A. B.* and *C. D.* Two of the Commissioners of His Majesty’s Woods, Forests and Land Revenues, have contracted and agreed with *E. F.* of

‘ for the Sale to him [her or them, *as the case may be*]

‘ of all that Rent [or those Rents] of issuing

‘ and payable out of [*briefly describing the Lands or Hereditaments chargeable*] at or for the Price or Sum of

‘ of lawful Money of *Great Britain*, to be paid by the said *E. F.* into the Bank of *England*, and carried to the Account of the Public Monies of the Commissioners of His Majesty’s Woods, Forests

‘ and Land Revenues, being “The Woods and Forests Fund;” and from and immediately after the Payment of the said Sum in

‘ manner aforesaid, and thenceforth for ever, the said *E. F.* [and his, her or their Heirs, Successors or Assigns, *as the case shall be*]

‘ shall be adjudged, deemed, and taken to be in the actual Seisin and Possession of the said Rent [or Rents] so by him [her or them] purchased by force and virtue of an Act of Parliament

‘ passed in the Fifty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act* [*inserting the Title of this Act*].

‘ Given under the Hands of the said *A. B.* and *C. D.* the Day of

Certificates to be witnessed. Receipts of the Bank to be in the following Form.

Which said Certificates shall be respectively witnessed and attested, as to the signing thereof by the said Commissioners, by One of the Principal Clerks or other Officers in their Office: And that the Receipts to be given or subscribed by the Cashier of the Bank, at the Foot or on the Back of such Certificates respectively as aforesaid, shall be in the Words and Form following, or as near thereto as may be ; (that is to say,)

‘ RECEIVED the Day of

‘ One thousand eight hundred and of and from

‘ *E. F.* the Sum of of lawful

‘ Money of *Great Britain*, being the Consideration Money expressed

‘ in the above [or within] written Certificate.

‘ Witness my Hand,

‘ For the Governor and Company of the Bank of *England*, (Signed) Cashier.’

Which said Certificates and Receipts shall effectually discharge the said Purchasers or other Persons, to whom the same shall be so given and granted, of and from the Purchase and Consideration Money therein

therein respectively expressed; and such Purchasers or other Persons shall never afterwards be liable to or be called upon, sued, troubled, molested or questioned, for or in respect of such Purchase or Consideration Money, or any Part thereof.

XVII. And Whereas by an Inquisition taken on the Twenty second Day of *January* One thousand eight hundred and sixteen, by virtue of a Writ of Extent directed to the Sheriffs of the City of *London*, grounded on the said first mentioned Inquisition, it was found that the said *William Henry White* was, on the said Ninth Day of *December* in the said Fifty sixth Year of the Reign of His present Majesty, and at the Date of the said last mentioned Inquisition, possessed of a Sum of Six hundred and seventy nine Pounds Eighteen Shillings and Five pence Three *per Cent.* Consolidated Bank Annuities, standing in his own Name in the Books of the Governor and Company of the Bank of *England*, and which said Sum was by virtue of the said Writ of Extent seised into The King's Hands, but the same cannot be sold by reason of the said *William Henry White* having absconded and absented himself, and it is expedient to make Provision for the Sale thereof, in order that the Produce thereof may be applied towards the Discharge of the Debt so due from the said *William Henry White* to His Majesty; Be it therefore enacted, That it shall and may be lawful for the Lord Chief Baron and the rest of the Barons of His Majesty's Court of Exchequer, upon any Application to be to them made by or on the behalf of His Majesty's Attorney General for the time being, to order or direct the Accountant General, Secretary or Deputy Secretary for the time being of the Governor and Company of the Bank of *England*, to transfer the said Six hundred and seventy nine Pounds Eighteen Shillings and Five pence Three *per Cent.* Consolidated Bank Annuities, so standing in the Name of the said *William Henry White* as aforesaid in the Books of the said Governor and Company, into the Names of the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, to the Intent that the same may be by them sold, and the Produce thereof applied and disposed of towards the Discharge of the Debt so due from the said *William Henry White* to His Majesty, as aforesaid, and also to receive the Dividends now due and which shall grow due upon the said Bank Annuities before such Transfer shall be made, and to pay over the same unto the said Commissioners of His Majesty's Woods, Forests and Land Revenues, for the Purposes aforesaid; and the Governor and Company of the Bank of *England* shall and they are hereby authorized and required to allow such Transfer to be made, and such Dividends to be received and paid in manner aforesaid.

XVIII. And be it further enacted, That this present Act shall be and is hereby declared to be a full and ample Indemnity and Discharge to the said Governor and Company of the Bank of *England*, their Officers and Servants, for all things which shall be by them done or permitted to be done by virtue or in obedience to any such Order as aforesaid; and that the same shall not be questioned or impeached in any Court of Law or Equity, or in any manner whatsoever, to their Prejudice, Loss or Detriment.

XIX. Provided always, and be it further enacted, That if any Surplus shall remain from the Monies arising and to be received

Certain Bank Annuities standing in the Name of Mr. White to be sold, and the Proceeds thereof applied in Reduction of his said Debt.

Indemnity to the Governor and Company of the Bank and their Officers.

Surplus (if any) which shall remain after Debt

of the Crown
satisfied, to be
paid over to
Mr. White.

from the Sales of the said Rents and Bank Annuities, or from the said Dividends hereby authorized and directed to be sold, transferred, received and paid as aforesaid, after the Debt due from the said *William Henry White* to the Crown shall be fully satisfied and discharged, such Surplus shall be paid over to the said *William Henry White*, his Heirs, Executors, Administrators or Assigns.

‘ XX. And Whereas His Majesty is seized in Right of His Crown of certain Farms called *The Great Lodge Farm*, and *Slyfield* or *Slifield Lodge Farm*, and of certain other Farms and Lands situate in or near the Parish of *Cricklade*, in the County of *Wilts*, with their Rights, Members and Appurtenances, which were heretofore Parcel of the Forest of *Braydon* within the said County of *Wilts*, and were Parcel of the Demesnes of the Crown within the same Forest or the Perambulations thereof : And Whereas the said Farms and Lands have been at all times heretofore held and esteemed to be exonerated and discharged from all Payments in lieu of Tithes, save and except a certain annual Exhibition, Allowance or yearly Stipend of Forty Pounds, payable to the Vicar for the time being of the said Parish of *Cricklade* : And Whereas the said Farms, Lands and Hereditaments being detached from any other Estates or Possessions of the Crown, and by reason thereof inconvenient and expensive in regard to the Management thereof, are therefore desirable to be sold, and some Parts thereof are already contracted to be sold, and the Residue thereof is proposed and intended to be hereafter sold : And Whereas it would tend to facilitate such Sales, if the Commissioners of His Majesty’s Woods, Forests and Land Revenues were authorized and empowered to indemnify the Purchasers of the said Farms, Lands and Hereditaments from any Claim of Tithes arising from or out of the said Farms and Lands, and from any Payments in lieu of Tithes, save and except the said annual Exhibition, Allowance or yearly Stipend of Forty Pounds, or such Parts thereof as have been or shall be apportioned or stipulated or agreed to be charged upon each Lot or Parcel of the said Estates, and to be paid by the Purchaser or respective Purchasers thereof :’ Be it therefore enacted, That it shall and may be lawful to and for the Commissioners for the time being of His Majesty’s Woods, Forests and Land Revenues, to carry into Execution and complete such Sales as have been or shall hereafter be contracted to be made of the said Farms and Lands, either by and under the Authority of this Act, and in the manner and according to the Forms and Regulations hereby prescribed, or under the Authority and according to the Forms and Regulations contained in any other Act or Acts of Parliament, enabling the said Commissioners to make or perfect the same ; and in order to facilitate such Sale or Sales and the Completion thereof respectively, the said Commissioners for the time being of His Majesty’s Woods, Forests and Land Revenues are hereby authorized and empowered, if they shall think it expedient so to do, (by and with the Consent and Approbation of the Lord High Treasurer or of the Commissioners of His Majesty’s Treasury, or any Three or more of them for the time being, to be signified by any Minute of the said Lord High Treasurer, or the said Commissioners, in Writing or by Letter from any one of his or their Secretaries, in pursuance of any such Minute,) to make or enter into any Deed, Covenant, Contract or Agreement,

The Commis-
sioners autho-
rized to indem-
nify the Pur-
chasers of Lands,
&c. in Braydon
Forest against
Claims of Tithes,
&c.

Agreement; whereby the said Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues shall and may covenant, undertake, promise or agree for and on the behalf of His Majesty, His Heirs or Successors, to and with the Purchaser or respective Purchasers of the said Estates, or of any Lot or Lots, Parcel or Parcels thereof, to save, defend, keep harmless and indemnified such Purchaser or Purchasers and his, her and their Heirs, Executors, Administrators or Assigns, and his, her and their Lands or Tenements, Goods or Chattels, of, from and against all and all manner of Claims and Demands of any Person or Persons whomsoever, of, in or to any Tithes, Great or Small, prædial, personal or mixed, arising or to arise, grow or increase out of or from all or any of the said last mentioned Farms, Lands or Hereditaments, and of and from all Payments in respect thereof, and also of and from all or any Charges or Outgoings which shall or may be claimed, set up, or demanded by any Person or Persons, as against or affecting or payable out of or from or for or in respect of the said Farms, Lands and Hereditaments, or any Part thereof, (other than and except such Part or Proportion of the said annual Exhibition, Allowance or yearly Stipend of Forty Pounds, so payable to the Vicar of *Cricklade* as aforesaid, or any other Payment, Charge or Outgoing as hath been or shall be stipulated or agreed to be paid and borne by such Purchaser or Purchasers respectively, or as shall be apportioned or set or agreed to be apportioned or set, upon the Lot or Lots, Parcel or Parcels of such Farms, Lands and Hereditaments by him, her or them respectively purchased or to be purchased, or which shall be charged or chargeable thereon by the Terms or Conditions of any such Sale or Sales,) and also of and from all Actions, Suits, Costs, Charges, Losses, Damages and Expences, for or on account or by reason or means thereof.

XXI. And it is hereby further enacted, That in case any Sum or Sums of Money shall hereafter become due or payable to any Purchaser or Purchasers, his, her or their Heirs, Executors, Administrators or Assigns, by reason or means of any such Covenant, Contract or Agreement for his, her or their Indemnity as aforesaid, then and in every such case all and every such Sum or Sums of Money shall and may be raised by the said Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, and they are hereby authorized and required to raise the same by Sale of any of the Estates, Possessions or Revenues of the Crown by this Act authorized to be sold, which shall be deemed most proper and convenient for those Purposes; and every such Sale or Sales shall be made by and with the like Direction and Approbation of the Lord High Treasurer or of the Commissioners of His Majesty's Treasury for the time being, or any Three or more of them, and by and under his or their like Warrant, and shall be completed and carried into Execution under the like Certificate, and the Purchase Monies shall be paid into the Bank of *England* under the like Receipt and within the like Space of time and under the like Penalty, and be carried and placed to the like Account as are hereby provided and enacted with regard to any Sale or Sales to be made for any other Purposes under the Authority of this Act; and the Monies arising therefrom, or a competent Part thereof, shall be afterwards issued, paid and applied, by Order of the Commissioners for the time being

All Monies to become payable by virtue of such Indemnities, to be raised by Sale of Crown Lands.

of His Majesty's Woods, Forests and Land Revenues (who are hereby authorized to make Drafts on the Bank for those Purposes), in the Discharge of the Expences attending such Sale or Sales, and in the Payment of such Sum or Sums as shall so become due or payable to such Purchaser or Purchasers, his, her or their Heirs, Executors, Administrators or Assigns, by reason or means of any such Covenant, Contract or Agreement as aforesaid.

All Deeds, Leases and other Instruments under this Act, to be exempt from Stamp Duty.

XXII. And be it further enacted, That no Deed or Conveyance, Mortgage, Assignment or other Instrument which shall be made, executed or signed by any Person or Persons in pursuance of the said recited Articles of Agreement, nor any Minute, Memorandum, Contract or Agreement to be made or entered into by or with the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, for the Sale or Purchase of any other Estates, Manors, Lordships, Messuages, Lands, Tenements or Hereditaments by the said Commissioners of His Majesty's Woods, Forests and Land Revenues, under the Provisions of this Act; nor any Certificate, Contract or Receipt, Deed, Covenant, Agreement or Indemnity to be given or granted, entered into or made to or with any Purchaser or Purchasers of any Estates, Manors, Lordships, Messuages, Lands, Tenements or Hereditaments, or of any of the said Rents heretofore Crown Rents, Chief Rents, Fee Farm, Quit Rents or other Rents to be sold by the said Commissioners of His Majesty's Woods, Forests and Land Revenues, under the Powers and Authority of this Act; nor any Lease or Leases or any Contract or Agreement for any Lease or Leases to be entered into, made or granted by virtue of this Act, shall be subject or liable to any *ad valorem* or other Stamp Duty whatsoever, imposed by any Act or Acts of Parliament now in force or to be imposed by any future Act or Acts of Parliament, unless the same be specially subjected and specifically charged therewith in and by such future Act and Acts of Parliament.

Deeds to be inrolled in the Office of the Auditor of the Land Revenues.

XXIII. And be it further enacted, That all Conveyances, Deeds or Instruments, whereby the Estates, Manors, Lordships, Messuages, Lands, Tenements or Hereditaments by the said recited Agreement contracted to be purchased for or on the behalf of His Majesty, or whereby any Estates, Manors, Lordships, Messuages, Lands, Tenements or Hereditaments shall be hereafter purchased by the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, for or on the behalf of His Majesty, His Heirs or Successors, either under or by virtue of the Authority of this Act, or under or by virtue of any other Act or Acts of Parliament, Power or Authority, shall be conveyed to His Majesty, His Heirs or Successors, or to any Person or Persons in Trust for him or them; and all Leases to be made or granted by the said Commissioners, under the Authority of this Act or of any other Act or Acts of Parliament, shall be inrolled in the Office of the Auditor or Auditors of His Majesty's Land Revenues for the District within which the Premises comprized therein shall be situate, (or if such Premises shall be situate within the District of more than One such Auditor, then in the Office of any One of such Auditors,) upon Payment of the usual Fees for such Inrolment, and a Minute or Docket thereof shall be entered and preserved in the Office of the said Commissioners of His Majesty's Woods, Forests and Land Revenues; and every such

such Conveyance, Deed, Lease or other Instrument, when so inrolled and entered, shall, without any Inrolment thereof in any Court or Courts of Law or Equity, or any other Inrolment or Registry thereof, be as good and available in Law and of the like Force and Effect, in all Respects and to all Intents and Purposes, as if the same had been or was inrolled in any of His Majesty's Courts of Record at *Westminster*, or as if a Memorial had been entered or registered in the Office appointed for registering Deeds and other Conveyances of Lands and Tenements in the County or Counties in which the same Estates or any of them are situate; any Act of Parliament, Law, Practice or Usage to the contrary in anywise notwithstanding.

Good without Inrolments in the Courts, &c.

XXIV. Provided always, and be it further enacted, That the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being shall, in every Report which shall be made by them to The King's Most Excellent Majesty, and to both Houses of Parliament, touching or concerning the Land Revenues of the Crown, from and after the passing of this Act, so long as the Powers of Purchase and Sale given by this Act shall continue in force, certify and report what Estates, Manors, Lordships, Messuages, Lands, Tenements or Hereditaments have been purchased for and on behalf of His Majesty, under the Powers and Authority of this Act, describing the Premises so purchased and the Purchase Money paid or to be paid for the same, and the Terms on which such Purchases shall be completed; and also what Part or Parts of the Land Revenue of the Crown shall have been sold under and by virtue of this Act, since the time of their making their last preceding Report, and what Sum and Sums of Money shall have been raised by means of every such Sale, and in what manner the same shall have been applied and disposed of.

The Commissioners of Woods, &c. to certify in their Reports to the King, and Parliament, what Purchases or Sales have been made under this Act, and how Monies have been applied.

XXV. And Whereas there are certain Sums or Funds standing in the Books of the Governor and Company of the Bank of *England*, in the Three Pounds *per Centum* Consolidated Annuities, in the Name or to the Account of the Duchy of *Lancaster*, which have arisen and been produced by Sales of certain Parts of the Possessions of the said Duchy, and it will tend to the Improvement of other Parts of the Possessions of the said Duchy if a sufficient Part of the said Bank Annuities was sold, and the Produce thereof applied in the manner and for the Purposes hereinafter mentioned; Be it therefore further enacted, That it shall and may be lawful to and for the Chancellor and Council of the Duchy of *Lancaster*, by any Order or Orders to be made in Court of Revenue of the said Duchy, from time to time to order or direct that any Part or Parts of the Three Pounds *per Cent.* Consolidated Annuities now standing or which may hereafter stand in the Books of the Governor and Company of the Bank of *England*, in the Name or to the Account of the Duchy of *Lancaster*, shall be sold and disposed of; and that the Monies arising by any such Sale or Sales shall be applied and appropriated in or towards Payment, Satisfaction and Discharge of any Sum or Sums of Money or Expences which shall be incurred in the Division, Inclosure, Drainage, Embankment or other Improvement of any Messuages, Lands or Tenements belonging to His Majesty, His Heirs or Successors, in Right of His said Duchy, which shall be certified by the Surveyor General of the said Duchy

Chancellor and Council of the Duchy of *Lancaster* may sell Part of their Funded Stock, and apply the Money towards the Improvement of the Lands, &c. belonging to the said Duchy.

upon Oath, to be filed in the Duchy Office, to be proper, necessary, advantageous and beneficial to His Majesty's said Possessions; and the Governor and Company of the Bank of *England* shall and they are hereby authorized and required, upon Requisition to them for that Purpose to be made by any Order or Orders of the said Chancellor and Council, and under the Hand of the Attorney General of the said Duchy, to permit such Person as shall in and by such Order be named and empowered for that Purpose to make any Sale or Sales, Transfer or Transfers, of all or any Part of the said Bank Annuities which now do or shall hereafter stand in the Books of the said Governor and Company in the Name or to the Account of the Duchy of *Lancaster*; and which Sale or Sales, Transfer or Transfers, being made by the Person so to be authorized by the Signature of his own proper Name, for and on the behalf of The King's Majesty in Right of His Duchy of *Lancaster*, shall be valid, legal and effectual for the Sale or Transfer of the said Annuities; any thing in any A&T or A&Ts of Parliament, or any Practice, Usage or Custom to the contrary notwithstanding.

This A&T an Indemnity to Bank for things done in obedience to Orders of said Chancellor, &c.

XXVI. And be it further enacted, That this present A&T shall be and is hereby declared to be a full and complete Indemnity and Discharge to the said Governor and Company of the Bank of *England*, their Officers and Servants, for all things which shall be by them done or permitted to be done by virtue or in obedience to any such Order or Orders of the said Chancellor and Council; and the same shall not be questioned or impeached in any Court of Law or Equity, or in any manner whatsoever to their Prejudice, Loss or Detriment.

SCHEDULE to which this A&T refers.

FORM of Certificate of Contracts for Sale, made by the Commissioners of His Majesty's Woods, Forests and Land Revenues.

By the Commissioners of His Majesty's Woods, Forests and Land Revenues.

THESE are to certify, That in pursuance of a Warrant from the Right Honourable the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, bearing Date the _____ Day of _____

A. B. and *C. D.* Two of the Commissioners of His Majesty's Woods, Forests and Land Revenues, for and on the behalf of The King's Most Excellent Majesty, have contracted and agreed with *E. F.* of _____ for

the Sale to the said *E. F.* of all [*here describe the Premises to be sold, and any subsisting Grants, Leases or Contracts affecting the same*] at or for the Price or Sum of _____

of lawful Money of *Great Britain*, to be paid by the said *E. F.* into the Bank of *England*, and carried to the Account of the Public Monies of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being 'The Woods and Forests Fund;' and from and immediately after the Payment of the said Sum into the Bank in manner aforesaid, and the Inrolment of this Certificate and the Receipt for the said Purchase Money in the Office of the Auditor of the Land Revenue for the County aforesaid, and thenceforth for ever, the said *E. F.* and [his, her or their Heirs or Successors

cessors or Assigns] shall be adjudged, deemed and taken to be in the actual Seisin and Possession of the said Hereditaments and Premises for by [him, her or them] purchased, and shall hold and enjoy the same peaceably and quietly, freed and discharged from all Claims and Demands of His Majesty, His Heirs and Successors, or of any Person or Persons claiming under him or them, [if subject to any Grant, Lease or Contract, then add, 'save and except the Person ' or Persons claiming under the said Grant, Lease or Contract,' as the case may be,] and in as full and as ample manner to all Intents and Purposes as His Majesty, His Heirs or Successors, might or could have held or enjoyed the same if such Sale had not been made. Given under their Hands, this Day of

in the Year of our Lord
Signed by the above named }
in the Presence of }

FORM of RECEIPT.

RECEIVED the Day of
of and from *E. F.* the Sum of of lawful Money of
Great Britain, being the Consideration Money expressed in the
[above or within] written Certificate.

Witness my Hand,

For the Governor and Company of the Bank of *England*,
(Signed) Cashier.

C A P. XCVIII!

An Act for ratifying the Purchase of the Improprate Rectory
of *Saint Mary le bone* in the County of *Middlesex*.

[10th July 1817.]

WHEREAS for the purchasing and vesting in the Crown the Improprate Rectory and Right of Presentation of and to the perpetual Curacy of *Saint Mary le bone*, in the County of *Middlesex*, and the Patronage or Right of Presentation of and to the several Chapels in the Parish of *Saint Mary le bone* hereinafter mentioned, with a View to the better Ordering and Regulation of the said Parish, Articles of Agreement, bearing Date the Second Day of *June* in this present Year, have been made and entered into between The King's Most Excellent Majesty, of the First Part; the Right Honourable *William Huskisson*, *William Dacres Adams* and *Henry Dawkins*, Esquires, Commissioners of His Majesty's Woods, Forests and Land Revenues, of the Second Part; and the Most Noble *William Henry Cavendish Scott* Duke of *Portland*, of the Third Part; in Substance and to the Effect following; that is to say, after reciting that the Rectory, Advowson or perpetual Right of Nomination and Appointment of the Curate or Chaplain of the Parish Church of *Marybone*, alias *Maryborne*, alias *Saint Mary le bone*, in the County of *Middlesex*, whereof the Reverend *Luke Heflop*, Doctor of Divinity, is at present Incumbent, is vested in the said Duke and his Heirs, or in a Trustee or Trustees for the said Duke, in Fee Simple, or he is otherwise entitled to sell and dispose thereof; and that the said Duke, in Right of such Rectory, is also seised of or claims to be well entitled to the

Agreement, 2d June 1817, for the Purchase of the Improprate Rectory, recited.

Patronage

‘ Patronage and perpetual Right of Nomination and Appointment
 ‘ of the several Curates or Officiating Ministers of the several Chapels
 ‘ following ; that is to say, *Portman Chapel, Bentinck Chapel, Quebec*
 ‘ *Chapel, and Saint-John’s Chapel*, all situate within the said Parish
 ‘ of *Saint Mary le bone* ; and that the said Duke is also entitled,
 ‘ with the Consent and Approbation of the Vestrymen for the time
 ‘ being of the said Parish, to nominate and appoint the Clerk and
 ‘ Sexton of *Saint John’s Chapel* aforesaid and of the Burial Ground
 ‘ to the same belonging ; and the said Duke or his Trustee or Truf-
 ‘ tees is or are also seised in Fee Simple of and in the Three several
 ‘ Chapels called *Portland Chapel, Oxford Chapel, and Welbeck Cha-*
 ‘ *pel*, all situate within the said Parish of *Saint Mary le bone*, and of
 ‘ the Ground and Soil whereon the same are erected and built, and
 ‘ entitled to all the Rents, Profits and Produce of such last men-
 ‘ tioned Chapels, he providing proper Ministers, Clerks and other
 ‘ Officers to officiate therein, and to perform the several Duties
 ‘ which are or ought to be performed therein, subject, as to the
 ‘ said Chapel called *Welbeck Chapel*, to a Lease granted thereof,
 ‘ with other Hereditaments, to *William Franks*, for the Term of
 ‘ Ninety nine Years, under the yearly Rent of Two Pounds, from
 ‘ *Christmas* One thousand seven hundred and sixty eight, and to the
 ‘ Covenants and Agreements therein contained ; and also subject to
 ‘ a Rent of Forty two Pounds *per Annum*, reserved out of the same
 ‘ Premises by an Under Lease granted thereof by the said *William*
 ‘ *Franks*, for a Term which will expire in the Year One thousand
 ‘ eight hundred and sixty two, of which Under Lease the said Duke
 ‘ or his Trustee or Trustees now also is or are possessed, subject to
 ‘ the same Rent of Forty two Pounds, and to the Covenants and
 ‘ Agreements therein contained ; and that the said Duke or his
 ‘ Trustee or Trustees now also is or are seised of or otherwise well
 ‘ entitled to the Fee Simple and Inheritance of and in a certain
 ‘ Chapel called *Margaret Chapel*, situate in the said Parish of *Saint*
 ‘ *Mary le bone*, subject to a Lease granted thereof, with other
 ‘ Hereditaments, to *Thomas Huddle*, for the Term of Ninety nine
 ‘ Years from *Lady Day* One thousand seven hundred and forty nine,
 ‘ at and under the annual Rent of a Pepper Corn ; and that the
 ‘ said Duke is also possessed of or well entitled to a certain other
 ‘ Chapel called *Brunswick Chapel*, likewise situate in the said Parish
 ‘ of *Saint Mary le bone*, held by him for the Residue of a Term of
 ‘ Seventy six Years and One Quarter of a Year (wanting Forty
 ‘ Days) from *Christmas* One thousand seven hundred and ninety
 ‘ five, subject to the Payment of a yearly Rent or Sum of Forty
 ‘ two Pounds, and to the Performance of the Covenants and Agree-
 ‘ ments in the Lease thereof contained, and which last mentioned
 ‘ Chapel is also subject to an Under Lease, granted of the same by
 ‘ the said Duke to the Reverend *George Saxby Pensfold* Clerk, for
 ‘ the Term of Fourteen Years from the Twenty fifth Day of *March*
 ‘ One thousand eight hundred and eleven, at and under the yearly
 ‘ Rent of Three hundred and fifty Pounds : And also, after reciting,
 ‘ that the said *William Huskisson, William Dacres Adams* and *Henry*
 ‘ *Dawkins*, as such Commissioners of His Majesty’s Woods, Forests
 ‘ and Revenues as aforesaid, have (by and with the Consent and
 ‘ Approbation of the Commissioners of His Majesty’s Treasury of
 ‘ the United Kingdom of *Great Britain and Ireland*) treated with

' the said Duke for the Purchase of the said Rectory, Advowson,
 ' Right of Patronage, Nomination and Appointment of the Curate
 ' or Chaplain of the said Parish Church of *Marybone*, alias *Mary-*
 ' *borne*, alias *Saint Mary le bone*, and of all his Rights and Interests
 ' in the said Rectory, and of and in the said several Chapels and
 ' Premises, for and on the behalf of The King's Most Excellent
 ' Majesty, and have proposed to give the Price or Sum of Forty
 ' thousand Pounds for the same, and that the said Duke has agreed
 ' to accept such Proposal, and to sell and dispose of the said
 ' Rectory, Advowson, Rights and Interests, with the Exceptions
 ' and subject as thereafter expressed and contained, at or for the
 ' said Price or Sum of Forty thousand Pounds; it is by the said
 ' Articles of Agreement witnessed, and the said *William Hufkisson*,
 ' *William Dacres Adams* and *Henry Dawkins*, as such Commissioners
 ' as aforesaid, (at the Request and by and with the Consent and
 ' Approbation of the said Commissioners of His Majesty's Treas-
 ' ury,) do, for and on the behalf of His Majesty, His Heirs and
 ' Successors, thereby covenant, contract and agree to and with the
 ' said Duke, his Heirs, Executors and Administrators, to purchase
 ' and buy, and the said Duke doth thereby for himself, his Heirs,
 ' Executors and Administrators, covenant, contract and agree to
 ' and with His Majesty, His Heirs and Successors, to sell unto His
 ' Majesty, His Heirs and Successors, at or for the said Price or
 ' Sum of Forty thousand Pounds, to be paid at the times and
 ' in manner thereafter mentioned, all that the said Rectory,
 ' Advowson or perpetual Right of Nomination and Appointment
 ' of the Curate or Chaplain of the said Parish Church of *Mary-*
 ' *bone*, alias *Maryborne*, alias *Saint Mary le bone* aforesaid; and
 ' also the Patronage and perpetual Right of Nomination and Ap-
 ' pointment of or belonging to the said Duke, in Right of such
 ' Rectory or otherwise, of the several Curates or officiating Ministers
 ' of and to the said several Chapels called *Portman Chapel*, *Ben-*
 ' *tinck Chapel*, *Quebec Chapel* and *Saint John's Chapel*, situate in
 ' the said Parish of *Saint Mary le bone*, and with such Consent
 ' and Approbation as before mentioned, of the Clerk and Sexton
 ' of *Saint John's Chapel* and Burial Ground aforesaid; and also all
 ' those the said Three several Chapels called *Portland Chapel*,
 ' *Oxford Chapel*, and *Welbeck Chapel*, and the Ground and Soil
 ' whereon the same respectively stand and are erected and built,
 ' situate in the said Parish of *Saint Mary le bone*, subject, as to
 ' the said Chapel and Premises called *Welbeck Chapel*, to the respec-
 ' tive Leases affecting the same as therein before mentioned, and
 ' also all Rents, Profits and Produce to arise and become payable to
 ' the said Duke, his Heirs, Executors or Administrators, from
 ' the said Chapels and Premises; and also all that Chapel called
 ' *Margaret Chapel*, situate in the said Parish of *Saint Mary le bone*,
 ' and the Ground and Soil whereon the same is erected and built,
 ' subject to the said Indenture of Lease granted thereof with other
 ' Hereditaments to the said *Thomas Huddle*, and to the Covenants,
 ' Conditions and Agreements therein contained; and also all that
 ' Leasehold Chapel called *Brunswick Chapel* situate in the said
 ' Parish of *Saint Mary le bone*, for and during all the Estate, Term
 ' and Interest of the said Duke therein, subject to the said Under
 ' Lease granted thereof to the said *George Saxby Pensfold*; and all
 ' the

‘ the Chapel, Yards, Cemeteries and other Lands and Grounds,
 ‘ Rights and Privileges, to the said Chapels and Premises or any
 ‘ of them belonging or in anywise appertaining; and all the Estate,
 ‘ Right, Title, Interest, Property, Claim and Demand whatsoever
 ‘ of him the said Duke, of, in and to the said Rectory, Advow-
 ‘ son, Patronage, Chapels and Premises (except and always reserved
 ‘ to the said Duke, his Heirs and Assigns, all the Pews as well
 ‘ in the new Parish Church as in the old Church or Chapel
 ‘ of *Saint Mary le bone* aforesaid, now appropriated to or used
 ‘ by the said Duke, his Family or Domestic; and also the Bury-
 ‘ ing Ground or Vaults of or belonging to the said Duke and his
 ‘ Family in the said old Church or Chapel of *Saint Mary le bone*;
 ‘ and also save and except all the Tithes, Great and Small, and all
 ‘ Moduses, Compositions and other Payments in lieu thereof, an-
 ‘ nually arising, growing or increasing, or hereafter to arise, grow
 ‘ or increase from or out of all and every of the Lands, Tene-
 ‘ ments and Hereditaments, belonging to the said Duke in the
 ‘ said Parish of *Saint Mary le bone*; and except and also reserved
 ‘ to the said Duke and his Heirs the Right of nominating or
 ‘ presenting the Reverend *Thomas White*, the present Curate of *Wel-
 ‘ beck Chapel*, to that Chapel, whenever it shall become vacant by
 ‘ the Death, Cession or Promotion of the Reverend *Charles Dyer*,
 ‘ the present Incumbent thereof, if the said *Thomas White* shall be
 ‘ then living and capable of taking and holding the same); to hold
 ‘ the said Rectory, Advowson, Right of Nomination and Appoint-
 ‘ ment and all the said several Chapels and Premises (other than
 ‘ and except and subject as aforesaid, and except the said Chapel
 ‘ called *Brunswick Chapel*,) unto The King’s Majesty, His Heirs
 ‘ and Successors for ever, or unto and to the use of such Person or
 ‘ Persons as the said Commissioners for the time being of His
 ‘ Majesty’s Woods, Forests and Land Revenues shall (by and with
 ‘ the Consent and Approbation of the Commissioners of His Majesty’s
 ‘ Treasury for the time being, or any Three of them) direct, in
 ‘ trust for His Majesty, His Heirs and Successors for ever, free
 ‘ from all Charges and Incumbrances whatsoever, but subject to the
 ‘ Incumbency of the present Curate or Chaplain of the said Parish
 ‘ Church of *St. Mary le bone* aforesaid, and to the continuing of the
 ‘ several Curates or officiating Ministers, Sextons, Clerks, Organists
 ‘ and other Officers, in the said Church and several Chapels during
 ‘ their respective Lives, if they shall, by themselves or sufficient
 ‘ Deputies or Assistants, so long continue to discharge the Duties of
 ‘ their respective Offices and Situations in a due and regular manner,
 ‘ and as they have respectively heretofore done; and also subject
 ‘ to the Payment of the several yearly and any other Salaries and
 ‘ Sums of Money in the Schedule thereunder written mentioned;
 ‘ now paid or payable to them by the said Duke during their respec-
 ‘ tive Lives, or so long as they shall continue in such their respective
 ‘ Ministries, Offices or Situations, and to sundry small Payments to
 ‘ subordinate Officers and Servants, which do not exceed in the
 ‘ whole the yearly Sum of Fifteen Pounds; and to hold the said
 ‘ Chapel called *Brunswick Chapel* unto The King’s Majesty, His
 ‘ Heirs and Successors, or to such Person or Persons as the said
 ‘ Commissioners for the time being of His Majesty’s Woods, Forests
 ‘ and Land Revenues shall, by and with such Consent and Appro-
 ‘ bation

‘ bation as aforesaid, direct or appoint, in trust for His Majesty,
‘ His Heirs and Successors, for and during all the Rest and Residue
‘ and Remainder of the said Term of Seventy six Years and One
‘ Quarter of a Year (wanting Forty Days) yet to come and unex-
‘ pired, subject to the Payment of the said yearly Rent of Forty
‘ two Pounds, and to the Performance of the several Covenants
‘ and Agreements under which the said Duke holds the same, and
‘ which are and ought henceforth, on the Lessee’s Part and Behalf,
‘ to be paid, observed and performed in respect thereof, and also
‘ subject to the said Under Lease granted of the said last mentioned
‘ Chapel and Premises unto the said *George Saxby Penfold*; and the
‘ said Duke doth thereby, for himself, his Heirs, Executors and
‘ Administrators covenant, promise and agree to and with The
‘ King’s Majesty, His Heirs and Successors, in manner following;
‘ that is to say, that he the said Duke, his Heirs, Executors or
‘ Administrators, shall and will, within the time or Space of Three
‘ Calendar Months from the Date thereof, make out and deliver, or
‘ cause to be made out and delivered, unto the Commissioners of
‘ His Majesty’s Woods, Forests and Land Revenues for the time
‘ being, or their Solicitor, for their Use, a full and complete Abstract
‘ of his or their Title to the said Rectory, Advowson, Chapels and
‘ Premises, and the Fee Simple and Inheritance thereof, free from
‘ any Incumbrances, except and subject as aforesaid, and except as
‘ to the said Chapel called *Brunswick Chapel*, as to which the said
‘ Duke shall by such Abstract deduce and show a clear Title to the
‘ same, for all the Residue and Remainder of the said Term of
‘ Seventy six Years and One Quarter of a Year (wanting Forty
‘ Days), subject to the said yearly Rent or Payment of Forty two
‘ Pounds, and also subject to the said Under Lease granted thereof
‘ to the said *George Saxby Penfold* as aforesaid; and that he the
‘ said Duke, His Heirs, Executors and Administrators, upon receiv-
‘ ing the Sum of Ten thousand Pounds, being the First Instalment
‘ of the said Purchase Money or Sum of Forty thousand Pounds, on
‘ or before the Twenty ninth Day of *September* One thousand eight
‘ hundred and eighteen, and on having the Payment of the Residue
‘ or Remainder thereof at the times and in the Proportions therein-
‘ after mentioned, secured in manner hereinafter expressed, with such
‘ Interest for the said Sum of Forty thousand Pounds as therein-
‘ after mentioned, shall and will, by such Deeds, Instruments, Con-
‘ veyances, Assurances or Assignments as the Commissioners of His
‘ Majesty’s Woods, Forests and Land Revenues for the time being,
‘ or the Law Officers of the Crown for the time being, shall reason-
‘ ably require, and at such Costs and Charges as hereinafter men-
‘ tioned, well and effectually convey, assign and assure the said Rec-
‘ tory, Advowson, Chapels and Premises thereby contracted to be
‘ sold, and the Fee Simple and Inheritance thereof, (other than and
‘ except the said Chapel called *Brunswick Chapel*, and except and
‘ subject as before mentioned, and subject to and charged and
‘ chargeable with the Payment of the Residue or Remainder of the
‘ said Purchase Money and Interest, by such Instalments as therein-
‘ after mentioned, and with such Term or Terms of Years as the
‘ Counsel of the said Duke, his Heirs or Assigns, shall advise or
‘ require for securing the due Payment of such Instalments and
‘ such Interest as aforesaid,) unto The King’s Majesty, His Heirs or
‘ Successors,

‘ Successors, or unto such Person or Persons as shall be for that
 ‘ Purpose nominated and appointed as aforesaid, in trust for His
 ‘ Majesty, His Heirs or Successors for ever, free from all Charges
 ‘ and Incumbrances, save and except as aforesaid, and assign the said
 ‘ Chapel called *Brunswick Chapel*, for all the Rest, Residue and
 ‘ Remainder of the said Term of Seventy six Years and One Quarter
 ‘ of a Year (wanting Forty Days), subject to the Payment of the
 ‘ said Yearly Rent of Forty two Pounds, and to the Performance
 ‘ of the several Covenants and Agreements which are and ought
 ‘ on the Lessee’s Part, as and from the Twenty ninth Day of *Sept-*
 ‘ *ember* next, to be kept, done and performed in respect of such last
 ‘ mentioned Chapel, and also subject to the said Under Lease granted
 ‘ thereof to the said *George Saxby Penfold*, and to the said Instal-
 ‘ ments of the said Purchase Money and the Interest thereof, but
 ‘ free from all other Charges, Outgoings and Incumbrances what-
 ‘ soever: And the said *William Huskisson, William Dacres Adams*
 ‘ and *Henry Dawkins*, do by the said Articles of Agreement (by
 ‘ and with such Consent and Approbation of the said Commissioners
 ‘ of His Majesty’s Treasury as aforesaid, for and on the behalf of
 ‘ His Majesty, His Heirs and Successors,) thereby covenant, pro-
 ‘ mise and agree to and with the said Duke, his Heirs or Assigns,
 ‘ that the said Sum of Forty thousand Pounds, the Purchase Money
 ‘ aforesaid, shall be paid to the said Duke, His Heirs, Executors,
 ‘ Administrators or Assigns, or to whom he or they shall appoint,
 ‘ by and out of the Land Revenues of the Crown, at the times,
 ‘ by the Instalments, and in the Proportions thereafter mentioned
 ‘ and appointed for the Payment thereof; that is to say, the Sum of
 ‘ Ten thousand Pounds, being One Fourth Part of the said Princi-
 ‘ pal Sum, on or before the Twenty ninth Day of *September* which
 ‘ will be in the Year of our Lord One thousand eight hundred and
 ‘ eighteen, upon the Execution of such Deeds, Conveyances, Assign-
 ‘ ments and Assurances as aforesaid by all proper Parties, and a good
 ‘ and satisfactory Title being made out and shewn to the said Rec-
 ‘ tory, Advowson, Chapels and Premises, according to the true
 ‘ Intent and Meaning of the said Agreement; the further Sum
 ‘ of Ten thousand Pounds, being One other Fourth Part thereof,
 ‘ on the Twenty ninth Day of *September* which will be in the Year
 ‘ of our Lord One thousand eight hundred and nineteen; the further
 ‘ Sum of Ten thousand Pounds, being One other Fourth Part
 ‘ thereof, on the Twenty ninth Day of *September* which will be in
 ‘ the Year of our Lord One thousand eight hundred and twenty;
 ‘ and the further Sum of Ten thousand Pounds, being the remain-
 ‘ ing Fourth Part thereof, on the Twenty ninth Day of *September*
 ‘ which will be in the Year of our Lord One thousand eight hun-
 ‘ dred and twenty one, together with Interest for the said Sum of
 ‘ Forty thousand Pounds, or so much thereof as shall from time to
 ‘ time remain unpaid, at and after the Rate of Five Pounds *per Cen-*
 ‘ *sum per Annum*, such Interest to commence and be computed from
 ‘ the Twenty ninth Day of *September* next ensuing the Date thereof,
 ‘ and to be paid by Half Yearly Payments, until the whole of the
 ‘ said Principal Purchase Money shall be fully paid and discharged:
 ‘ And it is by the said Articles further agreed by and between the
 ‘ said Commissioners Parties thereto on behalf of His Majesty, His
 ‘ Heirs and Successors, and the said Duke on behalf of himself,

his

' his Heirs, Executors and Administrators, that His Majesty, His
 ' Heirs and Successors, shall be entitled to all the Rents, Profits
 ' and Advantages arising and resulting from the said Rectory,
 ' Advowson, Chapels and Premises, which the said Duke, or his
 ' Heirs, Executors or Administrators would have been entitled to,
 ' or could or might have had, received, taken or enjoyed, as and
 ' from the Twenty ninth Day of *September* next, if that Contract or
 ' Agreement had not been made; and that all such Rents and other
 ' Profits, and all Powers, Privileges and Advantages of or belonging
 ' or resulting from the said Premises, shall be received, had, taken,
 ' exercised and enjoyed by the said Duke, his Heirs, Executors,
 ' Administrators or Assigns, for his and their own Use and Bene-
 ' fit up to that time, subject however to the Restriction hereinafter
 ' contained, and which shall or may be contained in the Act of Parli-
 ' ament hereinafter mentioned: Provided, and it is thereby further
 ' agreed, that if at any time between the Date of those Articles and
 ' the Close of the present Session of Parliament, the said Parish
 ' Church or Chapel of *Saint Mary le bone*, or any of the said Chapels
 ' or Offices, shall become vacant by reason of the Death, Cession,
 ' Deprivation or Promotion of the present Incumbent, or of any of
 ' the officiating Ministers or other Officers, no Nomination or
 ' Appointment of any Person or Persons to supply such Vacancy
 ' or Vacancies shall be made or take place before the End of the
 ' present Session of Parliament, unless the Act of Parliament therein-
 ' after mentioned shall have sooner received the Royal Assent, in
 ' which case all such Nominations and Appointments are to be
 ' regulated by the Provisions of the said Act, and after providing
 ' by whom and in what manner the Expences of making out the
 ' Title Deeds, Abstracts and necessary Conveyances required for
 ' completing the said Purchase shall be borne and defrayed, and
 ' apportioning the same, and after providing that nothing therein
 ' contained shall extend or be construed to charge the said Com-
 ' missioners, Parties thereto, in their own proper Persons, or their
 ' or any of their own proper Lands or Tenements, Goods or Chat-
 ' tels, with or for the Performance of any of the Covenants or
 ' Agreements therein contained, but that such Covenants or Agree-
 ' ments shall only be enforced as against the Land Revenues of the
 ' Crown; and that all Costs, Charges and Expences which shall or
 ' may become payable by reason or means of any such Covenants or
 ' Agreements, or any Breach or Non Performance thereof, shall be
 ' raised, levied and recovered by, from or out of such Revenues only,
 ' any thing therein contained to the contrary thereof in anywise
 ' notwithstanding; and after reciting that an Application is intended
 ' to be made to Parliament in the present Session for an Act to
 ' confirm the said Agreement, and to regulate the Nomination and
 ' Appointment of Persons to supply any Vacancies which may
 ' occur by the Death, Cession, Deprivation or Promotion of the
 ' present Incumbent, or of any of the officiating Ministers or other
 ' Officers aforesaid, before the Title to the said Rectory and Pre-
 ' mises shall be fully approved, and such Deeds, Conveyances,
 ' Assignments and Assurances thereof as aforesaid shall be executed;
 ' and also to enable the Commissioners of His Majesty's Woods,
 ' Forests and Land Revenues for the time being to raise such Sum-
 ' or Sums of Money as shall be requisite for the Completion of the
 ' said

Expediency of confirming the Purchase, and of providing a Fund for the Payment of the Purchase Money.

‘ said Purchase, by Sale of Lands or Hereditaments belonging to
 ‘ the Crown; it is by the said Articles of Agreement expressly
 ‘ provided and declared, that if such Act of Parliament cannot be
 ‘ obtained, or shall not pass during the present Session of Parliament,
 ‘ that then the said Agreement and the Contract thereby made, and
 ‘ every thing therein contained, shall cease, determine and be void :
 ‘ And Whereas it is expedient that the said Articles of Agreement
 ‘ should be confirmed, and that Provisions should be made for enabling
 ‘ His Majesty and the said Commissioners, Parties thereto, to make
 ‘ good the Contract thereby entered into on behalf of His Majesty,
 ‘ and to carry the same into Effect; and that in order to provide
 ‘ a Fund for the Payment of the said Purchase Money when the
 ‘ same shall become due, the Commissioners for the time being of His
 ‘ Majesty’s Woods, Forests and Land Revenues should be authorized
 ‘ and empowered to sell and dispose of certain Parts of the Land
 ‘ Revenues and Possessions of the Crown, and to apply the Money
 ‘ arising from such Sales in the Payment of such Purchase Money,
 ‘ and the completing and making good the Contract entered into
 ‘ by the said in part recited Articles of Agreement : And Whereas
 ‘ it may hereafter be deemed expedient, with a View the more
 ‘ effectually to extend to the Parishioners of the said Parish of *Saint*
 ‘ *Mary le bone* the Benefit of Ecclesiastical Superintendence, and
 ‘ the Performance of Ecclesiastical Duties, in relation to such Per-
 ‘ sons and Children and others requiring Spiritual Assistance, and
 ‘ the Promotion and Improvement of the religious and moral Habits
 ‘ of the Persons residing therein, that the said Parish should be
 ‘ divided and formed into several separate and distinct Parishes, and
 ‘ to make Provision for the better ordering and Regulation thereof ;
 ‘ and it is therefore necessary, with a View to such future Division
 ‘ and Improvement of the said Parish, that the Nomination to the
 ‘ said perpetual Curacy, and to the several Offices hereinafter men-
 ‘ tioned, should be put under the Regulations hereinafter contained ;’
 Be it therefore enacted by The King’s Most Excellent Majesty, by
 and with the Advice and Consent of the Lords Spiritual and Tem-
 poral, and Commons, in this present Parliament assembled, and by
 the Authority of the same, That the said hereinafore in part
 recited Articles of Agreement, bearing Date the said Second Day
 of *June* in this present Year One thousand eight hundred and seven-
 teen, shall be and the same are hereby ratified and confirmed, and
 made valid and effectual, to all Intents and Purposes whatsoever.

Agreement confirmed.

The Commissioners of Woods, &c. empowered to raise Money by Sale of Crown Lands for the Completion of such Purchase.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty’s Woods, Forests and Land Revenues for the time being, and they are hereby authorized and empowered, to contract and agree with any Person or Persons, Body or Bodies Politic or Corporate, for the Sale of, and absolutely to make Sale of such or so many or so much of the Royalties, Honours, Hundreds, Manors, Lordships or Franchises, or any Rights, Members or Appurtenances thereof or thereto belonging or appertaining, or any Fines, Issues, Amerciaments, Profits, Dues or Monies arising therefrom, or incident to or recoverable in respect thereof, or any Messuages, Lands, Rents, Tithes, Mines, Minerals, Collieries, Woods, Wood Grounds, Fens, Marshes or Waste Lands, or any other Tenements or Hereditaments, or any other Revenues of or belonging to the Crown, within the Ordering and Survey of the Exchequer

in

in *England*, for the best Prices or Considerations in Money which the said Commissioners of His Majesty's Woods, Forests and Land Revenues shall, under the Direction and with the Approbation of the Lord High Treasurer or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland* for the time being, or any Three of them, be able to procure for the same, as will raise a Sum sufficient for paying the Amount of the said Purchase Money, or any Instalments or Instalment thereof, and the Interest to be paid or payable in respect thereof, and the Expences of such Sale or Sales, and of completing and carrying into Effect the Contract so entered into by the hereinbefore in part recited Articles of Agreement; and the Monies to arise from such Sale or Sales shall be paid into the Bank of *England* in manner hereinafter mentioned, and applied by the said Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, who are for that Purpose hereby authorized to make Drafts on the Bank in the Payment and Discharge of the Money so to be paid for the Purchase of the said Premises, with the Interest thereon, when the same shall become due and payable according to the said Articles of Agreement, or at such other time or times as the said Commissioners shall think expedient, and in discharge of the Expences incurred and to be incurred in the making and completing such Sale or Sales, and in completing the Contract so made with the said Duke, and in carrying the same into Execution; and in the mean time and until the same shall be required for the Purposes aforesaid, the Monies arising from the Sales hereby authorized to be made shall from time to time be paid in manner hereinafter mentioned, into the Bank of *England*, and be there placed to the Account directed by an Act passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act for uniting the Offices of Surveyor General of the Land Revenues of the Crown and Surveyor General of His Majesty's Woods, Forests, Parks and Chaces*, to be raised in the Books of the Governor and Company of the Bank, entitled "The Account of the public Monies of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being *The Woods and Forests Fund*."

III. Provided always and be it further enacted, That no such Contract shall be made unless by special Warrant to be issued for that Purpose by the Lord High Treasurer or the said Commissioners of the Treasury, or any Three or more of them for the time being.

IV. And be it further enacted, That whenever the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being shall have contracted with any Person or Persons, Body or Bodies Politic or Corporate, for the Sale of any Royalties, Honours, Hundreds, Manors, Lordships, Franchises or any Rights, Members or Appurtenances thereof or thereto belonging or appertaining, or any Fines, Issues, Amerciaments, Profits, Dues or Monies arising therefrom or incident to or recoverable in respect thereof, or of any Messuages, Lands, Rents, Tithes, Mines, Minerals, Collieries, Woods, Wood Grounds, Fens, Marshes, Waste Lands or other Tenements or Hereditaments, or any other Revenues under the Authority of this Act to be sold as aforesaid, the said Commissioners shall grant to the Purchaser or respective Purchasers thereof a Certificate under their Hands, describing the Premises so agreed to be sold, and the Amount of the Purchase Money to be paid for the same, and which

The Monies raised to be paid into the Bank in the Names of the Commissioners, and placed to the Credit of the Woods and Forests Fund, as by 50 G. 3. c. 65. until applied in the Completion of the Purchase.

No Contract without Warrant from Treasury.

When Sales are contracted to be made, Purchasers to have Certificates thereof, and to pay their Purchase Monies into the Bank, and shall thenceforth be adjudged to be in actual Seisin, &c.

Receipt of Purchase Money without Fee. Form of Certificate and Receipt.

Enrolment thereof.

A Discharge to Purchasers.

Not paying Purchase Money into Bank within time limited, or omitting to enrol Certificate.

shall accordingly be paid into the Bank of *England* within Thirty one Days after the Date of such Certificate; and the Cashiers of the Bank or One of them shall, upon the Production of such Certificate, accept and receive the Purchase Monies therein mentioned, and carry the same to the Account therein specified, and at the Foot or Back of such Certificate acknowledge the Receipt of the same, without Fee or Reward; and every such Certificate and Receipt shall be according to the Form contained in the Schedule to this Act annexed, or as near thereto as the Circumstances of the case will admit; and every such Certificate and Receipt shall, within Two Calendar Months after the Date of such Certificate, be taken to the Office of the Auditor of the Land Revenue for the District within which the Premises therein described are situate, and be there forthwith enrolled in the proper Books for that Purpose; and such Auditor having enrolled the said Certificate and Receipt shall attest the same under his Hand, and shall, upon receiving the usual Fees for such Enrolment, return the said Certificate and Receipt to the Purchaser or Purchasers, and from and after such Enrolment and thenceforth for ever the respective Purchasers, their Heirs or Successors or Assigns, shall by force and virtue of this Act be and shall be adjudged, deemed and taken to be, in the actual Seisin and Possession of the Royalties, Honours, Hundreds, Manors, Lordships, Franchises or any Rights, Members or Appurtenances thereof or thereto belonging or appertaining, or any Fines, Issues, Amerciaments, Profits, Dues or Monies arising therefrom or incident to or recoverable in respect thereof, or any Messuages, Lands, Rents, Tithes, Mines, Minerals, Collieries, Woods, Wood Grounds, Fens, Marshes, Waste Lands or other Tenements or Hereditaments or Revenues to be by them respectively purchased, and shall hold and enjoy the same peaceably and quietly, freed and discharged from all Claims and Demands of His Majesty, His Heirs and Successors, or of any Person or Persons claiming under him or them, as fully and amply to all Intents and Purposes as His Majesty, His Heirs and Successors, might or could have held or enjoyed the same if such Sale had not taken place; and every such Certificate shall be respectively witnessed and attested, as to the signing thereof by the said Commissioners, by One of the principal Clerks or other Officers in their Office; and every such Certificate and Receipt, being enrolled as aforesaid, shall effectually discharge the respective Purchasers to whom the same shall be given or granted, of and from the Purchase or Consideration Money therein expressed, and such Purchasers shall never afterwards be liable to be called upon, sued, troubled, molested or questioned for or in respect thereof or any Part thereof.

V. Provided always, and be it further enacted, That if any Person or Persons, to whom any such Certificate as aforesaid shall be granted, shall neglect to pay into the Bank of *England* the Purchase or Consideration Money therein to be specified, for the Space of Thirty one Days after the Date of such Certificate, or shall neglect to enrol such Certificate, and the said Cashier's Receipt for the Money, for the Space of Two Calendar Months after the Date of such Certificate, then every such Certificate shall be null and void, and the Consideration Money, if paid into the Bank, shall be forfeited, unless the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being shall, for any reasonable Cause to them shown for the

the Omission of such Enrolment, order the said Certificate and Receipt to be enrolled *nunc pro tunc*, and which, upon such Cause being shown, they are hereby authorized and empowered to do.

VI. Provided always and be it further enacted, that the Commissioners of His Majesty Woods, Forests and Land Revenues for the time being shall in every Report which shall be made by them to The King's Most Excellent Majesty, and to both Houses of Parliament; touching or concerning the Land Revenue of the Crown, from and after the passing of this Act, so long as the Power of Sale given by this Act shall continue in force, certify and report what Part or Parts of the Land Revenue of the Crown shall have been sold under and by virtue of the Provisions of this Act, since the time of their making of their last preceding Report, and what Sum and Sums of Money shall have been raised by means of every such Sale, and in what manner the same shall have been applied and disposed of; and that when and as soon as the Monies required for the Purpose of paying the said Purchase Money and completing the said Contract made with said Duke and the Payment of the Expences aforesaid shall have been raised, the said Commissioners shall certify the same in their then next Report; and when and as soon as the same shall be so raised, all the Powers of Sale hereby given to them shall cease and be no further exercised.

VII. And be it further enacted, That all Conveyances, Deeds or Instruments, whereby the Rectory, Advowson, perpetual Right of Nomination and Appointment, and other Rights, Chapels, Privileges, Hereditaments and Premises, by the said recited Agreement contracted to be purchased, shall be conveyed to His Majesty, His Heirs or Successors, or to any Person or Persons in trust for him or them, shall be enrolled in the Office of the Auditor of His Majesty's Land Revenues for the County of *Middlesex*, on Payment of the usual Fees such Enrolment, and a Minute or Docket thereof shall be entered and preserved in the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues; and every such Conveyance, Deed or Instrument, when so enrolled and entered, shall, without any Enrolment thereof in any Court or Courts of Law or Equity, or any other Enrolment or Registry thereof, be as good and available in Law, and of the like Force and Effect, in all Respects and to all Intents and Purposes, as if the same had been or was enrolled in any of His Majesty's Courts of Record at *Westminster*, or as if a Memorial thereof had been entered or registered in the Office appointed for registering Deeds and other Conveyances of Lands and Tenements in the said County of *Middlesex*; any Act of Parliament, Law, Practice or Usage to the contrary in anywise notwithstanding.

VIII. And be it further enacted, That no Deed or Writing, Conveyance, Mortgage, Assignment or other Instrument, which shall be made, executed or signed, in pursuance of the said recited Articles of Agreement, or for carrying the same into Execution, nor any Certificate or Receipt, Deed or other Instrument to be given or granted to any Purchaser or Purchasers of any Royalties, Honours, Hundreds, Manors, Lordships, Messuages, Lands, Tithes, Rents, Tenements or other Hereditaments hereby authorized to be sold for the Purposes aforesaid, shall be subject or liable to any *ad valorem* or other Stamp Duty whatsoever imposed by any Act or Acts of Parliament now in force, nor to any Stamp Duty to be imposed by any

Commissioners of Woods to certify in their Report to The King and Parliament what Sales have been made under this Act, and how Monies have been applied.

Powers of Sale to cease when Monies raised.

Deeds to be enrolled in Office of the Auditor of the Land Revenue.

Good without Enrolment in the Courts, &c.

Deeds, Contracts and other Instruments to be exempted from Stamp Duty.

future Act or Acts of Parliament, unless the same be specially subjected thereto and specifically charged therewith in and by such future Act or Acts of Parliament.

If the Curacy become vacant before Provision made by Parliament for Regulation of Parish, no permanent Nomination of a new Curate shall be made without the Consent of Parliament.

IX. And be it further enacted, That in case the said perpetual Curacy of the said Parish of *Saint Mary le bone* shall become vacant by the Death, Cession, Deprivation or other Avoidance of the said *Luke Heslop*, or of any succeeding Curate, after the passing of this Act, and before Provision shall be made by any other Act or Acts of Parliament for the dividing or better ordering and Regulation of the said Parish, no permanent Nomination of any Person to the said Curacy shall be made without the Consent of Parliament; but all Ecclesiastical Duties which the Curate of the said Parish of *Saint Mary le bone* for the time being would have been bound to perform if this Act had not been made, shall be done, discharged and performed by a fit and proper Person to be appointed by His Majesty, His Heirs or Successors, such Appointment to be by Warrant under the Royal Sign Manual, countersigned by the Commissioners of His Majesty's Treasury of the United Kingdom, or any Three of them for the time being; which Person so to be appointed shall continue to discharge the Duties of the said Curacy until Provision shall be made by some future Act or Acts of Parliament for the Regulation of the said Parish, unless the said Curacy shall sooner become again vacant, by the Death, Cession or other Avoidance of the Person so appointed, in which case some other Person shall be in like manner appointed to succeed thereto, and so from time to time as often as any Vacancy shall occur, until such Provision as aforesaid shall be made for the permanent Regulation of the said Parish, and the Performance of the Duties of the said Curacy; and that in the mean time the Tithes, Dues, Fees, Profits and Revenues belonging to the said Curacy, or thence arising, or payable in respect thereof, shall be received, taken and collected by the said Duke or his Heirs, or such Person or Persons as he or they shall appoint, subject to the Provisions of the said Agreement, until the Title to the said Rectory and Premises shall be accepted and approved, and such Conveyances thereof as in the said Agreement mentioned shall be executed; and from thenceforth the same Tithes, Dues, Fees, Profits and Revenues shall be received, taken and collected by such Person or Persons as the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time shall, by and with the Consent and Approbation of the Lord High Treasurer, or of the Commissioners for the time being of His Majesty's Treasury, or any Three or more of them, for that Purpose appoint; and the Monies to be produced thereby or collected therefrom shall be from time to time paid into the Bank of *England*, and be there placed to the Account of the Lord High Treasurer or Commissioners of His Majesty's Treasury for the time being, to be held by him or them, or invested in the Public Funds, until the further Disposal thereof shall be directed and appointed by any such future Act or Acts of Parliament as aforesaid; and the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being shall have and they are hereby invested with all such Powers and Authorities to sue for, enforce and compel Payment of the said Tithes, Dues, Fees, Profits and other Revenues, in the Name of the Person by whom the said Duty or Office of Curate shall be performed, in such and the like manner, and by the same

The Duties to be performed by a Person appointed by The King, and the Tithes and other Dues to be collected, recovered and received by the Duke until, &c.

Title to Rectory approved, and then by Person appointed by the Commissioners with the Approbation of the Treasury.

Monies paid into the Bank of England.

same Process, Suit or Means, as the Curate for the time being of the said Parish could or might have had or used in case this Act had not been made, and as if such Person had been duly nominated and was in Fact and in Right the permanent or perpetual Curate of the said Parish.

Salary to officiating Minister.

X. Provided also, and be it further enacted, That it shall and may be lawful for the Lord High Treasurer or Commissioners of His Majesty's Treasury for the time being, or any Three of them, out of the Monies to be received for such Tithes, Dues, Fees, Profits and Revenues as aforesaid, to allow and pay such Sums of Money as to him or them shall appear a competent Salary to the Person so nominated by them to execute for the time being the Duties of Curate of the said Parish, and also to the Person who shall be so appointed to collect or receive the said Tithes, Dues, Fees, Profits and Revenues.

No permanent Nomination of any new Curates or Ministers to any of the said Chapels, nor of any new Officers, to be made until such new Regulations shall take place, except as to the Nomination of Mr. White to Welbeck Chapel, and except as to Brunswick Chapel;

XI. And be it further enacted, That in case any of the said Chapels shall become vacant, by the Death, Cession, Deprivation or other Avoidance of any of the Ministers thereof, or in case any Vacancies shall occur either in the said Parish Church or in any or either of the said Chapels, in the Offices of Sexton, Clerk or any other Office of, in, or to which the said Duke has the Right of Nomination or Appointment, after the passing of this Act, and before the making of such Provision for the permanent Regulation of the said Parish by Parliament as aforesaid, that then and in every such case (except in the case of *Brunswick Chapel*, and also except in the case of any Vacancy in *Welbeck Chapel*, to be occasioned by the Death, Cession or Deprivation of the present Curate or Minister thereof, if the said *Thomas White* shall be then alive and desirous of being nominated thereto, in which case the said Duke or his Heirs is and are to be at Liberty to nominate the said *Thomas White* to be the Curate or Minister of such last mentioned Chapel, no permanent Appointment of any Minister, Clerk, Sexton or other Officer, to supply any such Vacancy (except as aforesaid) shall be made; but His Majesty, His Heirs and Successors, shall have full Power and Authority to appoint fit and proper Persons to execute the Offices so becoming vacant, until such Provision shall be made by Parliament for the permanent Regulation of the said Parish as aforesaid, such Appointment to be by Warrant under the Hands of any Three or more of the Commissioners of His Majesty's Treasury of the United Kingdom for the time being; and all the Rents, Profits and Revenues arising and accruing from the said Chapels, shall be taken, received and collected by the said Duke or his Heirs, or such Person or Persons as he or they shall appoint, subject to the Provisions of the said Agreement, until the Title to the said Rectory and Premises shall be accepted and approved, and such Conveyances thereof as in the said Agreement mentioned shall be executed; and from thenceforth the same shall be received, taken and collected by such Person or Persons as the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being shall (by and with the Consent and Approbation of the said Commissioners for the time being of His Majesty's Treasury, or any Three or more of them) for that Purpose appoint; and the Surplus of the Monies arising therefrom, after Payment of the Salaries or Stipends of the several Curates or Ministers of the said Chapels, and of the several Officers of the said Parish Church and Chapels to whom Salaries or Stipends shall be payable,

and Profits of Chapels received by the Duke;

and then by Persons appointed by the Commissioners with the Approbation of the Treasury.

shall be paid into the Bank of *England*, to be placed to the Account of the said Lord High Treasurer or Commissioners of His Majesty's Treasury for the time being, to be held by them, or invested in the same Way as hereinbefore directed with regard to the Tithes, Dues, Fees, Profits and Revenues of the said Curacy of the said Parish of *Saint Mary le bone*.

If Vacancies happen before the Title be approved or the Conveyances executed, the Duke, with the Approbation of the Treasury, is to nominate the Persons to supply such Vacancies.

XII. Provided and it is hereby further enacted and declared, That in case any such Vacancy as aforesaid shall happen in the Curacy of the said Parish, or in any of the said Chapels or Offices (except as aforesaid), by the Death, Cession, Deprivation or other Avoidance of the Curate, Minister or any of the said Officers for the time being, before the Title of the said Duke or his Heirs to the said Rectory shall be accepted and approved, and before the Conveyances so agreed to be executed thereof as aforesaid shall be executed, that then and in such case the Person or Persons to be appointed to supply every such Vacancy shall be nominated by the said Duke or his Heirs, by and with the Consent and Approbation of the said Lord High Treasurer, or the said Commissioners for the time being of His Majesty's Treasury, or any Three of them; but all such Persons shall be liable to be discontinued and removed by the said Lord High Treasurer, or the said Commissioners of His Majesty's Treasury, or any Three of them, immediately or at any time after the said Title shall be so approved and accepted, and the Conveyances aforesaid shall be so executed as aforesaid.

If the Title to the Rectory be not accepted, the Duke is to have and enjoy the same Right as if the said Agreement had never been executed, or this Act passed.

XIII. Provided also, and it is hereby further enacted and declared, That in case the Title of the said Duke or his Heirs to the said Rectory and Premises shall not be accepted and approved, and that by reason thereof or for any other Cause the Contract for the Purchase thereof shall be annulled or not carried into Execution, that then and in such case the said Duke and his Heirs shall thenceforth have and enjoy all such Right of Nomination, and other Rights, Powers and Privileges, in, to and over the Rectory, Chapels and other Offices, and the Appointment of the Curate, Ministers and other Officers aforesaid, in as full and ample manner to all Intents and Purposes as if the said Agreement had never been executed, or this present Act had never been passed; and that then and from thenceforth all the Restrictions and Provisions herein contained, touching the Nomination of the Curate, Ministers and other Officers, shall cease, determine and be no longer of any Force or Effect; any thing herein contained to the contrary in anywise notwithstanding.

General Saving.

XIV. Saving always to all and every Person and Persons, their Heirs, Executors, Administrators and Assigns respectively, except the said Duke of *Portland*, his Heirs, Executors, Administrators and Assigns, all such Rights, Titles and Interests, Privileges, Powers and Authorities in the Premises, as they or any of them could have had, exercised or enjoyed, in as full and ample manner, to all Intents and Purposes, as if this Act had not been made; any thing hereinbefore contained to the contrary in anywise notwithstanding.

SCHEDULE to which this Act refers.

FORM of Certificate of Contracts to be made by the Commissioners of His Majesty's Woods, Forests and Land Revenues.

BY the Commissioners of His Majesty's Woods, Forests and Land Revenues: These are to certify, That in pursuance of a Warrant from

from the Right Honourable the Commissioners of His Majesty's Treasury of the United Kingdom of Great Britain and Ireland, bearing Date the _____ Day of _____ A. B. and C. D. two of the Commissioners of His Majesty's Woods, Forests and Land Revenues, for and on behalf of The King's Most Excellent Majesty, have contracted and agreed with E. F. of _____ for the Sale to the said E. F. of all [*here describe the Premises to be sold, and any subsisting Grants, Leases or Contracts affecting the same*] at or for the Price or Sum of _____ of lawful Money of Great Britain to be paid by the said E. F. into the Bank of England, and carried to the Account of the Public Monies of the Commissioners of His Majesty's Woods, Forests and Land Revenues, being "The Woods and Forests Fund;" and from and immediately after the Payment of the said Sum into the Bank in manner as aforesaid, and the Enrolment of this Certificate and the Receipt for the said Purchase Money in the Office of the Auditor of the Land Revenue for the County aforesaid, and thenceforth, for ever, the said E. F. and his, her or their Heirs [*or Successors, as the case may be,*] or Assigns, shall be adjudged, deemed and taken to be in the actual Seisin and Possession of the Hereditaments and Premises so by him [*her or them*] purchased, and shall hold and enjoy the same peaceably and quietly, freed and discharged from all Claims and Demands of His Majesty, His Heirs and Successors, or of any Person or Persons claiming under Him or them, [*if subject to any Grant, Lease or Contract, then add "save and except the Person or Persons claiming under the said Grant Lease or Contract," as the case may be,*] and in as full and as ample manner to all Intents and Purposes as His Majesty, His Heirs or Successors, might or could have held or enjoyed the same if such Sale had not been made. Given under their Hands this _____ Day of _____ in the Year of our Lord

Signed by the above named

in the Presence of

FORM OF RECEIPT.

RECEIVED, the _____ Day of _____ of and from E. F. the Sum of _____ of lawful Money of Great Britain, being the Consideration Money mentioned in the above [*or within*] written Certificate.

Witness my Hand,

For the Governor and Company
of the Bank of England,

(Signed)

Cashier,

C A P. XCIX.

An Act to consolidate and amend the Laws relating to Spiritual Persons holding of Farms; and for enforcing the Residence of Spiritual Persons on their Benefices; and for the Support and Maintenance of Stipendiary Curates in England.

[10th July 1817.]

WHEREAS an Act passed in the Twenty first Year of the Reign of His Majesty King Henry the Eighth, intituled "An Act against Pluralities of Benefices, taking of Farms by Spiritual Men,"

- 28 H. 8. c. 13. ' *Men, and for Residence: And Whereas another Act passed in the*
 ' *Twenty eighth Year of the Reign of His said Majesty King Henry*
 ' *the Eighth, intituled An Act for compelling Spiritual Persons to*
 ' *keep Residence upon their Benefices: And Whereas another Act*
 13 Eliz. c. 20. ' *was passed in the Thirteenth Year of the Reign of Her Majesty*
 ' *Queen Elizabeth, intituled An Act touching Leases of Benefices, and*
 ' *Ecclesiastical Livings with Cure: And Whereas Three several Acts*
 14 Eliz. c. 11. ' *passed in the Fourteenth, Eighteenth and Forty third Years respec-*
 18 Eliz. c. 11. ' *tively of the Reign of Her said Majesty Queen Elizabeth, for ex-*
 43 Eliz. c. 9. ' *plaining and amending the said recited Act of the Thirteenth Year*
 ' *aforsaid; and which were made perpetual by an Act passed in the*
 3 C. 1. c. 4. ' *Third Year of the Reign of His Majesty King Charles the First,*
 ' *intituled An Act for the Continuance and Repeal of divers Statutes:*
 43 G. 3. c. 84. ' *And Whereas another Act was passed in the Forty third Year of*
 ' *the Reign of His present Majesty, intituled An Act to amend the*
 ' *Laws relating to Spiritual Persons holding of Farms, and for en-*
 ' *forcing the Residence of Spiritual Persons on their Benefices in*
 43 G. 3. c. 109. ' *England: And Whereas another Act passed in the Forty third*
 ' *Year of the Reign of His present Majesty, intituled An Act to*
 ' *redress a Mistake in an Act made in this present Session of Parlia-*
 ' *ment, intituled ' An Act to amend the Laws relating to Spiritual*
 ' *Persons holding of Farms, and for enforcing the Residence of Spiritual*
 ' *Persons on their Benefices in England, and to remove a Doubt re-*
 ' *specting the Title of the Statute of the Twenty first Year of King Henry*
 ' *the Eighth therein mentioned: And Whereas an Act was passed in*
 12 Ann. Stat. 2. ' *the Twelfth Year of the Reign of Her late Majesty Queen Anne,*
 c. 12. ' *intituled, An Act for the better Maintenance of the Curates within*
 ' *the Church of England, and for preventing any Ecclesiastical Persons*
 ' *from buying the next Avoidance of any Church Preferment: And*
 36 G. 3. c. 83. ' *Whereas an Act was passed in the Thirty sixth Year of the Reign*
 ' *of His present Majesty, intituled An Act for the further Support*
 ' *and Maintenance of Curates within the Church of England, and for*
 ' *making certain Regulations respecting the Appointment of such Curates,*
 ' *and the Admission of Persons to Cures augmented by Queen Anne's*
 ' *Bounty, with respect to the Avoidance of other Benefices: And*
 53 G. 3. c. 149. ' *Whereas another Act passed in the Fifty third Year of the Reign*
 ' *of His present Majesty, intituled, An Act for the further Support*
 ' *and Maintenance of Stipendiary Curates: And Whereas Doubts*
 ' *have arisen upon the Construction of some of the Provisions of the*
 ' *said Acts; and it is therefore necessary that such Provisions of the*
 ' *said Acts should be explained, and other Provisions made, and*
 ' *that the several Laws relating to Spiritual Persons holding of*
 ' *Farms, and to buying and selling, and for enforcing of Residence*
 ' *and the Maintenance of Stipendiary Curates, should be consolidated*
 ' *in one Act: May it therefore please Your Majesty that it may be*
 ' *enacted; and be it enacted by The King's Most Excellent Majesty,*
 ' *by and with the Advice and Consent of the Lords Spiritual and*
 ' *Temporal, and Commons, in this present Parliament assembled, and*
 ' *by the Authority of the same, That from and after the passing of*
 ' *this Act, so much of the said several recited Acts passed in the Reign*
 ' *of His Majesty King Henry the Eighth, and so much of the said Acts*
 ' *of the Reign of Her Majesty Queen Elizabeth, and of the said recited*
 ' *Act of His Majesty King Charles the First, as relates to Spiritual*
 ' *Persons holding of Farms, and to Leases of Benefices and Livings,*
 ' *and*

Recited Acts
repealed.

and to buying and selling, and to Residence of Spiritual Persons on their Benefices; and also so much of the said recited Act of Her Majesty Queen *Anne*, and of the said recited Act of the Thirty sixth Year of the Reign of His present Majesty, as relates to the Maintenance of Curates within the Church of *England*, and making Provision for appointing Stipends for such Curates, and all the said several other recited Acts passed in the Reign of His present Majesty, shall be and the same are respectively hereby repealed.

II. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Spiritual Person having or holding any Dignity, Prebend, Canonry, Benefice or any Stipendiary Curacy or Lectureship, to take to farm, for Occupation by himself, by Lease, Grant, Words or otherwise, for Term of Life or Term of Years, or at Will, any Lands, exceeding in Amount in the whole Eighty Acres, for the Purpose of occupying or using or cultivating the same, without the Consent in Writing of the Bishop of the Diocese in which such Dignity, Canonry, Prebend, Benefice, Stipendiary Curacy or Lectureship shall be locally situate, specially given for that Purpose; and every such Permission to any Spiritual Person to take to farm, for the Purpose of occupying the same, any greater Quantity of Land than Eighty Acres, shall specify the Number of Years, not exceeding Seven, for which the Permission is given; and every such Spiritual Person as aforesaid who shall, without such Permission as aforesaid, take to farm any greater Quantity of Land than Eighty Acres, shall forfeit for every Acre of Land above the Quantity of Eighty Acres so taken to farm, the Sum of Forty Shillings for each and every Year during or in which he shall so occupy, use, cultivate or farm such Land contrary to the Provisions of this Act, to be recovered by and to the Use of any Person who may inform and sue for the same.

III. And be it further enacted, That no Spiritual Person having or holding any Dignity, Prebend, Canonry, Benefice, Stipendiary Curacy or Lectureship, shall by himself, or by any other for him or to his Use, engage in or carry on any Trade or Dealing for Gain or Profit, or deal in any Goods, Wares or Merchandize, by buying and selling for Lucre, Gain or Profit, in any Market, Fair or other Place, upon pain of forfeiting the Value of the Goods, Wares and Merchandizes, by him or by any to his Use, bargained and bought to sell again contrary to the Provisions of this Act; and that every Bargain and Contract so made by him, or by any to his Use, in any such Trade or Dealing, contrary to this Act shall be utterly void and of none Effect; and the one Half of every such Forfeiture shall go to His Majesty, and the other Half to him that will sue for the same.

IV. And be it further enacted, That nothing in this Act contained in relation to being engaged in Trade or Dealing, or buying or selling, shall extend or be construed to extend to, or to subject to any Penalty or Forfeiture, any Spiritual Person for keeping a School or Seminary, or acting as a Schoolmaster or Tutor or Instructor, or being in any manner concerned or engaged in giving Instruction or Education for Profit or Reward, or for buying or selling, or doing any other Act, matter or thing in the Conduct of, or carrying on, or in relation to the Management of any such School, Seminary or Employment; or to any Spiritual Person whatever, for the buying

Spiritual Persons taking to farm for Occupation above Eighty Acres without Consent of Bishop.

What such Consent is to express.

Penalty.

Spiritual Person beneficed, or performing Ecclesiastical Duty, engaging in Trade, &c.

Penalty,

and Contracts void.

Proviso for Spiritual Persons engaged in keeping Schools, or as Tutors, &c. in respect of any thing done, or any buying, or selling in such Employment; and for selling any thing bona fide bought for

the Use of the Family ; or occupying any Glebe, &c.

of any Goods, Wares or Merchandizes, or Articles or things of any Description, which shall, without Fraud or Covin, be bought, to the Intent and Purpose, at the buying thereof, to be used and employed by the Spiritual Person buying the same for his Family or in his Household, and after the buying of any such Goods, Wares or Merchandizes, or Articles or things, the selling the same again, or any Parts thereof, which such Person may not want or choose to keep, although the same shall be sold at any advanced Price beyond that which may have been given for the same ; or for any buying or selling again for any Lucre, Gain or Profit of any manner of Cattle or Corn, or other matters or things whatever, necessary, proper or convenient to be bought, sold, kept or maintained by any Spiritual Person, or any other Person for him, or to his Use, for the Occupation, Manuring, Improving, Pasturage or Profit of any Glebe, Demesne, Farms, Lands, Tenements or Hereditaments, which may be lawfully held and occupied, possessed or enjoyed by such Spiritual Person, or any other for him or to his Use : Provided always, that nothing herein contained shall extend or be construed to extend to authorize any such Spiritual Person to sell any Cattle or Corn, or other matters or things as aforesaid, in Person, in any Market, Fair or Place of public Sale.

Non Residence.

V. And be it further enacted, That from and after the passing of this Act every Spiritual Person holding any Benefice, who shall, without any such Licence or Exemption as is in this Act allowed for that Purpose, wilfully absent himself therefrom for any Period exceeding the Space of Three Months together, or to be accounted at several times in any one Year, and make his Residence and Abiding at any other Place or Places except at some other Benefice, Donative, Perpetual Curacy or Parochial Chapelry of which he may be possessed, shall, when such Absence shall exceed such Period as aforesaid, and not exceed Six Months, forfeit and pay One third of the Annual Value (deducting therefrom all Outgoings, except any Stipend paid to any Curate) of the Benefice, Donative, Perpetual Curacy, or Parochial Chapelry from which he shall so absent himself as aforesaid ; and when such Absence shall exceed Six Months and not exceed Eight Months, one Half of such Annual Value ; and when such Absence shall exceed Eight Months, Two Thirds of such Annual Value ; and when such Absence shall have been for the whole of the Year, Three Fourths of such Annual Value, to be recovered by Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record at *Westminster*, or the Courts of Great Sessions in *Wales*, wherein no Essoign, Privilege, Protection or Wager of Law, or more than one Impar lance, shall be allowed ; and the whole of every such Penalty or Forfeiture shall go and be paid to the Person or Persons who shall inform and sue for the same, together with such Costs of Suit as shall be allowed, according to the Practice of the Court in which such Action shall be brought.

Penalties according to time.

Where no House belonging to Benefice, &c. Residence within Limits of Parish, &c. legal Residence.

VI. And be it further enacted, That every Spiritual Person having any Benefice, and who shall not have any House of Residence thereon, and who shall have resided Nine Months in the Year within the Limits of his Benefice, or within the Limits of the City, Town, Place or Parish in which his Benefice may be situated, provided such last mentioned Residence be within the Distance of Two Miles from the Church or Chapel of his Benefice, shall not be liable to any Penalties

on

on account of Non Residence, nor be obliged to take out any Licence in respect thereof, but that the same shall be deemed a legal Residence to all the Intents and Purposes of this Act; and in all Returns made by the Bishops, Persons so residing shall be returned as resident.

VII. And Whereas the Governors of Queen Anne's Bounty have in some Instances purchased and may hereafter purchase Houses not situate within the Parishes for which they are purchased, but so contiguous as to be sufficiently convenient and suitable for the Residence of the officiating Ministers thereof; Be it therefore enacted, That such Houses, having been previously approved by the Bishop by Writing under his Hand and Seal, and duly registered in the Registry of the Diocese, shall be deemed Houses of Residence appertaining to such Benefices to all Intents and Purposes whatsoever.

In what case Houses purchased by Governors of Queen Anne's Bounty to be deemed Residences.

VIII. And be it further enacted, That in all cases of Rectories having Vicarages endowed, the Residence of the Vicar in the Rectory House shall be deemed a legal Residence to all Intents and Purposes whatever; provided that the Vicarage House be kept in proper Repair, to the Satisfaction of the Bishop.

Rectories having Vicarages endowed.

IX. And be it further enacted, That it shall be lawful for the Bishop, in every case in which there shall not be a House of Residence belonging to any Benefice within his Diocese, to allow and adjudge any fit House within the Limits of such Benefice and belonging thereto, or any fit House belonging thereto not within the Limits, but so contiguous as to be sufficiently convenient for the Purpose, to be the House of Residence thereof; and such Allowance and Adjudication in Writing under the Hand and Seal of such Bishop shall thereupon be registered in the Registry of the Diocese from time to time; and such House shall thenceforth be deemed the House of Residence for the time being to all Intents and Purposes whatsoever.

Power in Bishop to allow any fit House belonging to the Preferment to be a House of Residence.

Such Allowance to be registered.

X. And be it further enacted, That no Spiritual Person, being Chancellor, Vice Chancellor or Commissary of either of the Universities of Oxford or Cambridge, or being Warden, Dean, Provost, President, Rector, Principal, Master or other Head Ruler of any College or Hall within the said Universities, and no Spiritual Person having or holding any Professorship or any public Readership in either of the said Universities, being actually resident within the Precincts of the University and reading Lectures therein; and no Scholar under the Age of Thirty Years, abiding for Study without Fraud at either of the said Universities; and no Chaplain of the King's or Queen's Most Excellent Majesty, or of any of the King's or Queen's Children, Brethren or Sisters, during so long as he shall actually attend in the Discharge of his Duty as such Chaplain in the Household to which he shall belong; and no Chaplain of any Archbishop or Bishop, or of any Temporal Lord of Parliament, or of any other Person or Persons authorized by Law to appoint any Chaplain or Chaplains, during so long as such Chaplain or Chaplains shall abide and dwell and daily attend in the actual Performance of his Duty as such Chaplain in the Household to which he shall so belong; and no Spiritual Person actually serving as a Chaplain of the House of Commons, or as Clerk of His Majesty's Closet, or as a Deputy Clerk thereof, or as a Clerk of the Closet of the Heir Apparent, or as a Deputy Clerk thereof, or as a Chaplain General of His Majesty's Forces by Sea or Land, or Chaplain of His Majesty's Dock Yards, while such Spiritual Person shall be actually attending and performing the

In what case the following Persons exempted from Penalties for Non Residence. Chancellor, &c. in the Universities;

Royal Chaplains;

Chaplains of Peers, &c.;

Chaplain of the House of Commons; Clerk of the Closet; Chaplains in the Forces and Dock Yards;

Duties

Chaplains of
Ambassadors, &c.
abroad;

Archdeacons;

Minor Canons,
&c.;

Dean, &c. at St.
James's or
Whitehall;
Reader in the
King's Private
Chapels;
Preacher in
Inns of Court or
the Rolls;
Bursars, &c. of
College;

Public Librarian,
&c. in the Uni-
versities;

Fellows of Col-
leges;
Warden, &c. of
Westminster and
Eton and Win-
chester;
Master of the
Charter House;

Principal, &c. of
the East India
College.

Provost for Dig-
nities residing
at Cathedral
Churches, &c.
for certain
Periods.

Duties of such Office respectively; or as a Chaplain in the Household of any *British* Ambassador residing abroad, during the time of his performing the Duties of such his Office; or as Chancellor or Vicar General, or as Commissary, whilst exercising the Duties of their Offices respectively; or as an Archdeacon, while upon Visitations or otherwise engaged in the Exercise of his Functions; and no Spiritual Person being a Minor Canon or Vicar Choral, or Priest Vicar, or any such other Public Officer, in any Cathedral or Collegiate Church, during the times for which such Spiritual Person shall actually reside within the Precincts of the Cathedral or Collegiate Church to which he shall belong, or within the City or Town in which the said Cathedral or Collegiate Church is situate or the Suburbs thereof, and shall actually perform the Duties of his Office; or as a Dean or Subdean, or Priest or Reader, in any of His Majesty's Royal Chapels at *Saint James's* or *Whitehall*, or as a Reader in His Majesty's Private Chapels at *Windfor* or elsewhere, whilst residing and actually performing the Duty of any such Office respectively; or as a Preacher in any of the Inns of Court or at the Rolls; or as Bursar, Treasurer, Dean, Vice President, Subdean or Public Tutor or Chaplain, or other such Public Officer in any College or Hall in either of the Universities of *Oxford* or *Cambridge*, during the Period for which he may respectively be required, by reason of any such Office, to reside and perform the Duties of any such Office, and actually shall reside and perform the Duties of the same; or as Public Librarian or Public Registrar or Proctor, or Public Orator or other such Public Officer, in either of the said Universities, during the Period for which he may respectively be required by reason thereof to reside and perform the Duties of any such Office, and actually shall reside and perform the Duties of the same; or as Fellow of any College in either of the Universities, during the time for which he may be required to reside by any Charter or Statute, and shall actually reside therein; or as Warden, Provost or Fellow of *Eton* or *Winchester* College, or the Master of the Charter House, during the time for which he may be required so to reside and shall actually reside therein respectively; or within the City or Town or Suburbs of the City or Town within or near to which the said Colleges are respectively situate; or as a Master or Usher in the said Colleges of *Eton* or *Winchester*, or as a Master or Usher of *Westminster* School, or as Principal or Professor of the *East India* College; or who shall be specially exempt from Residence under the Provisions of any Act or Acts of Parliament not repealed by this Act, shall be liable to any of the Pains, Penalties or Forfeitures in this Act contained, for or on account of any Non Residence, during any such Period as aforesaid, on any Benefice; but every such Spiritual Person shall, with respect to Residence under this Act, be entitled to account such Period as if he had legally resided on some other Benefice; any thing in this Act contained to the contrary notwithstanding.

XI. And be it further enacted, That it shall be lawful for any Spiritual Person being Dean, during such time as he shall reside upon his Deanery, or being Prebendary or Canon, or holding any other Dignity or Dignities in any Cathedral or Collegiate Church or Churches, who shall reside any Period not exceeding Four Months altogether within the Year upon such Dignity or Dignities, to account such Residence as if he had legally resided on some Benefice:
Provided

Provided always, that it shall be lawful for any Spiritual Person having or holding any Prebend, Canonry or Dignity in any Cathedral or Collegiate Church, in which the Year for the Purposes of Residence is accounted to commence at any other Period than the First of *January*, and who may keep the Periods of Residence required for Two successive Years at such Cathedral or Collegiate Church, in whole or in part, between the First of *January* and the Thirty first of *December* in any One Year, to account such Residence, although exceeding Four Months in the Year, as reckoned from the First of *January* to the Thirty first of *December*, as if he had legally resided on some Benefice; any thing in this Act contained to the contrary notwithstanding.

XII. And be it further enacted, That it shall be lawful for the Bishop of the Diocese in which any Benefice shall be locally situate to license any longer Period of Non Residence upon any such Benefice of any Prebendary, Canon or other Person holding any Dignity in any Cathedral or Collegiate Church, in any case in which it shall appear to such Bishop, from his own Knowledge, if such Cathedral or Collegiate Church is locally situate within his own Diocese, or if not, by the Certificate of the Bishop of the Diocese in which the Cathedral or Collegiate Church shall be locally situate, to be required for the Performance of any Duties in any such Cathedral or Collegiate Church; provided that every such Spiritual Person shall during such Period reside on such Prebend, Canonry or Dignity.

XIII. Provided always, and be it further enacted, That no Spiritual Person appointed to any Prebend, Canonry or Dignity in any Cathedral or Collegiate Church before the passing of this Act, shall be subject to any Penalty or Forfeiture for Non Residence upon any Benefice during the Period of his actually residing upon such Prebend, Canonry or Dignity.

XIV. And be it further enacted, That every Spiritual Person having any House of Residence upon his Benefice, who shall not reside thereon, shall, during such Period or Periods of Non Residence, whether the same shall be for the Whole or Part of any Year, keep such House of Residence in good and sufficient Repair; and that every such Spiritual Person who shall not keep such House of Residence in Repair, and who shall not, upon Monition issued by the Bishop of the Diocese in which the same shall be locally situate, put the same in Repair, according to the Requisition of such Monition, within the time specified therein, to the Satisfaction of the Bishop of the Diocese, and to be certified to the Bishop upon such Survey and Report as shall be required by the Bishop in that behalf, shall be liable to all Penalties for Non Residence, notwithstanding any Exemption or Licence, during the Period of such House of Residence remaining out of Repair, and until the same shall have been put in good and sufficient Repair, to the Satisfaction of the Bishop of the Diocese.

XV. And be it further enacted, That from and after the passing of this Act it shall be lawful for any Bishop, upon Application made for that Purpose, by Petition in Writing, by any Spiritual Person, or by any fit and proper Person on behalf of any Spiritual Person having or holding any Benefice locally situated within his Diocese, upon such Proofs as to any Facts stated in any such Petition as any such Bishop may think necessary, and shall require by Affidavit made

Cases in which the Year of Residence at Cathedrals commences at any other Period than the 1st of January.

Bishop may license for a longer Period, if the Duties of a Cathedral or Collegiate Church require it.

Proviso for Prebendaries, &c. appointed before this Act.

Persons having House of Residence on their Benefice, and not keeping it in Repair,

Penalty.

Bishop may grant Licences for Non Residence in certain cases enumerated.

before any Ecclesiastical Judge or his Surrogate, or any Justice of the Peace or Magistrate, or any Master Extraordinary in Chancery (which Oath any such Ecclesiastical Judge or Surrogate or Justice of the Peace or Magistrate, or Master Extraordinary in Chancery, is hereby authorized and required to administer), to grant in such cases as are in this Act enumerated, in which, upon due Consideration of all the Circumstances stated in any such Application, and verified to the Satisfaction of the Bishop as aforesaid, such Bishop shall in his Discretion think it fit to grant the same, a Licence in Writing under his Hand, expressing the Cause of granting the same to such Spiritual Person to reside out of the Parish, or out of the proper House of Residence of his Benefice, for the Purpose of exempting such Person from any pecuniary Penalty or Forfeiture in respect of any Non Residence thereon; (that is to say), to any Spiritual Person who shall be prevented from residing in the proper House of Residence, or in the Parish, by any actual Illness or Infirmary of Body of himself, or of his Wife or Child, making Part of and residing with him as Part of his Family; and also to any Spiritual Person having or holding any Benefice whereupon or wherein there shall be no House of Residence, or where the House of Residence shall be unfit for the Residence of such Spiritual Person, such Unfitness not being occasioned by any Negligence, Default or other Misconduct of such Spiritual Person, and such Spiritual Person keeping such House of Residence in Repair to the Satisfaction of the Bishop; and also to any Spiritual Person having or holding any Benefice, and occupying in the Parish of the same respectively any Mansion or Messuage, to reside in such Mansion or Messuage, such Spiritual Person keeping the House of Residence, and other Buildings belonging thereto, in good and sufficient Repair and Condition, and producing to the Bishop Proof to his Satisfaction, at the time of granting and renewing any such Licence, of such good and sufficient State of Repair; and also to any Spiritual Person having or holding any Benefice of small Value, and serving as a licensed Stipendiary Curate elsewhere, and providing for the serving of such his Benefice, to the Satisfaction of such Bishop; and also to any Master or Usher of any endowed School duly licensed by the Bishop, and actually employed in teaching therein; and also to any Master or Preacher of any Hospital or incorporated Charitable Foundation during the Period for which he may be required to reside by any Charter or Statute of any such Hospital or incorporated Charitable Foundation, or by any other lawful Authority in the same, and shall actually reside and perform his Duties therein; or to any Person holding any endowed Lectureship, or endowed Chapelry, or endowed Preachership, and performing and executing the Duties thereof respectively, with the Licence of the Bishop in whose Diocese he shall so officiate; or to any Spiritual Person having or holding any Benefice of small Value, and serving as Preacher in any Proprietary Chapel, in any City or Town, with the Licence of the Bishop in whose Diocese he shall so officiate; or to any Spiritual Person actually serving as Chaplain in any of His Majesty's Garrisons, or as Chaplain to the Royal Military Asylum at *Chelsea*, or Royal Military College at *Sandhurst*, or as Teacher of the Royal Military Academy at *Woolwich*, or as Chaplain at either of the Royal Hospitals at *Greenwich* or *Chelsea*, or as Chaplain to either of the Royal Hospitals for Seamen

at

at *Hastlar* or *Plymouth*, or as Chaplain to the Naval Asylum, or in His Majesty's Navy, or as Chaplain of His Majesty's Gaol of *Newgate*, or of the Penitentiary at *Milbank*, or as Chaplain of any *British* Factory, or as principal Surrogate or Official in any Ecclesiastical Court of any Diocese, or as a Librarian of the *British* Museum, or of *Sion* College, or as one of the Trustees of Lord *Crewe's* Charity, during the time of personal Attendance on the Duties of such Office respectively: Provided always, that the Spiritual Person obtaining any such Licence shall pay to the Secretary or Officer of the Bishop the Sum of Ten Shillings, exclusive of and over and above the Stamp Duty chargeable thereon, and no more: Provided also, that if any Spiritual Person applying to any Bishop for any such Licence shall think himself aggrieved by the Refusal thereof, it shall be lawful for such Spiritual Person to appeal to the Archbishop of the Province, who shall forthwith, either by himself, or some Commissioner or Commissioners appointed from among the other Bishops of his Province, under his Hand, make or cause to be made Inquiry into the same, and by Writing signed by himself confirm such Refusal, or grant a Licence under this Act, as shall seem just and proper: Provided always, that in every such case the Spiritual Person so appealing shall give Security to the Bishop for the Payment of such reasonable Expences occasioned by the Appeal as the Archbishop or his Commissioner or Commissioners shall award.

XVI. And be it further enacted, That it shall be lawful for any such Bishop as aforesaid, in any cases not hereinbefore enumerated, in which under all the Circumstances of any such case such Bishop shall think it expedient to grant to any Spiritual Person possessed of any Benefice a Licence to reside out of the Parish, or out of the proper House of Residence, as the case may be, or as the case may appear to such Bishop to require, and to assign in any case in which a Stipendiary Curate may be employed to do the Duty of such Spiritual Person, such Salary as he shall judge fit to appoint, due Respect being had to the Value of such Benefice, and to all other Circumstances of the case: And it shall also be lawful for any Bishop, in case of the Absence from the Realm of any Spiritual Person, to grant any such Licence without any Application made for that Purpose, and from time to time in any such case to renew any such Licence as he shall think fit, and in every such case to appoint a Stipendiary Curate in case no Curate duly licensed shall be then employed in serving such Benefice, and to assign a Salary to such Curate; or if any Curate shall have been and be then so employed, to assign any additional Salary to such Curate; and in every and any of such cases to cause such Salaries to be paid by Sequestration of the Profits of the Benefice: Provided always, that in every such case respectively, the Nature and Special Circumstances thereof, and the Reasons that have induced such Bishop to grant such Licence as aforesaid, shall be forthwith transmitted to the Archbishop of the Province to which such Bishop shall belong, who shall forthwith by himself, or by some Commissioner or Commissioners appointed for that Purpose from among the Bishops of such Province, by Writing under his Hand, which Commissioner or Commissioners is and are thereupon authorized to take upon himself or themselves the Execution of the said Commission, examine into such case, and make such Inquiries as to any Particulars relating thereto, as such Arch-

Fee for Licences.

Appeal to Archbishop on refusal by Bishop of Licence.

Security on Appeal for Payment of Expences.

In cases not hereinbefore enumerated, Bishops may grant Licences and assign Salaries to Curates employed, as they shall think expedient.

Reasons for granting such Licences to be transmitted to the Archbishop for Examination and Allowance.

bishop or Commissioner or Commissioners so appointed as aforesaid may think necessary; and after such Inquiries made by himself, or where the same shall be made by such Commissioner or Commissioners, after a Return of the Substance thereof in Writing to such Archbishop, such Archbishop shall thereupon allow or disallow such Licence in the whole or in part, or make any Alteration therein as to the Period for which the same may have been granted or otherwise, and likewise as to the Stipend assigned to the Curate, as to such Archbishop shall seem fit; and no such Licence shall be good, valid or effectual under this Act, for any Purpose whatever, unless it shall have been so allowed and approved by such Archbishop, such Allowance thereof being signified by the signing thereof by such Archbishop: Provided always, that it shall not be necessary in such Licence to specify the Cause of granting the same.

No such Licence good until so allowed.

In what case only Licences void by Death, &c. of Grantor.

XVII. And be it further enacted, That no Licence granted under this Act shall be made void by the Death or Removal of the Bishop granting the same, but the same shall be and remain good and valid notwithstanding any such Death or Removal, unless the same shall be revoked by the next or any succeeding Bishop, as the case may require.

Application for Licence to be in Writing and signed, and to state certain Particulars.

XVIII. And be it further enacted, That every Application made by or in behalf of any Spiritual Person holding any Benefice, Donative, Perpetual Curacy, or Parochial Chapelry, to the Bishop of the Diocese, for any Licence for Non Residence, shall be in Writing, and shall be signed by the Person making the same, and shall state whether such Spiritual Person intends to perform the Duty himself, and if he does, where and at what Distance he intends to reside; or if he intends to employ a Curate, the Application shall state what Salary he proposes to give to his Curate, and whether the Curate proposes to reside or not to reside in the Parish; and if the Curate intends to reside, then whether in the Parsonage House; and if he does not intend to reside in the Parish, then the Application shall state at what Distance therefrom, and at what Place such Curate intends to reside; and whether such Curate serves any other Parish as Curate or Incumbent, or has any Ecclesiastical Preferment, or holds any Donative, Perpetual Curacy or Parochial Chapelry, or officiates in any other Church or Chapel; and such Application shall also state the gross annual Value of the Benefice in respect of which any Licence for Non Residence shall be applied for; and it shall not be lawful for the Bishop to grant any such Licence, unless the Application shall contain a Statement of the several Particulars aforesaid; and all such Applications and Specifications shall be kept and filed by the Registrar of the Diocese in a separate Book, which shall be kept and preserved for that Purpose; and such Book shall not be open to public Inspection, or disclosed, or Copies thereof made, except with the Leave in Writing of the Bishop of the Diocese.

Otherwise Bishop not to grant such Licence.

By whom Licences may be granted while a See is vacant, or Bishop disabled, &c.

XIX. And be it further enacted, That during the Vacancy of any See, the Power of granting Licences under this Act, subject to the Regulations therein contained, shall be exercised by the Vicar General of the Diocese; or in case such Circumstances shall arise as shall disable the Bishop from exercising in Person the Functions of his Office, it shall be exercised by such Person or Persons as is or are lawfully empowered to exercise his general Jurisdiction in the Diocese.

XX. And

XX. And be it further enacted, That it shall be lawful for any Bishop who shall have granted any Licence for Non Residence as aforesaid, or for any Successor or Successors of any such Bishop, to revoke any such Licence in any case in which it may appear to him or them proper and expedient to revoke the same: Provided, that any Spiritual Person may appeal against any such Revocation by the Bishop in like manner as is hereinbefore directed in case of any Refusal of any Licence: Provided also, that it shall be lawful for any Archbishop to whom such Appeal shall be made, to order and direct such reasonable Fees and Charges to be paid by any Spiritual Person appealing as aforesaid, in respect of any such Proceedings as aforesaid, as he shall in his Discretion think fit: Provided also that no Licence for Non Residence granted under this Act shall continue in force for more than Three Years from the granting thereof, or after the Thirty first Day of *December* in the Second Year after the Year in which such Licence is granted.

Licences may be revoked.

Fees may be ordered to be paid by Appellants.

Limiting the time of Licences.

XXI. And be it further enacted, That every Bishop who shall grant or revoke any Licence for Non Residence under this Act shall and he is hereby required, within One Month after the Grant or Revocation of such Licence, to cause a Copy of every such Licence or Revocation to be filed in the Registry of his Diocese; and an Alphabetical List of such Licences and Revocations shall be made out by the Registrar of such Diocese, and entered in a Book, and kept for the Inspection of all Persons, upon Payment of the Sum of Three Shillings and no more; and a Copy of every such Licence with respect to any Benefice shall be transmitted by the Spiritual Person to whom the Licence is granted, to the Churchwardens of the Parish, Township or Place to which the same relates, within One Month after the Grant of such Licence; and every Bishop revoking any Licence shall cause such Revocation to be transmitted to the Churchwardens of the Parish, Township or Place to which it relates, which Copies shall be by them deposited in the Parish Chest; and every Registrar who shall neglect to enter the same shall forfeit for every Neglect of entering any such Licence or Revocation in any such List the Sum of Five Pounds, to be recovered by and for the Use of any Person who shall sue for the same in like manner as any Penalty may be recovered under the Provisions of this Act; and a Copy of every such Licence or Revocation shall likewise be produced by the Churchwarden, and publicly read by the Registrar or other Officer at the Visitation of the Ecclesiastical District within which the Benefice in respect whereof the Licence shall have been granted, or Revocation made, shall be locally situate, immediately next succeeding the granting or Revocation thereof.

Copies of Licences or Revocations to be filed in the Registry of the Diocese, and a List kept for Inspection.

Fee. Copies transmitted to Churchwardens.

Registrar neglecting, Penalty 5l.

Copy publicly read at the first Visitation.

XXII. And be it further enacted, That every Archbishop who shall in his own Diocese grant any Licence or who shall allow or approve, in manner directed by this Act, any Licence or Licences in any case or cases not enumerated in this Act, shall annually on or before the Thirty first Day of *January* in each Year transmit to His Majesty in Council a List of all such Licences so granted or allowed or approved respectively as aforesaid in the Year ending on the last Day of *December* preceding such Thirty first Day of *January*, and shall in every such List specify the Reasons which have induced him to grant, allow or approve the said Licences, together with the Reasons transmitted to him by the Bishops for granting any such

A List of Licences allowed by the Archbishop, or granted in his own Diocese, shall be annually transmitted to His Majesty in Council, who may revoke Licences, &c.

Proceedings on
such Revocation.

Licences in their respective Dioceses; and it shall be lawful for His Majesty in Council, by an Order made for that Purpose, to revoke and annul any such Licence; and if His Majesty in Council shall think fit so to do, such Order shall be transmitted to the Archbishop who shall have granted or allowed or approved such Licence, who shall thereupon cause a Copy of every such Order, made in relation to any Licence so allowed or approved, to be transmitted to the Bishop of the Diocese in which such Licence shall have been granted; and such Bishop shall cause a Copy of the mandatory Part of the Order to be filed in the Registry of such Diocese, and a like Copy to be delivered to the Churchwardens of the Parish to which the same relates, in manner hereinbefore directed as to Revocation of Licences under this Act; and every such Archbishop shall cause a Copy of the mandatory Part of every such Order, made in relation to any such Licence as aforesaid granted by him in his own Diocese, to be in like manner filed in the Registry of his Diocese, and a like Copy also to be delivered to the Churchwardens of the Parish to which such Licence shall relate, in manner before mentioned: Provided always, that after such Licence shall have been so revoked by His Majesty in Council, the same shall nevertheless, in all Questions that shall have arisen or may thereafter arise touching the Non Residence of the Spiritual Person to whom the same shall have been granted, between the Period at which the same was granted or allowed or approved, and the time at which the same shall be so revoked as aforesaid, be deemed and taken to be and to have been valid and effectual to all the Intents and Purposes of this Act.

Licence, although revoked, shall be deemed valid between the Grant and Revocation.

On or before 25th March annually, a Return to be made by Bishop to His Majesty in Council of every Benefice, with Names of Residents and Non Residents, &c.

Non Residents by Exemption without Licence shall yearly notify to the Bishop of the Diocese within a certain Period.

XXIII. And be it further enacted, That on or before the Twenty fifth Day of *March* in every Year a Return or Returns shall be made to His Majesty in Council by every Bishop, of the Names of every Benefice within his Diocese, or subject to his Jurisdiction by virtue of this Act, and the Names of the several Spiritual Persons holding the same respectively who shall have resided, and also the Names of the several Spiritual Persons respectively who shall not have resided thereon by reason of any Exemption under or by virtue of this Act, or by reason of any Licence granted by such Bishop for any and what Cause enumerated by this Act, and also of all Spiritual Persons not having any such Exemption or Licence, who shall not have resided on their respective Benefices, so far as the Bishop is informed thereof; and also the Names of all Curates licensed to serve any Benefice on which the Incumbent is not resident, and whether the gross annual Value of such Benefice amounts to or exceeds Three hundred Pounds *per Annum* or not, the Amount of the Curate's Salary and the Place of his Residence; and every Spiritual Person who shall be non resident in any Year subsequent to the passing of this Act, by reason of Residence on any other Benefice, or of any Exemption under this Act and to entitle him to which it is not necessary to obtain any Licence under this Act, shall, within Six Weeks from and after the First Day of *January* in every following Year, notify the same in Writing under his Hand to the Bishop of the Diocese to whose Jurisdiction he is subject by this Act, or otherwise, in respect of such Benefice, specifying the Nature of such Exemption, and whether the gross annual Value of the Benefice on which he is Non Resident amounts to or exceeds Three hundred

hundred Pounds *per Annum* or not; and every Spiritual Person who shall have more than one Benefice, and who shall reside on one of them, or who shall reside during any Period of the Year on any Dignity, or in the Performance of the Duties of any Office in any Cathedral or Collegiate Church, or who shall be Non Resident for any Period of the Year on account of any of the Causes of temporary Exemption specified in this Act, shall in like manner, and within the like Period in each Year, notify the same.

XXIV. And be it further enacted, That every Spiritual Person who shall neglect to make such Notification as by this Act is directed within such Period of Six Weeks as aforesaid, shall forfeit and pay for every such Offence the Sum of Twenty Pounds, to be levied, by Order of the Bishop of the Diocese, by Sequestration, if not otherwise paid, after Monition to pay the same, out of the Profits of the Benefice in respect of which he shall neglect to make such Notification, by the Bishop of the Diocese to whom the Notification ought to be made, to be applied, as such Bishop may direct, to useful and charitable Purposes: Provided always, that it shall be lawful for such Bishop to remit or order the Repayment of any Part of any such Penalty, in like manner as is allowed by this Act in cases of Non Compliance with an Order for Residence.

XXV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to exempt any Spiritual Person or Persons from any Canonical or Ecclesiastical Censures, or affect any Proceedings that shall hereafter be instituted in any Ecclesiastical Court in order to cause the same to be inflicted, in relation to the Non Residence of any Spiritual Person having or holding any Benefice, who shall not have obtained a Licence according to the Provisions of this Act, to be absent therefrom, nor have any other lawful Cause of Absence: Provided always, that no Proceeding be admitted in any Ecclesiastical Court against any Spiritual Person for Non Residence not exceeding Three Months in any one Year, at the Suit or Instance of any Person or Persons other than the Bishop only of the Diocese within which the Benefice in respect whereof such Non Residence shall have taken place shall be locally situated; any thing in any Law or Laws, or Ecclesiastical Canon or Canons, to the contrary thereof notwithstanding.

XXVI. And be it further enacted, That in every case in which it shall appear to any such Bishop as aforesaid, that any Spiritual Person, having or holding any Benefice, and not being licensed according to this Act to be absent therefrom, nor having any lawful Cause of Absence from the same, does not sufficiently reside on the same respectively, it shall be lawful for such Bishop to issue or cause to be issued a Monition to such Spiritual Person forthwith to proceed to and reside thereon, and perform the Duties thereof; and to make a Return to such Monition within a certain Number of Days after the issuing thereof, so as that in every such case there shall be Thirty Days between the time of delivering such Monition to such Spiritual Person or leaving the same at his then usual or last Place of Abode, or if not there to be found, with the officiating Minister or one of the Churchwardens, and also a Copy thereof at the House of Residence (if any such there be) belonging to such Benefice, to which any such Spiritual Person shall be required by such Monition to proceed and reside thereon, and the time

Persons neglecting to notify Cause of Exemption, Penalty 20l.

Power of Mitigation or remitting by Bishop.

Act not to exempt from Censure for Non Residence without Licence.

Censure for Non Residence not to be in force, nor Proceedings admitted, except at Suit of Bishop.

If any unlicensed Person does not sufficiently reside, the Bishop may issue a Monition.

Return to such Monition and other Proceedings.

Copy filed, and may be inspected.

Fee.

Returns to be made to Monitions, which may be required to be upon Oath.

Where Return shall not be made, or shall not be satisfactory, Bishop may order Residence, and if disobeyed, may sequester the Profits of the Benefice, and direct an Application of the Profit.

Bishop may within the time herein mentioned remit Part of sequestered Profits.

time specified in such Monition for the Return thereto; and a Copy of every such Monition shall immediately on the issuing thereof be filed in the Registry of such Bishop's Court, and shall be open for Inspection on the Payment of Three Shillings and no more; and the Spiritual Person to whom any such Monition shall be sent under this Act shall, within the time specified for that Purpose, make a Return thereto into such Registry, to be there filed; and it shall be lawful for the Bishop to whom any such Return shall be made, to require such Return or any Fact contained therein to be verified by the Oath of such Spiritual Person or others, to be taken before some Surrogate or Justice of the Peace, or Master Extraordinary in Chancery, which Oath any such Surrogate or Justice of the Peace, or Master Extraordinary in Chancery, is hereby authorized and required to administer, on Application being made for that Purpose; and in every case where no such Return shall be made, or where such Return shall not state such Reasons as shall be deemed satisfactory by such Bishop for the Non Residence of the Spiritual Person to whom such Monition shall have been sent as aforesaid, or where the same or any of the Facts contained therein shall not be so verified as aforesaid when the same shall have been required, then and in such case it shall be lawful for such Bishop to issue an Order in Writing under his Hand and Seal, to require such Person to proceed to and reside as aforesaid, within Thirty Days after such Order in Writing, or a Copy thereof shall have been delivered or left in like manner as is hereinbefore required as to Monitions; and in case of Non Compliance, it shall be lawful for such Bishop to sequester the Profits of such Benefice of such Spiritual Person as aforesaid, until such Order shall be complied with, or such sufficient Reasons for Non Residence stated and proved as aforesaid; and to direct, by any Order to be made for that Purpose under his Hand, and filed as aforesaid, the Application of such Profits, after deducting the necessary Expences of serving the Cure, either in the whole or in such Proportion as he shall think fit, in the first Place, to the Payment of such reasonable Expences as shall have been incurred in relation to such Monition and Sequestration, and in the next Place towards the Augmentation or Improvement of any such Benefice, or the House of Residence thereof, or any of the Buildings and Appurtenances thereof, or towards the Improvement of any of the Glebe or Demefne Lands thereof, or to order and direct the same or any Portion thereof to be paid to the Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the poor Clergy, to be applied for the Purposes of such Augmentation as such Bishop shall in his Discretion under all Circumstances think fit and expedient; and it shall also be lawful for any such Bishop, within Six Months after such Order for Sequestration, or within Six Months after any Money shall have been actually levied by such Sequestration, to remit to any such Spiritual Person any Part or Proportion of such sequestered Profits, or cause the same or any Part thereof that shall have been paid or directed to be paid to the Governors of Queen Anne's Bounty to be repaid to such Spiritual Person, which Repayment the said Governors are hereby authorized and required, upon an Order under the Hand of any such Bishop, to make out of any Money then in their Hands, or if no Money shall then be in their Hands, out of the next Money that shall come to their Hands, in any case in which,

by

by reason of the subsequent Obedience of any such Spiritual Person to any such Monition or Order, or the stating and proving such sufficient Reasons as aforesaid, such Bishop shall think the same proper: Provided always, that when any such Spiritual Person shall think himself aggrieved by reason of any such Sequestration issued by any Bishop, it shall be lawful for such Spiritual Person, within one Month after the making any Order for any such Sequestration as aforesaid, to appeal to the Archbishop of the Province to which such Bishop shall belong, who shall forthwith, either by himself or some Commissioner or Commissioners appointed from among the Bishops of his Province for that Purpose under his Hand and Seal, make or cause to be made due Inquiry into the same, and make such Order therein or relating thereto, or to the Profits that shall be so sequestered as aforesaid, for the Return to such Spiritual Person of the same or any part thereof, or otherwise, as shall under all the Circumstances of the case appear to such Archbishop (after such Inquiry made by himself or by his Commissioner or Commissioners, and in the latter case, after the Substance of such Inquiry shall have been returned in Writing to the said Archbishop) to be just and proper: Provided always, that the Party so appealing shall give Security to the Bishop for the Payment of such reasonable Expences occasioned by the Appeal, as the Archbishop or his Commissioner or Commissioners shall award: Provided also, that no such Order for any Sequestration shall be put in force during such Appeal as aforesaid, and until the same shall be determined.

Appeal against
Sequestration to
Archbishop.

Appellant to
give Security
for Payment of
Expences.

XXVII. And be it further enacted, That every Spiritual Person to whom any such Monition or Order in Writing shall be sent as aforesaid under this Act, who shall be at the time of the issuing thereof absent from Residence in or upon his Benefice contrary to the Provisions of this Act, but who shall in obedience to such Monition or Order forthwith return to due Residence, and the Profits of whose Benefice shall by reason of such Return not be sequestered, shall nevertheless pay all Costs, Charges and Expences incurred by reason of the issuing and serving such Monition or Order, to be levied as any Costs may be levied upon any Spiritual Person by any Bishop under any of the Provisions of this Act.

Persons who
shall return to
Residence on
Monition to pay
Costs.

XXVIII. And, to the intent effectually to enforce *bonâ fide* Residence according to the Intent and Meaning of such Monition and Order as aforesaid, be it further enacted, That if any Spiritual Person not licensed under this Act to be absent from his Benefice, nor having other lawful Cause of Absence from the same, who, after any such Monition or Order as aforesaid, requiring his Residence, and before or after any such Sequestration as aforesaid, shall in obedience to any such Monition or Order have begun to reside upon his Benefice, shall afterwards, and before the Expiration of Six Months next after the Commencement of such Residence, without the Leave of such Bishop, wilfully in the Judgment of such Bishop absent himself from such Benefice, it shall be lawful for such Bishop, without issuing any other Monition or making any other Order, again to sequester and apply the Profits of such Benefice as before directed by this Act, for the Purpose of enforcing the Residence of such Spiritual Person, according to the true Intent of the original Monition issued by such Bishop as aforesaid; and it shall be lawful for the Bishop so to proceed in like cases from time to time as often as

If any Person
returning to
Residence on
Monition shall,
before Six
Months there-
after, absent him-
self, the Bishop
may, without
Monition, se-
quester the
Profits of the
Benefice.

Occasion may require ; provided that in each and every of such cases such Spiritual Person shall be entitled to appeal against such Sequestration, in such manner and upon such Terms as hereinbefore is and are mentioned touching Appeals respecting Sequestration, but nevertheless the same shall be in force during such Appeal.

‘ XXIX. And Whereas it is expedient that Bishops should be empowered summarily to punish past Non Residence, as well as to compel Residence in future ;’ Be it therefore enacted, That in all cases in which any Spiritual Person shall have become subject to any Penalty or Forfeiture for any Non Residence, it shall be lawful for the Bishop within whose Diocese such Penalty or Forfeiture shall have arisen, to proceed against such Spiritual Person for such past Non Residence, and to levy the Penalties incurred thereby by Monition and Sequestration, and to direct the Application thereof in like manner and subject to the same Regulations, and with like Powers of remitting or ordering the Repayment of any Part of such Penalties, as is directed or allowed in cases of Non Compliance with any Order for Residence.

Bishops empowered to punish past Non Residence.

Penalties, for the Recovery of which Monition has been issued, may be remitted by the Bishop ; and special Returns made to Archbishop of the Reasons for such Remission.

XXX. And be it further enacted, That in every case in which any Archbishop or Bishop shall think proper, under all the Circumstances, after proceeding by Monition for the Recovery of any Penalty under this Act of more than One Third of the Value of any Benefice, for any Non Residence exceeding Six Months in the Year, to remit the Whole or any Part of any such Penalty, such Archbishop shall forthwith transmit to His Majesty in Council, and such Bishop shall transmit to the Archbishop of the Province to which he belongs, a List of such cases as have occurred in his or their respective Dioceses, specifying the Nature and special Circumstances of each case, and the Reasons for the said Remission, in the same manner as is directed in relation to the Licences for Non Residence granted in non enumerated Cases ; and it shall thereupon be lawful for His Majesty in Council, or for the said Archbishop, as the case may be, to allow or disallow such Remission in whole or in part, in the same manner as is provided in this Act with relation to the Allowance or the Disallowance of Licences for Non Residence : Provided always, that the Decision of the said Archbishop, with respect to cases transmitted to him from any such Bishop, shall be final.

If any Spiritual Person shall continue under Sequestration Two Years, or incur Three Sequestrations within that Period, Benefice to become void.

XXXI. And be it further enacted, That if the Benefice of any Spiritual Person shall continue for the Space of Two Years under any Sequestration made under the Provisions of this Act for Disobedience to the Bishop’s Monition requiring such Spiritual Person to reside on his Benefice, or shall under the Provisions of this Act incur Three such Sequestrations in the said Space of Two Years, the Spiritual Person not being relieved with respect to any of such Sequestrations upon Appeal, the Benefice, in relation to Non Residence upon which such Sequestration shall have been made shall become *ipso facto* void ; and the Bishop of the Diocese shall thereupon give Notice thereof to the Patron or Person entitled to present, who shall thereupon present or nominate some Clerk thereto other than the Spiritual Person whose Benefice shall have so continued under such Sequestration, or who shall have incurred such Sequestrations as aforesaid, as if the same had been avoided by the natural Death or Resignation of such Spiritual Person.

XXXII. And

XXXII. And be it further enacted, That all Contracts or Agreements made for the letting of the House of Residence, or the Buildings, Gardens, Orchards and Appurtenances necessary for the convenient Occupation of the same, belonging to any Benefice, to which House of Residence any Spiritual Person shall be required by Order of the Bishop as aforesaid to proceed and to reside therein, or which shall be assigned or appointed as a Residence to any Curate by the Bishop, shall, upon a Copy of such Order, Assignment or Appointment being served upon the Occupier thereof, or left at the House, be null and void; and a Copy of every such Order, Assignment or Appointment shall immediately on the issuing thereof be transmitted to one of the Churchwardens of the Parish, or such other Person as the Bishop shall think fit, and be by him forthwith served on the Occupier of such House of Residence, or left at the same: And any Person continuing to hold any such House of Residence, or any such Building, Garden, Orchard or Appurtenances, after the Day on which the said Spiritual Person shall be directed by such Order to reside in such House of Residence, or which shall be specified in any such Assignment or Appointment, and after Service of such Copy as aforesaid, or the same being so left as aforesaid, shall forfeit the Sum of Forty Shillings for every Day he shall, without the Permission of the Bishop in Writing for that Purpose obtained, wilfully continue to hold any such House, Building, Garden, Orchard or Appurtenances, together with the Expence of serving such Order, in case it shall have been deemed necessary specially to serve such Order, to be allowed by the Bishop issuing the Order or making such Assignment or Appointment as aforesaid, and to be recovered and applied in like manner as the Penalties for Non Residence are directed to be recovered and applied by the Provisions of this Act; and it shall also be lawful for the Spiritual Person so directed to reside as aforesaid, or Curate to whom any such Residence is assigned, to apply to any Justice of the Peace or Magistrate of the County, Riding, Province, City or Place, for a Warrant for the taking Possession thereof; and the Justice of the Peace to whom any such Order for such Possession is produced shall and he is hereby required thereupon to give a Warrant for such Possession, and Possession may thereupon be taken of such House under such Warrant at any time in the Day time, by entering the same by Force, if necessary, without any other Proceeding by Ejectment or otherwise; any thing in any Act or Acts of Parliament or Law or Laws to the contrary notwithstanding.

XXXIII. Provided always, and be it further enacted, That no Spiritual Person shall be liable to any Penalties for not residing in any such House of Residence, during such time as such Tenant shall continue to occupy such House of Residence or other Buildings necessary to the Occupation of the same.

XXXIV. And be it further enacted, That from and after the passing of this Act, no Oath shall be required of or taken by any Vicar in relation to Residence on his Vicarage; any Law, Custom, Constitution or Usage to the contrary thereof notwithstanding.

XXXV. And be it further enacted, That no Penalty or Forfeiture shall be recovered by any Proceeding or Action against any Spiritual Person under the Provisions of this Act, other or further than those which such Spiritual Person may have incurred during

Contracts for letting Houses in which any Spiritual Persons shall by Order of the Bishop be required to reside, shall be void.

Holding Possession after the Day appointed for Residence,

Penalty.

And Spiritual Person directed to reside may have Warrant for Possession from Justice.

Not liable to Penalty while the Tenant shall continue to occupy.

No Oath relating to Residence required of Vicar.

Penalties not recoverable for more than One Year.

the Year ending on the Thirty first Day of *December* immediately preceding the Commencement of such Proceeding or Action.

What Penalties not levied under Monition may be recovered by Action.

XXXVI. And be it further enacted, That every Penalty for Non Residence under this Act, in respect of which no Proceeding shall have been had by Monition before the First Day of *April* next after the Year in which the same shall have been incurred, may be recovered by Action or Suit in the manner by this Act directed.

When Actions for Penalties may be commenced.

XXXVII. And be it further enacted, That no Action of Debt, Bill, Plaint or Information against any Spiritual Person, for the Recovery of any Penalties and Forfeitures under this Act, shall be commenced or filed in any of His Majesty's Courts of Record at *Westminster* or the Court of Great Sessions in *Wales*, until the First Day of *May* after the Expiration of the Year in which the alleged Offence shall have taken place.

Commencement and Conclusion of the Year.

XXXVIII. And be it further enacted, That for all the Purposes of this Act the Year shall be deemed to commence on the First Day of *January*, and be reckoned therefrom to the Thirty first Day of *December*, both inclusive.

Calendar Months to be taken for the Purposes of this Act.

XXXIX. And be it further enacted, That for all the Purposes of this Act the Months therein named shall be taken to be Calendar Months, except in any case in which any Month or Months are to be made up of different Periods less than a Month, and in every such case thirty Days shall be deemed a Month.

No Action to be commenced for any Penalty until after One Calendar Month's Notice given to the Defendant and Bishop of Diocese.

XL. And Whereas, notwithstanding the Regulations contained in this Act, Spiritual Persons may through Inadvertence, and in many cases from unavoidable Circumstances and Causes, become subject to Penalties and Forfeitures and vexatious Prosecutions, unless Provision is made for the Prevention thereof; Be it therefore enacted, That from and after the passing of this Act, no Writ shall be sued out against nor any Copy of any Process at the Suit of any Informer be served upon any Spiritual Person; for any Penalty or Forfeiture incurred under any of the Provisions of this Act, until a Notice in Writing of such intended Writ or Process shall have been delivered to him or left at the usual or last Place of his Abode, and also to the Bishop of the Diocese, by leaving the same at the Registry of his Diocese, by the Attorney or Agent for the Party who intends to sue or cause the same to be sued out, or served One Calendar Month at the least before the suing out or serving the same; in which Notice shall be clearly and explicitly contained the Cause of Action which such Party hath or claimeth to have, and the Penalty or Penalties for which such Person intends to sue, and on the Back of which Notices respectively shall be endorsed the Name of such Attorney or Agent, together with the Place of his Abode; and no such Notice shall be given before the First Day of *April* in the Year next after any such Penalty or Penalties shall have been incurred.

What Notice to contain, and how endorsed.

Plaintiff not to recover without Proof made that such Notices were given.

XLI. And be it further enacted, That no Plaintiff shall recover any Verdict against any Spiritual Person for any Penalty or Forfeiture under the Provisions of this Act, unless it is proved upon the Trial of such Action that such Notices were respectively given as aforesaid; but in Default thereof such Spiritual Person shall recover a Verdict with double Costs.

No Evidence of Cause of Action but such as contained in Notices.

XLII. And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff, on the Trial of any such Action

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as aforesaid, of any Cause of Action, except such as is contained in the Notices hereby directed to be given.

XLIII. And be it further enacted, That it shall be lawful for any Spiritual Person against whom any Action shall be brought for any Penalty or Forfeiture under the Provisions of this Act, by Leave of the Court in which such Actions shall depend, at any time before Issue joined, to pay into Court such Sum of Money as he shall see fit; whereupon such Proceedings, Orders and Judgments shall be had, made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

XLIV. And be it further enacted, That the Court in which any Action, Bill, Plaint or Information shall be depending for the Recovery of any Penalty or Forfeiture for Non Residence under this Act, may and shall, upon Application made for that Purpose, require, by Rule or Order of the said Court or any Judge thereof, the Bishop of the Diocese within the Limits of which the Benefice shall be locally situate, or to whom the same shall be subject according to the Provisions of this Act, for or by reason of Non Residence in, at or upon which the Penalties and Forfeitures shall be sought to be recovered by such Action, Bill or Information, to certify in Writing under his Hand to the said Court, and also to the Party for that Purpose named in the said Rule or Order, the reputed Annual Value of such Benefice; and upon such Rule or Order being left with such Bishop or the Registrar of such Bishop, such Bishop shall accordingly certify such reputed Annual Value; and such Certificate shall, in all subsequent Proceedings upon such Action, Bill, Plaint or Information, be received and taken as Evidence of the Annual Value of such Benefice, for the Purposes of this Act; without Prejudice nevertheless to the Admissibility or Effect of any such other Evidence as may be offered or given respecting the actual Value thereof.

XLV. And be it further enacted, That it shall be lawful for any Spiritual Person to whom any Licence for Non Residence shall have been granted, and against whom any Action shall be brought for any Penalty or Forfeiture by reason of any Non Residence, or any matter or thing relating whereto any such Licence under this Act has been granted, to plead such Licence in bar of any such Action; and if the Plaintiff in such Suit or Action shall discontinue any such Suit or Action after any Plea of Licence shall have been pleaded thereto under this Act, then and in such case the Defendant in such Suit or Action shall have full Costs of Suit; and if in any such Suit or Action a Verdict shall be given for the Defendant, or the Plaintiff shall become nonsuit, the Defendant shall have Double Costs, and have the like Remedy for the same as any Defendant hath in other cases to recover Costs by Law; and it shall be lawful for the Court, or any Judge of the Court in which any Suit or Action shall be commenced, upon any Application made in that behalf, to order and direct, if such Court or Judge shall deem it expedient so to do, that the Plaintiff in any such Suit or Action shall give Security for the Payment of such Costs, and that all Proceedings in any such Suit or Action shall be staid until such Security shall be given as to the Court or Judge to whom any such Application shall be made shall seem fit.

Spiritual Person may by Leave pay into Court before Issue joined, such Sum as he shall think fit.

The Court in which any Action shall be depending, may require the Diocesan to certify the reputed Annual Value of Benefices, &c.

How far Certificate Evidence of Annual Value.

Licence may be pleaded in bar of Action; and in case of Nonsuit, &c. full Costs.

In case of Verdict for Defendant, Double Costs.

Judge may order Plaintiff to give Security for Costs.

XLVI. Pro-

If at the time of filing any Motion no Notice of Action shall have been given, no Action shall be afterwards brought, &c.

If such Action be then commenced,

Proceedings.

No Penalty to be levied against the Body where it can be recovered by Sequestration within Three Years.

Body taken may be discharged.

Non Resident Incumbents (Exception) neglecting to appoint Curates, Bishop to appoint and license.

What such Licence to specify.

XLVI. Provided always, and be it further enacted, That if at the time of filing any Motion requiring any Spiritual Person to reside on his Benefice, or to recover the Penalties incurred by past Non Residence, no Notice of any Action for any such Penalty or Forfeiture shall have been already given in manner aforesaid, then and in such case no such Action, Suit, Bill, Complaint or Information shall be afterwards brought for any Penalty or Forfeiture incurred by reason of any Non Residence of such Spiritual Person before the issuing of such Motion, or during any Proceedings that may be had under such Motion; and if any such Action or Suit shall be so commenced, the Defendant therein may plead in bar thereof, that such a Motion as aforesaid has issued in respect of the same Benefice; and such Defendant, unless upon Application to the Court the same shall be dispensed with, shall, upon pleading such matter, file or cause to be filed an Affidavit in the said Court, thereby stating the Period specified in such Motion, and that, according to the Belief of the Defendant, the Bishop who has issued or caused such Motion to be issued is proceeding upon the said Motion, to the Intent to make the same effectual to the Intents and Purposes of this Act, otherwise such Plea shall not be good or available in the Law.

XLVII. And be it further enacted, That no Penalty or Costs incurred by any Spiritual Person by reason of any Non Residence on his Benefice, shall be levied by Execution against the Body of any such Person, whilst he shall hold the same or any other Benefice out of the Profits of which the same can be levied by Sequestration within the Term of Three Years; and in case the Body of any such Spiritual Person shall be taken in Execution for the same, the Court in which the same was recovered, or any Judge thereof, may and shall, upon Application made for that Purpose, discharge the Party from such Execution, in case it shall be made to appear to the Satisfaction of such Court or Judge that such Penalty and Costs can be levied as aforesaid.

XLVIII. And be it further enacted, That if any Spiritual Person holding any Benefice, who does not or shall not actually reside thereon Nine Months in each Year (unless such Person shall do the Duty of the same, having a legal Exemption from Residence, or a Licence to reside out of the same, or to reside out of the Parsonage House or Vicarage House, or other usual House of Residence belonging to the same), shall for a Period exceeding Three Months absent himself from his Benefice, without leaving a Curate duly licensed or other Spiritual Person to perform, and who shall duly perform the Ecclesiastical Duties of such Benefice, or shall for the Period of Three Months after the Death, Resignation or Removal of any Curate who has served his Church or Chapel, neglect to notify such Death, Resignation or Removal to the Bishop of the Diocese, or to nominate to the Bishop of the Diocese a proper Curate, then and in every such case, and in every case in which no Curate shall be nominated to the Bishop for the Purpose of being licensed by him within such Period as aforesaid, the Bishop is hereby authorized to appoint and license a proper Curate, with such Salary as by this Act is allowed and directed, to serve the Church or Chapel of the Parish or Place in respect of which such Neglect or Default shall have occurred: Provided always, that the Licence shall in every case specify whether the Curate is required to reside within
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the Parish or Place or not; and if the Curate is permitted by the Bishop granting the Licence to reside out of the Parish or Place, the Grounds upon which the Curate is so permitted to reside out of the Parish or Place shall be specified in the said Licence, and the Distance of the Residence of any Curate from any Church or Chapel which he shall be licensed to serve shall not exceed Five Statute Miles, except in cases of Necessity, to be approved by the Bishop, and specified in the Licences.

XLIX. And be it further enacted, That in every case where a Curate is appointed to serve a Benefice upon which the Incumbent is Non Resident for more than Three Months in the Year from Exemption, Licence or otherwise, such Curate shall be required by the Bishop to reside within the Parish; provided the gross Value of such Benefice amounts to Three hundred Pounds a Year or upwards, and the Population amounts to Three hundred Persons or upwards, or provided the Population amounts to One thousand Persons or upwards, whatever may be the Value of such Benefice: Provided always, that whenever it shall be made out to the Satisfaction of such Bishop, that from special and peculiar Circumstances great Inconvenience would arise from such Curate being compelled to reside within the Parish, it shall be lawful for the Bishop to allow such Curate to reside in some near and convenient Place: Provided also, that the Licence to be granted to such Curate shall specify the special Circumstances which have induced the Bishop to allow such Residence out of the Parish, and shall be entered and filed in the Registry of the Diocese.

L. And be it further enacted, That whenever it shall appear to the Satisfaction of any Bishop, either of his own Knowledge, or upon Proof by Affidavit laid before him, that by reason of the Number of Churches or Chapels belonging to any Benefice locally situate within his Diocese, or the Distance of such Churches or Chapels from each other, or the Distance of the Residence of the Spiritual Person serving the same from such Churches or Chapels, or any or either of them, or the Negligence of the Spiritual Person holding the same, that the Ecclesiastical Duties of such Benefice are inadequately performed, such Bishop may by Writing under his Hand require the Spiritual Person holding such Benefice to nominate to him a fit Person or Persons, with sufficient Stipend or Stipends, to be licensed by him to perform or to assist in performing such Duties, specifying therein the Grounds of such Proceeding; and if such Spiritual Person shall neglect or omit to make such Nomination for the Space of Three Months after such Requisition so made as aforesaid, then and in every such case it shall be lawful for such Bishop to appoint a Curate or Curates, as the case shall appear to such Bishop to require, with such Stipend or Stipends as such Bishop shall think fit to appoint, not exceeding in any case in the whole the Stipends allowed to Curates by this Act, nor, except in the case of Negligence, exceeding One Half of the gross annual Value of the Benefice, although the Spiritual Person to whom such Churches or Chapels shall belong shall actually reside or serve the same: Provided always, that such Requisition, and any Affidavit made to found the same, shall be forthwith filed by the Bishop in the Registry of his Court: Provided also, that it shall be lawful for any such Spiritual Person, who shall think himself aggrieved by any such Appointment of such Curate

Curate to reside on all Benefices above 300l. a Year, and Population 300 Persons and upwards.

Proviso for special Circumstances.

If Duty inadequately performed, the Bishop may require Incumbent to appoint Curate, and on Neglect, may himself appoint a Curate.

Amount of Stipend in such case.

Appeal for Incumbent to Archbishop.

Curate or Curates, to appeal to the Archbishop of the Province to which such Bishop shall belong, in such and the like manner, and under such Provisions and Directions, as are allowed to any Spiritual Person thinking himself aggrieved by any Sequestration issued by any Bishop.

Bishops may enforce Performance of Morning and Evening Service.

L. And be it further enacted, That in all cases where the Bishop of the Diocese shall deem it proper to enforce the Performance of Morning and Evening Service on *Sundays*, or any other Service required by Law in any Parish Church or Parochial Chapel, or the Chapel of any Extra Parochial Place, it shall be lawful for such Bishop to enforce the same by Monition and Sequestration, to be issued in the manner by this Act provided.

Statement of Particulars necessary to be given by Persons applying for a Licence for Non Residence.

LII. And be it further enacted, That every Bishop to whom any Application shall be made for any Licence for a Curate to serve for any Person not duly residing upon his Benefice, shall, before he shall grant such Licence, require a Statement of all the Particulars by this Act required to be stated by any Person applying for a Licence for Non Residence; and it shall not be lawful for any Bishop to grant a Licence to any Curate to serve the Church or Chapel of any Person as aforesaid, upon any such Application as aforesaid, until a Statement of all such Particulars as aforesaid shall have been delivered to him; and such Statement shall be kept and filed and preserved from public Inspection, and disclosed only in like manner and in such cases as is before directed as to Statements of Persons applying for Licences for Non Residence.

Bishops to appoint Salaries to Curates.

LIII. And be it further enacted, That it shall be lawful for the Bishop, and he is hereby required, subject to the several Provisions and Restrictions in this Act contained, to appoint to every Curate such Salary as is allowed and specified in this Act; and every Licence to be granted to a Stipendiary Curate under this Act shall contain and specify the Amount of the Salary allowed by the Bishop to the Curate; and such Licence, or any Copy of the Registry thereof, signed by the Registrar of the Diocese or his Deputy, shall be Evidence of the Amount of the Salary so appointed to any Curate in all Courts of Law or Equity; and in case any Difference shall arise between any Rector or Vicar or Person holding any Benefice, and his Curate, touching such Stipend or Allowance, or the Payment thereof, or of the Arrears thereof, the Bishop, on Complaint to him made, may and shall summarily hear and determine the same; and in case of wilful Neglect or Refusal to pay such Stipend, Salary or Allowance, or the Arrears thereof, he shall be and is hereby empowered to proceed by Monition and Sequestration to sequester the Profits of the Benefice for and until Payment of such Stipend or Allowance or the Arrears thereof: Provided always, that the Curate obtaining any such Licence shall pay to the Secretary or Officer of the Bishop the Sum of One Pound, exclusive of any Stamp Duty which may be chargeable thereon; which said Sum of One Pound shall be in Remuneration of all and every Fee or Fees now demandable by the said Secretary or Officer for obtaining such Licence, or for the Signature of any Declaration by the said Curate in consequence of such Licence, or of any Certificate of such Curate having signed such Declaration; and provided also, that from and after the passing of this Act, as often as any Person shall be licensed to Two or more Curacies within the same Diocese

Licence, or Copy of Registry thereof, Evidence of Amount of Salary.

Bishops may summarily determine Differences respecting Stipend.

Money in Lieu of Fees for Licence, &c.

at one and the same time, it shall be sufficient for such Person to sign One Declaration only, appointed to be signed by an Act intituled *An Act of Uniformity (a)*; and also that it shall be sufficient for such Person to produce One Certificate only of his having so signed such Declaration before the Bishop of the Diocese. (a) [There does not appear to be any Act intituled, 'An Act of Uniformity.' The Act above referred to is taken to be 13 & 14 Car. 2. c. 4. § 3.]

LIV. And be it further enacted, That it shall be lawful for the Bishop to appoint for the Curate any Stipend or Allowance not exceeding Seventy five Pounds *per Annum*, and also the Use of the House of Residence, with the Gardens and Stables belonging thereto, or a further Sum of Fifteen Pounds in lieu of the Use of the Rectory or Vicarage House, or other Houses of Residence, in case there shall be no House, or it shall not appear to the Bishop convenient to allot or assign the House to the Curate, in respect of any Benefice to which the Spiritual Person holding the same was instituted or appointed before the Twentieth Day of July One thousand eight hundred and thirteen; but it shall not be lawful for the Bishop to assign any greater Stipend or Allowance than aforesaid, in respect of any such Benefice, during the Incumbency of any such Spiritual Person as aforesaid, unless with the Consent of the Spiritual Person holding the Benefice, or in case of Neglect to appoint or to nominate to the Bishop a proper Curate.

LV. And be it further enacted, That in every case in which any Spiritual Person shall have been, after the Twentieth Day of July One thousand eight hundred and thirteen, or shall hereafter be instituted or inducted, or nominated or appointed to, or otherwise become Incumbent or possessed of any Benefice, and shall not duly reside thereon, unless such Person shall do the Duty of the same, having a legal Exemption from Residence, or a Licence to reside out of the same, or to reside out of the Parsonage or Vicarage, or other usual House of Residence belonging to the same, the Bishop shall appoint for the Curate licensed to serve such Benefice of such Non Resident Incumbent or Person as aforesaid, in his Absence, such Salary as is hereinafter next mentioned; (that is to say), such Salary shall in no case be less than Eighty Pounds *per Annum*, or than the Annual Value of the Benefice, if the gross Value thereof shall not amount to Eighty Pounds *per Annum*; and such Salary shall not be less than One hundred Pounds *per Annum*, or than the whole Value as aforesaid, if the said Value shall not amount to One hundred Pounds *per Annum* in any Parish or Place where the Population, according to the Returns then last made in pursuance of any Act or Acts of Parliament, shall amount to or exceed Three hundred Persons; and such Salary shall not be less than One hundred and twenty Pounds *per Annum*, or the whole Value as aforesaid, if the said Value shall not amount to One hundred and twenty Pounds *per Annum*, in any Parish or Place where the Population shall appear as aforesaid to amount to or to exceed Five hundred Persons; and such Salary shall not be less than One hundred and fifty Pounds *per Annum*, or than the whole Value as aforesaid, if the said Value shall not amount to One hundred and fifty Pounds *per Annum*, in any Parish or Place where the Population shall appear as aforesaid to amount to or to exceed One thousand Persons: Provided always,

13 & 14 Car. 2.
c. 4. § 3.

Stipends to
Curates of In-
cumbents before
July 20, 1813,
not to exceed
certain Rates.

Exception.

The Salaries
payable to Cu-
rates to be in
proportion to
the Value and
Population of
the Benefices.

How the Value
of Benefices
under 150l. per
aa

Annum,
estimated.

as is herein provided, does not amount to One hundred and fifty Pounds *per Annum*, shall be estimated from the Returns made by the Bishops of the several Dioceses to the Governors of Queen Anne's Bounty; or from any future Returns which may be made by the said Bishops to the said Governors respecting Parishes or Places omitted in the said Returns; or respecting Parishes or Places in the actual Income of which it shall be made appear to the Bishops that any considerable Variation has taken place, either by Augmentation made by the said Governors or otherwise.

Where the Benefice exceeds 400l. an Allowance may be made to Curate of 100l. per Annum or more, as herein mentioned.

LVI. And be it further enacted, That in any Parish or Place where it shall appear to the Satisfaction of the Bishop that the actual Annual Income of the Benefice, clear of all Deductions, exceeds the Sum of Four hundred Pounds *per Annum*, it shall be lawful for the Bishop to assign to the Curate of such Parish or Place, being resident within the same, and serving no other Cure, a Salary or Allowance of One hundred Pounds *per Annum*, notwithstanding the Population of such Parish or Place may not appear as aforesaid to amount to Three hundred Persons; and that in any Parish or Place where the actual Annual Income shall appear to exceed Four hundred Pounds as aforesaid, and where the Population shall also appear as aforesaid to amount to or exceed Five hundred Persons, it shall be lawful for the Bishop to assign to the Curate of such Parish or Place, being resident within the same, and serving no other Cure, any larger Stipend or Allowance, so that the same shall not exceed by more than Fifty Pounds *per Annum* the Amount of the Stipend or Allowance hereinbefore respectively required to be assigned to any such Curate.

Smaller Salaries to be allowed to Curates in certain cases.

LVII. And be it further enacted, That in every case in which it shall be made out to the Satisfaction of the Bishop of any Diocese, that any Spiritual Person holding any Benefice is or has become Non Resident or incapable of performing the Duties thereof from Age, Sickness or other unavoidable Cause, and that from these or from any other special and peculiar Circumstances of the case great Hardship or Inconvenience would arise if the full Amount of Salary specified in this Act should be allowed to the Curate, then and in such case it shall be lawful for such Bishop to assign to the Curate any such Salary less than the said full Amount in this Act specified, as shall under all the Circumstances appear to him just and reasonable: Provided always, that in the Licence granted in every such case it shall be stated, that for special Reasons the Bishop hath not thought proper to assign to the Curate the full Amount of Salary allowed or required to be assigned by this Act: Provided also, that such special Reasons shall be entered fully and at large in a separate Book to be kept for that Purpose, and to be deposited in the Registry of the Diocese, which Book shall not be open to Inspection unless with the Leave of the Bishop or by other proper Authority, as in the cases of Application for Licences for Non Residence.

What the Licence is to state.

Special Reasons to be entered,

Salary of Curate engaged to serve interchangeably at different Places belonging to the same Incumbent.

LVIII. And be it further enacted, That if any Incumbent of Two or more Benefices, residing *bonâ fide*, in different Proportions of each and every Year, on some or one other of such Benefices, the full Period specified by this Act, shall employ a Curate to perform Ecclesiastical Duty interchangeably from time to time upon such of the Benefices from which he shall be absent during his own actual Residence upon any other thereof, then and in such case it shall be lawful for

for the Bishop to assign to any such Curate any Salary not exceeding such Salary as would be allowed under this Act for the largest of such Benefices, nor less than would be allowed for the smallest, as to the Bishop shall under all the Circumstances appear just and reasonable: Provided always, that if any such Incumbent shall employ a Curate or Curates for the whole Year upon each or any of such Benefices, such Incumbent so residing *bonâ fide* as aforesaid, then and in such case it shall be lawful for the Bishop to assign to either or each of such Curates any such Salary less than the Amount specified in this Act, as he shall think fit.

LIX. And be it further enacted, That from and after the passing of this Act no Spiritual Person shall serve more than Two Churches in One Day, or Two Chapels, or One Church and One Chapel, in One Day, unless from the local Situation of the Churches or Chapels, or from the Value of the Benefices to which they belong, or other special Causes, it may in the Judgment of the Bishop be expedient or necessary, for the Performance of Ecclesiastical Duties in such Places, to grant Licence to any Spiritual Person to serve Three Churches or Chapels, then and in such case it shall be lawful for the Bishop to grant such Licence to any Spiritual Person to serve Three Churches or Chapels, not being distant from each other more than Four measured Miles: Provided always, that in every such case the Reasons for granting such Licence shall be stated by the Bishop in the Licence granted for serving the Third of such Churches or Chapels held by such Spiritual Persons, and such Licence shall not be valid or effectual unless the Reasons for granting the same are inserted therein as aforesaid: Provided always, that the Residence of such Curate or Spiritual Person shall be so placed as that it shall not be necessary for him to travel more than Sixteen measured Miles in one Day for the Performance of the Duties of such Churches or Chapels.

LX. And be it further enacted, That in every such case where any Bishop shall find it necessary or expedient, for the obtaining any proper Performance of Ecclesiastical Duties, to licence any Person holding any Benefice to serve as Curate of any adjoining or other Parish or Place, it shall be lawful for such Bishop to appoint, for such Spiritual Person so licensed, a Salary less by a Sum not exceeding Thirty Pounds *per Annum* than the Salary which in the several cases in this Act specified the Bishop is required to assign and appoint; and in every case where the Bishop shall find it necessary or expedient as aforesaid to licence one and the same Person to serve as Curate for more than one Parish or Place, it shall be lawful for such Bishop to direct, that during such time as such Curate shall serve such Churches or Chapels, the Salary to be received by him for serving each of the said Churches or Chapels shall be less by a Sum not exceeding Thirty Pounds *per Annum* than the Salary which in the several cases hereinbefore mentioned the Bishop is required by this Act to assign and appoint.

LXI. And be it further enacted, That all Agreements and Contracts made or to be made between Persons holding Benefices and their Curates, in Fraud or Derogation of the Provisions of this Act, and all Agreements and Contracts whereby any Curate shall undertake or in any manner bind himself to accept or be content with any Stipend or Salary less than that which shall be stated to be allowed

Spiritual Persons not to serve more than Two Churches in One Day, except in certain cases, and with special Licence for that Purpose from the Bishop.

Reasons for granting such Licence to be stated by the Bishop.

How Salaries adjusted where Curate is permitted to serve in an adjoining Parish.

Agreements for Salaries to Curates contrary to this Act, void,

notwithstanding Payment and Acceptance of less Sum than mentioned in Licence.

Payment may be enforced by Monition, with treble Cofts.

Limitation of Application to Bishop.

Curate's Salary, if of Value of Benefice, liable to certain Charges.

The Bishop to allow Rector, &c. to deduct from Curate's Salary, for Repairs, to a limited Amount in certain cases.

The Bishop may allot Parsonage

allowed in any Licence of such Curate, shall be void to all Intents and Purposes in the Law whatsoever, and shall not be set up, pleaded, or given in Evidence in any Court of Law or Equity; and notwithstanding the Payment and Acceptance, in pursuance of any such Contract or Agreement, of any Sum less than the Sum specified in the Licence of such Curate, or any Receipt, Discharge or Acquittance that may be given in cases of such Payment and Acceptance, the Curate or his personal Representatives shall be and remain entitled to the full Amount of what shall remain unpaid of the Stipend, Salary or Allowance specified in his Licence; and the Payment of what shall so remain unpaid shall, together with Treble Cofts of recovering the same, be enforced by Monition, on Proof of what shall so remain unpaid to the Satisfaction of the Bishop, and by Sequestration of Profits of the Benefice, to be issued by the Bishop for that Purpose: Provided that the Application of the Curate shall in every such case be made to the Bishop within Twelve Months after he shall have quitted his Curacy, or by the Representative of any Curate within Twelve Months after his Death; and provided also, that no Sequestration shall by virtue of this Act affect the Profits of any Benefice beyond the time during which the Benefice shall be held by the Person liable to make the Payment in respect of which such Profits shall be sequestered.

LXII. And be it further enacted, That in every case in which any Bishop shall appoint for any Curate a Salary equal to the whole annual Value of such Benefice, such Salary shall be subject to Deduction in respect of all such Charges and Outgoings as may legally affect the Value of such Benefice, and to any Loss or Diminution which may lessen such Value, without the wilful Default or Neglect of the Spiritual Person holding the Benefice.

LXIII. And be it further enacted, That it shall be lawful for the Bishop upon the Application of any Rector, Vicar or Spiritual Person holding any Benefice, the whole Profit or Income of which shall have been allotted to the Curate, to allow such Rector, Vicar or Spiritual Person to deduct and retain therefrom, in any or each Year, so much Money, not exceeding in any case One Fourth Part of such Profits or Income, or of the Salary assigned to the Curate, as shall have been actually laid out and expended during the Year in the Repair of the Chancel, Parsonage, Vicarage or other House of Residence, and Premises and Appurtenances thereto belonging, in respect of which such Rector, Vicar or Person as aforesaid, or his Executors, Administrators, or Assigns, would be liable for Dilapidations to the Successors; and it shall also be lawful for the Bishop, in like manner, to allow any Rector, Vicar or Spiritual Person aforesaid, having or holding any Benefice the Profits or Income of which shall not exceed One hundred and fifty Pounds *per Annum*, to deduct and retain from the Salary allotted to the Curate, in each or any Year, so much Money as shall have been actually laid out and expended in such Repairs as aforesaid over and above the Amount of the Surplus remaining of such Profits or Income after Payment of the Salary allotted to the Curate, so that the Sum so deducted, after laying out such Surplus, shall not in any Year exceed One Fourth Part of the Salary allotted to the Curate.

LXIV. And be it further enacted, That it shall be lawful for the Bishop who shall grant any Licence to any Curate to serve any Church

Church or Chapel where the Rector or Vicar or Person holding any Benefice is not resident for four Months in each Year, to allot, if he shall think fit, for the Residence of such Curate, the Parsonage or Vicarage House, or usual House of Residence of the Person holding the Benefice, with the Offices, Stables, Gardens and Appurtenances thereto belonging, if there shall be any such House of Residence belonging thereto, or any Part or Parts thereof, during the time of such Curate's serving the Cure, or during the Non Residence of such Rector or Vicar or Spiritual Person; and it shall be lawful for the Bishop assigning any such House or Residence to any Curate, to sequester the Profits of the Benefice to which the House shall belong, in any case in which Possession shall not be given up to the Curate, and until such Possession shall be given, and to apply or direct the Application of the Profits arising from such Sequestration, or to remit the same or any Part thereof, as the Bishop shall in his Discretion think fit.

House for Residence of Curate in case of Non-Residence of Incumbents.

Sequestration if Possession not delivered.

LXV. And be it further enacted, That in every case where the Bishop shall appoint, for the Curate licensed to serve any Benefice, a Salary not less than the whole gross Annual Value of the same, and shall, in addition to such Salary, direct that such Curate shall reside in the Parsonage or Vicarage House, or usual House of Residence of the Spiritual Person holding such Benefice, such Curate shall be liable during his serving such Cure, to the same Taxes and Parochial Rates and Assessments, in respect of such House and the Appendages thereof of which he may so be in Occupation; as if he had been instituted or inducted or nominated or appointed to the said Benefice.

Curates to pay Taxes, &c. of Parsonage Houses in certain cases.

LXVI. And be it further enacted, That it shall be lawful for the Bishop at any time, upon Three Months' Notice in Writing, to direct any such Curate to deliver up any such Parsonage or Vicarage House or usual House of Residence, and the Offices, Stables, Gardens and Appurtenances thereto belonging, and such Curate shall thereupon peaceably deliver up the Possession of the said Premises, pursuant to such Notice; and in case any such Curate shall refuse to deliver up such Premises, he shall forfeit and pay to the Rector or Vicar, or Spiritual Person holding the Benefice, the Sum of Forty Shillings for every Day of such wrongful Possession to be recovered by such Rector or Vicar or Spiritual Person by Action of Debt in any Court of Record at *Westminster*, as any Penalties may be recovered for Non Residence under this Act.

The Bishop may direct Curate to give up Possession of Parsonage.

Not giving up, Penalty.

LXVII. And be it further enacted, That it shall not be lawful for the Rector or Vicar or other Person holding any Benefice, in any case in which the Parsonage or Vicarage, or usual House of Residence shall have been assigned to the Curate as a Residence, to dispossess such Curate, or take Possession thereof, until the Permission of the Bishop shall have been given in Writing for that Purpose, and Three Months' Notice of such his Intention to the Curate, who shall thereupon quit the same according to such Notice; and every Curate who shall reside in the House of Residence of any Benefice which shall become vacant, shall quit such House of Residence within Three Months after the Institution or Appointment of any Spiritual Person thereto, upon being required so to do by the Spiritual Person instituted or appointed, and having one Month's previous Notice at the least given to him to quit such House of Residence.

Rector, &c. not to dispossess Curate of House without Order of the Bishop, and Three Months' Notice.

Curate to quit in Three Months after Institution to a vacant Benefice, on One Month's Notice

Curate not with-
out Leave of
Bishop to quit
Curacy without
Three Months'
Notice to In-
cumbent and
Bishop.
Penalty.

LXVIII. And be it further enacted, That no Curate shall quit any Benefice to which he shall be licensed, until after Three Months' Notice of his Intention to quit given to the Person holding such Benefice, and to the Bishop of the Diocese, unless with the Consent of the Bishop of the Diocese, upon pain of forfeiting to the Spiritual Person holding the Benefice a Sum not exceeding the Amount of his Stipend for Six Months, at the Discretion of the Bishop, which Sum may in such case be retained out of the Stipend, if the same or any Part thereof shall remain unpaid; or if the same cannot be retained out of the Stipend, may be recovered by the Spiritual Person holding the Benefice, as any Penalty or Forfeiture under this Act may be recovered.

Bishop may li-
cense Curates
employed with-
out Nomination,
may revoke Li-
cence and re-
move Curate.

LXIX. And be it further enacted, That it shall be lawful for the Bishop of the Diocese to license any Curate who is or shall be actually employed by the Rector, Vicar or other Incumbent of any Church or Chapel, although no express Nomination of such Curate shall have been made to such Bishop by the said Rector, Vicar or other Incumbent; and that the Bishop shall have Power to revoke summarily and without Process any Licence granted to any Curate employed in his Diocese, or subject to his Jurisdiction by virtue of this Act, and to remove such Curate for any Cause which shall appear to such Bishop to be good and reasonable; subject nevertheless to an Appeal to the Archbishop of the Province, and to be determined in a summary manner.

Appeal to
Archbishop.

Licence to Cu-
rates, and Re-
vocations of such
Licences, to be
entered in the
Registry of the
Diocese.

LXX. And be it further enacted, That every Bishop who shall grant or revoke any Licence to any Curate under this Act shall and he is hereby required to cause a Copy of such Licence or Revocation to be entered in the Registry of the Diocese within which the Benefice in respect whereof any such Licence shall be granted or Revocation made shall be locally situate; and an Alphabetical List of such Licences and Revocations shall be made out by the Registrar of each Diocese, and entered in a Book, and kept for the Inspection of all Persons, upon Payment of the Sum of Three Shillings and no more; and a Copy of every such Licence and Revocation with respect to any Benefice shall be transmitted by the said Registrar to the Churchwardens or Chapelwardens of the Parish, Township or Place to which the same relates, within One Month after the Grant of such Licence or Revocation thereof, to be by them deposited in the Parish Chest; and every Registrar who shall refuse or neglect or omit to make any such Entry, or to transmit any such Copy, shall forfeit for every such Offence or Neglect the Sum of Five Pounds, to be recovered as any Penalty or Forfeiture may be recovered under this Act: Provided always, that every such Registrar shall, for every such Copy transmitted to such Churchwardens or Chapelwardens as aforesaid, be entitled to demand and have from such Churchwardens or Chapelwardens a Fee of Ten Shillings and no more; and such Fee shall be allowed in the Accounts of such Churchwardens or Chapelwardens.

Fee for
Inspection.

Registrar refus-
ing, &c. to make
such Entry or
transmit Copy,
Penalty 5l.
Fee to Registrar
for Copy trans-
mitted.

Clauses relating
to Bishops to
apply to Arch-
bishops.

LXXI. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, matters and things in this Act contained in relation to Bishops in their Dioceses, shall extend and be construed to extend to the Archbishops in the respective Dioceses of which they are Bishops, and also in their own peculiar Jurisdictions, as fully and effectually as if the Archbishops were named with the Bishops in every such case.

LXXII. And be it further enacted, That in all cases wherein the Term Benefice is used in this Act, the said Term shall be understood and taken to mean Benefices with Cure, and no others, and to comprehend therein, for the Purposes of this Act, all Donatives, Perpetual Curacies and Parochial Chapelries.

Definition of the Term Benefice.

LXXIII. And be it further enacted, That every Archbishop and Bishop, within the Limits of whose Province or Diocese respectively any Benefice, respectively, Exempt or Peculiar, shall be locally situate, shall have, use and exercise all the Powers and Authorities necessary for the due Execution by them respectively of the Provisions and Purposes of this Act, and for enforcing the same with regard thereto respectively, as such Archbishop and Bishop respectively would have used and exercised if the same were not Exempt or Peculiar, but were subject in all respects to the Jurisdiction of such Archbishop or Bishop; and where any Benefice, Exempt or Peculiar, shall be locally situate within the Limits of more than One Province or Diocese, or where the same or any of them shall be locally situate between the Limits of the Two Provinces, or between the Limits of any Two or more such Dioceses, the Archbishop or Bishop of the Cathedral Church, to whose Province or Diocese the Parish Church of the same respectively shall be nearest in local Situation, shall have, use and exercise all the Powers and Authorities which are necessary for the due Execution of the Provisions of this Act, and enforcing the same with regard thereto respectively, as such Archbishop or Bishop could have used if the same were not Exempt or Peculiar, but were subject in all respects to the Jurisdictions of such Archbishop or Bishop respectively, and the same, for all the Purposes of this Act, shall be deemed and taken to be within the Limits of the Province or Diocese of such Archbishop or Bishop; provided that the Peculiars belonging to any Archbishoprick or Bishoprick, though locally situate in another Diocese, shall continue subject to the Archbishop or Bishop to whom they belong, as well for the Purposes of this Act as for all other Purposes of Ecclesiastical Jurisdiction.

Power of Archbishops and Bishops as to Benefices, &c. Exempt or Peculiar, locally situate within their Provinces; and also as to Benefices, &c. situate in more than One Province or between the Limits of Two Provinces.

Peculiars subject to Archbishop or Bishop to whom they belong.

LXXIV. And be it further enacted, That in every case in which Jurisdiction is given to the Bishop of the Diocese, or to any Archbishop, under the Provisions of this Act, and for the Purposes thereof, and the enforcing the due Execution of the Provisions thereof, all other and concurrent Jurisdiction in respect thereof shall wholly cease, and no other Jurisdiction in relation to the Provisions of this Act shall be used, exercised or enforced, save and except such Jurisdiction of the Bishop and Archbishop under this Act; any thing in any Act or Acts of Parliament, or Law or Laws, or Usage or Custom to the contrary notwithstanding.

In every case in which Jurisdiction is given to Bishop, &c. all concurrent Jurisdiction to cease.

LXXV. And be it further enacted, That in all cases where Proceedings under this Act are directed by Monition and Sequestration, such Monition shall issue under the Hand and Seal of the Bishop, and being duly served shall be returned, with a Certificate of Service, into the Registry of the Consistorial Court of such Bishop; and thereupon it shall be competent for the Party monished to shew Cause by Affidavit or otherwise, as the case may require, against the Sequestration issuing; and unless sufficient Cause be shown to the contrary, the Sequestration shall issue under the Seal of the said Consistorial Court, and in such Form as is commonly used on that behalf.

Issuing and serving Monitions.

Cause may be shewn against Sequestration.

Penalties to be recovered by Monition and Sequestration.

LXXVI. And be it further enacted, That it shall be lawful for the Bishop of any Diocese in which any Spiritual Person shall hold any Dignity or Benefice, or shall serve as Stipendiary Curate, to recover any Penalty incurred under this Act, in a summary way, by Monition and Sequestration, to be issued in the manner by this Act directed, with the like Powers and Authorities, and subject to the like Restrictions in respect to the Remission and Repayment of such Penalty, as are by this Act particularly provided in respect to Penalties for Non Residence: Provided always, that no Spiritual Person against whom any such Proceeding shall have been had by any Bishop for the Recovery of any Penalty, shall thereafter be subject to any Action at Law by any Informer or other Person for the Recovery of any Penalty for the same Offence in respect of which such Proceeding shall have been so had by the Bishop as aforesaid.

But Party against whom such Proceeding had, not subject to Action at Law.

Recovery of Fees, &c.

LXXVII. And be it further enacted, That any Fees, Charges, Costs or Expences incurred or directed to be paid by any Spiritual Person under the Provisions of this Act, which shall remain unpaid for the Period of Twenty one Days after Demand thereof in Writing delivered to or left at the usual or last Place of Abode of the Spiritual Person liable to the Payment thereof, may be recovered by Monition and Sequestration, to be issued in the manner directed by this Act.

Proviso for Licences before 31st Dec. how far not to require any Licence before that time.

LXXVIII. Provided always, and be it further enacted, That none of the Provisions of this Act shall extend or be construed to extend to render void or invalid, before the Thirty first Day of *December* next, any Licence or Exemption which would have been otherwise valid and effectual, nor to require any Licence to be taken before the said Thirty first Day of *December* next, which would not have been required by Law before the passing of this Act.

Commission to administer Oaths not to be subject to Stamp Duty.

LXXIX. And be it further enacted, That no Commission issued by any Bishop to any Commissary or Commissaries appointed to administer the Oaths required to be taken by any Curate for the Purpose of any Licence or Licences granted under the Provisions of this Act shall be subject to any Stamp Duty; any thing contained in any Act or Acts of Parliament to the contrary notwithstanding.

Proviso for His Majesty's Prerogative in granting Dispensations. What Parsonage not deemed a Benefice.

LXXX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter or affect His Majesty's Royal Prerogative in the granting of Dispensations for Non Residence upon Benefices, as the same now exists by Law.

LXXXI. And be it further enacted, That no Parsonage that hath a Vicar endowed, or that hath a perpetual Curate, and having no Cure of Souls, shall be deemed or taken to be a Benefice within the Intent and Meaning of this Act.

Archbishop or Bishop not liable to Penalties for Non Residence.

LXXXII. And be it further enacted, That no Archbishop or Bishop having or who shall have any Benefice shall by reason of Non Residence upon the same be subject or liable to any Penalties or Forfeitures: Provided always, that any Archbishop or Bishop who shall hold any Benefice *in commendam* with his Archbishoprick or Bishoprick, shall nominate and appoint a resident Curate, according to the Provisions of this Act.

Proviso for Powers of

LXXXIII. And be it further enacted, That nothing in this Act contained shall be deemed, construed or taken to derogate from, diminish,

diminish, prejudice, alter or affect, otherwise than is expressly provided, any Powers, Authorities, Rights or Jurisdiction already vested in or belonging to any Archbishop or Bishop under or by virtue of any Statute, Canon, Usage or otherwise howsoever.

Archbishops and Bishops;

LXXXIV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or alter the Provisions contained in any Act of Parliament, or any other Provision of Law, for the due Celebration of Divine Service in any Church or Chapel, or for the Discharge of any other Duty of any Rector or Vicar, or Person holding any Benefice, by himself or his Curate.

and for the due Celebration of Divine Service.

LXXXV. And be it further enacted, That no Provision in this Act contained shall extend or be construed to extend to that Part of the United Kingdom called *Ireland*.

Act not to extend to Ireland.

C A P. C.

An Act to renew the Powers of exonerating Small Livings and Charitable Institutions from the Land Tax, and for making further Provision for the Redemption of the Land Tax.

[10th July 1817.]

WHEREAS certain Acts passed in the Forty sixth, Forty ninth, Fiftieth and Fifty third Years of His present Majesty, relating to the Redemption of the Land Tax, authorized the Commissioners appointed by His Majesty's Royal Letters Patent under the Great Seal of *Great Britain* for carrying into Effect certain Powers and Provisions of the Land Tax Redemption Act, to direct the Exoneration and Discharge of the Land Tax charged upon Hereditaments belonging to Livings or other Ecclesiastical Benefices or Charitable Institutions, in the manner and under the Directions in the said recited Acts respectively mentioned or referred to; and, pursuant to the Powers so vested in the said Commissioners, they have exonerated and discharged the Land Tax charged upon the Hereditaments belonging to several Small Livings and Charitable Institutions: And Whereas it may be expedient to augment the Incomes of other Small Livings, or other Ecclesiastical Benefices, and of Charitable Institutions not already exonerated from Land Tax, by exonerating the same from the Land Tax charged on the Hereditaments belonging thereto respectively in the manner hereinafter mentioned: Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for any Two or more of the Commissioners appointed or to be appointed by His Majesty by His Royal Letters Patent under the Great Seal, pursuant to a Provision contained in an Act passed in the Fifty fourth Year of His said Majesty's Reign, intituled *An Act to alter and amend certain of the Powers and Provisions of several Acts passed for the Redemption and Sale of the Land Tax, and for making further Provision for the Redemption thereof*, at any time or times after the passing of this Act, to direct the Exoneration and Discharge of the Land Tax charged upon the Messuages, Lands or other Hereditaments belonging to any Livings or other Ecclesiastical Benefices or Charitable

46 G. 3. c. 133.
49 G. 3. c. 67.
50 G. 3. c. 58.
53 G. 3. c. 123.

Commissioners under Great Seal pursuant to 54 G. 3. c. 173. § 2. may exonerate Small Livings and Charitable Institutions, not exceeding 150l. a Year, from Land Tax, without Transfer or Payment of Consideration.

Charitable Institutions, in cases where the whole clear annual Income of such Livings or other Ecclesiastical Benefices or Charitable Institutions respectively shall not exceed the Sum of One hundred and fifty Pounds, without the Transfer or Payment of any Consideration for the same, in the manner and under the Directions and Restrictions in this Act mentioned.

Incumbents, &c. to transmit Statements to be verified of Income of Livings, &c. and Certificates of Hereditaments, &c. and Amount of Land Tax.

II. And be it further enacted, That every Incumbent of any such Living or other Ecclesiastical Benefice, and all Feoffees or Trustees of any such Charitable Institution, who shall be desirous that the Hereditaments belonging to such Living or other Ecclesiastical Benefice or Charitable Institution should be exonerated from Land Tax under the Provisions of this Act, shall, within Two Years after the passing of this Act, transmit a Memorial to the said Commissioners, verified in such manner as they shall require and direct, stating the Nature and Description of the Property or other Funds or Sources from whence the Income of such Living or Ecclesiastical Benefice or Charitable Institution is derived, and the Amount of Income derived from each respectively; and shall also at the same time transmit to the said Commissioners a Certificate, signed by the Clerk to the Commissioners of the Land Tax acting for the District, Town, Parish or Place within which the Hereditaments belonging to such Living or other Ecclesiastical Benefice or Charitable Institution shall be situate (which Certificate such Clerk is hereby required to grant), containing a Description in Writing of such Hereditaments, and the Name of the Parish or Place, or Parishes or Places, within which the same shall be situate, and the Amount or Amounts of the Land Tax charged thereon.

Commissioners may enlarge time for transmitting such Statements and Certificates.

III. Provided always, That it shall be lawful for the said Commissioners, if they shall deem it expedient, to enlarge the time by this Act limited for the Transmission of any such Memorials and Certificates as aforesaid, for any further Period not exceeding Six Calendar Months from the Expiration of the Period by this Act limited as aforesaid for the Transmission thereof; and all Memorials or Certificates which shall be transmitted to the said Commissioners within such extended Period shall be as valid and effectual to enable the Exoneration of Land Tax under the Provisions of this Act, as if the same had been transmitted within Two Years from the passing of this Act; and further, that if any such Memorials or Certificates which shall be transmitted either within the said Period of Two Years, or within the said extended Period, shall be found defective in Form, it shall be lawful for the said Commissioners to allow such time for the Amendment thereof as they in their Discretion shall think fit, and, upon Return thereof in their amended State, to exonerate the Hereditaments therein referred to from the Land Tax, as effectually as they could have done if such Memorials or Certificates, when originally transmitted, had not required Amendment.

Defects of Form in Memorials and Certificates may be amended if transmitted within the time limited.

Commissioners may by Writing certify that Lands are exonerated from Land Tax. Such Lands free, though omitted to be rated at

IV. And be it further enacted, That it shall be lawful for the said Commissioners, by Writing under their Hands, to certify and declare that all the Hereditaments belonging to any such Livings or other Ecclesiastical Benefices or Charitable Institutions as aforesaid shall be wholly freed and exonerated from the Land Tax charged thereon, and from all further Assessments thereof; and such Hereditaments shall thereupon, and notwithstanding it may afterwards appear that any of them, or any Part thereof, were omitted to be rated

rated to the Land Tax at the time such Certificate of Land Tax shall have been obtained, be wholly freed and exonerated from all Land Tax and all further Assessments thereof, from such of the quarterly Days of Payment of Land Tax as shall next precede the Day on which such Certificate of Exoneration shall be left at the proper Office, for the Purpose of being duly registered in the manner hereinafter prescribed.

‘ V. And Whereas in some Instances the Governors of the Bounty of Queen *Anne*, for the Augmentation of the Maintenance of the Poor Clergy, have augmented Small Livings by appropriating, for the Benefit of such Livings respectively, undivided Shares in Farms, Lands or other Hereditaments rated to the Land Tax in One entire Sum, in which case the Rent payable from the Tenant or Tenants thereof is received by the respective Incumbents of such augmented Livings, according to the Shares with which their respective Livings have been augmented, on their allowing to the Tenant or Tenants a like proportionate Share of the Land Tax payable in respect of such Farms, Lands or other Hereditaments;’ Now be it further enacted, That it shall be lawful for the Commissioners appointed or to be appointed by Letters Patent under the Great Seal, at any time within Two Years after the passing of this Act, to direct the Exoneration and Discharge of the Land Tax charged upon any Farm, Lands or other Hereditaments with which Two or more Livings have been so jointly augmented as aforesaid, upon the Application of the Incumbent or Incumbents of any one or more of such Livings, and whether the Incumbent or Incumbents of the other Living or Livings shall or shall not join in such Application, in case it shall appear to the said Commissioners, by the Production of such Evidence as they may require and think satisfactory, that the clear annual Income of no one of such Livings so augmented (inclusive of the annual Value of its Augmentation) shall exceed the Sum of One hundred and fifty Pounds, without the Transfer or Payment of any Consideration for the same, and by Writing under their Hands to certify and declare that the Farm, Lands or Hereditaments with which such Livings shall have been so jointly augmented, shall be wholly freed and exonerated from the Land Tax charged thereon, and from all further Assessments thereof, in the same manner as is hereinbefore directed with respect to the Exoneration of other Livings from the Land Tax under the Provisions hereinbefore contained.

the Time Certificate obtained.

Commissioners may exonerate from Land Tax Farms with which Two or more Livings have been jointly augmented under Queen Anne's Bounty, upon Application of One Incumbent; and may certify.

VI. And be it further enacted, That the Officer appointed for the Registry of Contracts for the Redemption of the Land Tax shall register all the said Certificates of Land Tax and the said Certificates of Exoneration *gratis*, and shall make out and transmit Duplicates of the Land Tax thereby certified and exonerated under the Provisions of this Act, and do all such other Acts and things necessary for the Exoneration of the Hereditaments so to be exonerated, as by the Acts now in force relating to the Redemption of the Land Tax, or any of them, are directed in regard to Contracts entered into under the Provisions thereof respectively; and every Copy of the Registry of any such Certificate, shall be allowed in all Courts and Places, and before all Persons, to be good and sufficient Evidence of such Certificate; and no such Certificate, nor any Copy of the Registry thereof, shall be liable to any Stamp Duty.

Certificates to be registered gratis. Officer to transmit Duplicates of Land Tax, &c.

Copy of Registry Evidence of Certificate.

Commissioners may exonerate Livings under 150l. not assessed to the Land Tax, from Liability to be assessed.

Statement of Proceedings as to Exoneration to be laid before Parliament.

Proviso for Delay arising from Defect of Form, &c.

Where Tenants at Rack Rent are bound to pay Land Tax on Lands belonging to Livings, &c. exonerated from Land Tax, the Amount of Land Tax exonerated to be considered as Rent reserved.

Consideration for redeeming Land Tax on

‘ VII. And Whereas it occasionally happens that the Hereditaments belonging to Livings or other Ecclesiastical Benefices or Charitable Institutions, the clear annual Income arising from which does not amount to the Sum of One hundred and fifty Pounds, have not been rated to the Land Tax ;’ Be it further enacted, That it shall be lawful for the said Commissioners to direct the Exoneration and Discharge of the Hereditaments belonging to such Livings or other Ecclesiastical Benefices or Charitable Institutions respectively from any future Assessment of Land Tax thereon, in the same manner and under the same Regulations, so far as the same are applicable, as the said Commissioners are by this Act authorized and empowered to do in cases where the Hereditaments belonging to any such Livings or other Ecclesiastical Benefices or Charitable Institutions are or shall be rated to the Land Tax.

VIII. And be it further enacted, That a Statement of the Proceedings of the said Commissioners, with regard to the Exoneration of Livings or other Ecclesiastical Benefices or Charitable Institutions from Land Tax, shall be laid before each of the Two Houses of Parliament before the Expiration of the Session of Parliament ending in the Year One thousand eight hundred and twenty ; but that if, by reason of any Defect in the Forms of any Memorials or Certificates by this Act directed to be transmitted to the said Commissioners, the Proceedings of the said Commissioners, so far as they may relate to the Exoneration of any Land Tax mentioned or referred to in such Memorials or Certificates, shall necessarily be delayed, so as to prevent a Return of their Proceedings thereon before the Expiration of such Session, then a Statement of the Proceedings of the said Commissioners, with regard to the Exoneration of the Land Tax mentioned or referred to in such last mentioned Memorials or Certificates, shall be laid before each of the Houses of Parliament before the Expiration of the Session ending in the Year One thousand eight hundred and twenty one.

IX. And be it further enacted, That where any Tenant or Lessee at a Rack Rent for any Term or Number of Years, or at Will, of any Lands, Tithes or other Hereditaments belonging to any Livings or other Ecclesiastical Benefices or Charitable Institutions which have been exonerated from the Land Tax under the Provisions of the said Acts of the Forty sixth, Forty ninth, Fiftieth and Fifty third Years of His present Majesty, or any of them, or shall be exonerated from Land Tax under the Provisions of this Act, shall have been or shall be bound by Agreement to pay the Land Tax charged thereon during the Continuance of any Lease or Demise, or any Agreement for a Demise, the Amount of the Land Tax from which such Lands, Tithes or other Hereditaments have been or shall be so exonerated, shall, from the respective Periods of such Exoneration, and during the Continuance of such Leases or Demises, be considered as Rent reserved or made payable thereon, and the same shall be payable on the same Days, and the same Powers shall be had, used and enjoyed for the Recovery thereof, and all Arrears thereof, from the respective Periods of such Exoneration, as for the Recovery of such Rent when in Arrear.

X. Provided always, and be it further enacted, That in every Contract entered into after the passing of this Act, and before the
Twenty

Twenty fourth Day of *June* One thousand eight hundred and eighteen, according to the Asseltment of Land Tax made or to be made for the Year commencing from the Twenty fifth Day of *March* One thousand eight hundred and seventeen, for the Redemption of Land Tax charged on any Messuages, Tenements or other Buildings, without any Lands or Grounds held therewith, or on any Messuages, Tenements or other Buildings, together with any Lands consisting wholly of Yards, Courts, Curtilages or inclosed Gardens, held, occupied and charged together with such Messuages, Tenements or Buildings, where the Land whereon the said Messuages or Buildings shall stand, and of which the said Yards, Courts, Curtilages and inclosed Gardens shall consist, shall not exceed in the whole one Fourth Part of a Statute Acre, it shall be lawful to contract and agree for the Redemption of such Land Tax for a Consideration in Money equal in Amount to Eighteen times the Amount of the Land Tax so contracted to be redeemed, to be paid in One entire Sum within Three Calendar Months from the Date of the Contract; and every such Contract shall be made in the Form, and the Consideration thereof shall be paid according to the Rules, specified in the Schedule marked (C.) to an Act passed in the Fifty third Year of His present Majesty, intituled *An Act to amend and render more effectual several Acts passed for the Redemption and Sale of the Land Tax.*

Messuages and Premises not exceeding One Fourth of an Acre, how calculated.

Form of Contract.

53 G. 3. c. 123.

XI. Provided always, and be it further enacted, That no Contract shall be made for the Redemption of Land Tax on the Terms of Eighteen Years' Purchase as aforesaid, unless an Affidavit in Writing shall be exhibited to the Commissioners for executing the same Contract, to be made before any Master Extraordinary in the Court of Chancery, or a Commissioner in One of the Courts of King's Bench, Common Pleas, or Exchequer in *England*, or before some Person authorized to take Affidavits in the Court of Sessions in *Wales*, or in the Courts of Sessions or Judiciary in *Scotland*, showing to the Satisfaction of the said Commissioners, in the cases of redeeming such Land Tax at Eighteen Years' Purchase, the Particulars of which the Premises on which the Land Tax intended to be redeemed shall consist, and that the same are of the Quality and do not contain above the Admeasurement before described.

No Contract to be made for Redemption of Land Tax on the Terms of 18 Years' Purchase, unless Affidavit be exhibited shewing the Particulars of the Premises.

XII. And be it further enacted, That it shall be lawful for any Ecclesiastical or Lay Corporations, and Feoffees and Trustees for charitable or other public Purposes, and all other Persons entitled to the Patronage of any Living or Livings, to contract and agree for the Redemption of the Land Tax charged on the Glebe Lands, Tithes or other Hereditaments belonging to any such Living or Livings, in consideration only of so much Capital Stock in the Three Pounds *per Centum* Consolidated Bank Annuities and the Three Pounds *per Centum* Reduced Bank Annuities, or one of them, as will yield an Annuity or Dividend equal in Amount to the Land Tax so to be redeemed; any thing in the Acts now in force, relating to the Redemption of the Land Tax or any of them, to the contrary notwithstanding.

Corporations and others may redeem Land Tax on Livings in their Patronage, on Transfer of Stock producing a Dividend equal in Amount to the Land Tax.

XIII. And be it further enacted, That in order to provide for any such Redemption by any Ecclesiastical or Lay Corporations, or by any Feoffees or Trustees for charitable or other public Purposes, it shall be lawful for them respectively, by and under the Direction and

Corporations, &c. may sell Hereditaments for Redemption of Land Tax, or apply for that

Purpose Trust
Money.

and Authority of the Commissioners under the Great Seal, to sell any Hereditaments belonging to such Ecclesiastical or Lay Corporations, or Feoffees or Trustees respectively, in the same manner and under the same Regulations and Restrictions as they respectively could or might have done under the Powers and Provisions of the Land Tax Redemption Acts now in force, or any of them, for the Redemption of any Land Tax charged on the Lands belonging to them respectively, or to apply for the like Purpose any personal Property invested in the public Stocks or Funds, or any Legacies or voluntary Donations, or any other Trust Money which such Ecclesiastical or Lay Corporations, or Feoffees or Trustees, are authorized by the said Acts or any of them to lay out in the Redemption of Land Tax, or any surplus Stock or Money arisen or to arise by any Sale, Mortgage or Grant made or to be made by any such Ecclesiastical or Lay Corporation, or Feoffees or Trustees, for redeeming their Land Tax under the Powers and Provisions of the said Acts or any of them.

Redemption
Contracts to de-
clare their Desire
that the Lands
redeemed from
Land Tax should
not be subject to
an Annual Rent
Charge, &c.

XIV. And be it further enacted, That it shall be lawful for any such Ecclesiastical or Lay Corporations, or Feoffees or Trustees for charitable or other public Purposes, who shall be so desirous of redeeming any Land Tax charged on any Living or Livings in their Patronage, to declare in the Redemption Contracts respectively that they are desirous that the Lands or other Hereditaments, the Land Tax on which shall be proposed to be redeemed, shall not be subject to any Annual Rent Charge, or to any other Charge in favour of such Ecclesiastical or Lay Corporations or Feoffees or Trustees, in respect of such Redemption, in which case such Livings respectively shall not be liable to the Payment of any such Annual Rent Charge, or to any other Charge in respect of such Redemption, under the Provisions of any of the Acts now in force relating to the Redemption of the Land Tax; but nevertheless, if no such Declaration shall be contained in such Redemption Contracts, the Ecclesiastical or Lay Corporations, or Feoffees or Trustees redeeming such Land Tax, shall be entitled to an Annual Rent Charge issuing out of the Living the Land Tax on which shall be so redeemed, equivalent to the Amount of the Land Tax redeemed, in the same manner as is provided in similar cases by the Acts now in force relating to the Redemption and Sale of the Land Tax, and to the like Powers, on presenting or nominating any Clerk or Clerks to such Living or Livings, of suspending Payment of such Rent Charges respectively during the Incumbency or Incumbencies of such Clerk or Clerks respectively, as are by the said Acts or any of them given in like cases.

Proviso if no
such Declaration
be contained in
Redemption
Contract.

Memorials to be
presented by
Corporations to
the Commis-
sioners under the
Great Seal pre-
vious to making
any Sale for
redeeming such
Land Tax.

XV. Provided always, and be it further enacted, That when any Lands or other Hereditaments shall be proposed to be sold by any Ecclesiastical or Lay Corporation, or Feoffees or Trustees for charitable or other public Purposes, for the purpose of redeeming any Land Tax under the Power lastly herein contained, the Ecclesiastical or Lay Corporation, Feoffees or Trustees for charitable or other public Purposes, desirous of making such Sales, shall present a Memorial to the Commissioners appointed or to be appointed under the Great Seal, stating their Intention of making such Sale and the Object thereof, for the Approbation of such Commissioners; and such Commissioners or any Two of them are hereby required, if they shall

shall approve of such Sale, to certify their Approbation thereof under their Hands.

XVI. And be it further enacted, That where any Lands or other Hereditaments, the Whole or Part whereof shall be exclusively subject to any Trusts, Mortgages, Liens or Incumbrances, shall be agreed or proposed to be sold under the Powers and Provisions of the Acts passed and now in force relating to the Redemption of the Land Tax, for the Purpose of redeeming any Land Tax charged on Hereditaments which shall, with the Exception of such Trusts, Mortgages, Liens or Incumbrances, stand limited or settled or subject to the same Uses, Trusts, Intents and Purposes as the Lands or Hereditaments so agreed or proposed to be sold, or for the purpose of reimbursing any Stock or Money previously transferred or paid for redeeming such Land Tax, it shall be lawful for the Commissioners for the Redemption and Sale of Land Tax for the time being, if in their Judgment the Lands or other Hereditaments so agreed or proposed to be sold shall in other respects be eligible to be sold for the Purpose proposed, to direct the Party or Parties applying for the Sale thereof to make Application to the Court of Chancery in *England*, if the Estate shall be situate in *England*, or the Court of Session in *Scotland*, if the Estate shall be situate in *Scotland*; and in such cases it shall be lawful for the said Courts respectively (if such Courts respectively shall in their Discretion think fit), upon Application made by Petition in a summary Way by or on behalf of the Person or Persons desirous of making such Sale, to order and direct that the Lands or other Hereditaments so agreed or proposed to be sold for the Purposes aforesaid shall be sold and conveyed subject to such Trusts, Mortgages, Liens or other Incumbrances to which the same or any of them shall be so exclusively subject; and the Commissioners for the Redemption and Sale of Land Tax shall carry such Order into Effect according to the Tenor and Effect thereof.

XVII. And be it further enacted, That where the Land Tax charged upon any Lands, Tithes or other Hereditaments belonging to any Archiepiscopal or Episcopal See, or to any Rectory or Vicarage, shall have been redeemed by any Archbishop, Bishop, Rector or Vicar for the time being, by and out of the private Monies belonging to such Archbishop, Bishop or Rector or Vicar, and it shall happen that any Stock shall be standing in the Names of the Commissioners for the Reduction of the National Debt, or in the Name of the Accountant General of the Court of Chancery, or in the Names or Name of any Trustees or Trustee, on account or for the Use of any such Archiepiscopal or Episcopal See, or Rectory or Vicarage, which shall have arisen from any Sale, Mortgage or Grant, and which shall not have been applied for the Purposes for which such Sale, Mortgage or Grant shall have been made, it shall be lawful for the Archbishop or Bishop, or Rector or Vicar for the time being, by and under the Direction and Authority of the Commissioners appointed or to be appointed by Letters Patent under the Great Seal, to treat and agree with the Archbishop, Bishop, Rector or Vicar who shall have so redeemed such Land Tax, or with the Executors, Administrators or Assigns of such Archbishop, Bishop, Rector or Vicar, for the Purchase of an Assignment from them respectively of the Land Tax so redeemed; and for the Purpose

Where Lands subject to Mortgage, &c. shall be agreed to be sold for redeeming the Land Tax, &c. Commissioners may direct that Application be made to the Court of Chancery, if in *England*, and to the Court of Session, if in *Scotland*.

Order thereon.

Where Land Tax redeemed by Archbishops, &c. out of their private Monies, and there is Stock standing in the Name of Commissioners for Reduction of National Debt, &c. in trust for such See, &c. as herein mentioned, on Order from Two Commissioners such Stock may be transferred to Person assigning the Land Tax.

pose of completing the Purchase of such Assignment, it shall be lawful for the said last mentioned Commissioners or any Two or more of them to order and direct the Consideration for such Purchase shall be paid or transferred by Sale or Transfer of a sufficient Part of such Stock; and the Governor and Company of the Bank of *England*, and the said Commissioners for Reduction of the National Debt, and the said Accountant General, and also such Trustees or Trustee as aforesaid, are hereby respectively authorized and required, upon the Production of such Order, signed by any Two or more of the said Commissioners under the Great Seal, by Sale or Transfer of a sufficient Part of such Stock, to pay or transfer to the Person or Persons assigning such Land Tax the Money or Stock specified in such Certificate; and the Receipt or Receipts of such Person or Persons shall be sufficient Discharges for the Money or Stock so to be paid or transferred; and upon any such Payment or Transfer being made as hereby is directed, and upon an Assignment being made of such Land Tax to the Archbishop, Bishop, Rector or Vicar for the time being (and which Assignment shall not be liable to any Stamp Duty), such Land Tax shall forthwith become merged and extinguished for the Benefit of the See or Living the Hereditaments belonging to which respectively or any of them shall have been charged with the said Land Tax.

Surplus Stock standing in the Name of Commissioners for Reduction of National Debt may be sold to pay Costs of Corporations, &c. allowed by the Commissioners.

XVIII. And be it further enacted, That where there shall be any Surplus Stock standing in the Names of the Commissioners for the Reduction of the National Debt, to the Account of any Bodies Politic or Corporate, or Companies, or Feoffees or Trustees for Charitable or other public Purposes, arising from or produced by any Sale, Mortgage or Grant made or to be made by any such Bodies Politic or Corporate, or Companies, or Feoffees or Trustees, under the Powers and Provisions of the Land Tax Redemption Acts, or any of them, or of this Act, after satisfying the Purposes for which such Sale, Mortgage or Grant shall have been made, it shall be lawful for the Commissioners appointed or to be appointed by Letters Patent under the Great Seal, by any Writing under their Hands, to order and direct the Commissioners for the Reduction of the National Debt to sell and transfer so much of such Stock as at the time of such Sale or Transfer shall produce the Sum which shall be allowed by the said Commissioners appointed by Letters Patent under the Great Seal as the Costs of such Bodies Politic or Corporate, or Companies, or Feoffees or Trustees, attending any such Sales, Mortgages or Grants; which Sum, when so raised, shall be paid to such Bodies Politic or Corporate, or Companies, or Feoffees or Trustees, to whom such Costs shall have been allowed, or to any Person or Persons to be nominated by them respectively to receive the same, in Discharge of such Costs accordingly.

Commissioners may give Directions to the Commissioners for the Reduction of the National Debt for making good the Transfer of Stock, according to the Terms of

XIX. And be it further enacted, That in all cases of Contracts already entered into, or which after the passing of this Act shall be entered into, by any such Bodies Politic or Corporate, or Companies, or Feoffees or Trustees as aforesaid, for the Redemption of any Land Tax, either under the Powers of the said Acts, or any of them, or of this Act, it shall be lawful for the said last mentioned Commissioners, by any Writing under their Hands, to give such Orders and Directions to the said Commissioners for the Reduction of the National Debt, with regard to the Transfer of any such Surplus

Surplus Stock, or with regard to the Sale thereof or any Part thereof, and with regard to the Application of the Money arising from the Sale thereof, as the said Commissioners appointed by Letters Patent shall think proper, for the Purpose of making good the Transfer or Payment of the Stock or Money Consideration for the Redemption of such Land Tax, according to the Terms of such Redemption Contracts respectively, and for Payment of any Costs to be allowed by the said Commissioners; and the said Commissioners for the Reduction of the National Debt are hereby required to make or cause to be made all such Transfers, Sales and Payments according to such Orders.

XX. And be it further enacted, That in all cases wherein, by reason of any Purchase made or to be made of any Land Tax under the Powers and Provisions contained in any of the Acts passed for the Redemption and Sale of the Land Tax, the Lands or Hereditaments, the Land Tax on which has been or shall be so purchased, or any of them, have become or shall become charged with a yearly Rent or Sum as a Fee Farm Rent, equal in Amount to the Land Tax so purchased, and any Common Lands, Waste Lands, or other Lands situate and being within the Parish, Township or District within which the Lands, out of which any such Fee Farm Rent shall be issuing, shall be situate, shall hereafter be divided or allotted and inclosed under any Act of Parliament already passed or hereafter to be passed, it shall be lawful for the Commissioner or Commissioners respectively authorized to carry such Act or Acts of Parliament into Execution, to set out or allot and award unto and for the Benefit of the Bodies Politic or Corporate, or Companies, or other Person or Persons for the time being seized of or entitled to the Receipt of such Fee Farm Rents respectively, and in lieu, Satisfaction and Discharge of such Fee Farm Rents respectively, [and to the same or the like Uses as at the times of such Allotments shall respectively affect the said Fee Farm Rents respectively, such Part or Parts of the Lands so to be divided, allotted and inclosed as afore-said, as the said Commissioner or Commissioners respectively shall in his or their Judgment deem an Equivalent for the Fee Farm Rents in lieu of which such Lands shall be so allotted; such Commissioner or Commissioners taking care that such Allotments shall adjoin or be as contiguous as may be to any other Allotments, if any, to the Proprietors of such Fee Farm Rents, or to any Messuages or old Inclosures, if any, belonging to such Proprietors respectively.

XXI. And be it further enacted, That all and singular the Powers, Clauses and Directions contained in an Act passed in the Forty-first Year of His present Majesty, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts of inclosure, and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts*; and also all and singular the Powers, Clauses and Directions contained in any Inclosure Act already passed, but the Allotments under which have not been set out, and to be contained in any future Acts of Parliament for dividing, allotting or inclosing any Commons, Waste Lands or other Lands within any Parish, Township or Places in *England or Wales*, shall, so far as such several Powers, Clauses and Directions shall be applicable to the case, be used, applied and exercised with respect to any Allotment

the Contract, who are to transfer accordingly.

In what cases Allotments may be made under Inclosure Acts in lieu of Fee Farm Rents payable in respect of Land Tax purchased.

Provisions of 41 G. 3. c. 109. and all other Inclosure Acts applicable to Allotments made under this Act.

ment or Allotments to be made in lieu of any Fee Farm Rents under the Directions of this Act.

‘ XXII. And Whereas it appears that some Deeds of Sale, which, ‘ previous to the Revocation of the Commissions heretofore granted ‘ under the Royal Sign Manual, enabling the Persons therein named ‘ to be Commissioners for the Redemption and Sale of the Land ‘ Tax, were intended to have been executed by and under the ‘ Authority of the Persons named in such Commissions, have been ‘ executed by the Tenants for Life or other Persons having Autho- ‘ rity, with the Consent of such Commissioners, to make such Sales, ‘ but have not been executed by such Commissioners ; and Difficulties ‘ have in some Instances arisen as to the Mode of confirming Titles ‘ under such imperfect Conveyances ; and it is expedient that a dif- ‘ cretionary Power should be given to the Commissioners for the ‘ Affairs of Taxes of confirming the same, and also any Deed of ‘ Mortgage or Grant that may for the same Cause be found imper- ‘ fect ;’ Be it therefore further enacted, That upon Production to the Commissioners for the Affairs of Taxes, or any Two of them, of any Deeds of Sale, Mortgage or Grant, that have been executed by any Tenant or Tenants for Life, or other Person or Persons having Authority under the Land Tax Redemption Acts for the time being to make any such Sale, Mortgage or Grant, with the Consent and Approbation of Two or more of the Commissioners for the time being appointed by and under the Royal Sign Manual, but which Deeds of Sale, Mortgage or Grant, have not been executed by the Commissioners, whose Consent was necessary to the Validity thereof respectively, it shall be lawful for the said Commissioners for the Affairs of Taxes or any Two of them, on their being satisfied that such Deeds of Sale, Mortgage or Grant would have been authorized and available under the Powers and Provisions of the said Acts or some of them, if Two of the Commissioners for the time being acting by virtue of the Royal Sign Manual had been Parties to and executed the same, to sign and seal such Deeds of Sale, Mortgage and Grant, and to cause such Indorsements to be made on such Deeds respectively, as the said Commissioners for the Affairs of Taxes may, under the Circumstances of the case, think necessary or proper for shewing their Assent to and Confirmation of such Sales, Mortgages or Grants ; and all such Deeds of Sale, Mortgage or Grant, which shall be so signed and sealed by the said Commissioners for the Affairs of Taxes, or any Two of them, and upon which any such Indorsement shall be made, shall be and the same are hereby respectively ratified and confirmed from the respective Periods at which such Sales, Mortgages or Grants were respectively intended to take Effect, and the same shall be from such respective Periods as valid and effectual in the Law, and be considered as conferring upon the respective Purchasers or Mortgagees of the Lands and Hereditaments therein respectively comprized, or upon the respective Grantees of any Rent Charges, and all Persons claiming by, from, through, under or in trust for them respectively, as good a Title to the Lands or Hereditaments sold or mortgaged, or to the Rent Charges granted, as if Two of the Commissioners for the time being acting under the Royal Sign Manual, and who would have been competent under the Acts for the time being to consent to such Sales, Mortgages or Grants respectively, had approved of and consented thereto respectively, by signing and sealing

Commissioners for the Affairs of Taxes enabled to execute and confirm Deeds of Sale, &c. which have not been executed by the Commissioners acting under the Royal Sign Manual.

Such Deeds hereby confirmed.

sealing such Deeds respectively; and no Deeds of Sale, Mortgage or Grant so to be confirmed, shall require any Stamp Duty by reason of any Execution thereof by the Commissioners for the Affairs of Taxes, or by reason of any such Indorsement to be made thereon as aforesaid.

XXIII. And be it further enacted, That where any Contract shall have been entered into for the Redemption of any Land Tax, and any Contract shall have been entered into for Sale of any Lands or other Hereditaments for the Purpose of raising Money to complete the Contract for the Redemption of such Land Tax, and it shall appear that such Contract for Sale cannot, under the Powers and Authorities of the Land Tax Redemption Acts, or any of them, or by reason of some Defect in the Title to the Lands or other Hereditaments comprized in such Contract for Sale, be completed, it shall be lawful for the Commissioners for the Affairs of Taxes, or any Two of them, to rescind and declare void such Contract for Redemption of Land Tax; and thereupon it shall be lawful for the said Commissioners to make such Orders and give such Directions as they shall think proper for the Re-transfer of any Stock or the Re-payment of any Money that may have been previously transferred or paid in pursuance of such rescinded Contract; and the Governor and Company of the Bank of *England*, the Commissioners for the Reduction of the National Debt, and the several Receivers General in *England*, and Collectors in *Scotland*, to whom the same may respectively appertain, shall, upon a Certificate of such Contract being so rescinded, make, and they are hereby respectively required to make, such Re-transfer or Re-payment accordingly.

Where Contracts cannot be completed, the Commissioners for Taxes may rescind them,

and direct the Stock to be re-transferred.

XXIV. And Whereas it is expedient to make Provision for the Enrolment and Register of Deeds which have not been duly enrolled or registered pursuant to the Directions of the several Acts passed relating to the Redemption of the Land Tax; Be it therefore further enacted, That all Deeds required by the said Acts or any of them to be enrolled or registered shall be valid and effectual, although the same should not have been or shall not be enrolled or registered within the Periods prescribed by the said Acts respectively, provided the same shall have been enrolled or registered before the passing of this Act, or shall be enrolled or registered within Twelve Calendar Months after the passing thereof; and that in case any such Deeds shall not be enrolled or registered within Twelve Calendar Months after the passing of this Act, or any Deeds hereafter to be executed under the Powers of the said Acts or any of them, or of this Act, shall not be enrolled or registered within Six Calendar Months after the Execution thereof respectively, it shall be lawful for any Two or more of the Commissioners for the time being for the Redemption and Sale of the Land Tax, if they shall think fit, upon the Production of any such Deeds, to order the same to be enrolled or registered; and that all Deeds to be enrolled or registered pursuant to any such Order shall be as valid and effectual as if the same had been enrolled or registered within the Periods prescribed by the said Acts or by this Act; and that all Conveyances made subsequent to any Deeds already enrolled or registered, or to be enrolled or registered under this Act, and depending in point of Title on such Deeds, shall be of the same Effect as if such Deeds had been enrolled or registered on the Day of the Date thereof; nevertheless without prejudice to the

Deeds valid though not enrolled within the Periods prescribed by the Acts relating to the Redemption of the Land Tax.

Two Commissioners for Redemption of Land Tax may, under Circumstances herein mentioned, order such Deeds to be enrolled, &c.

Validity

Validity of any Assurances heretofore made or hereafter to be made to correct or supply any Defects arising from the Want of such Enrolment or Registry.

‘ XXV. And Whereas for the Purpose of redeeming or purchasing Land Tax, or of raising Money for reimbursing the Stock or Money previously transferred or paid as the Consideration for redeeming Land Tax, or for purchasing Assignments of Land Tax, or for some other Purposes for which Lands and Hereditaments were authorized to be sold under the Powers and Provisions of the Acts heretofore passed, relating to the Redemption and Sale of the Land Tax or some of them, some Sales of Lands and other Hereditaments have been made, the Titles to which, as derived under such Sales, may be considered void or voidable, or liable to be impeached at Law or in Equity, or be liable to Objections calculated to impede the free Alienation thereof;’ Now be it further enacted, That all Sales made, and all Conveyances executed, of Lands or other Hereditaments sold for the Purpose of redeeming or purchasing Land Tax, or for raising Money as hereinbefore is mentioned, provided such Conveyances shall appear to have been executed under the Authority and with the Consent and Approbation of the respective Commissioners for the time being authorized to consent to Sales made under the Powers of the said Acts respectively, or any of them, shall be and the same are hereby ratified and confirmed from the respective Periods at which such Sales and Conveyances were respectively made and executed, and the same shall be from such respective Periods valid and effectual, and be considered as conferring upon the respective Purchasers of the Lands and Hereditaments therein respectively comprised, and all Persons claiming by, from, through, under or in Trust for them respectively, a good and valid Title, both at Law and in Equity, to such Lands or Hereditaments, to all Intents and Purposes whatsoever; any thing in the said Acts, or any Law or Custom to the contrary notwithstanding.

In what case informal Sales and Conveyances confirmed.

Proviso for Relief in Equity of Persons injured, &c. by Sales.

XXVI. Provided always, and be it further enacted, That every Person who may conceive himself or herself injured or prejudiced by any Sales hereby confirmed, shall, at any time within Five Years after the passing of this Act, if such Person shall not be under any legal Disability, but if he or she shall be under any legal Disability, then within Five Years next after such Disability shall be removed, be entitled to Relief either by the Decree of a Court of Equity on a Bill filed, or by a summary Application to a Court of Equity by Petition, and by the usual Proceedings before the Master or other proper Officer of the Court on such Petition, and an Order thereupon; and shall under such Decree or Order have an Annual Rent Charge to such an Amount, and for and during such Term or Estate, and charged upon such Lands or other Hereditaments, as such Court shall order or direct; and the said Court shall have full Power to adjust the Proportion and Terms of such Annual Rent Charge between different Claimants, and to direct the Settlement of such Annual Rent Charge in such manner as the said Court shall, under the Circumstances of the case, in its Discretion think proper; and shall also have Power to make such Order respecting the Costs of the Parties as the said Court shall think fit.

Powers of Acts respecting Redemption of

XXVII. And be it further enacted, That all and every the Powers and Provisions contained in any Acts in force at the time of the

the passing of this Act, touching the Redemption and Sale of the Land Tax, shall be severally applied and construed in like manner as if the same Powers and Provisions had been contained and reenacted in this Act.

Land Tax applied to this Act.

C A P. CI.

An Act to continue an Act, intituled *An Act further to extend and render more effectual certain Provisions of an Act passed in the Twelfth Year of the Reign of His late Majesty King George the First*, intituled '*An Act to prevent frivolous and vexatious Arrests*,' and of an Act passed in the Fifth Year of the Reign of His Majesty King George the Second, to explain, amend and render more effectual the said former Act; and of Two Acts, passed in the Nineteenth and Forty third Years of the Reign of His present Majesty, extending the Provisions of the said former Acts.

[11th July 1817.]

WHEREAS an Act was passed in the Fifty first Year of His present Majesty's Reign, intituled *An Act further to extend and render more effectual certain Provisions of an Act passed in the Twelfth Year of the Reign of His late Majesty King George the First*, intituled '*An Act to prevent frivolous and vexatious Arrests*;' and of an Act passed in the Fifth Year of the Reign of His Majesty King George the Second, to explain, amend and render more effectual the said former Act; and of Two Acts, passed in the Nineteenth and Forty third Years of the Reign of His present Majesty, extending the Provisions of the said former Acts: And Whereas, the said recited Act will expire at the End of the present Session of Parliament, unless the same shall be continued; and it is expedient that the same should be continued: Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall continue and be in force until the First Day of November in the Year One thousand eight hundred and twenty three, and thenceforth until the End of the then next Session of Parliament, and no longer.

51 G. 3. c. 124.

continued.

C A P. CII.

An Act to defray the Charge of the Pay, Cloathing and contingent Expences of the Disembodied Militia in *Great Britain*, and of the Miners of *Cornwall* and *Devon*; and for granting Allowances, in certain cases, to Subaltern Officers, Adjutants, Quartermasters, Surgeons' Mates and Serjeant Majors of Militia, until the Twenty fifth Day of *March* One thousand eight hundred and eighteen.

[11th July 1817.]

[*This Act, except as to Dates and the Sessions that are retained, and except as to Sessions 2. 18. and 21. which are added, and also except as to Session 19: of 56 G. 3. c. 90. which is omitted, is the same as the said Act of 56 G. 3. c. 90.*]

WHEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Cloathing and contingent Expences of the Regular Militia, and of the Miners of

57 GEO. III.

C c

Cornwall

‘ *Cornwall* and *Devon* (when difembodied), in *Great Britain*, from the Twenty fifth Day of *March* One thousand eight hundred and seventeen, to the Twenty fifth Day of *March* One thousand eight hundred and eighteen; and also for making Allowances of Reduced Pay, in certain cases, to Subaltern Officers and Surgeons’ Mates of the Regular Militia and Miners of *Devon* and *Cornwall* in *Great Britain*, while difembodied; and also Allowances to Adjutants and Serjeant Majors of the Regular Militia, who have been or may be reduced; and to Adjutants, Surgeons and Quartermasters, after long Service;’ 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 Secretary at War for the time being may and shall and he is hereby authorized, empowered and required to cause to be issued and paid the whole Sum required for the Regular Militia of *Great Britain* (when difembodied), in the manner and for the several Uses hereinafter mentioned; (that is to say,) for the Pay of the said Regular Militia at the Rates following; that is to say,

Secretary at War to issue the Money required for the Pay of the Regular Militia when difembodied.

Rates of Pay.

For each Adjutant, Eight Shillings *per Diem* :

For each Paymaster, in Corps consisting of Three Companies, and upwards, Six Shillings *per Diem* :

For each Paymaster, in Corps consisting of Two Companies, Five Shillings *per Diem* :

For each Paymaster, in Corps consisting of One Company, Four Shillings *per Diem* :

For each Surgeon, Six Shillings *per Diem* :

For each Quartermaster, where One had been appointed in a Corps while embodied at an Establishment of not less than Three hundred and sixty Private Men, Five Shillings *per Diem*; and at an Establishment of less than Three hundred and sixty Private Men, Three Shillings *per Diem* :

For each Serjeant Major, having been Serjeant Major of a Provisional Battalion of Militia, Two Shillings and Sixpence *per Diem* :

For each Serjeant Major, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Ten pence *per Diem* :

For each Serjeant having been a Colour Serjeant in One of the Provisional Battalions of Militia, Two Shillings *per Diem* :

For each Serjeant, One Shilling and Sixpence *per Diem* :

For each Corporal, One Shilling and Two pence *per Diem* :

For each Drum Major, where One is appointed in Corps consisting of Three or more Companies, One Shilling and Sixpence *per Diem* :

For each Drummer, One Shilling *per Diem* :

Rates of Pay when absent on Furlough.

Provided always, that when any Serjeant, Corporal or Drummer shall be absent on Furlough or Licence, such Serjeant, Corporal or Drummer shall during such Absence receive Pay at the following Rates, instead of those above mentioned; that is to say,

Every Serjeant Major, having been Serjeant Major of a Provisional Battalion of the Militia, Two Shillings *per Diem* :

For every Serjeant, having been a Colour Serjeant in any Provisional Battalion of the Militia, One Shilling and Sixpence *per Diem* :

For

For every Serjeant Major, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Four pence *per Diem* :

For every other Serjeant, the Sum of One Shilling *per Diem* :

For every Corporal, the Sum of Eight pence *per Diem* :

For every Drum Major, where One is appointed in Corps consisting of Three or more Companies, the Sum of One Shilling *per Diem* :

And for every Drummer, the Sum of Sixpence *per Diem* respectively, and no more :

And also for the Cloathing of the Regular Militia (when disembodied), in cases in which full Cloathing shall be provided by the Colonel or Commandant, at the Rate of Five Pounds Twelve Shillings and One Penny for each Serjeant Major ; Three Pounds for each Serjeant ; One Pound Seventeen Shillings and Four pence for each Corporal ; Two Pounds Eighteen Shillings and Seven pence for each Drum Major ; Two Pounds Eighteen Shillings and Seven pence for each Drummer ; and One Pound Seventeen Shillings for each Private Man ; and so in Proportion in the cases in which only Part of the Cloathing shall be provided by the Colonel or Commandant, together with the actual Expence of Package and Carriage, and such Charges for altering and fitting the Cloathing as shall have been notified by the Secretary at War ; and that such Serjeant Majors, Drum Majors, Serjeants, Corporals and Drummers, who may be retained on constant Pay, and resident at Head Quarters, shall be cloathed once in Two Years, and also at the Rate of Three pence *per Month* for each Private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion or Corps.

II. And be it further enacted, That every Adjutant, Paymaster, Surgeon, Quartermaster, Non Commissioned Officer and Drummer of Regular Militia when disembodied, shall be constantly resident within the City, Town, or Place where the Arms of the Corps to which such Officers belong are kept, or within reasonable Distance of the Depot, as shall be sanctioned by the Secretary at War : Provided always, that every such Adjutant, Paymaster, Surgeon, Quartermaster, Non Commissioned Officer or Drummer, shall forfeit his Pay for any Period during which he shall be absent, except when absent by Leave from the Colonel or Commandant of the Regiment, Battalion or Corps, which Leave shall not extend beyond Three Calendar Months in One Year, except in case of certified Sickness, nor to a greater Proportion than One Third of the Non Commissioned Officers and Drummers at the same time, or beyond such Period of Three Months, except in case of Sickness.

III. And be it further enacted, That the Quartermaster of each Regiment of Militia, in which a Quartermaster is appointed, and when no Quartermaster is appointed, then the Paymaster shall have the Charge and Care of the Arms, Accoutrements, Great Coats, Cloathing, Necessaries and other Stores, under the Superintendance of the Colonel or Commandant ; and the Paymaster shall, out of the Allowance of Three pence *per Month* for each Private Man and Drummer directed by this Act to be issued and paid for defraying the contingent Expences of such Regiment, Battalion or Corps, from time to time, issue and pay such Sums of Money as may be necessary for the Repair of Arms and other usual contingent Expences, upon an

Cloathing.

Residence of certain Officers to be where Arms of the Corps are kept, or within reasonable Distance.

Quartermaster, &c. to have Charge of Arms, Cloathing, &c. Paymaster to issue Money for contingent Expences on an Order signed by the Colonel, &c.

Balance to form
a Stock Purse.

Accounts allowed,
&c. an Acquittal to
Paymaster.

The following
Oath to be taken
to entitle to
Allowances.

Order in Writing signed by the Colonel or other Commandant ; and after Payment of such Sums as aforesaid, he shall Three times in the Year make up Accounts of all such Money, and of the Expenditure thereof, shewing the Balances remaining in his Hands, (which said Balance shall form a Stock Purse for the Use of the Regiment, Battalion or Corps,) and shall transmit the same to the Colonel or other Commandant of such Regiment, Battalion or Corps, to be by him examined, allowed and signed ; and the said Accounts so allowed and signed, shall be and are hereby directed to be the proper Vouchers and Acquittal of such Paymaster, for the Application and Disposal of such Money.

VIII. And be it further enacted, That the Subaltern Officers and Surgeons' Mates of the Militia who shall claim under the Authority of this Act to receive any Part of the said Allowances, shall, previous to receiving the same, and in order to entitle themselves thereto, take and subscribe an Oath before some One of His Majesty's Justices of the Peace in the United Kingdom, in the Words or to the Effect following ; (*videlicet*),

‘ I *A. B.* do swear, That I belong to the
‘ of Militia when the same was disembodied, and
‘ that I have continued to serve therein from that time until the
‘ Day of inclusive, as a Lieu-
‘ tenant, Ensign or Surgeon's Mate (*as the case may be*), and that I
‘ was not in my own Right or in Right of my Wife during the said
‘ Period in the actual Possession and Enjoyment or Receipt of the
‘ Rents and Profits of Lands, Tenements or Hereditaments of such
‘ an annual Value above Reprizes as would qualify me to hold a
‘ Commission of Captain of a Company in the Militia ; that I have
‘ not during the above Period held the Appointment of Adjutant,
‘ Surgeon, Paymaster or Quartermaster, in any Regiment, Battalion
‘ or Corps of Militia ; that I did not hold or enjoy, nor did any
‘ Person for me hold or enjoy, during the said Period, any Office or
‘ Income whatsoever from the Public, except my Half Pay as a
‘ of the Army, Navy, Marines or of a
‘ Provisional Battalion formed from the Militia (*as the case may be*).
‘ So help me GOD.’

Which Oath so taken and subscribed shall be produced to the Paymaster of the Regiment of Militia by the Subaltern Officer or Surgeon's Mate claiming the Allowance.

If Regiment be
not called out
before time
fixed for Pay-
ment, Allow-
ance to be paid
on taking the
Oath before a
Justice, without
Certificate of
Attendance.

X. Provided always, and be it further enacted, That in case any Regiment, Battalion or Corps of Militia, after the disembodiment thereof, and before the time fixed for the Payment of the said Allowances, shall not be called out for the annual Exercise and Training thereof, every Subaltern Officer and Surgeon's Mate belonging to any such Regiment, Battalion or Corps, and coming within the Description of this Act, who shall have taken and subscribed the Oath hereinbefore mentioned before any such Justice of the Peace as aforesaid, shall be entitled to the said Allowance as if such Subaltern Officer or Surgeon's Mate had regularly attended the annual Exercise and Training of such Regiment, Battalion or Corps during the Whole of the time by Law appointed for that Purpose, and as if a certificate of such Attendance, signed by the Commanding Officer of the Regiment, Battalion or Corps, had been furnished to the Paymaster of the Regiment.

XI. And be it further enacted, That upon such Oaths and Certificates as aforesaid, or where any Regiment of Militia shall not have been called out to their annual Exercise as aforesaid, upon the said Oaths being produced to the respective Paymasters, it shall be lawful for such Paymasters, and they are hereby authorized and required, to pay to the said Subaltern Officers and Surgeons' Mates, according to their respective Commissions of Lieutenant, Ensign or Surgeon's Mate, the Allowance above mentioned, for Six Months or other proper Period, on the Twenty fourth Day of *December* next, and the other proper Proportion of the same on the Twenty fourth Day of *June* One thousand eight hundred and eighteen, without any Deduction whatsoever; the Oaths and Certificates before mentioned to be by them preserved and produced among the Vouchers for the Payments from time to time made by them in pursuance of this Act, or of any Regulation made by the Secretary at War.

XIV. Provided always, and be it further enacted, That any Person being on Naval or Military Half Pay, or being entitled to any Allowance, as having served in any of His Majesty's Forces, or Navy or Marines, and serving in the Militia, shall and may and he is hereby empowered to receive and take the Pay and Allowances by this Act directed to be paid to Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Paymasters, Quartermasters, Surgeons and Surgeons' Mates when assembled for annual Training; and the receiving and taking any such Pay and Allowances by any such Field Officer, Captain, Lieutenant, Ensign, Adjutant, Quartermaster, Surgeon or Surgeon's Mate, shall not prevent such Person on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay or such Allowance; and such Person shall take the following Oath before some Justice of the Peace, who is hereby empowered to administer the same.

I *A. B.* do swear, I had not between the _____ and the _____ any Place or Employment of Profit, Civil or Military, under His Majesty, besides my Allowance of Half Pay as a Reduced _____ in His Majesty's Navy [or in the Marines, or in _____ late Regiment of _____], or Allowance as in _____ late Troop of Horse Guards, or [_____ Regiment of Horse reduced], save and except my Pay or Allowance as a Field Officer, Captain, Lieutenant, Ensign, Adjutant, Paymaster, Quartermaster, Surgeon or Surgeon's Mate, while assembled for Training and Exercise, [as the case may be,] for serving in the Militia of the County of _____

And the taking the said Oath shall be sufficient to entitle such Person to receive his Half Pay or the said Allowance without taking any other Oath; any Law, Usage or Custom to the contrary notwithstanding.

XVII. And be it further enacted, That from and after the Twenty fifth Day of *March* One thousand eight hundred and seventeen, every Adjutant of Regular Militia who shall have served faithfully, either in His Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Twenty Years in the Whole, whereof Ten shall have been in Service as an Adjutant of Regular Militia, who shall have been or shall be by Age or Infirmary rendered unfit for further Service, shall, on producing to the Secretary at War a Certificate of such Service of Twenty Years as aforesaid, from the

Paymasters to pay the Allowances on the 24th December next, and 24th June 1818, without Deduction.

Persons being on Half Pay, or entitled to Allowance as having served in the Army or Navy, empowered, if serving in the Militia, to receive the Pay and Allowances hereby directed to be paid, on taking the following Oath.

Adjutants after a Service of 20 Years, and unfit for further Service, to receive an Allowance of 8s. per Day, on Certificate and Order from Secretary at War.

Commanding Officers of the different Corps to which he shall have belonged, and upon obtaining an Order from the Secretary at War, founded upon such Certificate, be entitled to receive, and the Paymaster aforesaid shall be and is hereby authorized to pay to such Person an Allowance at the Rate of Eight Shillings *per Diem*: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid, who shall hold any Office or Employment or † Profit, Civil or Military, under His Majesty: Provided also, that no such Adjutant shall lose any Right he may have to Half Pay by reason of receiving such Allowance as aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

† *Sic.*
Also Half
Pay.

Quartermasters
in like manner,
after a Service
of 30 Years,
entitled to an
Allowance, and
also to Half Pay.

XVIII. And be it further enacted, That from and after the Twenty fifth Day of *March* One thousand eight hundred and seventeen, any Quartermaster of Regular Militia who shall have served faithfully, either in His Majesty's Regular Forces or in the Regular or Local Militia, for the full Term of Thirty Years in the whole, whereof Fifteen shall have been as a Quartermaster of Regular Militia, and who shall have been or shall be by Age or Infirmary rendered unfit for further Service, shall, on producing to the Secretary at War a Certificate of such Service of Thirty Years as aforesaid from the Commanding Officers of the different Corps to which he shall have belonged, and obtaining from the Secretary at War an Order founded upon such Certificate, be entitled to receive, and the Paymaster of the Regiment shall be and is hereby authorized to pay to such Person, an Allowance at the Rate of his Pay when serving in the disembodied Regular Militia: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Office or Employment of Profit, Civil or Military, under His Majesty: Provided also, that no such Quartermaster shall, by reason of receiving such Allowance as aforesaid, forfeit any Right which he may have to Half Pay, but shall be entitled to receive such Half Pay as well as such Allowance.

Surgeons in like
manner, after a
Service of 20
Years, and unfit
for further Ser-
vice, to receive
6s. per Day.

XIX. And be it further enacted, That if any Surgeon of Regular Militia, having faithfully served, either in His Majesty's Regular Forces or in the Militia, for the full Term of Twenty Years, shall by Age or Infirmary be rendered unfit for further Service, he shall, on producing to the Secretary at War a Certificate of such Service of Twenty Years in the whole (Ten of which he shall have served as a Surgeon of Militia) from the Commanding Officers of the different Corps to which he shall have belonged, and obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive, and the Paymaster of the Regiment shall be and he is hereby authorized and required to pay to such Person an Allowance at the Rate of Six Shillings *per Diem*, commencing the Twenty fifth Day of *March* One thousand eight hundred and seventeen: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Office or Employment of Profit, Civil or Military, under His Majesty; but no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Also to Half
Pay.

Reduced Adju-
tant to receive
4s. per Day till
24th March
1818.

XX. And be it further enacted, That in case any Regiment, Battalion or Corps of Militia shall have already ceased and determined or been reduced in its Establishment, or shall cease and determine or be reduced in its Establishment during the Continuance of this Act, the Sum

Sum of Four Shillings *per Diem* shall be paid to such Person as has actually served as Adjutant to such Regiment, Battalion or Corps, from the Twenty fifth Day of *March* One thousand eight hundred and seventeen, or from the time such Regiment shall cease and determine, or be reduced in its Establishment, as the case may be, to the Twenty fourth Day of *March* One thousand eight hundred and eighteen: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid, who shall hold any Office or Employment of Profit, Civil or Military, under His Majesty; but no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines or a Provisional Battalion formed from the Militia by reason of receiving such Allowance as last aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

Also to Half Pay.

XXI. And Whereas certain Adjutants and Serjeant Majors are entitled to and have received certain Allowances in consequence of having been reduced under the Provisions of an Act passed in the Thirty ninth and Forty first Years of the Reign of His present Majesty, which Allowance has been continued, and as to such Adjutants augmented to Four Shillings *per Diem*: Be it therefore enacted, That all such Adjutants and Serjeant Majors shall be entitled to receive and shall receive such Allowance from the Twenty fifth Day of *March* One thousand eight hundred and seventeen to the Twenty fifth Day of *March* One thousand eight hundred and eighteen, to be issued as heretofore by the Receivers General of Counties; and all Payments of such Allowance to any such Adjutant by any Receiver General shall be deemed good and valid Payment, and be allowed in their Accounts as such.

Adjutants and Serjeant Majors entitled to Allowance under 39 & 40 G. 3. c. 44, 41 G. 3. (U. K.) c. 55. until 25th March 1818.

XXII. And be it further enacted, That every reduced Adjutant entitled to any Allowance under the said Act of the Thirty ninth and Fortieth Year aforesaid, or any subsequent Acts continuing such Allowance, or this Act, may receive and take such Allowance together with any Full Pay, Half Pay or Allowance which was tenable together with such reduced Allowance under the Provisions of an Act passed in the Twenty sixth Year of the Reign of His present Majesty, intituled *An Act for amending and reducing into one Act of Parliament the Laws relating to the Militia in that Part of Great Britain called England (a)*: Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the time he shall hold any Place or Employment of Profit, Civil or Military, under His Majesty, other than such as aforesaid.

Reduced Adjutants may take such Allowance with any Pay or other Allowance to which they may be entitled under 26 G. 3. c. 107.

(a) [26 G. 3. c. 107. Repealed, 42 G. 3. c. 90. § 1.]

XXIII. And be it further enacted, That all Sums of Money granted for the Pay, Cloathing, Allowances and contingent Expences for the Regular Militia when disembodied as aforesaid, shall be issued and paid under the Direction of the Secretary at War, according to such Regulations as have been or shall be established on that Head.

Pay, Cloathing, &c. issued under Directions of Secretary at War.

XXIX. And be it further enacted, That this Act shall continue in force until the Twenty fifth Day of *March* One thousand eight hundred and eighteen.

Continuance of Act.

C A P. CIII.

An Act for defraying, until the Twenty fifth Day of *June* One thousand eight hundred and eighteen, the Charge of the Pay and Cloathing of the Militia of *Ireland*; and for making Allowances in certain cafes to Subaltern Officers of the said Militia during Peace. [11th July 1817.]

[*This Act, except as to Dates and the Sections that are retained, is the same as 56 G. 3. c. 121.*]

Pay in Advance
for each County,
&c. where
Militia is raised.

Rates of Pay.

Contingent
Expences.

Cloathing.

• **W**HEREAS it is necessary that Provision should be made for defraying the Charge of the Pay and Cloathing of the Militia in that Part of the United Kingdom called *Ireland*, from the Twenty fifth Day of *June* One thousand eight hundred and seven-teen until the Twenty fifth Day of *June* One thousand eight hundred and eighteen; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for every County, County of a City or Town in *Ireland*, where the Militia is or shall be raised, there shall be issued and paid out of the Produce of the Consolidated Fund arising in *Ireland* the whole Sums required, in the manner and for the several Uses herein after mentioned; (that is to say,) for the Pay of the said Militia, at the Rate of Eight Shillings *per* Day for each Adjutant, and at the Rate of Six Shillings *per* Day for each Paymaster and Surgeon respectively, where an Adjutant, Paymaster or Surgeon is appointed; and at the Rate of Five Shillings *per* Day for each Quarter Master, where a Quarter Master is appointed; and at the Rate of One Shilling and Ten pence *per* Day for each Serjeant Major and Quarter Master Serjeant resident at the Head Quarters of the Regiment, Battalion or Corps where a Serjeant Major and Quarter Master Serjeant are appointed; and at the Rate of One Shilling and Sixpence *per* Day for each Serjeant so resident as aforesaid; and at the Rate of One Shilling *per* Day for each Drummer so resident as aforesaid, with the Addition of Sixpence *per* Day for each Drum Major, where a Drum Major is appointed; and at the Rate of One Shilling *per* Day for each Fifer so resident as aforesaid; and at the Rate of One Shilling and Two pence *per* Day for each Corporal so resident as aforesaid: And also at the Rate of Three pence *per* Morth for each Private Man and Drummer, for defraying the contingent Expences of each Regiment and Battalion of Militia: And also for the Cloathing of the Militia for such County, after the Rate of Four Pounds Fourteen Shillings and Ten pence for each Serjeant Major and Quarter Master Serjeant, Three Pounds Nine Shillings and Eight pence for each Serjeant, Two Pounds One Shilling and Ten pence for each Corporal, Four Pounds Six Shillings and Seven pence for each Drum Major, and Three Pounds Five Shillings and Two pence for each Drummer, when such Serjeant Majors, Quarter Master Serjeants, Drum Majors, Serjeants, Drummers and Corporals, have not been cloathed within Two Years; and with respect to the Private Militia Men, at the Rate of Two Pounds One Shilling and Four pence for each Private Militia Man, when such Private Militia Men have not been cloathed within Four Years:

Provided

Provided always, that where any Serjeant Major, Drum Major, Serjeant, Corporal or Drummer, shall be absent on Furlough or Licence, such Serjeant Major, Drum Major, Serjeant, Corporal or Drummer, shall, during such Absence, receive the Rates of Pay following; (that is to say,) every Serjeant Major the Sum of One Shilling and Four pence, every Drum Major the Sum of One Shilling, every Serjeant the Sum of One Shilling, every Corporal the Sum of Eight pence, and every Drummer the Sum of Sixpence *per* Day respectively, and no more; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to direct that any such Pay shall be from time to time issued for any Period not exceeding Four Months from the time when such Advances shall be made.

Rates of Pay when on Furlough.

II. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to direct such further Sums to be issued and paid as shall be requisite for the Payment of the necessary Charges of the packing and conveying of any such Cloathing, and for any Alteration thereof to fit the Non Commissioned Officers and Private Men of the said Militia respectively.

Charges of packing and conveying of Cloathing provided for.

V. And be it further enacted, That whenever the Governor or Governors, or Deputy Governors, at a General Meeting to be held for any County, County of a City or Town in *Ireland*, shall have fixed the Days of Exercise for the Militia, the Colonel or Commanding Officer shall, as soon as may be, certify the same to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary for the time being, and to the Commissioners of His Majesty's Treasury, specifying the Number of Men, and the Number of Days such Men are to be absent from Home on account of such Exercise, not exceeding in the whole Twenty eight Days; and the Vice Treasurer for *Ireland* is hereby required within Fourteen Days after the Receipt of a Warrant thereon from the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, to cause to be issued and paid out of the growing Produce of the Consolidated Fund in *Ireland*, at the Rate of Ten Shillings *per* Day for the Captain of each Company, at the Rate of Five Shillings and Eight pence *per* Day for each Lieutenant, and of Four Shillings and Eight pence *per* Day for each Ensign, at the Rate of Seven Shillings and Six pence *per* Day for each Assistant Surgeon, and also at the Rate of One Shilling *per* Day for each Private Militia Man, for any Number of Days not exceeding Twenty eight during which such Men shall be absent from Home on account of their Attendance at such Place of Annual Exercise.

Colonel to certify to Lord Lieutenant and Treasury the Days of Exercise, &c. and Vice Treasurer to pay the Sums herein specified.

VI. And be it further enacted, That all Sums of Money granted for the Pay, Cloathing and contingent Expences of the said Militia as aforesaid, and the Allowances to Adjutants and Serjeants of the said Militia, shall be issued and paid under the Direction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, who is and are hereby empowered to issue such Regulations as he or they may deem it expedient to adopt from time to time in that Behalf.

Money granted for Pay, &c. to be issued under the Direction of Lord Lieutenant.

XXIII. And be it further enacted, That the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being,

Lord Lieutenant, on receiving a Certificate

from the Colonel, certifying the Receipt of the Cloathing, &c. shall issue Money for the Payment.

being, as soon as he or they shall receive a Certificate under the Hand of the Colonel or Commanding Officer of the respective Regiments or Battalions of the Militia of *Ireland*, certifying the Receipt of the Cloathing, which Certificate shall specify the Number of Serjeant Majors, Quarter Master Serjeants, Serjeants, Corporals, Drummers and Private Men for whom the same shall have been supplied, shall issue a Warrant to the Vice Treasurer for *Ireland* for Payment of the same; and the said Vice Treasurer upon receiving an Order from the said Colonel or Commanding Officer for Money due on account thereof, payable to the Person or Persons who furnished the said Cloathing, shall cause the Sum mentioned in such Warrant and Order to be paid to the Person entitled to receive the same, provided the said Cloathing shall not exceed the Allowance hereinbefore directed; and such Warrant and Order, together with the Receipt of the Person receiving the said Money, shall be a sufficient Voucher for such Payment.

C A P. CIV.

An Act to reduce the Number of Serjeants, Corporals and Drummers in the Militia of *Ireland*, whilst disembodied.

[11th July 1817.]

49 G. 3. c. 120.
§ 6.

‘ WHEREAS by an Act passed in the Forty ninth Year of His present Majesty’s Reign, intituled *An Act for amending and reducing into One Act of Parliament the several Laws for raising and training the Militia of Ireland*; it is amongst other things enacted, that the Ordinary Establishment of Non Commissioned Officers in each Company in the said Militia shall be Sixty five Privates, Four Serjeants, Five Corporals and Two Drummers: And Whereas it may not be found necessary to have so great a Proportion of permanent Serjeants, Corporals or Drummers in the said Militia whilst the same is disembodied;’ 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 Vacancy which shall or may occur by the Death or Dismissal or Removal of any Serjeants, Corporals or Drummers, of any Regiment or Battalion of the said Militia, which shall not be embodied and called out into actual Service, shall be supplied or filled up until the Numbers of such Serjeants, Corporals and Drummers shall be reduced below the Number of One Serjeant and One Corporal for every Thirty Private Men, and One Drummer to every Company; and that from and after such Reduction by Death, Dismissal or Removal as aforesaid, the Ordinary Establishment of the Serjeants, Corporals and Drummers in every Company of every Regiment or Battalion of Militia, while the same shall be disembodied and shall not be called out into actual Service, shall consist of One Serjeant and One Corporal, and no more, to every Thirty Private Men, and One Drummer to every Company, with an Addition of One Drummer to each Flank Company; and if it shall happen that there shall then remain a Surplus of Fifteen Private Men and less than Thirty, every such Regiment shall and may in such case have One additional Corporal for such Surplus Number

Regulation as to Ordinary Establishment of Serjeants, &c. of the Militia.

Number of Men; and when any such Regiment of Militia shall be drawn out into actual Service, such Addition shall be made thereto that there shall be One Serjeant and One Corporal to every Twenty Private Men, and Two Drummers to every Company.

C A P. CV.

An Act to encourage the Establishment of Banks for Savings in *Ireland*. [11th July 1817.]

WHEREAS certain Provident Institutions or Banks for Savings have been and may be established in *Ireland* for the safe Custody and Increase of small Savings belonging to the industrious Classes of His Majesty's Subjects there; and it is expedient to give Protection to such Institutions and the Funds thereby established, and to afford Encouragement to others to form the like Institutions: 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 Number of Persons who have formed or shall form any Society in any Part of *Ireland*, for the Purpose of establishing and maintaining any Institution in the Nature of a Bank, to receive Money for the Benefit of the Persons depositing the same, and to accumulate the Produce of so much thereof as shall not be required by the Depositors, their Executors or Administrators, to be paid in the Nature of Compound Interest, and to return the whole or any Part of such Deposits, and the Produce thereof, to the Depositors, their Executors or Administrators, deducting only out of such Produce so much as shall be required to be so retained for the Purpose of paying and discharging the necessary Expences attending the Management of such Institutions, according to such Rules, Orders and Regulations as shall have been or shall be established for that Purpose, but deriving no Benefit whatsoever from any such Deposit or the Produce thereof, shall be desirous of having the Benefit of the Provisions of this Act, such Persons shall cause the Rules, Orders and Regulations established or to be established for the Management of such Institution, to be entered, deposited and filed in manner hereinafter directed, and thereupon shall be deemed to be entitled to and shall have the Benefit of the Provisions contained in this Act.

Persons forming Societies according to the Provisions herein prescribed, entitled to the Benefit of this Act.

II. Provided always, and be it further enacted, That no such Institution as aforesaid shall have the Benefit of this Act, unless the Rules, Orders and Regulations for the Management thereof shall be entered in a Book or Books to be kept by an Officer of such Institution to be appointed for that Purpose, and which Book or Books shall be open at all seasonable times for the Inspection of the Persons making Deposits in the Funds of such Institution; and unless such Rules and Regulations shall be fairly transcribed on Parchment, and such Transcript shall be deposited with the Clerk of the Peace for the County, Riding, Division or Place wherein such Institution shall be established; which Transcript shall be filed by such Clerk of the Peace, with the Rolls of the Sessions of the Peace in his Custody, without any Fee or Reward to be paid in respect thereof; but nevertheless nothing herein contained shall extend to prevent any

Rules, &c. of the Institution to be entered in a Book, and a Copy deposited with the Clerk of the Peace,

and filed.

No Fee.

Alteration

Proviso for Alterations, &c. in Rules, &c.

New Rules, &c. to be entered, &c. as before mentioned.

Officers of the Institution not to have any Benefit therein.

Exception.

Rules to be binding.

Entry of Rules, &c. or Copy thereof, &c. to be Evidence of such Rules.

No Certiorari.

Fee.

No Stamp Duty. Shares of Minors may be paid to them.

Alteration in or Amendment of any such Rules, Orders or Regulations so entered and deposited and filed as aforesaid, or repealing or annulling the same or any of them in the whole or in part, or making any new Rules, Orders or Regulations for the Management of any such Institution, in such manner as by the Rules, Orders and Regulations of such Institution shall from time to time be provided; but such new Rules, Orders and Regulations, or such Alterations in or Amendments of former Rules, Orders and Regulations, or any Order annulling or repealing any former Rules, Orders or Regulations, in the whole or in part, shall not be in force until the same respectively shall be entered in such Book or Books as aforesaid, and a Transcript or Transcripts thereof shall be deposited with such Clerk of the Peace as aforesaid, who shall file the same without Fee or Reward as aforesaid.

III. Provided also, and be it further enacted, That no such Institution as aforesaid shall have the Benefit of this Act unless it shall be expressly provided by the Rules, Orders and Regulations for the Management thereof, that no Person or Persons being Treasurer or Trustee or Manager of such Institution, or having any Controul in the Management thereof, shall derive any Benefit from any Deposit made in such Institution, but that the Persons depositing Money therein shall have the sole Benefit of such Deposits and the Produce thereof; save only and except such Salaries and Allowances, or other necessary Expences as shall, according to such Rules, Orders and Regulations, be provided for the Charges of managing such Institution, and for Remuneration to Officers employed in the Management thereof, exclusive of the Treasurer or Treasurers, Trustee or Trustees, or other Person having Direction in the Management of such Institution, who shall not, directly or indirectly, have any Salary, Allowance, Profit or Benefit whatsoever therefrom, beyond their extra Expences, for the Purposes of such Institution.

IV. And be it further enacted, That all Rules, Orders and Regulations from time to time made and in force for the Management of any such Institution as aforesaid, and duly entered in such Book or Books as aforesaid, and deposited with such Clerk of the Peace as aforesaid, shall be binding on the several Members and Officers of such Institution, and the several Depositors therein and their Representatives, all of whom shall be deemed and taken to have full Notice thereof by such Entry and Deposit as aforesaid; and the Entry of such Rules, Orders and Regulations in such Book or Books as aforesaid, or the Transcript thereof, deposited with such Clerk of the Peace as aforesaid, or a true Copy of such Transcript, examined with the Original, and proved to be a true Copy, shall be received as Evidence of such Rules, Orders and Regulations respectively in all cases; and no Certiorari shall be brought or allowed to remove any such Rules, Orders or Regulations into any of His Majesty's Courts of Record; and every Copy of any such Transcript deposited with any Clerk of the Peace as aforesaid shall be made without Fee or Reward, except the actual Expence of making such Copy; and such Copy shall not be subject to any Stamp Duty.

V. And be it further enacted, That in case the Managers of any such Institution shall receive any Deposit of Money from or for the Benefit of any Person under the Age of Twenty one Years, it shall be lawful for the Managers of such Institution to pay to such Person

son his or her Share and Interest in the Funds of such Institution, and the Receipt of such Person shall be a sufficient Discharge, notwithstanding his or her Incapacity or Disability in Law to act for him or herself.

VI. And be it further enacted, That it shall be lawful for any Friendly Society established under and by virtue of any Act or Acts in force in *Ireland*, relating to Friendly Societies, from time to time to subscribe the whole or any Part of the Funds of such Friendly Society, as they shall from time to time direct, through their Treasurer, Steward or other Officer, into the Funds of any Institution which shall take the Benefit of this Act, and which shall be willing to receive the same, under such Terms and Conditions as shall be specially provided for that Purpose by the Rules, Orders and Regulations of such Institution: Provided always that the Receipt or Discharge of the Treasurer, or other Officer of such Friendly Society for the time being, for any Money, Stock in the Public Funds or other Security, paid, transferred or delivered according to the Requisition of such Treasurer, or other Officer apparently authorized to require such Payment, Transfer or Delivery, shall be sufficient Discharge for the same; and the Institution in which such Deposit shall be made shall not be responsible for any Misapplication of any such Money, Stock or Security, by the Person or Persons to whom the same shall be so paid, transferred or delivered, or for Want of Authority of the Person or Persons requiring or receiving such Payment, Transfer or Delivery.

Friendly Societies may subscribe any Portion of their Funds into the Funds of Provident Institutions.

Provido as to Receipt of Treasurer being a Discharge.

VII. And be it further enacted, That if any Treasurer or Treasurers, or other Officer or Officers, or other Person whatsoever, who shall be intrusted with the Receipt or Custody of any Sum or Sums of Money subscribed or deposited for the Purposes of such Institution, or any Interest or Dividend from time to time accruing thereby, shall be required by the Rules or Regulations of such Institution to become bound with Sureties, for the just and faithful Execution of such Office or Trust, in such Sum or Sums of Money as shall be required by the Rules, Orders and Regulations of such Institution, such Security shall and may be given by Bond or Bonds to the Clerk of the Peace for the County, County of a City, or County of a Town or Place where such Institution shall be established for the time being, without Fee or Reward; and in case of Forfeiture it shall be lawful for the Persons authorized for that Purpose by the Rules, Regulations and Orders of such Institution, to sue upon such Bond or Bonds in the Name of such Clerk of the Peace for the time being, and to carry on such Suit at the Costs and Charges and for the Use of the said Institution, fully indemnifying and saving harmless such Clerk of the Peace from all Costs and Charges in respect of such Suit; and no Bond or other Security to be so given shall be subject to or charged or chargeable with any Stamp Duty whatever.

Treasurers, &c. to give Security, if required by the General Rules.

VIII. And be it further enacted, That all Monies, Goods, Chattels and Effects whatever, and all Securities for Money, or other obligatory Instruments and Evidences or Muniments, and all other Effects whatever, and all Rights or Claims belonging to or held by such Institution shall be vested in the Trustee or Trustees of such Institution for the time being, for the Use and Benefit of such Institution and the respective Depositors therein, their respective Claims and Interests;

Effects of Institution to be vested in Trustees for the time being, without fresh Assignment;

except as to Transfers of Stock in the Public Funds, &c.

Trustees may bring and defend Actions, &c.

No Abatement by Death or Removal of Trustee.

Costs.

Trustees not to deposit Money of Institution with Bankers, &c.

Exception.

In what case Bank of Ireland to open an Account called 'The Fund for the Banks for Savings.'

terests; and, after the Death or Removal of any Trustee or Trustees, shall vest in the succeeding Trustee or Trustees, for the same Estate and Interest as the former Trustee or Trustees had therein, and subject to the same Trusts, without any Assignment or Conveyance whatever, except the Transfer of Stock and Securities in the Public Funds of *Ireland*, and also shall for all Purposes of Action or Suit, as well Criminal as Civil, in Law or in Equity, in anywise touching or concerning the same, be deemed and taken to be, and shall in every such Proceeding (where necessary) be stated to be the Property of the Person or Persons appointed to the Office of Trustee or Trustees of such Institution for the time being, in his, her or their proper Name or Names without further Description; and such Person or Persons shall and they are hereby respectively authorized to bring or defend, or cause to be brought or defended, any Action, Suit or Prosecution, Criminal as well as Civil, in Law or Equity, touching or concerning the Property, Right or Claim aforesaid, of or belonging to or had by such Institution; and such Person or Persons so appointed shall and may, in all cases concerning the Property, Right or Claim aforesaid of such Institution, sue and be sued, plead and be impleaded, in his, her or their proper Name or Names, as Trustee or Trustees of such Institution, without other Description; and no such Suit, Action or Prosecution shall be discontinued or abate by the Death of such Person or Persons, or his, her or their Removal from the Office of Trustee or Trustees as aforesaid, but the same shall and may be proceeded in by the succeeding Trustee or Trustees in the proper Name or Names of the Person or Persons commencing the same, any Law, Usage or Custom to the contrary notwithstanding; and such succeeding Trustee or Trustees shall pay or receive like Costs as if the Action or Suit had been commenced in his, her or their Name or Names, for the Benefit of or to be reimbursed from the Funds of such Institution.

IX. And be it further enacted, That it shall not be lawful to and for the Trustee or Trustees, Manager or Managers for the time being of any such Institution as aforesaid taking the Benefit of this Act; at any time to place or deposit any Sum of Money which shall have been paid to such Institution by any Depositor, or any Interest or Profit arising therefrom, in the Hands of any Banker or Bankers, except as hereinafter provided, or upon any Personal Security, except such Sums of Money as from time to time shall necessarily remain in the Hands of the Treasurer or Treasurers of such Institution to answer the Exigences thereof.

X. And be it enacted, That the Trustees of any Institution which shall take the Benefit of this Act, in manner hereinbefore provided, shall be and they are hereby empowered to pay into the Bank of *Ireland* any Sum or Sums of Money, not being less than One hundred Pounds, to the Account of the Commissioners for the Reduction of the National Debt, upon the Declaration of the said Trustees of such Institution, or any Two or more of them, that such Monies belong exclusively to the Institution for which such Payment is intended to be made; and the Cashier or Cashiers of the Bank of *Ireland* are hereby required to receive all such Monies, and to place the same into a new and separate Account to be raised in the Names of the said Commissioners for the time being in the Books of the

Bank of *Ireland*, to be denominated 'The Fund for the Banks for Savings.'

XI. Provided always, and be it enacted, That previous to any Payment being made into the Bank of *Ireland* as aforesaid, the Person or Persons applying for that Purpose shall in all cases produce to the Officer of the said Commissioners, at their Office in *Dublin*, an Order according to the Form in the Schedule to this Act annexed, marked (A.) under the Hands of Three of the Trustees of such Institution, on the Account of which such Payment is to be made; and on the Production of such Order to the said Officer, he shall grant his Certificate in the Form expressed in the Schedule to this Act annexed, marked (B.); and upon the Delivery of the Certificate granted to the Party by the said Officer, and Payment of the Sum expressed therein at the Bank of *Ireland* to the Account of the said Commissioners, the said Officer shall and he is hereby required to make out, within Five Days after such Payment, and to deliver to such Person or Persons producing the said Certificate, a Debenture containing a Receipt, signed by One of the Cashiers of the Governor and Company of the Bank of *Ireland*, for the Amount of such Payment, carrying Interest after the Rate of Three pence *per Centum per Diem*, payable with the Principal, at the Bank of *Ireland*, on the Fifth Day of *April* then next following, to be dated on the Day on which such Payment or Payments shall be made; which said Debenture shall be in the Form specified in the Schedule to this Act annexed, marked (C.); and the Principal and Interest of all such Debentures shall be charged and chargeable upon, and they are hereby charged and made payable out of the Monies or Funds standing in the Names of the said Commissioners in the Books of the Bank of *Ireland*.

XII. And be it further enacted, That it shall be lawful for the Trustees of any such Institution, or any Two or more of them, to demand Payment at any time, other than on the Fifth Day of *April* in every Year, of the said Cashier or Cashiers, of the Principal Sum specified in any Debenture or Debentures issued in pursuance of the Provisions of this Act, together with all the Interest due thereon, computing such Interest from the Day of the Date of the Debenture inclusive, up to and including the Five Days following the Date of the Order of the said Trustees demanding such Payment.

XIII. Provided always, and be it further enacted, That previous to the Payment of the Principal of any such Debenture or Debentures, together with the Interest due thereon as aforesaid, the Person or Persons applying to receive the same shall in all cases produce to the Officer of the said Commissioners at their said Office an Order indorsed on the Back thereof under the Hands of Three Trustees of the Institution for which such Payment shall be demanded, according to the Form in the Schedule to this Act annexed, marked (D.); and the said Officer shall and he is hereby required, within Five Days after the Receipt of such Order, to grant his Certificate to the Person or Persons applying in the Form specified in the Schedule to this Act annexed, marked (E.); and upon the Production and Delivery at the Bank of *Ireland* of such Certificate, the said Cashier or Cashiers shall thereupon pay such Principal and Interest out of any Monies standing in the Names of the said Commissioners in the Books of the Bank of *Ireland*, or

Previous to such Payments into the Bank, an Order to be produced, and a Certificate granted;

afterwards the Commissioners to issue Debentures in favour of such Saving Banks, bearing Interest at 3d. per Cent. per Diem.

Form of Debenture.

Trustees may demand Payment of Principal and Interest secured by Debenture.

Mode of Application for Payment of Debentures with Interest.

from

New Debentures may be granted.

from the Sale of Stock purchased with the Monies originally invested in any Debenture or Debentures as aforesaid, as the said Commissioners shall direct: Provided nevertheless, that if at any time the said Trustees shall require a new Debenture or Debentures in lieu of the Debenture or Debentures to be paid off (and the same being so expressed in the said Order of the said Trustees), it shall be lawful for the Officer of the said Commissioners to make out and deliver to the Person or Persons applying to receive the same, a Debenture or Debentures of the like Amount, in lieu of paying the Amount of such original Debenture in Money.

Monies paid in on Saving Bank Account to be invested in Stock, and carried to a new Account.

XIV. And be it further enacted, That the said Commissioners shall cause all the Monies paid into the Bank of *Ireland*, and placed to their Account in pursuance of the Provisions of this Act, to be invested from time to time in the Purchase of Three Pounds and Ten Shillings *per Centum* Bank Annuities in their Names, and to be carried to a new and separate Account, under the Title of 'Saving Bank Account;' and the Interest which shall arise from time to time and become due thereon, shall in like manner be invested in the Purchase of like Bank Annuities as aforesaid.

Debentures not transferrable.

XV. And be it further enacted, That no Debenture or Debentures issued under the Provisions of this Act shall be transferrable or assignable, but every such Debenture or Debentures shall remain and continue to be the actual Property of the Trustees of the Saving Bank or Banks, on the Account of which every such Debenture or Debentures was or were originally issued, until the same shall be actually paid off.

Debentures not liable to Stamp Duty, and if lost, Duplicate Debenture may be granted.

XVI. And be it further enacted, That no Debenture or Debentures, nor any Order or Orders required from the Trustees of any Saving Bank, issued or produced in pursuance of this Act, shall be subject or liable to any Stamp Duty whatever; and that if any Debenture or Debentures issued under the Provisions of this Act shall be lost or destroyed, it shall be lawful for the said Commissioners, upon satisfactory Evidence being produced by the Party, and good and sufficient Security given to the said Commissioners, to direct the said Officer to grant a Duplicate Debenture to the Party applying, under the same Regulations as by this Act are required for the Issue of an original Debenture.

False Declaration to obtain Debentures,

XVII. And be it further enacted, That if any Order and Declaration produced to the said Officer, for the Purpose of paying Monies into the said Bank to the Account of the said Commissioners as aforesaid, shall contain any matter or thing which shall be false or untrue, then and in every such case the Sum so paid, and also the further Sum of Five hundred Pounds, shall be forfeited to the said Commissioners; which Penalties respectively shall be sued for, recovered and applied in the manner directed by this Act.

Penalty.

Recovery and Application of Penalties.

XVIII. And be it further enacted, That all pecuniary Penalties and Forfeitures imposed by this Act shall be recoverable in the Name of His Majesty's Attorney General in *Ireland*, on the Part of His Majesty by Information in the Court of Exchequer in *Dublin*; and such Penalty and Forfeiture shall go and belong to the said Commissioners for the Reduction of the National Debt, and shall be applied to the same Purposes and under the same Regulations as any other Monies paid into the Bank of *Ireland*, to the Account of the said Commissioners, under the Provisions of this Act: Provided

vided always, that it shall be lawful for the said Commissioners to cause such Reward as they shall think fit, not exceeding One Moiety of any such Penalty or Forfeiture so recovered, after deducting all Charges and Expences incurred in recovering the same, to be paid thereout to any Person or Persons who shall appear to them to be entitled thereto as Informer or Informers, in respect of such Penalty or Forfeiture so recovered; any thing herein contained to the contrary notwithstanding.

Reward to Informers.

XIX. And be it further enacted, That the following Account shall be prepared by the said Commissioners for the Reduction of the National Debt, and shall be annually laid before both Houses of Parliament on or before the Twenty fifth Day of *March* in every Year, if Parliament shall be sitting, and if Parliament shall not be sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament; *videlicet*, an Annual Account, made up to the Fifth Day of *January* in every Year of all Sums of Money which shall have been received by the said Commissioners from the Trustees of any Institution or Institutions aforesaid, in pursuance of this Act, shewing the Amount of all Three Pounds and Ten Shillings *per Centum* Bank Annuities which shall have been purchased by the Application of such Sums, and the Amount of Interest or Dividends receivable thereon by the said Commissioners; and distinguishing in such Account the Amount of Interest payable by the said Commissioners on all Debentures issued to the said Trustees as aforesaid within the same Period, and terminating on the Fifth Day of *January* in every Year.

Account of all Monies received by Commissioners for National Debt from Trustees of Institutions to be laid before Parliament.

XX. And Whereas it is expedient to provide against an improper Investment of Monies under the Provisions of this Act; Be it therefore further enacted, That the Privilege aforesaid of paying Money into the Bank of *Ireland*, and of receiving Debentures for the same, shall be restricted to such Institutions only which shall by One or more of their Rules provide that the Sums paid by one Person in any one Year shall not exceed the Sum of Fifty Pounds in the whole from each Depositor; and it shall be lawful for the Commissioners for the Reduction of the National Debt, previous to the Payment of any Sum or Sums into the Bank of *Ireland* in pursuance of this Act, to require the Production of such Rule or Rules so limiting the Sums to be deposited to the Amount above mentioned, certified under the Hands of Three of the Trustees or Managers of each such Institution respectively, or any other Proof they may think it necessary to require.

Providing against an improper Investment of Monies.

XXI. And be it further enacted, That upon every Change of a Trustee or Trustees, the preceding Trustee or Trustees, his or their Executors or Administrators, shall and do forthwith transfer all Stock and Annuities in the Public Funds belonging to such Institution, from the Name or Names of such preceding Trustee or Trustees, to the Name or Names of the new Trustee or Trustees who shall be appointed as hereinbefore mentioned, or of such new Trustee or Trustees, and any continuing Trustee or Trustees, if any of the former Trustees shall be continued, as the case shall require, so as to vest the same in such new Trustee or Trustees, and the continuing Trustee or Trustees, as the case shall happen; and in case any Sale or Sales, Transfer or Transfers, of any Part of such Stocks or Annuities shall from time to time be directed, according

On Change of Trustees, Stock to be transferred by former Trustees to the Names of the new Trustees and continuing Trustees, &c.

Trustees may execute a Letter of Attorney for that Purpose.

Bankers in Ireland to pay Interest at 6l. per Cent. per Annum for Money deposited in their Hands by Societies under this Act.

Persons intrusted with Effects of Society to account and deliver up Effects when required.

Neglecting or refusing,

to the Rules, Orders and Regulations of such Institution, every such Transfer or Sale shall be made by the Trustee or Trustees in whose Name or Names the same shall then stand, or by some Person or Persons duly authorized by such Trustee or Trustees, by Letter of Attorney executed as is required by Law in such cases; and where any such Transfer or Sale as aforesaid shall be made under or by virtue of any Letter of Attorney, such Letter of Attorney shall not be subject to or charged or chargeable with any Stamp Duty whatsoever.

XXII. And be it further enacted, That in case it shall at any time appear expedient to any Society or Institution which may be established in *Ireland* under this Act, or to the Committee or Managers of such Society or Institution, to appoint any Banker or Bankers to be Treasurer or Treasurers, Trustee or Trustees of such Society or Institution, or to place in the Hands of any Banker or Bankers, from time to time, any Portion of the Funds of such Society or Institution, not exceeding in the whole at any one time the Amount of Twenty *per Centum*, or One Fifth Part of the whole of the Funds of such Society or Institution, it shall and may be lawful for such Society or Institution so to do, and for such Banker or Bankers, to pay and allow to such Society or Institution Interest after the Rate of Six Pounds *per Centum per Annum* upon all Money from time to time so placed or remaining in the Hands of such Banker or Bankers; and it shall be lawful for such Banker or Bankers to give and pass one or more accountable Receipt or Receipts for all such Money so deposited or remaining in his or their Hands, any Act of Parliament in force in *Ireland*, or any Law, Usage or Custom to the contrary in anywise notwithstanding.

XXIII. And be it further enacted, That all and every Person and Persons who shall have or receive any Part of the Monies, Effects or Funds of or belonging to such Institution, or shall in any manner have been or shall be intrusted with the Disposition, Management or Custody thereof, or of any Securities relating to the same, his, her or their Executors, Administrators and Assigns respectively, shall, upon Demand made in pursuance of any Order of the Committee of such Institution, or of any other delegated Authority as aforesaid, or at any General Meeting of the Managers thereof, give in his or their Account or Accounts to such Committee or other Authority as aforesaid, or to such General Meeting of the Managers of such Institution, or to such other Person or Persons who shall be nominated to receive the same, to be examined and allowed or disallowed by the said Committee or Managers respectively, and shall on the like Demand pay over all the Monies remaining in his or their Hands, and assign and transfer or deliver all Securities, Effects or Funds, taken or standing in his or their Name or Names as aforesaid, or being in his or their Hands or Custody, to such Person or Persons as the said Committee or Managers of such Institution 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, Effects or Funds in manner aforesaid, it shall be lawful to and for the Trustee or Trustees of such Institution for the time being to exhibit a Petition to the Justices of the Peace, at their General or Quarter Sessions of the Peace for the County, Riding, Division or Place wherein such Institution shall be established,

established, 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, which Order shall be final and conclusive; and all Assignments, Sales and Transfers made in pursuance of such Order shall be good and effectual in Law to all Intents and Purposes whatsoever.

General or Quarter Sessions may proceed in a summary Way.

XXIV. And be it further enacted, That no Person who is or shall be a Member of any Friendly Society, established or to be established in *Ireland* under and by virtue of any Act or Acts relating to Friendly Societies, shall by reason of such Person being or becoming a Depositor in any Institution taking the Benefit of this Act, be considered as subject or liable to any Penalty, Forfeiture or Disability, declared or expressed, or intended so to be, by or in the Rules, Orders or Regulations of such Friendly Society; any Rules, Orders or Regulations of such Friendly Society, made or hereafter to be made, to the contrary notwithstanding.

Members of Friendly Societies not liable to Forfeiture to such Societies by subscribing to any Institution under this Act.

XXV. And be it further enacted, That in case any Depositor in the Funds of any Institution taking the Benefit of this Act shall die, leaving any Sum or Sums of Money in the said Funds, or any Dividends or Interest due thereon, belonging to him or her at the time of his or her Death, exceeding in the whole the Sum of Twenty Pounds, the same shall not be paid to any Person or Persons as Representative or Representatives of such Depositor, but upon Probate of the Will of such Depositor, or Letters of Administration of his or her Estate and Effects: Provided always, that where the whole Estate or Effects of any such deceased Depositor, for or in respect of which any Probate or Letters of Administration respectively shall be granted, shall be under the Value of Fifty Pounds *British* Currency, no Stamp Duty shall be chargeable thereon, nor upon any Legacy or Residue or Part thereof bequeathed, nor upon any Share or Part of the Estate or Effects to be paid or distributed by or under such Probate or Letters of Administration: Provided also, that in every such case the Person or Persons claiming such Probate or Letters of Administration free of Stamp Duty, under this Act, shall exhibit to the Court or Person having Authority to grant the Probate or Letters of Administration in such case, a Certificate of the Amount and Value of the Share and Interest which the deceased Depositor had in the Funds of the said Institution; which Certificate shall be granted in such Form and manner as shall have been settled by the Rules, Orders, Regulations, or Bye Laws of the Institutions respectively, and shall be signed or testified by such Person or Persons as shall be directed therein; and every such Certificate shall be taken and received by the Court or Person having Authority to grant such Probate or Letters of Administration, as Evidence of the Amount or Value of the Shares and Interests of the deceased Depositor in the Funds of the said Institution.

Share of Deceased, exceeding 20l. not paid but upon Probate, &c.

When Property is under the Value of 50l. no Stamp Duty to be paid in cases of Administration.

Persons so claiming to exhibit Certificate of Amount of Share.

Such Certificate received as Evidence of Amount.

Where the Effects of a Person dying intestate shall not exceed 20l. Administration not necessary.

XXVI. And be it further enacted, That in case any Depositor in the Funds of any such Institution shall die, leaving a Sum of Money in the said Fund, which, with the Interest thereon, shall not exceed in the whole Twenty Pounds, it shall be lawful for the Trustees or Managers of such Institution, and they are hereby authorized and required, if no Will shall be proved, or no Letters of Administration shall be taken out within Six Calendar Months after the Death of the said Depositor, to pay the same according to the

the Rules and Regulations of the said Institution in such case made and provided; and in the Event of there being no Rules and Regulations made in that behalf, then the said Trustees or Managers are hereby authorized and required to pay and divide the same to and amongst the Person or Persons entitled to the Effects of the deceased Intestate, according to the Statute of Distributions.

‘ XXVII. And Whereas such Institutions may be subject to considerable Losses on Payment of Money or Transfer of Securities to Persons who may have obtained Letters of Administration of the Effects of a Depositor, or Probate of a Will, or Testamentary Disposition or supposed Will, or Testamentary Disposition of such Deposits, which Letters of Administration or Probate may afterwards be repealed or deemed null and void;’ Be it further enacted, That Payment or Transfer of any Money or Security for Money by any such Institution as aforesaid, to any Person or Persons having any such Letters of Administration or Probate of any such Will or Testamentary Disposition, granted by any Ecclesiastical Court, and appearing to be in force, shall be valid and effectual with respect to any Demand of any other Person or Persons, as the lawful Representative or Representatives of such Depositor, against the Funds of such Institution, or against the Treasurer, Trustees or Managers thereof; but nevertheless such lawful Representative or Representatives shall have Remedy for such Money or Securities for Money, so paid or transferred as aforesaid, against the Person or Persons who shall have received the same.

XXVIII. And be it further enacted, That no Power, Warrant or Letter of Attorney, granted or to be granted by any Person or Persons as Trustee or Trustees of any Institution established under this Act, for the Transfer of any Share or Shares in the Public Stocks or Funds, standing in the Name or Names of such Person or Persons as such Trustee or Trustees, or of Exchequer Bills; nor any Power, Warrant or Letter of Attorney, given by any Depositor or Depositors in the Funds of such Institution to any other Person or Persons, authorizing him, her or them to make any Deposit or Deposits of any Sum or Sums of Money in the said Funds on the behalf of the said Depositor or Depositors, or to sign any Document or Instrument required by the Rules, Orders, Regulations or Bye Laws of such Institution, to be signed on making such Deposits, or to receive back any Sum or Sums of Money deposited in the said Funds or the Dividends or Interest arising therefrom; nor any Receipts given for any Dividend or Dividends in any Public Stock or Fund, nor any Receipt, nor any Entry in any Book of Receipt, for Money deposited in the Funds of any such Institution, nor for any Money received by any Depositor, his or her Executors or Administrators, Assigns or Attornies, from the Funds of such Institution, shall be subject or liable to or charged with any Stamp Duty or Duties whatsoever.

XXIX. And be it further enacted, That where Provision shall be made by one or more of the General Rules, Orders or Regulations of any such Institution, and filed as hereinbefore required, for a Reference to Arbitration of any Matter in Dispute between any such Institution, or any Person or Persons acting under them, and any individual Depositor therein, or any Executor, Administrator, next of Kin or Creditor of any deceased Depositor, or

Payments under Probates of Wills, &c. afterwards repealed, valid.

Remedy for Representative against Person receiving.

Powers of Attorney by Trustees or Depositors.

Receipts and Entries

free from Stamp Duty.

Where Rules direct an Arbitration, the Award to be final.

any Person claiming to be such Executor, Administrator, next of Kin or Creditor, then and in every such case the matter so in Dispute shall be referred to such Arbitrator or Arbitrators as shall have been named, according to the General Rules, Orders or Regulations of such Institution; and whatever Award, Order or Determination shall be made, according to the true Purport and meaning of the Rules, Orders and Regulations of such Institution, shall be binding and conclusive on all Parties, and shall be final to all Intents and Purposes, without any Appeal.

XXX. And be it further enacted, That this Act shall be deemed a Public Act and shall be judicially taken Notice of as such by all Judges, Justices and other Persons whomsoever, without the same being specially shewn or pleaded. Public Act.

SCHEDULES.

(A.)

FORM of the ORDER for the Trustees to make Payments into the Bank of Ireland, to be produced to the Officer of the Commissioners there for the Reduction of the National Debt.

WE, being Three of the Trustees of the Saving Bank established at [insert the Town and County], do, in pursuance of an Act of the Fifty seventh George the Third, Cap. intitled [here insert the Title of this Act] hereby authorize and direct A. B. to pay into the Bank of Ireland, to the Account of the Commissioners for the Reduction of the National Debt, _____ Pounds, and to receive for the same, on account of us the said Trustees, a Saving Bank Debenture of the like Amount, carrying Interest at the Rate of Three Pence per Centum per Diem: And we hereby declare, that the Sum above stated is the exclusive Property of the Saving Bank specified in this our Order, arising wholly from individual Contributors, not exceeding the Amount specified in the said Act for the Contribution of each Contributor.

Witness our Hands, this _____ Day of

A. - - -	}	Trustees.
B. - - -		
C. - - -		

(B.)

CERTIFICATE of the Officer of the Commissioners, to enable Payments to be made into the Bank of Ireland.

I Do hereby certify, That it appears by an Order dated _____ produced to me conformably to the Provisions of an Act of the Fifty seventh George the Third, Cap. intitled [here insert the Title of this Act,] that Three of the Trustees of the Saving Bank established at [insert the Town and County] have authorized and directed A. B. to pay into the Bank of Ireland, to the Account of the Commissioners for the Reduction of the National Debt, the Sum of _____ Pounds, arising from Contributions not exceeding the Amount in the said Act mentioned, and to receive a Saving Bank Debenture of the like Amount, carrying Interest at the Rate of Three pence per Centum per Diem.

Witness my Hand, _____ A. - - - Superintendent.

INDORSEMENT on the Back of the Trustees' Order, upon the Receipt of the Debenture.

RECEIVED the Debenture within described, in virtue of the foregoing Order.

Witness my Hand, A. - - acting for the Trustees.

(C.)

FORM of the DEBENTURE to be issued by the Officer of the Commissioners for the Reduction of the National Debt.

No. _____ £ _____ RECEIVED of the Saving Bank established at _____ of the Saving Bank established at _____ in the County of _____

Pounds, which Sum is placed to the Account of the Commissioners for the Reduction of the National Debt.

For the Governor and Company of the Bank of Ireland.

A. B. - - - Cashier.

WHEREAS by virtue of an Act of the Fifty seventh George the Third, Cap. intituled [here insert the Title of this Act], the Sum of _____ Pounds hath been paid into the Bank of Ireland, to 'the Account of the Commissioners for the Reduction of the National Debt, on account of the Saving Bank,' established at _____ in the County of _____

Now this Debenture is chargeable on the Monies or Funds standing in the Names of the Commissioners for the Reduction of the National Debt at the Bank of Ireland, and entitles the said Saving Bank to the Principal Sum of _____ Pounds, carrying an Interest after the Rate of Three pence per Centum per Diem from the Day of the Date hereof, payable at the Bank of Ireland, at the Fifth Day of April next, to the Trustees or to their Use, by the Order of Three of such Trustees indorsed hereon; or the Principal Sum contained in this Debenture, and Interest thereon at the Rate above stated, is payable at the Bank of Ireland at any time upon the Production of such Order at the Office of the said Commissioners, the same being indorsed under the Hands of Three of the Trustees of the said Saving Bank, directing Payment thereof to be demanded by the Person producing the same; and the Interest shall in all cases be computed to and include the Five Days following the Day of the Date of such Order.

Dated this _____ Day of _____ A. - - Superintendent.

This Debenture is not transferrable nor assignable.

(D.)

INDORSEMENT of the Order of the Trustees on the Debenture to receive Payment.

WE, Three of the Trustees of the Saving Bank within described, do hereby authorize and direct A. B. to demand [and receive both the Principal and Interest of this Debenture in Money], or [and receive the Interest due thereon in Money, and also a new Debenture of the like Amount in lieu of this Debenture, bearing the like Interest], as the case may be. Witness our Hands, this _____ Day of _____

Day of _____

A. - - -

B. - - -

C. - - -

} Trustees of the said Saving Bank.

Dated the _____

Day of _____

(E.)

CERTIFICATE of the Officer of the Commissioners to enable the Payment of the Principal and Interest of the Debenture.

I Do hereby certify, That the Debenture No. _____ for the Principal Sum of _____ Pounds, hath been delivered at the Office in *Dublin* of the Commissioners for the Reduction of the National Debt, conformably to an Order indorsed thereon under the Hands of Three of the Trustees of the Saving Bank established at [*insert the Town and County*] pursuant to the Provisions of an Act of the Fifty seventh George the Third, Cap. _____ intitled [*insert the Title of this Act*], and that the Interest due thereon, computed to and including the Five Days following the Day of the Date of the said Order, amounts to _____ Pounds Shillings and _____ Pence.

And I do further certify, That the said Trustees have authorized and directed *A. B.* [to receive both the Principal and Interest of the said Debenture in Money] or [to receive a new Debenture of the like Amount in lieu of the said Debenture, and also the Interest due thereon in Money]. Witness my Hand this _____ Day of _____ *A. - - -* Superintendent.

The RECEIPT for the above Principal and Interest must be acknowledged on this Certificate as follows:

RECEIVED in virtue of the Order specified in this Certificate [the Principal Sum of _____ Pounds in Money, being the Amount of the Debenture within described] or [a new Debenture for the Sum of _____ Pounds, being of the like Amount, and in lieu of the Debenture within described], and also the Interest due thereon, computed to and including the Five Days following the Day of the Date of the said Order. Witness my Hand, *A. - - -* acting for the said Trustees.

[See post, Cap. 130. a similar AB for Saving Banks in England.]

C A P. CVI.

An Act to provide for the Establishment of Asylums for the Lunatic Poor in *Ireland*.

[11th July 1817.]

WHEREAS it is expedient that the distressed State of the Lunatic Poor in *Ireland* should be provided for; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at any time after the passing of this Act it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice and Consent of His Majesty's Privy Council in *Ireland*, to direct and order that any Number of Asylums for the Lunatic Poor in *Ireland* shall be erected and established in and for such Districts in *Ireland* as to the said Lord Lieutenant or other Chief Governor or Governors and Privy Council shall seem expedient; and that every such District shall consist of the whole of Two or more Counties,

Lord Lieutenant may direct any Number of Asylums for the Lunatic Poor to be erected and established.

or of One or more County or Counties, and One or more County or Counties of Cities or Towns, but shall not include Part only of any County, County of a City or Town; and that all Lunatic Poor within every such District respectively shall be maintained and taken Care of in the Asylum belonging to such District; and that every such Asylum shall be sufficient to contain such Number of Lunatic Poor, not being less than One hundred nor more than One hundred and fifty in any one Asylum, as shall seem expedient to such Lord Lieutenant or other Chief Governor or Governors, and Privy Council; and every Order of Council to be made for such Purpose shall be published in the *Dublin Gazette*.

Grand Jury at Assizes to present such Sum as shall be requisite for such Asylum.

II. And be it further enacted, That any time after any such Order of Council shall be made and published in the *Dublin Gazette*, it shall and may be lawful for the Grand Jury of the several Counties, Counties of Cities and Towns, within any such District, at any Assizes, to present such Sum or Sums of Money to be raised off such Counties, Counties of Cities or Towns respectively, as shall be requisite for defraying the Expences of erecting and establishing such Asylum, and for maintaining the same, to such Amount and in such Proportions as shall be directed by any Order to be made by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of His Majesty's Privy Council in *Ireland*.

Lord Lieutenant may direct Money to be advanced out of the Consolidated Fund.

III. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of His Majesty's Privy Council in *Ireland*, to order and direct that any Sum or Sums of Money shall be advanced and issued and paid out of the growing Produce of the Consolidated Fund of the United Kingdom arising in *Ireland*, to such Person or Persons as shall be named in any such Order of Council, or into the Bank of *Ireland*, in the Names of any such Person or Persons, to be paid and applied for the Purpose of erecting and establishing any such Asylum for the Lunatic Poor in any such District in *Ireland*, in such Sums and at such times, and in such manner and Proportions, and under such Rules, Regulations, Terms and Conditions, and to annex such Penalties for Breach of set Rules, Regulations, Terms and Conditions, as to such Lord Lieutenant or other Chief Governor or Governors and Privy Council shall seem best suited for promoting the beneficial Purposes of this Act; and after any such Asylum shall be fit for the Reception of such Lunatic Poor, the Grand Jury of every County, County of a City or Town, within the District in and for which such Asylum shall be erected and established, shall present such Sum or Sums of Money at the several ensuing Assizes for the Repayment of the Money to advanced, and at such times and in such Proportions as shall be directed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*.

After Asylum erected, Grand Jury may present Sum required for Repayment.

Lord Lieutenant may appoint Directors and Commissioners for superintending the Asylums.

IV. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of His Majesty's Privy Council in *Ireland*, to nominate and appoint such Persons as he and they shall think fit and proper to be Governors or Directors of every or any such Asylum in any such District, and also to nominate and appoint any Persons not exceeding Eight in Number to be Commissioners for

for General Control and Correspondence, and for the superintending and directing the Erection, Establishment and Regulation of all such Asylums; and also that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* and Privy Council to make, frame and establish, or upon the Suggestion and Recommendation of such Commissioners for General Control and Correspondence to adopt and authorize any Rules and Regulations for the good Conduct and Management of such Asylums in general, or of any such Asylum in particular: Provided always, that every Person who shall be appointed to be a Governor or Director of any such Asylum, or to be one of the Commissioners for such General Control and Correspondence, shall act without any Salary, Fee, Reward or Emolument whatsoever.

No Salary to
Director, &c.

C A P. CVII.

An Act to provide for the more deliberate Investigation of Presentments to be made by Grand Juries for Roads and Public Works in *Ireland*, and for accounting for Money raised by such Presentments. [11th July 1817.]

‘WHEREAS it is expedient to provide for the regular and deliberate Investigation of the Necessity and Propriety of all public Roads, Buildings and Works which may be proposed to be executed under the Presentment of the several Grand Juries in *Ireland*, under and by virtue of sundry Acts of Parliament; Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for every Magistrate of every County, County of a City, and County of a Town in *Ireland*, within their respective Jurisdiction, who shall be seised and possessed of a Freehold Estate in Fee Simple or Fee Tail in Possession of the Annual Value of Three hundred Pounds at least, or of a Leasehold Estate in Perpetuity, or for Life or Lives, or for any Term of Years not less than Twenty Years unexpired, of the Annual Value of Five hundred Pounds at the least, or who shall be Heir Apparent to any Person seised or possessed of Freehold or Leasehold Estates of Double such Amount, or who shall be entitled to act as a Magistrate for any County of a City or County of a Town, or for any City and Liberties, according to the Charter of Incorporation of such City or Town, although not possessed of a Freehold or Leasehold Estate to the several Amounts aforesaid, to assemble, and such Magistrates are hereby required to assemble, in the Court Houses and other usual Places of holding the Sessions in each and every County, County of a City, or County of a Town, at the General Quarter Sessions of the Peace holden and to be holden in the month of *April* in each and every Year, (or in the Month of *July* in cases hereafter provided for by this Act,) after all the usual Business at such Sessions shall have been completed; and such Magistrates so assembled shall adjourn such Sessions for the Purposes of this Act from Place to Place, within every County of *Ireland*, until such Sessions shall have been holden at all the several Court Houses and other usual Places of holding such Sessions in each and every District within each County, under
the

Magistrates of
certain Quali-
fications to meet
in Cities and
Districts of
Counties under
36 G. 3. c. 25.
(1.)

36 G. 3. c. 25.
(1.)

and proceed to
consider Esti-
mates of execut-
ing Public
Works.

the Provisions of an Act made in the Parliament of Ireland in the Thirty sixth Year of His present Majesty's Reign, intituled *An Act for the better and more convenient Administration of Justice, and for the Recovery of Small Debts in a summary Way at the Sessions of the Peace of the several Counties at large within this Kingdom, except the County of Dublin; and for continuing and amending an Act, intituled 'An Act for the better Execution of the Law and Preservation of the Peace within Counties at large;'* and such Magistrates shall have Power to adjourn from Day to Day only (except from *Saturday to Monday*), and from Place to Place, until such Sessions shall be completed in every District of every County at large, and in every County of a City and County of a Town in Ireland; and shall, at every such Sessions and Adjournment thereof, upon the Bench in open Court, proceed to take into Consideration all Proposals for the making or repairing of Roads, or for the executing of any public Works belonging to the County of a City, County of a Town, or District in which such Magistrates are so assembled; and also shall proceed upon the Bench in open Court to swear the several Persons concerned to the Truth of such Affidavits as shall be produced to such Magistrates, with Reference to every such Proposal, according to the Directions of this Act: Provided always, that such Magistrate shall preside as Chairman at every such Meeting as shall be chosen by the Majority of the Magistrates then present.

Magistrates to be
sworn to the
Execution of
this Act.

II. And be it further enacted, That at the First Meeting of such Magistrates at such Quarter Sessions (not less than Five Magistrates being present) the Magistrate appointed to be Chairman at such Meeting shall take and subscribe an Oath according to the Form in Schedule (A. No. 1.) to this Act annexed, by and before any Two of the said Magistrates so being present, (which Oath any Two of such Magistrates are hereby authorized to administer); and after such Chairman shall have been so sworn, every Magistrate who shall attend at any such Meeting, or any Adjournment thereof, shall, before acting in Execution of this Act, take and subscribe such Oath in like manner by and before such Chairman; which Oath such Chairman (being previously sworn as aforesaid) is hereby authorized and required to administer.

Chairman to
send List signed
of Magistrates
qualifying, to
Secretary of
Grand Jury.

III. And be it further enacted, That the Chairman presiding at each and every such Meeting held under this Act shall transmit to the Secretary of the Grand Jury of the County, County of a City or Town respectively, a correct List, signed by himself, of the Magistrates who shall have taken and subscribed the said Oath, which List shall be laid before the Grand Jury by the said Secretary at the ensuing Assizes.

Notice of Propo-
sals for Public
Works to be
posted as herein
mentioned.

IV. And be it further enacted, That Notices in Writing of all Proposals for the laying out, forming, making or repairing of Roads, or for building or repairing of Court Houses, Sessions Houses, Bridges or Walls, or for executing any other public Works intended to be submitted to the Magistrates at such Sessions, shall be posted by or on behalf of the Persons making such Proposals, on the Door of the Parish Church, where there is any such Church in Repair, and where there is not any such Church in Repair, then on the Door of the next adjoining Parish Church which is in Repair, and also on the Door of the Chapel of the Parish to which such Proposal relates,
upon

upon the *Sunday* Week immediately previous to the First Day of holding of such Sessions; and a Copy of every such Notice shall be given and delivered on or before the *Saturday* next immediately preceding such *Sunday*, by or on behalf of the Persons making such Proposals, to the High Constable of the Barony within which such Roads, Court Houses, Sessions Houses, Bridges, Walls or other Public Works shall be respectively situate.

V. And be it further enacted, That it shall not be lawful for the Grand Jury of any County, County of a City, or County of a Town, to present any Money for the making or repairing of any such Roads, or for the building of Court Houses or Sessions Houses, Gaols, Prisons, Bridges, Walls or other public Works, save and except at the Summer Assizes in each and every Year: Provided always, that it shall and may be lawful for any Grand Jury to present Money for the necessary Repairs of any Court House, Sessions House, Gaol or Prison, and for the Salary of any Officers belonging to the same, as well at the Spring Assizes as at the Summer Assizes in every Year.

VI. Provided always, and be it enacted, That nothing in this Act contained shall be construed to limit the Authority of Grand Juries in making any Presentment at any Assizes for the Repayment of any Monies advanced by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or for the raising of any Money for the Support and Maintenance of any Charitable Establishment; or for any Purposes not specially provided for by this Act, for which such Grand Jury are empowered to make any Presentment by any Act or Acts in force immediately before the passing of this Act.

VII. And be it further enacted, That when and as soon as Persons can be found properly qualified for the Office of County Surveyors, there shall be attached to each and every County, County of a City, and County of a Town in *Ireland*, a Surveyor of public Works, to be named and appointed from time to time by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, in Writing under his or their Hand or Hands, and to be removable by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and every such Surveyor shall be solemnly sworn by the Foreman in the Presence of the other Members of the Grand Jury of each and every such County, County of a City and Town, at the Assizes for such County, County of a City or Town, next after such Surveyor shall be so named or appointed, according to the Form of Oath contained in the Schedule (marked A. No. 2.) annexed to this Act, which Oath shall be entered, signed and attested in the County Book; and it shall be lawful for such Surveyor to act in Execution of this Act immediately upon his Appointment until the Assizes then next ensuing; and it shall be lawful for each and every Grand Jury respectively, at every Assizes for every County, County of a City or Town, to present any Sum, not exceeding the Sums hereafter respectively specified, as a Salary for every such Surveyor respectively for the Half Year preceding such Assizes, to be levied off such Counties, Counties of Cities and Counties of Towns respectively; that is to say, off the Counties of *Cork, Donegal, Downe, Galway, Kerry, Mayo, Tipperary* and *Tyrone*, a Sum not exceeding the Sum of Three hundred Pounds; and off the Counties

No Presentments for Money for Public Works, except at Summer Assizes; except for Repairs and Salaries as herein mentioned.

Proviso for Presentments for Repayment of Monies advanced by Order of Lord Lieutenant, &c.

Surveyor of Public Works to be appointed by Lord Lieutenant and sworn in each County.

Form of Oath.

Grand Jury may present Salary for Surveyor, to be levied as herein mentioned.

Counties of *Armagh, Clare, Derry, Limerick, Meath, Monaghan and Wexford*, a Sum not exceeding Two hundred and fifty Pounds; and off any other County at large in *Ireland*, a Sum not exceeding Two hundred Pounds; and off any County of a City or County of a Town, a Sum not exceeding the Sum of One hundred Pounds: Provided always, that no Person shall be appointed to be such Surveyor of the Public Works, unless he shall have been previously examined by a Board of Civil Engineers in *Dublin*, and shall have obtained a Certificate from such Board, setting forth that such Person hath been duly examined, and is qualified to undertake the Office of Surveyor as aforesaid; and such Board of Civil Engineers or Persons appointed to conduct such Examination, and grant such Certificates as aforesaid, shall consist of at least Three Civil Engineers, and shall be appointed from time to time for such Purposes by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and shall act without any Salary or Emolument; and such Surveyor shall be and he is hereby vested with all Powers heretofore vested in the Conservators of public Works in the several Counties in *Ireland*; and no Conservator of public Works shall be appointed or shall continue to act in any County, County of a City, or County of a Town, in or for which any such County Surveyor shall be appointed under this Act; and every such Surveyor shall be taken and deemed to be an Overseer of all or any public Works within the County, County of a City or County of a Town, for which he shall be appointed, and shall certify his Opinion upon such Works, as are hereinafter more particularly specified, and shall have and keep an Office open for his regular Attendance on Business in the County Town of the County, or in the County of a City or County of a Town, for which he shall be so appointed, and shall give his Attendance at all Assizes for the County, County of a City or Town, for which he shall be appointed, for the Purpose of being examined upon Oath or otherwise by the Court of Grand Jury, upon all or any Matters touching the Execution of his Office.

VIII. Provided always, and be it enacted, That it shall and may be lawful for the same Person to be appointed Surveyor to any Two Counties, or to any County, and also to any County of a City and County of a Town, if it shall be thought expedient by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and that in such case the Magistrates required by this Act to assemble at the General Quarter Sessions of the Peace in the Months of *April* or *July* in each Year shall assemble in one of such Counties, or Counties of Cities or Towns, at the *April* Quarter Sessions, and in the other of such Counties or Counties of Cities or Towns at the *July* Quarter Sessions, in each and every Year; and that the said several Sessions shall be holden respectively in each such County, or County of a City or Town, in *April* or *July* respectively, as shall be specified for that Purpose in the Appointment of such Surveyor; and whereof Notice shall be given by such Surveyor to the Clerk of the Peace of each such County, or County of a City or Town respectively, Fourteen Days at least before the first Day of each such Session respectively.

IX. And be it further enacted, That in case such Surveyor shall be disabled from giving his Attendance on account of Indisposition, to be certified to the Grand Jury upon Oath, it shall and may be lawful

No Surveyor to be appointed that has not received a Certificate of his Qualification from a Board of Civil Engineers in *Dublin*, to be appointed by the Lord Lieutenant.

Surveyors to have full Power of Conservators and Overseers.

To keep an Office open.

Same Surveyor may be appointed to Two Counties, &c.

In what Place Quarter Sessions in such case to assemble.

Notice of Sessions.

If Surveyor be disabled, he may sue another.

lawful for such Surveyor to depute another Surveyor to act for him, such Surveyor so deputed having been previously examined by the Board of Civil Engineers as aforesaid, and having taken the Oath appointed for Surveyors, and having been likewise approved by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the time being; and such Surveyor, so deputed, shall be paid and shall be entitled to receive the full Salary payable to the Surveyor by whom he shall be so deputed; and in case any Surveyor shall be disabled by Indisposition from Attendance on his Duty for Six Calendar Months successively, a new Surveyor shall be appointed in his Stead.

X. And be it further enacted, That it shall not be lawful for the Grand Jury of any County, County of a City or County of a Town, for which any such Surveyor shall be appointed, to present any Money to be levied for the erecting or repairing any Building, the Estimate for which shall exceed the Sum of Twenty Pounds, or for the laying out any new Road or Footpath, or for the widening an old Road, or lowering a Hill, or filling up a Hollow, or filling up Grips, the Expence of which respectively shall exceed the Sum of Twenty Pounds, unless the Necessity or Expediency of such Works respectively, together with the Plans (where any such Plans shall be required by Law to be made) and Estimates for the same, shall have been previously examined by such Surveyor; and that in all cases in which such Surveyor shall not concur in the Necessity or Expediency of the Work proposed, such Surveyor shall attend the Grand Jury at the Assizes, and shall be examined by them touching the same; and that in all cases where such Surveyor shall approve of the Work being executed, but shall disapprove of the Plan and Estimate laid before him, it shall be the Duty of such Surveyor to prepare a new Plan and Estimate, or to alter the Plan and Estimate which have been so proposed to him in such manner as he shall think fit and proper, previous to the same being laid before the Grand Jury for their Decision.

XI. And be it further enacted, That every Person appointed to be Surveyor of public Works pursuant to this Act shall lay before the Magistrates assembled at every Special Sessions authorized and required to be holden under this Act, and also before the Grand Jury at every Assizes, a full and particular Report of the several Duties of his Office performed by him since his Appointment to such Office, or since the Date of any former Report made by him at the Sessions and Assizes immediately preceding; which Report shall also contain a detailed Statement of the Progress, Repairs, State and Condition of the several Court Houses, Sessions Houses, Gaols, Bridewells, Roads, Bridges, Walls and other public Works within the County, County of a City or County of a Town, of which such Person shall be Surveyor, for the Expences whereof the Grand Jury are by Law enabled or required to make any Presentment; specifying which of such public Works or Roads are of most immediate Necessity or Utility, and whether any others are required; stating also the several Roads or Lines of Communication which it may be necessary to open, and the Roads and Ways which it may be expedient to shut up, or to turn or divert, or to leave to be repaired at private Expence only; stating also the Names and Descriptions of all Persons prosecuted by such Surveyor for any In-

Qualification and Oath by such Deputy.

Person deputed shall receive the Salary.

No Presentment for any Building above the Sum of 20*l.* or for the laying out a new Road or Footpath, &c. unless examined by County Surveyor.

In what case Plan and Estimate may be altered, or new ones.

Surveyor to make a Report of the State of all Public Works, Roads, &c. within the County.

What such Report is also to contain.

jury

Roads (Exception) classed in such Report.

Report verified upon Oath if required by Grand Jury. Copy transmitted to Chief Secretary of Lord Lieutenant, &c.

Proposals for executing Work to be done by Estimate, vouched by an Affidavit. Estimates to be lodged with Surveyor, &c. Six Weeks before the Session, &c.

Surveyor, &c. to arrange Estimates, and make separate Schedules of the same.

jury or Nuisance to such Roads, and before what Magistrate, and with what Result any Prosecution for any such Offence was had, and generally stating all Matters relating to the Office of such Surveyor, or heretofore belonging to the Office of Conservator of public Works: And in such Report all Roads (not being Turnpike Roads) shall be classed under the Three following Heads or Divisions; First, The Direct or Post Roads, being such as form an immediate Line of Communication between the County Town and the City of *Dublin*, or between such County Town and any other County Town, or between such County Town and any Bog, or any Seaport or any Port or Place of Exportation situate on any navigable River; Secondly, Cross Roads, being such as form an immediate Line of Communication between the County Town and any Market Town, or between one Market Town and another, or between any Market Town and any Bog, or any Seaport or Port or Place of Exportation situate on any navigable River; Thirdly, Private or narrow Roads communicating between Market Towns and Villages or between Villages and Villages: And such Surveyor shall also state in such Report what Turnpike Roads pass through any Part of the County, and the Places within such County where such Turnpike Roads begin and end respectively; and every such Report shall (if so required by the Grand Jury) be verified upon the Oath of such Surveyor, which Oath the Foreman of such Grand Jury is hereby authorized to administer: And a Copy of such Report shall be annexed to and printed with the List of Presentments made at such Assizes, and shall be transmitted to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and laid before Parliament in like manner as is required by Law with respect to such Presentments.

XII. And be it further enacted, That every Proposal for executing any Road or other public Work shall be made upon an Estimate vouched by a grounding Affidavit, in such Forms as are now required by Law, or in such other Forms as may from time to time be directed and authorized by the Grand Jury of any County, County of a City or Town; and every such Estimate and Affidavit shall (in such Counties where any County Surveyor shall be appointed pursuant to the Provisions of this Act) be lodged with such County Surveyor, and in such Counties where it shall happen that no such Surveyor shall be appointed, shall be lodged with the Clerk of the Peace, Six Weeks at the least previous to the First Day of the Quarter Sessions of the Peace to be holden in the Months of *April* or *July* respectively in each and every Year, pursuant to the Provisions of this Act; and every such Surveyor or Clerk of the Peace (as the case may require) shall immediately, upon the Receipt of such grounding Affidavits, arrange the same to the best of his Skill and Knowledge, according to the several Districts in which they shall be, to be taken into Consideration, and shall number all such Affidavits, and shall make Abstracts of the Contents of the same in separate Schedules, according to the Number of Districts, (that is to say, One Schedule of the Abstracts of all such Affidavits for each District,) with a separate Schedule for all such Presentments as are liable to be presented, to be levied either on the County or Barony, at the Discretion of the respective Grand Juries; and every Abstract in every such Schedule shall be marked with

* Number corresponding with the Numbers indorsed upon the several Affidavits, and in such manner as that all the proposed Repairs on any Line of Road in any District shall be placed in regular Order one after the other.

Schedules to be numbered with the same Numbers as on Affidavits.

XIII. And be it further enacted, That the County Surveyor, or the Clerk of the Peace where no such Surveyor shall be appointed, shall lay before such Magistrates at such Sessions, and the several Adjournments thereof, all the Proposals, Affidavits and Estimates which shall have been lodged with him as aforesaid, for executing public Works within the District or County of a City, or County of a Town, in which such Magistrates shall be so assembled, together with the Schedule of the same so made by him as aforesaid; and the Opinion of such Surveyor respecting all such Proposals, Affidavits or Estimates shall be signified at the Foot of every Affidavit relating to such Proposals or Estimates in any County in which such Surveyor shall be appointed; and such Magistrates so assembled, or such Number as shall be present, being not less than Three, shall proceed, in open Court upon the Bench there, to take into Consideration and dispose of all such Proposals whereof Notice shall have been posted and given in manner required by this Act, and none others, such Notice to be proved to the Satisfaction of such Magistrates; and such of the said Proposals as shall be approved by the Majority at such Sessions as aforesaid shall be signed by the Chairman, with the Word "approved" prefixed, and all such Proposals as shall be disapproved by the Majority at such Sessions shall be signed by the Chairman, with the Word "disapproved" prefixed; and such Chairman, in all cases when the Numbers are equal, shall have a casting voice: Provided always, that all Affidavits relating to such Proposals for public Works shall be sworn before the Magistrates assembled as aforesaid within the District in which such Work is proposed to be executed, in open Court upon the Bench there; and that in all cases the Chairman of such Meeting, and some one other Magistrate present at such Meeting, shall both of them sign the Jurat of every such Affidavit; and that so soon as the Magistrates assembled at such Meeting shall have examined and decided upon all such Proposals for public Works in such Districts as shall be laid before them at such Meeting, the County Surveyor, or Clerk of the Peace where no such Surveyor shall be appointed, shall fill up in Writing the Form of Presentment applicable to each Proposal, for the Execution of such Works as shall be approved of by such Magistrates, in Conformity with the Opinion of the Magistrates at such Meeting, specifying at the Head of each Presentment the Act under which such Presentment is authorized to be made by the Grand Jury; and the Chairman of such Meeting shall deliver all such Proposals, whether approved or disapproved, together with the Affidavits, Estimates, Specifications and Certificates relating to the same, to the said County Surveyor or Clerk of the Peace; and all such Proposals, whether approved or disapproved, together with the Form of Presentment relating to such of them as are approved, shall, by the said Surveyor or Clerk of the Peace, be forthwith transmitted or delivered to the Secretary of the Grand Jury, to be laid before them at the next ensuing Assizes.

Surveyor, &c. to lay Proposals before Sessions;

together with Opinion of Surveyor.

Proceedings by Magistrates thereon.

All Affidavits for grounding Presentments to be sworn before Meetings of Magistrates in the proper Districts.

Surveyor to fill up the Form of Presentment according to the Opinion of the Meeting.

Proposals and Presentments to be delivered to Secretary of Grand Jury.

XIV. And be it further enacted, That it shall not be lawful for any Sheriff of any County, County of a City or County of a Town,

Treasurer, Secretary, Collector, &c. not to

be impannelled
on a Jury.

Oath of Grand
Jury, relating to
Presentments
for raising
Money, &c.

to return upon any Pannel for any Grand Jury at any Assizes in such County, County of a City or County of a Town, any Person who shall be either Treasurer of the County, Secretary of the Grand Jury, County Surveyor, Chief Constable or Collector of any Barony, or Clerk of the Crown and Clerk of the Peace.

XV. And be it further enacted, That after the Commencement of this Act, each and every Grand Juror, immediately after being sworn before the Judge of Assize, in such manner and Form as hath heretofore been practised according to Law at the several Assizes in *Ireland*, shall, in open Court at such Assizes, also take the Oath following; that is to say,

‘ YOU shall diligently inquire, on behalf of the County, [*or*,
‘ County of the City or County of the Town] of
‘ and true Presentment make, of all such matters and things as shall
‘ be lawfully given to you in Charge, or as shall come before you
‘ in any wise relating to the raising of any Money upon the said
‘ County [*or*, County of City or County of Town] of
‘ or upon any Barony, Half Barony, District or Parish therein, or
‘ relating to the accounting for the Expenditure of any such Money;
‘ You shall not present, nor allow nor disallow any matter or thing,
‘ nor shall you leave any matter or thing unpresented which is pre-
‘ sentable, through Hatred, Malice or Ill Will, nor through Fear,
‘ Favour, Affection or Reward: But in all such things you shall
‘ present the Truth, the whole Truth, and nothing but the Truth,
‘ according to the best of your Knowledge and Judgment.
‘ So help you GOD.’

Grand Juror
may disclose
Evidence given,
&c. as to such
Presentments.

And it shall and may be lawful for any Grand Juror to disclose any Evidence or other matter or thing whatsoever relative to the making or refusing of any such Presentment, or relative to the accounting for the Expenditure of any Money raised by Presentment; any Law, Statute, Custom or Usage whatever to the contrary in anywise notwithstanding.

Secretary to
Grand Jury to
make Schedules,
containing Ab-
stracts of all Ap-
plications and
other matters
herein mention-
ed.

XVI. And be it further enacted, That the Secretary to the Grand Jury shall, forthwith after the Meetings of Magistrates shall have been held in the several Districts at the times specified, and that the several Proposals, Affidavits, Estimates and Forms of Presentments have been lodged with him as aforesaid, arrange and number all such Proposals, Affidavits, Estimates and other matters relating to Presentments, and shall cause Abstracts thereof to be made and inserted in Schedules, to be made (one for each Barony and Half Barony, and one for the County) with each Item separately numbered, in a Series, corresponding to the Numbers of the respective Affidavits or other matters to which every such Item shall respectively relate, distinguishing by the Words “ approved” or “ disapproved” the Determination of the Magistrates on every such Proposal, at any Meeting holden under this Act, and stating the Sum of Money required for each Item, and casting up the Amount of all such Sums at the Foot of each Page, and carrying forward the same, so as to shew the total Amount of the Sum which is proposed or required to be raised off the County: large, and the Sums proposed or required to be raised in each Barony and Half Barony, and specifying the Amount of the Charge which such Amount would, if presented, occasion on each Barony or Half Barony, particularizing and distinguishing the Charge proposed or required

required to be raised on every Barony or Half Barony for their respective Use, and the Proportion of the Sums so to be raised on the same Barony or Half Barony arising from the Charge on the County at large; and such Secretary shall cause a Copy of such Schedules to be inserted in the County and Barony Books, according as the Charge shall belong either to the County or Barony, always inserting in the County Book such as may be doubtful, as depending on the discretionary Power vested in Grand Juries; and such Secretary shall forthwith cause a Number of Copies of such Schedules to be printed and distributed, Fifteen Days at least before the Commission Day of the ensuing Summer Assizes, among the several Magistrates of each District, and such other Persons as usually compose the Grand Pannel of the County, County of a City or Town, to which such Secretary belongs, not exceeding Thirty Copies for each Barony and Half Barony; and such Secretary shall likewise deliver a Copy of such printed Schedule to the Foreman of the Grand Jury, immediately after such Grand Jury shall have been sworn, and also a Copy to the Judge of Assize, immediately upon his opening the Commission, and shall keep a Copy in his Office for the Inspection of all whom it may concern; and the said Secretary shall have such Copy ready for Inspection at his Office at all reasonable times, after such Schedule has been printed, previous to such Assizes.

XVII. And be it further enacted, That the Secretary to the Grand Jury at every Summer Assizes (so soon as the Grand Jury shall be sworn at such Assizes) shall deliver all such Affidavits as have been sworn at any and every Sessions of such Magistrates, together with the Form of the Presentments on such of them as shall have been approved of by the Magistrates at any such Sessions to the Foreman of such Grand Jury, and such Grand Jury shall proceed to take the same into Consideration; and such of the said Presentments as shall be disapproved by such Grand Jury shall and may be forthwith either altered or cancelled accordingly, and shall, by the Secretary, be erased from or altered in the County or Barony Books; and such of the said Presentments as shall be approved by the said Grand Jury shall be sanctioned, conformably to such Approval, by the Signature of the Foreman of such Grand Jury; and it shall and may be lawful for any Grand Jury to make any Presentment in respect of any Road or public Work, the Particulars of the Proposals relating to which shall be entered in such printed Schedules, although any such Proposal for such Road or public Work shall have been disapproved of by the Magistrates at any such Sessions; and also to present any smaller Sum to be expended, or any less Number of Perches of Road to be made, widened or repaired, or any less Number of Perches of Fences to be made, or at a smaller Rate by the Perch, than may be required or set forth in any Affidavit and Estimate on which any Presentment shall be grounded, or to present a Part only of any Sum required, according to the Discretion of such Grand Jury, as they shall think proper.

XVIII. And be it further enacted, That no Presentment shall be taken into Consideration by the Grand Jury, nor shall be stated by the Court for any of the Purposes aforesaid, unless the Particulars of such proposed Presentments shall be entered in such printed Schedules; such Presentments, matters or things only excepted as Grand Juries are or may be authorized by Law to present, the Particulars of

Copy of Schedules to be inserted in the County and Barony Books, and to be printed and distributed.

Secretary to deliver a Copy of Schedule to the Foreman of Grand Jury and to the Judge of Assize, &c.

Affidavits and Forms of Presentments delivered by the Secretary to the Foreman of the Grand Jury. Proceedings thereon.

Grand Jury may make Presentment in respect of Public Works entered in such Schedules, although Proposals disapproved by Sessions.

No Presentment to be considered or stated if not entered in printed Schedule, except such as are required by

Law, and the Amount whereof could not be previously ascertained.

Grand Juries may present for sudden Damage to Bridges, &c. although not entered in such Schedule.

Grand Jury may make Presentments of Allowance to Clerk of Peace, &c.

but no Money presentable for any Person holding Offices, unless he has made Affidavit as herein mentioned.

which and the Amount whereof cannot be ascertained under the Provisions of this Act, until after the times respectively herein specified as aforesaid, or until after the Grand Jury shall have been impannelled at the Assizes; all which Presentments, matters and things shall and may be presented by such Grand Jury after being so impannelled, although the Purpose thereof shall not be specified or referred to in any of such Schedules as aforesaid, and although no Particulars of the same shall have been delivered in manner required by this Act with respect to any other Presentments proposed or required to be made by such Grand Juries: Provided always, that if it shall appear by the Oaths of Two credible Persons, who occupy and pay Cels for Ten Acres of Ground within such County, and by the Certificate of the County Surveyor, in any County where such Surveyor shall be appointed, that any Road or any Bridge or Part of a Bridge, or Pipe, Arch or Gullet or Wall, shall have been damaged by sudden Accident, after the time when such Schedule shall have been printed, and that it is absolutely necessary to rebuild or repair the same before the Assizes next following, then and in every such case it shall and may be lawful for the Grand Jury to present such Sum or Sums of Money as may be sufficient to rebuild such Bridge, Arch, Pipe, Gullet or Wall, and for the Court to fiat such Presentment, although the Particulars of such Presentment shall not have been printed in such Schedule: Provided also, that it shall and may be lawful for the Grand Jury, at any Spring or Summer Assizes, to present any Sum or Sums of Money, as may be sufficient for the Repair of any Road or the carrying on of any public Work in any County where a Surveyor shall be appointed, upon the Certificate of such County Surveyor that such Repair is absolutely necessary, or that greater Expence would be, in the Opinion of such Surveyor, incurred by the Delay of such public Work, and on the Certificate of Two Magistrates approving of the Amount of the Sum proposed to be expended; any thing in this Act contained to the contrary in anywise notwithstanding.

XIX. And be it further enacted, That it shall and may be lawful for any Grand Jury, at any Summer Assizes for any County in which no County Surveyor shall be appointed, to present any Sum of Money not exceeding Twenty Pounds, to be raised off such County, as an Allowance or Remuneration to the Clerk of the Peace for his Attendance at the preceding General Quarter Sessions, and for the performing and executing the Duties required by this Act to be performed by such Clerk of the Peace, in cases where no such Surveyor shall be appointed; and it shall and may also be lawful for any Grand Jury to present any Sum or Sums of Money in the Way of Salary, or any other Allowance, for the Payment or Remuneration of any Person holding or executing, or having held or executed, any Office for which such Salary or Allowance is claimed, as well at any Spring Assizes as at any Summer Assizes, any thing herein before contained to the contrary notwithstanding; but that no Presentment shall be made for any Payment or Remuneration to any such Person, unless there be an Affidavit of such Person prefixed to the Form of such Presentment when laid before such Grand Jury, sworn before a Justice of the Peace in Presence of the Grand Jury, setting forth, that such Officer, for whom the Money is required to be presented, hath diligently and faithfully executed the Duties of his Office, as prescribed by

by Law, since the preceding Assizes; and that he has entered into all such Recognizances for the due and faithful Execution of his Office, which by any Law he is required to do, to the best of his Knowledge and Belief, specifying the Names of the respective Sureties; and no Application shall be made for any Presentment for any Salary or Remuneration to any Person at any Assizes which might have been applied and presented for at any previous Assizes, unless the Person making such Application shall make an Affidavit, stating some Reasons satisfactory to the Grand Jury why such Application was not made at such previous Assizes; and if it shall happen that any Application for any Salary or Remuneration shall be rejected or refused by any Grand Jury at any Assizes, on Account of any Neglect or Misconduct in Office of the Party making such Application, it shall not be lawful for any Grand Jury, at any subsequent Assizes, to make any Presentment for any such Salary or Remuneration in respect of any Period previous to the Assizes at which such Application was rejected or refused.

XX. And be it further enacted, That all Accounts of the Expenditure of every Sum of Money presented by any Grand Jury for the making or repairing of any Road, or executing any other Public Work within any Barony or Half Barony of any County, or within any County of a City or County of a Town, shall be delivered by or on behalf of the Party accounting to the County Surveyor, in Counties where such Surveyor shall be appointed, or to the Clerk of the Peace in Counties where it shall happen that no such Surveyor shall be appointed, Six Weeks at least before the First Day of the several General Quarter Sessions to be holden for the Purposes of this Act, in and for every District of such County, or in and for such County of a City or County of a Town respectively, in the Months of *April* or *July* respectively next after the Summer Assizes at which such Presentments shall have been made; and at every such Sessions all such Accounts, and all Vouchers relating thereto, shall be verified by the Affidavit of the attending Overseer appointed by the Grand Jury, and shall be examined in open Court at such Sessions by the County Surveyor, in Counties where such Surveyor shall be appointed; and all such Affidavits shall be sworn in open Court, and attested by Two Justices of the Peace attending at such Meeting, in the Presence of each other; and all such Accounts, and all Affidavits relating thereto, shall be signed by the County Surveyor who shall have examined the same, where there shall be such County Surveyor, and shall be forthwith transmitted or delivered to the Secretary of the Grand Jury by such County Surveyor, or by the Clerk of the Peace where no such Surveyor shall be appointed, to be proceeded upon by such Grand Jury at the ensuing Summer Assizes, in such manner in all Respects as is now required by Law with respect to accounting Affidavits laid before Grand Juries at any Assizes.

XXI. And be it further enacted, That no Affidavit accounting for the Execution of such Public Works as aforesaid shall be allowed by the Grand Jury or Court at any Assizes for any County in which a County Surveyor shall be appointed, unless such Surveyor shall have previously certified at the Foot of such Affidavit, that in his Opinion such Work has been executed faithfully and honestly, according to Presentment; and in case of the Repairs of any Road, every such Affidavit shall state, and such Surveyor shall certify at the Foot

Proviso where Application for Salary refused by Grand Jury by reason of Misconduct of Officer.

Account of Expenditure of Money in each Barony, verified by Affidavit, to be delivered to the County Surveyor or Clerk of the Peace for Examination, and transmitted to the Secretary of the Grand Jury.

Regulations as to the taking, &c. of such Affidavits.

Proceedings on such Accounts, &c.

No Affidavit for accounting for the Execution of such Works allowed, unless County Surveyor certifies.

thereof, that he is satisfied that the Parts of the Roads so repaired were the worst, and such as most required Repair, between the given Points specified in such Affidavit.

Accounting Affidavit may be traversed, provided Notice given to the accounting Overseer.

How such Traverse is to be tried.

Fee on Traverse.

Costs.

Sums not expended and accounted for within Two Years, to be presented again, &c.

Proviso as to Monies raised by Instalments.

Where Baronies consist of distinct and unconnected Parts, the Sums to be raised on them may be apportioned.

XXII. And be it further enacted, That it shall and may be lawful for any Person occupying or paying Cefs for Ten Acres of Ground to appear at any such Assizes, and to offer to controvert the Truth of any accounting Affidavit there produced, on the Ground of the Insufficiency of the Execution of the Work to which such Affidavit shall relate; provided that the Person offering to controvert the Truth of such Affidavit as aforesaid shall have given Notice in Writing of his Intention so to do, to the accounting Overseer, before the First Day of such Assizes; and whenever any such Person so having given Notice as aforesaid shall so appear and offer to controvert the Truth of such Affidavit, it shall be lawful for the Court at such Assizes, and they are hereby required, to try the Truth of the Fact or Facts alleged in Controversion of the Truth of such Affidavit, by a Jury, in the same manner as any Traverse of any Action within the Jurisdiction of such Court ought to be tried at such Assizes; and in case the Truth of such Fact or Facts shall be found, the accounting Affidavit shall be disallowed accordingly; and it shall not be lawful for the Clerk of the Crown or Clerk of the Peace, or any other Persons, to take or receive, upon such Traverse, any Fee for or in respect of any such Traverse exceeding the smallest Sum which may be taken by Law upon any Traverse within the Jurisdiction of such Court; and it shall be lawful for the Court before which such Trial shall be had, to give such Costs either to the Party controverting such Affidavit, in case such Affidavit shall be disallowed, or to the accounting Overseer in case such Affidavit shall be allowed, as such Court shall in either case think fit and reasonable.

XXIII. And be it further enacted, That whenever and so often as it shall happen that any Sum of Money heretofore presented, or hereafter to be presented, to be raised off any County, County of a City or County of a Town, or any Barony or Half Barony, shall not be expended agreeable to such Presentment, and accounted for within the Space of Two Years next after such Presentment shall have been made, it shall and may be lawful for the Grand Jury of such County, County of a City, or County of a Town, and they are hereby required, again to present such Sums of Money, to be applied to other Purposes, and in like manner to present any Saving which may be made on any Presentment, to be expended upon some other Work within the Barony or Half Barony upon which the former Sum or such Saving was presented to be raised, or within the County, if raised on the County at large: Provided always, that where Sums are presented to be raised by Instalments for executing any Public Work, it shall not be imperative on the Grand Jury again to present such Sums for other Purposes in manner aforesaid.

XXIV. And be it further enacted, That from and after the Commencement of this Act, in all cases where any Barony within any County shall consist of any Two or more distinct and unconnected Parts, being more than Five Miles distant from each other, and the Grand Jury shall be of Opinion that it would be convenient and expedient to consider such unconnected Parts as separate Baronies or Half Baronies, it shall and may be lawful for such Grand Jury to present any Sums to be raised upon such Barony, in such manner that

a Pro-

a Proportion of such Sum may be raised on each of such unconnected Parts of such Barony, in like manner as if such Parts were separate and distinct Baronies or Half Baronies; and the same shall be raised and levied accordingly; any former Law, Usage or Custom to the contrary in anywise notwithstanding.

XXV. And be it further enacted, That in all cases where, upon any Affidavit for grounding any Presentment, or for accounting for public Money, it shall appear to the Grand Jury that the Person or Persons making such Affidavits has or have been guilty of wilful and corrupt Perjury, it shall and may be lawful for the Grand Jury, with the Consent of the Judge, to make such Presentment for defraying the Prosecution of such Delinquent as to them may seem fitting and expedient.

In case of Perjury, Grand Jury may prevent Expence of Prosecution.

XXVI. And Whereas it is expedient that Regulations should be made for further securing the Responsibility of Treasurers and Collectors of Money raised by Presentment in the several Counties in Ireland; Be it therefore enacted, That from and after the termination of the several Spring Assizes which will be in the Year One thousand eight hundred and eighteen, it shall not be lawful for any Person to act as Treasurer of or for any County, County of a City or County of a Town in Ireland, or as Collector of any public Money in any such County, County of a City or Town, or in any Barony or Half Barony, Parish, Townland, District or Division of any County at large, unless the Security to be given by such Treasurer or Collector and their Sureties shall have been previously approved by His Majesty's Attorney or Solicitor General for Ireland, or by some one of His Majesty's Serjeants at Law in Ireland, testified by an Opinion in Writing, signed by some one of such Persons, signifying their having examined and approved such Security, which Opinion shall be laid before the Grand Jury, and the Judge at the ensuing Assizes; nor unless such Treasurers and Collectors shall have given Security, with Two Sureties (in such Sum as the Grand Jury shall require), by Recognizance to His Majesty, His Heirs and Successors, conditioned for the due Performance of their Office, and duly accounting for all Monies received by them on the Account of such County.

Treasurer, &c. to give Securities to the Crown by Recognizance.

XXVII. And be it further enacted, That from and after the termination of the several Spring Assizes which will be in the Year One thousand eight hundred and eighteen, it shall not be lawful for any Person to be Treasurer of any County, County of a City or County of a Town, or Collector of any public Money in any such County, County of a City or Town, or in any Barony, who shall be a Merchant or Trader, or who shall act as a Merchant or Trader at any time after he shall be appointed to be such Treasurer or Collector, or who shall not, when required by the Grand Jury at any Assizes, make Oath before them, setting forth that he is possessed of Property of his own to the full Amount of the personal Security which he is required to give by Law upon undertaking the Office of Treasurer or Collector, and that such Property is over and above his just Debts; and no Act or Acts for the Relief of Insolvent Debtors shall extend or be construed to extend to relieve, release or exonerate any such Treasurer or Collector from the Effect of the Recognizance given by him, or to prevent any such Treasurer or Collector, or his Sureties, from being liable for the full Amount of the Recognizances

Treasurer, &c. not to be a Trader, &c. nor to act as such after Appointment; and to make Oath respecting his Property as herein mentioned, when required by Grand Jury.

severally entered into by them as aforesaid, unless such Person or Persons shall be specially named in such Insolvent Act.

Treasurer not to compound or make Deductions.

Refusing or neglecting to pay, &c.

or acting without Security approved, &c.

fined and dismissed, and incapable.

Abstract of Treasurer's Account to be printed, &c.

High Constables not to be appointed Collectors.

Proviso as to Grand Jury removing Collectors.

County Rates to be collected by Half Yearly Payments.

Proviso for County and City of Dublin.

26 G. 3. c. 14.
(1.)

XXVIII. And be it further enacted, That no Treasurer of any County, County of a City or County of a Town, shall compound for any Sum to be raised on the Public, nor shall make any Deductions whatsoever from any Sum paid by him to any Person but such as he shall duly account for; and if any such Treasurer shall offend therein, or neglect to make up his Accounts, or shall refuse or neglect to pay the Amount of all such Quæres as shall have been discharged, without Fee or Reward, or any Deduction in the Way of Discount; or if any Person shall act as Treasurer or Collector without his Security being approved as aforesaid, or without producing a Certificate from the proper Officer that his Security has been duly recorded in the Court of Exchequer in *Ireland*, or shall act either directly or indirectly as a Merchant or Trader after he shall have been appointed Treasurer or Collector, such Treasurer or Collector so offending in any of such Particulars shall be fined by the Judge of Assize in such Sum as he shall think fit, and shall be by him dismissed from such Office of Treasurer or Collector, and be thenceforth rendered incapable of ever holding such Office of Treasurer or Collector.

XXIX. And be it further enacted, That an accurate Abstract of the Account of every Treasurer of a County, County of a City or Town, stating all his Receipts and Payments from the preceding Assizes, with the Balance in the Hands of such Treasurer at the Commencement of such Account, shall be printed and prefixed to the Copies of undischarged Quæres when printed after each Assizes, with the full Balance of the public Money then in the Hands of such Treasurer stated at the Foot thereof.

XXX. And be it further enacted, That no High or Chief Constable shall be appointed by the Grand Jury of any County, County of a City or County of a Town in *Ireland*, to be the Collector of any public Money to be raised within such County, County of a City or Town, or in any Barony or Half Barony, Parish, Townland, District or Division within any County at large; and that no Collector of any public Money, who shall have been or shall be appointed by the Grand Jury of any County, County of a City or Town, shall be removed or displaced by any subsequent Grand Jury for such County, County of a City or Town, unless for reasonable Cause shown in open Court, and allowed by the Judge at some Assizes for such County, County of a City or Town respectively; any Law, Practice or Usage to the contrary in anywise notwithstanding.

XXXI. And be it further enacted, That from and after the Commencement of this Act, the County Rate in every County in *Ireland* shall be collected by Two equal Half Yearly Payments, at such times as Money presented at the several Spring and Summer Assizes respectively are collected; any Law, Usage or Custom to the contrary notwithstanding.

XXXII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to the County of *Dublin* or to the County of the City of *Dublin*, except only for far as is hereinafter expressly enacted and provided by this Act.

XXXIII. And Whereas by an Act passed in the Parliament of *Ireland* in the Twenty sixth Year of the Reign of His present Majesty, intituled *An Act for making, widening and repairing public Roads*

‘ *Roads in the County of Dublin, and for repealing Parts of several Acts formerly made for that Purpose*; it is enacted, that every Affidavit to ground a Presentment or to account for Work done, shall be lodged with the Secretary of the Grand Jury Four Days at least before the first Sitting Day of each presenting Term; and it would be of great Benefit and Advantage to the said County of *Dublin* that the said Affidavits should be lodged with the acting Secretary of the Grand Jury of the said County so many Days previous to the first Sitting Day of each presenting Term, that Schedules of such Affidavits might be prepared and printed for Delivery to Magistrates and others previous to such Term;’ Be it therefore enacted, That all Affidavits for Presentments for forming, levelling, fencing, draining, widening, making, repairing or otherwise improving any Road in the County of *Dublin*, and for the building, repairing or otherwise improving any Bridge, Session House, Gaol or other Mason Work in the County; and also all accounting Affidavits of Overseers appointed from Year to Year to keep the Roads of the said County in Repair and free from Nuisances, shall be lodged Thirty Days at the least before the first Sitting Day of each presenting Term, with the acting Secretary of the Grand Jury of the said County; and such Secretary is hereby required to keep an Office open for the Purpose, and forthwith after the Receipt of such Affidavits to cause Schedules of such Affidavits to be prepared and printed, and to be ready for Delivery at his Office Twenty one clear Days before the first Sitting Day of each presenting Term, to such Magistrates and Landholders in the said County of *Dublin* as may apply for the same; provided that the Number so to be printed shall not exceed One hundred for each Barony in the said County of *Dublin* (the Baronies of *Saint Sepulchre’s* and *Donore* excepted).

XXXIV. And be it further enacted, That it shall and may be lawful for the Grand Jury of the said County of *Dublin*, and they are hereby authorized and required, at each presenting Term for the said County, to present such Sum or Sums as shall be necessary for defraying the Expences of preparing and printing the said Schedules; provided always, that an Affidavit of the Printer, stating his Charge to be usual and reasonable, be first laid before the said Grand Jury at such presenting Term; and that no such Presentment for the preparing such Schedules and printing of such Copies shall be made, unless such printed Copies were ready for Delivery at the Office of the Secretary Twenty one clear Days before the first Sitting Day of the Term at which such Presentment shall be applied for.

XXXV. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect or alter any Clauses, Powers or Provisions contained in any special Act or Acts of Parliament, relating particularly to the Erection or Maintenance of any Court House, Sessions House or County House, or to any Gaol or Prison in or for any County, or County of a City, or County of a Town, in *Ireland*.

XXXVI. And be it further enacted, That this Act shall commence and take Effect from the First Day of *November* One thousand eight hundred and seventeen, and not sooner.

Certain Affidavits to be lodged 30 Day previous to presenting Term, with acting Secretary of Grand Jury.

Schedules of such Affidavits prepared and printed for Delivery 21 Days before the Term, in the County of *Dublin*.

Grand Juries may present for Expences of preparing and printing such Schedules, on Affidavit of Printer that his Charge is reasonable.

Proviso for Local Acts respecting Court Houses, &c.

Commencement of Act.

SCHEDULE (A. No. 1.)

FORM of Oath of Magistrates at Quarter Sessions, acting in Execution of this Act.

I *A. B.* of *C. D.* do swear, That I am seized and possessed of a Freehold Estate in Fee Simple, or in Fee Tail, in Possession, of the annual Value of Three hundred Pounds, [or, of a Leasehold Estate of Perpetuity, or, for Life or Lives, or, for a Term of Years not less than Twenty Years unexpired, of the annual Value of Five hundred Pounds; or, that I am Heir Apparent of *E. F.* who is seized or possessed of a Freehold Estate of the annual Value of Six hundred Pounds, or, of a Leasehold Estate for Life or Lives, or for a Term of Years not less than Twenty Years unexpired, of the annual Value of One thousand Pounds; and that such Estate is situate in the Parish of _____ or, that I am entitled to act as a Magistrate for the County of the City of _____ or, for the County of the Town of _____ according to the Charter of Incorporation thereof, [*stating the particular Qualification under which such Magistrate shall claim to act, as the case shall require*]; and that in the Execution of an Act made in the Fifty seventh Year of the Reign of King George the Third, intituled [*here insert the Title of this Act*], I will truly, faithfully and impartially do and perform all such matters and things as I am authorized and required to do by the said Act, without Favour, Affection, Hatred, Malice or Ill Will, according to the best of my Judgment upon the Information to be laid before me.

‘ So help me GOD.’

SCHEDULE (A. No. 2.)

OATH of County Surveyor.

County } I _____ having been duly approved Surveyor of the County [County of the City, or County of the Town] of _____ do swear, That I will diligently and faithfully execute the Duty of a Surveyor of the said County [County of a City, or, County of a Town] according to the Rules and Regulations of such Office, as specified in and by an Act passed in the Fifty seventh Year of the Reign of King George the Third, intituled [*here set forth the Title of this Act*]; and that I have not certified and will not certify my Opinion upon any public Work which shall be proposed to be executed within this County, or upon any such public Work after it has been executed, without having previously carefully viewed and considered the same, conformably to such Certificates respectively; and that in all matters which concern my Duty as Surveyor, I will impartially declare and certify the Truth, the whole Truth and nothing but the Truth; and that in examining the Accounts of public Money expended in the said County, [County of a City, or, County of a Town] I will execute the Duties by the said Act required truly, diligently and impartially, to the best of my Skill, Knowledge and Belief, without Favour or Affection, Pique or Partiality; and that I have not received, nor will receive, directly or indirectly, by myself or any other Person, any Fee, Reward, Profit or Advantage, over and above the Payment authorized by Law.

‘ So help me GOD.’

C A P.

C A P. CVIII.

An Act for the Regulation of levying Tolls at Fairs, Markets, and Ports in *Ireland*. [11th July 1817.]

WHEREAS certain Customs, Tolls and Duties unwarranted by Law have been at sundry times levied in *Ireland*: And Whereas it would tend materially to prevent the same, if a Board or Boards, specifying the separate Customs, Tolls or Duties payable on all Articles sold at any Fair or Market, or upon landing the same at any Port, and the Name or Names of the Person or Persons or Corporation claiming the same, were publicly exhibited at such Fairs, Markets and Ports; 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 of July One thousand eight hundred and eighteen, all Persons collecting Customs, Tolls or Duties, or claiming the same, at any Fair, Market or Port in *Ireland*, shall erect, affix and keep up, during the whole Continuance of such Fair or Market, in some conspicuous Place at each principal Entrance of the same, and the principal Quay or Landing Place at each Port, a painted Board, having thereon a Schedule in large and legible Characters, specifying distinctly the Custom, Toll or Duty claimed on each and every Article or thing sold at such Fair or Market, or landed at such Port, and the Names of the Person collecting the same, and of the Person or Persons or Corporation claiming Right to the same, so that such Boards may be referred to and examined by all Persons desirous of so doing.

II. And be it further enacted, That every Person who shall attempt to collect or levy any Custom, Toll or Duty, without having previously erected such Boards as aforesaid, or without having kept up the same as aforesaid, shall for every Custom, Toll or Duty which he shall attempt to collect or levy, either in Money or Kind, not being specified on such Boards as aforesaid, or at a time when such Boards shall not be up as aforesaid, forfeit for every such Offence the Sum of Forty Shillings to any Person suing for the same.

III. Provided always, and be it hereby enacted, That in case it shall appear that the Toll Board or Boards shall have been defaced or removed by Violence, then such Collector shall not be liable to such Penalty, unless he shall neglect to reinstatate such Boards as soon as the same may be reasonably done.

IV. And be it further enacted, That every Person who shall deface or remove such Board or Boards, or shall be engaged in any Riot in which such Board or Boards shall be defaced or removed, shall forfeit Five Pounds to any Person suing for the same.

V. And be it further enacted, That the Penalties hereinbefore set forth shall be recoverable and recovered, on summary Conviction of either of the Offences aforesaid, before any Two Magistrates or Justices of the Peace of the County, City or Town where such Offence shall be committed, and shall be levied by Distress under the Warrant of such Magistrates or Justices of the Peace, who are hereby empowered to issue the same.

After July 1, 1818, painted Boards, specifying Tolls, to be erected at Fairs, Markets and Ports.

Levying Tolls without having erected such Boards,

Penalty 40s.

Proviso for Boards removed by Violence, &c.

Removing, &c. such Boards by Force,

Penalty 5l.

Penalties how recovered.

Distress.

VI. Pro-

Appeal to
Quarter Sessions.

VI. Provided always, and be it further enacted, That it shall and may be lawful for Persons so convicted to appeal in the usual manner to the next ensuing Quarter Sessions, where the case shall be finally determined.

Schedules of
Tolls to be de-
livered to Clerk
of the Peace.

VII. And be it further enacted, That all Persons or Corporations claiming a Right to levy any Custom, Toll or Duty at any Fair or Market or at any Port in *Ireland*, shall and they are hereby required, on or before the First Day of *July* One thousand eight hundred and eighteen, to deliver in to the Clerk of the Peace of the County, City or Town where such Custom, Toll or Duty may be claimed, a Schedule of the Tolls, Customs and Duties claimed by such Persons or Corporations on every Article sold at such Fairs or Markets, or landed at such Ports; and in default thereof, that it shall not be lawful for any such Persons or Corporations to levy any such Custom, Toll or Duty, or any Person for them; and that such Persons or Corporations, and all Persons attempting to levy any Custom, Toll or Duty for them, shall incur and forfeit such Penalty or Penalties as have been provided by Law against Persons taking illegal Tolls: Provided always, that it shall and may be lawful for Persons and Corporations who shall deliver such Schedules after the First Day of *July* One thousand eight hundred and eighteen, to the Clerk of the Peace as aforesaid, to levy the legal Customs, Tolls and Duties after they shall have delivered in such Schedule as aforesaid.

Proviso for levy-
ing Tolls after
Delivery of
Schedules.

Clerk of the
Peace to give
Certificate of
Registry of
Schedules.

VIII. And be it further enacted, That the Clerk of the Peace shall keep a Registry of all such Schedules, and shall give to every Person or Corporation as aforesaid a Certificate of having registered such Schedule, when such Schedule shall be delivered to him.

Proviso for
Rights, &c. of
Persons claiming
Tolls, &c.

IX. And be it further enacted, That nothing in this Act shall (except as is hereinbefore provided) extend, diminish or alter the Rights of Persons claiming or paying Customs, Tolls or Duties at such Fairs, Markets or Ports, or the Penalties to which they may become liable, or their Mode of Redress, otherwise than as the same are at present by Law established.

C A P. CIX.

An Act to abolish the Subsidy and Alnage of the Old and New Draperies, and of all Woollen Manufactures, in *Ireland*; and to authorize the Payment out of the Consolidated Fund of an Annual Sum to *John Lord de Blaquiere*, during the Continuance of his Interest in the Office of Alnager.

[11th July 1817.]

WHEREAS it is expedient, for the Encouragement of the Woollen Manufactures in *Ireland*, that the Subsidy and Alnage of Old and New Draperies, and of all other Woollen Manufactures made in *Ireland*, should be abolished, and that all Regulations relating to the same and to the said Manufactures 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 immediately after

The Subsidy and
Alnage of the
Old and New

the passing of this Act, the Subsidy and Alnage of the Old and New Draperies, and of all Woollen Manufactures whatever made within *Ireland*, shall cease, determine and be no longer due or payable; any thing in an Act made in the Parliament of *Ireland* in the Seventeenth and Eighteenth Years of His late Majesty King *Charles* the Second, intituled *An Act for the true making of all Sorts of Cloth, called the Old Drapery and New Drapery, and the true searching and sealing thereof by His Majesty's Alnager within this Kingdom*, or any other Law, Statute, Usage, Prescription or Custom whatsoever, to the contrary in anywise notwithstanding.

Draperies and
Woollen Manu-
factures to cease.

17 & 18 Car. 2.
(1.)

II. And be it further enacted, That from and immediately after the passing of this Act, the said recited Act of the Seventeenth and Eighteenth Years of the Reign of His late Majesty King *Charles* the Second, and also an Act made in the Parliament of *Ireland* in the Nineteenth and Twentieth Years of the Reign of His present Majesty, intituled *An Act for the better Regulation of the Woollen Manufecture of this Kingdom*; and also an Act made in the Parliament of *Ireland* in the Twenty first and Twenty second Years of His present Majesty's Reign, for repealing so much of the said recited Acts of the Seventeenth and Eighteenth Years of the Reign of King *Charles* the Second, and of the Nineteenth and Twentieth Years of His present Majesty's Reign, as relates to the New Drapery, Cottons and Stockings; and also an Act made in the Parliament of *Ireland* in the Fortieth Year of His present Majesty's Reign, intituled *An Act for amending and rendering more effectual several Acts heretofore passed in this Kingdom, for the true making of Woollen Cloth called and known by the Name of Old Drapery, and all Clauses, Powers, Provisions and Regulations in the said Acts or any of them contained*, shall be and the same are hereby repealed.

17 & 18 Car. 2.
(1.)

19 & 20 Car. 2.
(1.)

21 & 22 Car. 2.
(1.)

and 40 G. 3. (1.)

repealed.

III. And Whereas the Right Honourable *John* Baron de *Blaquiere* is, under and by virtue of certain Letters Patent under the Great Seal of *Ireland*, bearing Date the Eleventh Day of *July* One thousand seven hundred and ninety seven, entitled to hold the Office of Alnager in *Ireland*, to him, his Heirs, Executors, Administrators and Assigns, for the Remainder of a certain Term of Forty eight Years, in the said Patent specified and yet to come and unexpired; and all the Fees, Profits and Emoluments of the said Office will immediately after the passing of this Act be entirely put an End to; and it is fitting that some Compensation should be made for the Loss of such Fees, Profits and Emoluments; Be it therefore enacted, That One Annuity or Yearly Rent or Sum of Five hundred Pounds *British* Currency shall be issuing and payable out of and charged upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, but with Preference to all other Payments which shall or may hereafter be charged upon or payable out of the said Fund); and the same shall from time to time be paid Quarterly, free and clear of all Taxes and Deductions whatsoever, in manner and Form following; that is to say, to the said *John* Baron de *Blaquiere*, his Heirs, Executors, Administrators or Assigns, for and during so much and such Part of the said Term of Forty eight Years as is yet to come and unexpired, which said

Annuity of 500l. granted to Lord de *Blaquiere* as a Compensation for the Loss of his Office of Alnager, to be paid Quarterly out of the Consolidated Fund of *Ireland* during the Remainder of his Interest in the Patent.

Annuity

Annuity or Yearly Rent or Sum shall commence and take Effect from the Fifth Day of *July* One thousand eight hundred and seventeen, the First Payment to be computed from the said Fifth Day of *July* One thousand eight hundred and seventeen until the Tenth Day of *October* One thousand eight hundred and seventeen, and from thenceforth shall be paid and payable on the Four usual Days of Payment in the Year, that is to say, the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July* and the Tenth Day of *October*, in each and every Year, by even and equal Portions; and the Lord Lieutenant or other Chief Governor or Governors of *Ireland* is and are hereby authorized, empowered and required to issue and pay the said Annuity, or to cause the same to be issued and paid from time to time out of the growing Produce of the said Consolidated Fund arising in *Ireland*, by Four Quarterly Payments in manner aforesaid.

Acquittances of Lord de Blaquiere, &c. sufficient Discharges for Payment of the said Annuity.

IV. And be it further enacted, That the said Annuity or Yearly Rent or Sum shall be considered as the Emoluments and Profits of the said Office of Alnager during the said Term of Years yet to come and unexpired; and that the Acquittance or Acquittances, Receipt or Receipts of the said *John* Baron de *Blaquiere*, his Heirs, Executors, Administrators or Assigns respectively, shall according to their several and respective Interests be good and sufficient Discharge and Discharges for the Payment of the said Annuity or Yearly Rent or Sum of Five hundred Pounds in manner aforesaid, without any other Warrant to be sued for or obtained in that behalf; and that the said Annuity or Yearly Rent or Sum, and every Part thereof, shall be paid free and clear from all Taxes, Charges and Impositions whatsoever.

C A P. CX.

An Act to make further Regulations for the better collecting and securing the Duties upon Spirits distilled in *Ireland*.

[11th *July* 1817.]

So much of any Act as regulates the Number of Charges of Low Wines, &c. repealed.

Distillers to pay the Duties for such Quantities of Spirits as might be produced from the Number of Charges of Low Wines specified in Table annexed.

WHEREAS it is expedient to make further Regulations for the Collection of the Duties on Spirits distilled in *Ireland*: Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act, so much of any Act or Acts in force in *Ireland*, at the time of the passing of this Act, as regulates or defines the Number of Charges of Singlings or Low Wines for the Quantity of Spirits produceable, wherefrom any Distiller is chargeable with Duty in respect of any Still or Stills used by such Distiller, shall be and the same is hereby repealed; and that from and after the Commencement of this Act every Distiller in *Ireland* shall, for every Four Weeks or Twenty eight Days during which any Still or Stills in the Distillery of such Distiller shall be chargeable as working under the Regulations or Provisions of any Act or Acts in force in *Ireland* for the regulating or securing the Collection of the Duties on Spirits distilled in *Ireland*, be charged with and shall pay Duty for such respective Quantities of Spirits as might be produced according to the Rates specified in any Act or Acts in force from the several

Number of Charges of Singlings or Low Wines severally set forth in the Table to this Act annexed, for and in respect of each and every such Still being of the several Contents in the said Table specified and contained, in lieu of the former Charges in respect of such Stills; and that the said Table, and all and every the matters therein specified and contained, shall be deemed and taken to be Part of this Act to all Intents and Purposes whatsoever; and that every such Distiller shall, over and above such several Quantities respectively, be charged with and shall pay Duty in respect of each and every such Still or Stills, for as much more Spirits as might be produced, according to the Rates in the said Acts specified, from all Wash, Pot Ale, Low Wines or Singlings which such Distiller shall actually distil within every such Period of Four Weeks or Twenty eight Days, over and above such several Quantities respectively; and the Officer or Officers of Excise shall make a Return of the Quantities of such Spirits, and of the Duties thereon accordingly; and such Distiller shall pay the Duty so charged and returned, under such Rules, Regulations and Directions, Fines, Penalties and Forfeitures, as are contained in any Act or Acts in force in *Ireland* for the regulating or securing the Collection of the Duties on Spirits distilled in *Ireland*.

II. Provided always, and be it enacted, That every Distiller who shall be licensed to keep any Still of or under One hundred Gallons Content, and who shall work the same under the Rules, Regulations, Restrictions and Provisions hereinafter in this Act mentioned and contained; shall in respect of such Still be chargeable and charged with and shall pay Duty for every such Period of Four Weeks or Twenty eight Days, during which the Still of such Distiller shall be chargeable as working, for such respective Quantities of Spirits as might be produced, according to the Rates specified in any Act or Acts in force, from Ninety Charges only of Singlings or Low Wines, for and in respect of such Still, according to the Content thereof; any thing in this Act or the Schedule thereto annexed, or in any other Act or Acts to the contrary in anywise notwithstanding; and that every such Distiller shall, over and above the Quantities aforesaid, be charged with and shall pay Duty for as much more Spirits as might be produced, according to the Rates aforesaid, from all Worts, Wash, Pot Ale, Low Wines or Singlings which such Distiller shall actually distil within every such Period of Four Weeks or Twenty eight Days, over and above such Quantities aforesaid; and the Officer or Officers of Excise shall make a Return of the Quantity of such Spirits and the Duties thereon accordingly; and such Distiller shall pay the Duty so charged and returned, under such Rules, Regulations and Directions, Fines, Penalties and Forfeitures, as are contained in any Act or Acts in force for the regulating or securing the Collection of the Duties on Spirits distilled in *Ireland*.

III. Provided always, and be it enacted, That whenever any Distiller licensed to keep a Still or Stills under One thousand Gallons Content, and exceeding One hundred Gallons Content, shall insert in the Notice which he is bound by Law to give to the Collector, Surveyor and Gauger before he commences or re-commences to work a Still, or shall give Notice in like manner Six Days before the Expiration of any Period of Four Weeks or Twenty eight Days,

Further Duty in respect of Stills for as much more Spirits as might be produced according to the Rates in the said Acts specified.

Officer of Excise to make Returns.

Distiller working under the Regulations of this Act, liable to Ninety Charges only of Singlings or Low Wines for each Period of Four Weeks.

Further Duty for as much more Spirits as might be produced as herein mentioned, according to the Rates aforesaid.

Distiller keeping Still of a certain Content to give Notice when he intends to work with Turf only not charred.

Duty in such
case how to be
charged.

Notice also to be
given to the
Commissioners;

subject to the
full Number of
Charges for
Default.

Stills worked
with Coal, &c.
after giving such
Notice, to be
subject to the
full Number of
Charges.

Coals, &c. found
on Premises,
after Notice of
working with
Turf, to be for-
feited, and

Penalty 200l.
and subject to
full Number of
Charges.

Penalty on
Distiller licensed
to keep a Still of
certain Content,
having Brewing

Days, during which any Still shall be chargeable as working, that such Distiller purposes to work any Still or Stills in his Possession during the next succeeding Period with Turf only not charred, and not with Coal or other Fuel than Turf not charred, such Distiller shall for every such Period, during which any such Still or Stills shall be worked with no other Fuel than Turf not charred, be charged with and pay Duty for such Quantity of Spirits as might be produced (according to the Rates aforesaid), from Five Sevenths of the Number of Charges of Singlings or Low Wines to which such Still would otherwise be liable; and also with Duty for as much more Spirits as might be produced according to the said Rates from all Wash, Pot Ale, Singlings or Low Wines, which such Distiller shall actually distil within such Period of Four Weeks or Twenty eight Days, over and above the Quantity produceable from such reduced Number of Charges of Singlings or Low Wines as aforesaid: Provided always, that every such Distiller shall also, Six Days previous to the Commencement of any Period during which such Distiller purposes to work any Still or Stills in his Possession with Turf only not charred, and not with Coal or other Fuel than Turf not charred, give Notice of such his Intention to the Commissioners of Inland Excise and Taxes, and in Default of giving every such respective Notice, the Still or Stills of such Distiller for making Default shall be subject and liable to the full Number of Charges of Singlings or Low Wines for the whole of such Period.

IV. Provided also, and be it further enacted, That if any Still in the Possession of any Distiller shall at any time during any Period in which the Distiller shall have given Notice of working any such Still or Stills with Turf only, be worked with any Coal, Coke, charred Turf or other Fuel than Turf not charred, every such Still shall be subject and liable to the full Number of Charges of Singlings or Low Wines for the whole of such Period; any thing herein contained to the contrary notwithstanding.

V. And be it further enacted, That whenever any Distiller shall have given such Notice that he purposes to work any such Still or Stills in his Possession during any Period with Turf only as aforesaid, it shall not be lawful for such Distiller to have or keep within his Distillery or any Premises connected therewith, at any time during such Period, any Coal or any other Fuel than Turf not charred; and if, during any such Period, any Coal or any other Fuel than Turf not charred shall be found within the Distillery of such Distiller, or within any Premises connected therewith, all such Coal or other Fuel shall be forfeited and may be seized, and the Distiller within whose Distillery or other Premises such Coal or other Fuel shall be found shall forfeit the Sum of Two hundred Pounds; and such Distiller shall also be subject and liable to the full Number of Charges of Singlings or Low Wines for the said Period, for and in respect of every Still in his Distillery, which shall by Law be considered as working, without any Allowance whatever for or in respect of the Use of Turf therein, and as if every such Still had been worked with Coal during such Period.

VI. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep any Still of or under One hundred Gallons Content, to have, keep or make use of any Copper or Vessel, or Coppers or Vessels, for warming or boiling Water for brew-

ing.

ing Worts, Wash or Pot Ale, which in the whole shall be capable of containing any greater Quantity than after the Rate or in the Proportion of Twenty Gallons for every One Gallon which the Still which such Distiller shall be licensed to keep shall be capable of containing; and if any such Distiller shall have, keep or make use of any such Copper or Coppers, Vessel or Vessels, which shall in the whole be of a greater Content than as aforesaid, all and every such Copper and Vessel shall be forfeited, and may be seized by any Officer of Excise; and such Distiller shall for every such Offence forfeit the Sum of Fifty Pounds; and it shall be lawful for the Officer who shall seize such Copper or Coppers, Vessel or Vessels, to cause the Contents of the same to be spilled.

VII. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep any Still of or under One hundred Gallons Content, to have, keep or make use of any greater Number of Mashing Kieves than One Mashing Kieve, nor any Mash Kieve which shall be capable of containing any greater Quantity than after the Rate or in the Proportion of Twenty four Gallons for every One Gallon of the Content of the Still which such Distiller shall be licensed to keep; and if any such Distiller shall have, keep or make use of any greater Number of Mashing Kieves than One Mashing Kieve, or if any such Distiller shall have, keep or make use of any Mashing Kieve which shall be capable of containing any greater Quantity than after the Rate or in the Proportion of Twenty four Gallons for every One Gallon of the Content of the Still which such Distiller shall be licensed to keep, every such Second or further Mashing Kieve, and also every Mashing Kieve which shall be of greater Content than as aforesaid, shall be forfeited, and may be seized by any Officer of Excise, together with any Materials which shall or may be found therein respectively; and every such Distiller shall for every such Offence forfeit and pay the Sum of Fifty Pounds.

VIII. And be it further enacted, That every Person requiring a Licence, after the Commencement of this Act, to keep a Still of or under One hundred Gallons Content, shall, in the Account which such Person is by Law required to make out, sign and deliver, before the granting of any such Licence, specify and set forth the true and full Number of Gallons which each and every Copper, and the true and full Number of Gallons which the Mash Kieve, and also the true and full Number of Gallons which each and every Back or other Vessel to be kept or used by such Distiller for keeping or fermenting any Worts, Wash or Pot Ale, is or are capable of containing, and distinguishing each such Copper, Kieve, Back and Vessel by the Number thereof respectively; and if any such Distiller shall have, keep or make use of any Copper or Kieve, or any Back or other Vessel for keeping or fermenting any Worts, Wash or Pot Ale, of which such Account shall not have been made out, signed and delivered as aforesaid, or of the Number or Content of which any false or untrue Account shall be delivered; or if any Copper or Kieve, or any Back or Vessel for keeping or fermenting Worts, Wash or Pot Ale in the Possession of any such Distiller, shall exceed the Content specified in such Account as being the Content of such Copper, Kieve, Back or Vessel, every such Distiller shall, in each and every of the respective

Copper of greater Content than herein mentioned.

Such Distiller having more than One Mash Kieve of certain Content, Forfeiture of Mash Kieve, and

Penalty 50l.

Persons applying for a Still Licence to deliver an Account, specifying the true Content of every Copper, &c. and Back or Vessel for fermenting Worts, &c.

case

Penalty 20l. and Copper, &c. forfeited.

case and cases aforesaid, forfeit the Sum of Twenty Pounds; and every such Copper, Kieve, Back or other Vessel, with the Contents thereof, shall be forfeited, and may be seized by any Officer of Excise.

Size of each Back for fermenting Pot Ale shall not exceed the Proportion of 14 Gallons for every Gallon Content of the Still.

IX. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep any Still of or under One hundred Gallons Content, to have, keep or make use of any one Back or other Vessel for fermenting any Worts, Wash or Pot Ale, which shall be capable of containing any greater Quantity than after the Rate or in the Proportion of Fourteen Gallons for every One Gallon of the Content of the Still which such Distiller shall be licensed to keep; and if any such Distiller shall have, keep or make use of any Back or other Vessel for fermenting Worts, Wash or Pot Ale of any greater Content than as aforesaid, every such Distiller shall for every such Offence forfeit the Sum of Fifty Pounds for every such Back or Vessel which shall be of greater Content than aforesaid; and every such Back or Vessel, together with all or any Material which the same shall or may contain, shall be forfeited, and may be seized by any Officer of Excise.

Penalty 50l.

and Back, &c. forfeited.

Content of Backs, &c. for fermenting Worts, &c. exceeding 84 Gallons for every Gallon Content of Still, forfeited, and Penalty 100l.

X. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep any Still of or under One hundred Gallons Content, to have, keep or make use of Backs or Vessels for fermenting Worts, Wash or Pot Ale, which altogether shall be capable of containing any greater Quantity than after the Rate or in the Proportion of Eighty four Gallons of Wort, Wash or Pot Ale, for every One Gallon of the Content of the Still which such Distiller shall be licensed to keep; and if any such Distiller shall have, keep or make use of Backs or Vessels for fermenting Worts, Wash or Pot Ale, all of which together shall be of greater Content than as aforesaid, every such Distiller shall for every such Offence forfeit the Sum of One hundred Pounds; and all and every such Backs and Vessels shall be forfeited, and may be seized by any Officer of Excise.

Such Distillers not to make use of more than One Under Back, and that to be in the proportion of 12 Gallons to every One Gallon Content. Under Back, &c. forfeited, and

XI. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep a Still of or under One hundred Gallons Content, to have, keep or make use of any greater Number of Under Backs than One Under Back, nor any Under Back which shall be capable of containing any greater Quantity than after the Rate or in the Proportion of Twelve Gallons for every One Gallon of the Content of the Still which such Distiller shall be licensed to keep; and if any such Distiller shall have, keep or make use of any greater Number of Under Backs than one Under Back, or if any such Distiller shall have, keep or make use of any Under Back which shall be capable of containing any greater Quantity than after the Rate aforesaid, such Second or further Under Back, and also every Under Back which shall be of greater Content than as aforesaid, shall be forfeited, and may be seized by any Officer of Excise, together with any Materials which shall or may be found therein respectively; and every such Distiller shall for every such Offence forfeit the Sum of Fifty Pounds.

Penalty 50l. Certain Distillers keeping any fermented Worts, Wash or Pot Ale in any

XII. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep a Still of or under One hundred Gallons Content, to have or keep in any Cooler any fermented Worts, Wash or Pot Ale, nor shall have or keep therein any other Liquor or

or Material, save and except Water or Worts, Wash or Pot Ale not fermented; and if any such Distiller shall have or keep in any Cooler any fermented Worts, Wash or Pot Ale, or any other Liquor or Material, save and except Water or Worts, Wash or Pot Ale not fermented, every such Distiller shall for every such Offence forfeit the Sum of Fifty Pounds.

Cooler,

(Exception)

Penalty 50l.

Such Distiller having any Worts, &c. in any Cask or Vessel other than licensed Back and Still,

XIII. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep a Still of or under One hundred Gallons Content, to have or keep any fermented Worts, Wash or Pot Ale, or any Worts, Wash or Pot Ale in any Stage or Process of Fermentation, in any Under Back or Cooler, or in any Cask or Vessel, other than and except in the licensed Still of such Distiller, or in such Backs or Vessels for fermenting Worts, Wash or Pot Ale, and the Still Charger of which Backs, Vessels and Still Charger of which such Account as by Law required shall have been duly given to the Collector of Excise or other Officer in Charge of the Collection of the District; and if any fermented Worts, Wash or Pot Ale, or any Worts, Wash or Pot Ale in any Stage or Process of Fermentation, shall be found in, or shall be discovered to have been in any Under Back or Cooler, or in any other Cask or Vessel than such Still or such fermenting Backs and Vessels and Still Charger, every such Distiller in whose Possession any such Worts, Wash or Pot Ale shall be found, or shall be discovered to have been contrary thereto, shall for every such Offence forfeit the Sum of One hundred Pounds: Provided always that no such Still Charger shall be capable of containing any greater Quantity than the Still which such Distiller shall be so licensed to keep; and if any Still Charger shall be found in the Possession of such Distiller, which shall be of greater Content than aforesaid, the same shall be forfeited, and may be seized by any Officer of Excise; and the Distiller shall forfeit for every such Offence the Sum of Twenty Pounds.

Penalty 100l.

Having Still Charger of undue Content, forfeited, and

Penalty 20l.

No Seizure of Copper, &c. on account of their Excess in Content, unless it be more than 5 per Cent.

XIV. Provided also, and be it further enacted, That no Copper, Kieve, Cooler, Under Back or fermenting Back or Vessel or Still Charger, nor any material the same may respectively contain, shall be forfeited or liable to Seizure, nor shall any Distiller be liable to any Penalty imposed by this Act in respect thereof, for or by reason of any Excess of Content of such Copper, Kieve, Cooler, Under Back or fermenting Back or Vessel or Still Charger respectively, not being more than Five per Centum above the Content thereof respectively prescribed, limited and appointed by this Act; any thing hereinbefore to the contrary notwithstanding.

Certain Distillers not to brew oftener than once a Day, &c.

XV. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep any Still of or under One hundred Gallons Content to make any greater Number of Brewings than one Brewing in any one Day; and if any Corn or Grain, mashed or unmashed, shall be found in the Mashing Kieve of any such Distiller at any time between the Hour of Eight of the Clock of the Night of one Day and the Hour of Six of the Clock of the Morning of the next succeeding Day, every such Distiller shall for every such Offence forfeit the Sum of One hundred Pounds.

Penalty 100l.

Such Distillers not to make more Pot Ale, &c. from any brewing than 12 Gallons

XVI. And be it further enacted, That it shall not be lawful for any Distiller licensed to keep a Still of or under One hundred Gallons Content, to make, extract or produce from any one Brewing of Corn or Grain any greater Quantity of Worts, Wash or Pot Ale,

for every Gallon
Content of Still.

Penalty 50l.

Such Distiller
requiring a Li-
cence for a Still
of 100 Gallons
Content, and
who shall be de-
sireous of working
under this Act,
may have the
Option of so
doing, upon con-
senting to pay
for 100 Charges
of Singlings per
Month.

How Distiller to
be charged
thereupon.

Ale, than after the Rate or in the Proportion of Twelve Gallons of Worts, Wash or Pot Ale, for every One Gallon of the Content of the Still which such Distiller shall be licensed to keep; and if any such Distiller shall make, extract or produce any greater Quantity of Worts, Wash or Pot Ale than as aforesaid, every such Distiller shall for every such Offence forfeit the Sum of Fifty Pounds.

VII. Provided always, and be it enacted, That if any Distiller having at the time of the passing of this Act a Licence in force to keep a Still of or under One hundred Gallons Content, shall, after the Commencement of this Act, require a Licence to keep such Still, or a Still of the like Content, and shall be desirous of working the same, under the Rules, Regulations and Provisions of any Act in force immediately before the Commencement of this Act, for regulating and securing the Collection of the Duties on Spirits distilled in *Ireland*, (save as to the Number of Charges of Singlings or Low Wines for the Quantity of Spirits produceable, wherefrom any Distiller is under the Provisions of the said Act chargeable with Duty for any Period of Four Weeks or Twenty eight Days during which any Still of such Distiller shall be chargeable as working,) it shall and may be lawful for such Distiller so to do, with the Leave of the Commissioners of Inland Excise and Taxes, or any Three of them, upon such Distiller, in his Application to the Commissioners of Inland Excise and Taxes for such Licence, setting forth that he is willing and consents to be chargeable and charged with and pay Duty for a Quantity of Spirits produceable, according to the Rates specified in any Act or Acts in force, from Two hundred Charges of Singlings or Low Wines for each and every Period of Four Weeks or Twenty eight Days for which the Still of such Distiller shall be by Law chargeable as working; and thereupon the said Commissioners of Inland Excise and Taxes, or any Three of them, shall and may, if they shall think fit, grant to such Distiller a Licence to keep such Still, and to work the same accordingly, specifying in every such Licence the Consent of such Distiller to be chargeable and charged as aforesaid; and thereupon every such Distiller shall, from and after the granting of such Licence, be chargeable and charged with and shall pay Duty for each and every such Period of Four Weeks or Twenty eight Days during which the Still of such Distiller shall be chargeable as working, for such respective Quantities of Spirits as might be produced, according to the Rates specified in any Act or Acts in force, from Two hundred Charges of Singlings or Low Wines, for and in respect of such Still, according to the Content thereof; and that every such Distiller, over and above the Quantity aforesaid, shall be charged with and shall pay Duty for as much more Spirits as might be produced, according to the Rates aforesaid, from all Worts, Wash, Pot Ale, Low Wines or Singlings which such Distiller shall actually distil within any such Period of Four Weeks or Twenty eight Days, over and above such Quantities aforesaid; and the Officer or Officers of Excise shall make a Return of the Quantity of such Spirits and the Duties thereon accordingly; and such Distiller shall pay the Duty so charged and returned, under such Rules, Regulations and Directions, Fines, Penalties and Forfeitures, as are contained in any Act or Acts in force for the regulating or securing the Collection of the Duties on Spirits distilled in *Ireland*.

XVIII. Provided also, and be it enacted, That every such Distiller who shall so consent to be chargeable and charged with and shall pay for such Number of Charges as aforesaid, shall and may and he is hereby authorized to have, keep and make use of any Copper, Kieve, Cooler, Under Back or fermenting Back or Vessel, although the same may not be of the proper Dimensions or Content, according to the Regulations of this Act; any thing herein contained to the contrary notwithstanding: Provided always, that an Account of every such Copper, Kieve, Cooler, Under Back or fermenting Back and Vessel, shall have been duly made out and delivered to the Collector of Excise, or other Officer in charge of the Collection of the District, and entered and registered in the Excise Office of such District.

Every such Distiller so consenting, &c. may use Utensils, though not conformable to Act.

Proviso.

XIX. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, when they shall deem it expedient, by Order in Writing under the Hands of any Three of them, to dispense with all or any of the Regulations in this Act relating to the Size, Dimensions or Contents of Coppers, Kieves, Backs or other Vessels or Utensils, or to the mashing or brewing of any Corn or Grain, or to the making, extracting or producing any Worts, Wash or Pot Ale; and it shall also in like manner be lawful for the said Commissioners of His Majesty's Treasury to make and issue such other Rules and Regulations for the said Purposes, or any of them, as to the said Commissioners shall seem proper; and all and every such Rules and Regulations shall be obeyed and complied with by every such Distiller.

Treasury may dispense with Regulations of Act relating to Size of Distillers' Vessels, &c. and make other Regulations.

XX. And be it further enacted, That in case the Quantity of any Spirits which shall have been or shall be lodged in any of His Majesty's Warehouses or Stores, shall at any time or by any means fall short or be deficient of the actual Quantity which ought to be or remain warehoused or secured, after allowing for so much and such Part of such Spirits as shall have been delivered for Exportation or Home Consumption, or for Removal to any other of His Majesty's Warehouses or Stores, if any such shall have been so delivered, the Distiller or Proprietor of such Spirits shall be subject and liable to the full Duties due and payable upon such Spirits at the time when such Deficiency shall be ascertained, for and in respect of the Quantity so deficient as aforesaid, and shall pay and satisfy the same before any of the Spirits so warehoused or secured then remaining shall be permitted to be taken out of such Warehouse or Stores, and all such Spirits so remaining shall be subject to the Duties on the Quantity so deficient, and shall and may be sold for Payment of the same, and of Warehouse Rent and other Charges; and it shall also be lawful for the Collector of Excise, or other Officer in Charge of the Collection of the District, to issue his Warrant, and cause to be levied by Distress and Sale the Duties due and owing on the Quantity of Spirits so deficient, in the like manner and with the like Powers, Authorities and Remedies in all Respects, as any Collector of Excise, or other Officer in Charge as aforesaid, is by Law authorized and empowered to levy or cause to be levied any Duties due by any Distiller.

Distiller liable to Duty on Deficiency of Spirits in Warehouse,

and to pay the same before Spirits taken out of Warehouse. Duties may be levied by Distress.

XXI. And be it further enacted, That in case any Spirits warehoused in any of His Majesty's Warehouses or Stores shall be destroyed

Distiller not to maintain Action against Crown

on Spirits destroyed by Fire in King's Warehouses; no Duty payable on such Spirits.

Provisions of former Acts relating to the Collection of Duties on Spirits in Ireland extended to this Act.

Recovery and Application of Penalties according to 14 & 15 Car. 2. (1.)

46 G. 3. c. 106.

and any other Act in force in Ireland.

Appeal.

Commencement of Act.

stroyed by Fire, it shall not be lawful for the Distiller, Proprietor, or other Person whatever, to claim or demand, or to maintain any Action or Suit against His Majesty, or against the Commissioners of Inland Excise and Taxes in *Ireland*, or against any Officer or Person employed by or acting under the said Commissioners, for any Compensation or Damages for or on account or by reason of such Spirits having been destroyed by Fire as aforesaid; and no Duty shall be demanded or paid for any Spirits so destroyed as aforesaid.

XXII. And be it further enacted, That all and every the Clauses, Rules, Regulations, Provisions, Penalties, Forfeitures and Modes of Recovery prescribed, mentioned and contained in any Act or Acts of Parliament in force in *Ireland* for the regulating or securing the Collection of the Duties on Spirits distilled in *Ireland*, shall be applied and put in Practice in the Execution of this Act as fully and effectually to all Intents and Purposes whatsoever as if all the Clauses, Rules, Regulations, Restrictions, Provisions, Penalties and Forfeitures contained in the said Acts or any of them, had been expressly repeated and reenacted in this Act, and made applicable to the Provisions herein contained, except so far as the same are repealed or altered by this Act or any other Act or Acts; and that the said Acts and this Act shall be construed together as One Act to all Intents and Purposes whatsoever, so far as the same are compatible or consistent with each other, and as the said Acts are amended and altered by this Act.

XXIII. And be it further enacted, That all and every the Fines, Penalties and Forfeitures inflicted by this Act, shall be paid and recovered in *British* Currency, and shall and may be sued for and recovered, levied and applied in such manner and form, and by such Ways and Means, and with such Powers and Authorities as are prescribed, directed and appointed in and by an Act of Parliament made in *Ireland* in the Fourteenth and Fifteenth Years of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for settling of the Excise or new Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted*; or in and by an Act made in the Forty sixth Year of His present Majesty's Reign, intituled *An Act to provide for the better Execution of the several Acts relating to the Revenues, matters and things under the Management of the Commissioners of Customs and Port Duties, and the Commissioners of Inland Excise and Taxes in Ireland*; or in and by any other Act or Acts in force in *Ireland* relating to His Majesty's Revenue of Excise, as fully and effectually to all Intents, Constructions and Purposes, as if the same were particularly mentioned and expressed and reenacted in this Act, with like Remedy of Appeal to and for the Party or Parties who shall think him, her or themselves aggrieved or injured, as in and by the said Acts, or any Act or Acts in force in *Ireland* relating to His Majesty's Revenue of Excise, is provided.

XXIV. And be it further enacted, That this Act shall commence and take Effect from and after the Twenty ninth Day of *September* One thousand eight hundred and seventeen.

TABLE referred to by this Act.

NUMBER of Charges of Singlings or Low Wines for the Quantity of Spirits produceable, wherefrom any Distiller in *Ireland* shall be chargeable with Duty within a Period of Four Weeks or Twenty eight Days, in respect of every Still of such Distiller being of the several Contents following; (that is to say,)

CONTENTS OF THE STILL.		NUMBER OF CHARGES.	
3,000 Gallons and upwards	-	-	110 Charges.
Under 3,000 and not less than	2,750	-	113
2,750	-	2,500	115
2,500	-	2,250	121
2,250	-	2,000	126
2,000	-	1,750	130
1,750	-	1,500	135
1,500	-	1,250	143
1,250	-	1,000	154
1,000	-	750	172
750	-	500	891
500	-	400	218
400	-	300	244
300	-	200	272
200 and exceeding	100	-	304
Not exceeding 100, and not less than	44	-	200

C A P. CXI.

An Act to suspend, until the Tenth Day of *October* One thousand eight hundred and nineteen, a Part of the Duties on Sweets or Made Wines. [11th July 1817.]

WHEREAS it is expedient to suspend, for a limited time, Part of the Duties payable on Sweets or Made Wines 'made in *Great Britain*;' Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *April* One thousand eight hundred and seventeen, One Third Part of the Duties of Excise payable on every Barrel of Liquor made in *Great Britain* for Sale, by Infusion, Fermentation or otherwise, from Fruit or Sugar, or from Fruit or Sugar mixed with any other Ingredients or Materials whatsoever, commonly called Sweets, or called or distinguished by the Name of Made Wines, and so in proportion for any greater or less Quantity, shall be suspended until the Tenth Day of *October* One thousand eight hundred and nineteen, 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 relating thereto respectively which shall have been incurred at any time before or on the said Fifth Day of *April* One thousand eight hundred and seventeen.

From April 5, 1817, One Third of the Duties of Excise payable on Sweets or Made Wines suspended till Oct. 10, 1819, except Arrears.

One Third of
Countervailing
Duties on Sweets
of Irish Manu-
facture import-
ed, suspended.

II. And be it further enacted, That One Third Part of the Countervailing Duties on Sweets or Made Wines of *Irish* Manufacture which shall be imported directly from *Ireland* to *Great Britain*, shall be suspended during all such time as One Third Part of the said internal Excise Duty on Sweets or Made Wines of *British* Manufacture shall be suspended under or by virtue of this Act.

C A P. CXII.

An Act to amend an Act of the Twenty fifth Year of the Reign of His present Majesty, for better regulating the Office of Treasurer of His Majesty's Navy, as far as respects the Mode of Applications for certain Services in the Victualling Department. [11th July 1817.]

25 G. 3. c. 31.
§ 1.

‘ WHEREAS by an Act passed in the Twenty fifth Year of the Reign of His present Majesty, for regulating the Office of Treasurer of His Majesty's Navy, it is among other things provided, that the Treasurer, in all Memorials presented by him to the Treasury for Naval Services, shall transmit with every Memorial a Copy of the Letter from each of the Naval Boards respectively directing him to apply for the Sums wanted, and shall also state the Balances then in his Hands under each Head of Service respectively: And Whereas it is expedient that the same Mode should be adopted in the Victualling Department as has been established in that of the Commissioners of the Navy since the passing of the before recited Act of the Twenty fifth Year of His present Majesty;’ Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *August* One thousand eight hundred and seventeen, as often as Money shall be wanted in the Department of the Commissioners for victualling His Majesty's Navy for Payment of Bills of Exchange, Pensions due to the Widows of Sea Officers, or for General Services, the said Commissioners for victualling His Majesty's Navy for the time being shall and may by Letter apply to the Treasurer of the Navy to solicit from the Treasurer such Sum or Sums of Money as will be wanted for the Purposes above mentioned, or any of them, under the Head of General Services only, in which Letter the said Commissioners shall and they are hereby required and directed to specify the Balance in the Hands of the Treasurer of the Navy under such Head of General Services as it shall stand on the Day when such Letter shall be written as aforesaid, a Copy of which Letter shall be transmitted by the Treasurer of the Navy for the time being with each and every Memorial to be by him presented to the Treasury for Money for such Services, and in which Memorials the said Treasurer shall pray that such Sums as shall be required by the Commissioners of Victualling may be issued to the Governor and Company of the Bank of *England* on his Account.

When Money is wanted in Department of Victualling for Payment of Bills, &c. Commissioners may apply by Letter to Treasurer of Navy to solicit from Treasury Sums required; such Money to be issued to Bank on Treasurer's Account.

C A P. CXIII.

An Act to prevent the further Circulation of Dollars and Tokens, issued by the Governor and Company of the Bank of England, for the Convenience of the Public.

[11th July 1817.]

WHEREAS the Governor and Company of the Bank of England did, in and subsequent to the Year One thousand eight hundred and four, for the Convenience of the Public, cause to be coined or stamped, and circulated, a large Quantity of Silver Dollars; and by an Act passed on the Tenth Day of July One thousand eight hundred and four, intituled *An Act to prevent the counterfeiting of Silver Coin, issued by the Governor and Company of the Bank of England, called Dollars, and Silver Coin, which may be issued by the Governor and Company of the Bank of Ireland, called Tokens; and to prevent the bringing into the United Kingdom or uttering any counterfeit Dollars or Tokens; all Persons counterfeiting the said Dollars, or uttering or vending the same when so counterfeited, were subjected to the Punishment in the said Act specified: And Whereas the said Governor and Company did, in and subsequent to the Year One thousand eight hundred and eleven, with the Approbation of His Majesty's most Honourable Privy Council, and under the Authority of an Act passed on the Twenty sixth Day of June One thousand eight hundred and eleven, intituled *An Act to prevent the counterfeiting of Silver Pieces denominated Tokens, intended to be issued and circulated by the Governor and Company of the Bank of England, for the respective Sums of Five Shillings and Sixpence, Three Shillings, and One Shilling and Sixpence; and to prevent the bringing into the Kingdom or uttering any such counterfeit Pieces or Tokens, issue and circulate, for the further Convenience of the Public, a Quantity of Silver Pieces called Tokens, for the respective Sums of Three Shillings, and One Shilling and Sixpence; and by the said last mentioned Act all Persons counterfeiting the said Tokens, or uttering or vending the same when so counterfeited, were subjected to certain Punishments thereby imposed: And Whereas, in consequence of the recent Circulation of the new current Silver Coin, it becomes unnecessary any longer to continue the said Dollars and Tokens in Circulation, and it is expedient to prohibit the further Circulation thereof, after a time to be limited; Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fifth Day of March One thousand eight hundred and eighteen, the said Dollars and Tokens shall no longer pass or circulate, or be received in Payment or Exchange, or otherwise howsoever; and that in case any Person or Persons shall from and after the said Twenty fifth Day of March One thousand eight hundred and eighteen, utter, offer or tender in Payment, or give in Exchange, or pass, circulate or put off, any such Dollar or Tokens, whether the Value thereof shall be paid or given in Money or Goods, or in any other**

44 G. 3. c. 71.

§ 1. 3.

52 G. 3. & 110.

Circulation of Bank Dollars and Tokens to cease after March 25, 1818. Afterwards circulating them,

manner whatsoever, every Person so offending, and being thereof convicted upon the Oath of One or more credible Witness or Witnesses, before One or more of His Majesty's Justices of the Peace acting for the County, Riding, City or Place within which such Offence shall be committed, shall for every such Dollar or Token so uttered, offered; tendered in Payment, given in Exchange, or passed, circulated or put off, contrary to the Prohibition hereinbefore contained, forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings, at the Discretion of the Justice or Justices of the Peace who shall hear and determine such Offence: Provided that nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from presenting any such Dollars or Tokens for Payment to the Governor and Company of the Bank of England, or at any time before the Twenty fifth Day of *March* One thousand eight hundred and twenty, or to any of their Officers or Servants, or to discharge or excuse the said Governor and Company from their Liability to pay the same before the said Twenty fifth Day of *March* One thousand eight hundred and twenty: Provided also, that nothing herein contained shall restrain or prevent any Person or Persons after the Twenty fifth Day of *March* next from selling or disposing of any such Dollars or Tokens as aforesaid as old Silver according to the Weight thereof at the current Price of Silver, and without regard to the nominal or current Value at which the same shall have been circulated.

Penalty.

But they may be presented at the Bank till March 25, 1820. May be sold as old Silver.

Justices of Peace empowered to hear and determine Offences.

II. And be it further enacted, That it shall be lawful for any Justice or Justices of the Peace acting for the County, Riding, City or Place within which any Offence against this Act shall be committed, to hear and determine the same in a summary Way; and such Justice or Justices, upon any Information exhibited, or Complaint made upon Oath in that behalf, shall summon the Person or Persons accused, and also the Witnesses on either Side, and shall examine into the Matter of Fact, and upon due Proof made thereof, either by the voluntary Confession of the Person or Persons accused, or by the Oath of One or more credible Witness or Witnesses, which Oath such Justice or Justices is or are hereby authorized to administer, shall convict the Offender or Offenders, and adjudge the Penalty for such Offence.

Witnesses not attending,

III. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before such Justice or Justices, either on the Part of the Informer or Prosecutor, or of the Person or Persons accused, and shall neglect or refuse to appear at the time or Place to be for that Purpose appointed, without a reasonable Excuse for such his Neglect or Refusal, to be allowed by such Justice or Justices, then such Person shall forfeit for every such Offence the Sum of Twenty Pounds, to be levied and paid in such manner and by such means as are directed for Recovery of other Penalties under this Act.

Penalty 20l.

Form of Conviction.

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

‘ **B**E it remembered, That on the _____ Day of _____
 ‘ _____ in the Year of our Lord _____ *A. B.* having
 ‘ appeared before me [or us] one [or more] of His Majesty’s
 ‘ Justices

‘ Justices of the Peace [as the case may be] for the County, Riding,
 ‘ City or Place [as the case may be] and due Proof having been
 ‘ made upon Oath by One or more credible Witnesses or Witnesses,
 ‘ or by Confession of the Party [as the case may be] is convicted of
 ‘ [specifying the Offence]. Given under my
 ‘ Hand and Seal, [or our Hands and Seals] the Day and Year
 ‘ aforesaid.’

Which Conviction the said Justice or Justices shall cause to be returned to the next General Quarter Sessions of the Peace of the County, Riding, City or Place where such Conviction was made, to be filed by the Clerk of the Peace, to remain and be kept among the Records of such County, Riding, City or Place.

V. Provided always, and be it further enacted, That it shall be lawful for any Clerk of the Peace for any County, Riding, City or Place, and he is hereby required, upon Application made to him by any Person or Persons for that Purpose, to cause a Copy or Copies of any Conviction or Convictions, filed by him under the Directions of this Act, to be forthwith delivered to such Person or Persons, upon Payment of One Shilling for every such Copy.

Clerk of the
Peace to give
Copies.

VI. And be it further enacted, That the pecuniary Penalties and Forfeitures hereby incurred and made payable upon any Conviction against this Act, shall be forthwith paid by the Person or Persons convicted, as follows; One Moiety of the Forfeiture to the Informer, and the other Moiety to the Poor of the Parish or Place where the Offence shall be committed; and in case the Person or Persons so convicted shall refuse or neglect to pay the same, or to give sufficient Security to the Satisfaction of such Justice or Justices, to prosecute any Appeal against such Conviction, such Justice or Justices shall, by Warrant under his or their Hand and Seal or Hands and Seals, cause the same to be levied by Distress and Sale of the Offender's Goods and Chattels, together with all Costs and Charges attending such Distress and Sale, returning the Overplus (if any) to the Owner or Owners; and which said Warrant of Distress the said Justice or Justices shall cause to be made out in the manner and Form following; (that is to say,)

Fee.

Penalties how
levied and ap-
plied.

Appeal.

‘ To the Constable, Headborough or Tythingman of

‘ WHEREAS *A. B.* of in the County of
 ‘ is this Day convicted before me [or us] one [or
 ‘ more] of His Majesty's Justices of the Peace [as the case may be]
 ‘ for the County of [or for the Riding
 ‘ of the County of York] [or for the Town, Liberty or District of
 ‘ as the case may be] upon the Oath of

Form of War-
rant of Distress.

‘ or, a credible Witness or Witnesses [or by
 ‘ Confession of the Party, as the case may be] for that the said
 ‘ *A. B.* hath [bere set forth the Offence] contrary to the Statute in
 ‘ that case made and provided, by reason whereof the said *A. B.*
 ‘ hath forfeited the Sum of to be distributed as herein
 ‘ is mentioned, which he hath refused to pay: These are therefore
 ‘ in His Majesty's Name to command you to levy the said Sum of
 ‘ by Distress of the Goods and Chattels of him
 ‘ the said *A. B.*; and if within the Space of
 ‘ Days next after such Distress by you taken, the said Sum, together
 ‘ with the reasonable Charges of taking the same, shall not be paid,
 ‘ then

then that you do sell the said Goods and Chattels so by you
 distrained, and out of the Money arising by such Sale, that you
 do pay One Half of the said Sum of _____ to
 _____ of _____ who informed me
 [or us, as the case shall be] of the said Offence, and the other Half
 of the said Sum of _____ to the Overseer of the Poor
 of the Parish, Township or Place where the Offence was committed,
 to be employed for the Benefit of such Poor, returning the Over-
 plus (if any) upon Demand to the said A. B. the reasonable Charges
 of taking, keeping and selling the said Distress, being first deducted;
 and if sufficient Distress cannot be found of the Goods and Chat-
 tels of the said A. B. whereon to levy the said Sum of _____
 that then you certify the same to me [or us, as the case shall be]
 together with this Warrant. Given under my Hand and Seal [or,
 Hands and Seals] the _____ Day of _____ in the
 Year of our Lord _____

Securities taken
 for Appearance
 of Offenders,

VII. And be it further enacted, That it shall be lawful for such
 Justice or Justices to Order such Offender or Offenders to be detained
 in safe Custody, until Return may conveniently be had and made to
 such Warrant of Distress, unless the Person or Persons so convicted
 shall give sufficient Security, to the Satisfaction of such Justice or
 Justices, for his, her or their Appearance before the said Justice or
 Justices on such Day as shall be appointed by the said Justice or
 Justices for the Day of the Return of the said Warrant of Distress
 (such Day not exceeding Five Days from the taking of such Secu-
 rity), which Security the said Justice or Justices is and are hereby
 empowered to take by way of Recognizance or otherwise.

by way of
 Recognizance.

Offenders com-
 mitted for Want
 of Distress.

VIII. And be it further enacted, That if upon such Return no
 sufficient Distress can be had, then and in such case the said Justice
 or Justices shall and may commit such Offender or Offenders to the
 Common Gaol or House of Correction of the County, Riding,
 Division, City or Place where the Offence shall be committed, for the
 Space of Three Calendar Months, unless the Money forfeited shall
 be sooner paid, or unless or until such Offender or Offenders, think-
 ing him, her or themselves aggrieved by such Conviction, shall give
 Notice to the Informer that he, she or they intend to appeal to the
 Justices of the Peace at the next General Quarter Sessions of the
 Peace to be holden for the County, Riding, Division, City or Place
 wherein the Offence shall be committed, and shall enter into Recogn-
 izance before some Justice or Justices with Two sufficient Sureties
 conditioned to try such Appeal, and to abide the Order of and pay
 such Costs as shall be awarded by the Justices at such Quarter
 Sessions; which Notice of Appeal being given not less than Eight
 Days before the Trial thereof, the Person or Persons so aggrieved is
 or are hereby empowered to give; and the said Justices at such
 Sessions, upon due Proof of such Notice being given as aforesaid, and
 of the entering into such Recognizance, shall hear and finally
 determine the Causes and Matters of such Appeal in a summary
 Way, and award such Costs to the Parties appealing or appealed
 against as they the said Justices shall think proper; and the De-
 termination of such Quarter Sessions shall be final, binding and con-
 clusive to all Intents and Purposes.

Appeal on
 Notice.

Recognizance.

Notice not less
 than Eight Days
 before Trial.

Costs.

Final.
 Partitions
 may be Wit-
 nesses.

IX. And be it further enacted, That no Person shall be disabled
 from being a Witness in any Prosecution for any Offence against
 this

this Act by reason of his being an Inhabitant of the Parish, Township or Place wherein such Offence was committed.

X. Provided always, That no Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act shall be quashed or vacated for Want of Form, or be removed by Writ of *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

Convictions not removed by Certiorari.

XI. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any thing done or transacted in pursuance of this Act, then and in every such case such Action or Suit shall be commenced or prosecuted within Three Calendar Months next after the Fact committed, and not afterwards; and the same and every such Action or Suit shall be brought within the County where the Fact was committed, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the time limited for bringing the same, or be brought or laid in any other Place than as afore mentioned, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her or their Action after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the Recovery thereof as any Defendant or Defendants hath or have in any other cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

C A P. CXIV.

An Act to continue, until the First Day of *August* One thousand eight hundred and eighteen, Two Acts of His present Majesty, allowing the bringing of Coals, Culm, and Cinders to *London* and *Westminster*.
[11th July 1817.]

‘ WHEREAS an Act was passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to allow, until the First Day of August One thousand eight hundred and eleven, the bringing of Coals, Culm and Cinders to London and Westminster by Inland Navigation*, which was continued by several subsequent Acts until the First Day of *August* One thousand eight hundred and seventeen; and it is expedient that the Act should be further continued;’ Be it therefore enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be and the same is hereby further continued from the First Day of *August* One thousand eight hundred and seventeen, until the First Day of *August* One thousand eight hundred and eighteen.

50 G. 3. c. 110.

continued.

‘ II. And Whereas by an Act passed in the Forty fifth Year of the Reign of His present Majesty, intituled *An Act for allowing, under certain Restrictions, until the First Day of August One thousand eight hundred*

45 G. 3. c. 128.
§ 7.

49 G. 3. c. 98.

‘ hundred and six, the bringing a limited Quantity of Coals, Culm or
 ‘ Cinders to London and Westminster, by Inland Navigation, certain
 ‘ Duties were imposed on all Coals, Culm or Cinders brought along
 ‘ the *Grand Junction* or *Paddington* Canals nearer to London than the
 ‘ Stone or Post thereby required to be erected and maintained, on or
 ‘ near to the Towing Path of the said *Grand Junction* Canal, at or
 ‘ near the North East Point of *Grove Park*, and contiguous to the
 ‘ Wharf then in the Possession and Occupation of the Earl of *Clarendon*:
 ‘ And Whereas the Amount of the said Duties was altered by
 ‘ Three Acts of the Forty sixth, Forty seventh and Forty eighth
 ‘ Years of the Reign of His present Majesty: And Whereas by
 ‘ Schedule A, annexed to an Act passed in the Forty ninth Year of
 ‘ the Reign of His present Majesty, intituled *An Act for repealing*
 ‘ *the several Duties of Customs chargeable in Great Britain, and for*
 ‘ *granting other Duties in lieu thereof*, other Duties are imposed in
 ‘ lieu thereof upon the said limited Quantity of Coals, Culm and
 ‘ Cinders under the Conditions, Regulations and Restrictions of the
 ‘ said first recited Act: And Whereas the said recited Acts were
 ‘ further continued by several subsequent Acts until the First Day
 ‘ of *August* One thousand eight hundred and seventeen: And
 ‘ Whereas it is expedient that the said Acts should be further con-
 ‘ tinued;’ Be it therefore enacted, That the said first recited Act of
 ‘ the Forty fifth Year of the Reign of His present Majesty, so far as
 ‘ the same relates to the Conditions, Regulations and Restrictions
 ‘ under which the said limited Quantity of Coals, Culm and Cinders
 ‘ may be brought within One Year by the said *Grand Junction* and
 ‘ *Paddington* Canals nearer to London than the said Stone or Post, and
 ‘ the said recited Act of the Forty ninth Year of His present Majesty
 ‘ regarding the Amount of the Duties chargeable thereon and the
 ‘ Appropriation thereof, shall be and the same are hereby further con-
 ‘ tinued until the First Day of *August* One thousand eight hundred and
 ‘ eighteen.

45 G. 3. c. 128.
 so far as relates
 to Coals being
 brought by the
 Canal, and
 49 G. 3. c. 98.
 respecting the
 Duty, continued.

C A P. CXV.

An Act to extend the Provisions of an Act of the Twelfth
 Year of His late Majesty King *George* the First, and an Act
 of the Twenty second Year of His late Majesty King *George*
 the Second, against Payment of Labourers in Goods or by
 Truck, and to secure their Payment in the lawful Money of
 this Realm, to Labourers employed in the Manufacture of
 Articles made of Steel, or of Steel and Iron combined, and
 of Plated Articles, or of other Articles of Cutlery.

[11th July 1817.]

12 G. 1. c. 34.

‘ **W**HEREAS the pernicious Practice of paying the Wages of
 ‘ Labourers concerned in the Woollen Trade in Goods was
 ‘ by the Provisions of an Act of the Twelfth Year of the Reign
 ‘ of His late Majesty King *George* the First, intituled *An Act to*
 ‘ *prevent unlawful Combinations of Workmen employed in the Woollen*
 ‘ *Manufactures, and for better Payment of their Wages*, prohibited
 ‘ by certain Regulations and under certain Penalties therein enacted:
 ‘ And Whereas, though the Provisions of this Act were extended
 ‘ by the Act of the Twenty second Year of the Reign of His
 ‘ late Majesty King *George* the Second, intituled *An Act for the*
 ‘ *more*

22 G. 2. c. 27.

‘ more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Pressers, and of all Persons employed in the said several Manufactures, and for the better Payment of their Wages; yet the Security thereby given, for the Receipt of their Wages in Money, is in neither of these Acts extended to labouring Men employed in the Manufacture of Articles made of Steel, or of Steel and Iron combined, and of Plated Articles, or of other Articles of Cutlery: And Whereas great Injury and Loss have arisen to labouring Men employed in the Manufacture of Articles made of Steel, or of Steel and Iron combined, and of Plated Articles or of other Articles of Cutlery, from being paid their Wages in Goods, or by way of Truck, or otherwise than in the lawful Coin of this Realm:’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Provisions of the aforesaid Act of the Twelfth Year of the Reign of His late Majesty King George the First, which prohibits the Payment of the Wages of Persons employed in the Woollen Manufacture in Goods, and to secure the Payment of every Part of their Wages in good and lawful Money of this Kingdom, be extended to Labourers employed in the Manufacture of Articles made of Steel, or of Steel and Iron combined, and of Plated Articles or of other Articles of Cutlery. .

Provisions of 12 G. 1. c. 34. extended to Labourers employed in the Manufacture of Articles made of Steel, &c.

II. And be it further enacted, That all the Provisions of the said Act, to facilitate the Labourers in the Woollen Trade recovering the Wages for which they have stipulated, or to which they are entitled, as well as the Provisions imposing a Penalty on Masters paying Labourers in Goods, be extended to Persons employed in the Manufacture of Articles made of Steel, or of Steel and Iron combined, and of Plated Articles, or of other Articles of Cutlery, in as full and ample a manner as if they had been enumerated in the aforesaid Act; and that all Remedies, Penalties, Modes of Recovery, Powers and Privileges, and all other matters and things therein for these Purposes contained, be and they are hereby extended to Parties concerned in such Manufactures or connected therewith.

Provisions in 22 G. 2. c. 27. applicable to this Act.

C A P. CXVI.

An Act for limiting the time now allowed by Law for Production of the Certificate of due Delivery of Goods removed from one Warehousing Port in *Great Britain* to another for the Purpose of Exportation; for altering the Hours for Shipping Goods in the Port of *London*; and to empower Officers of the Customs and Excise to permit the Removal of Goods from one Bonding Warehouse to another in the same Port.

[11th July 1817.]

‘ WHEREAS an Act passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act to permit the Removal of Goods, Wares and Merchandize from the Port in* 50 G. 3. c. 64. § 2.

‘ Great

‘ Great Britain where first warehoused to any other Warehousing Port
 ‘ for the Purpose of Exportation, whereby it is provided, that on
 ‘ the Removal of Goods from any Warehouse where they have been
 ‘ lodged or deposited under the Regulations of certain Acts of Par-
 ‘ liament therein recited or mentioned, to any other Port of Great
 ‘ Britain, for the Purpose of being exported from such Port, Bond
 ‘ shall be entered into with Condition to produce a Certificate that
 ‘ the Goods have been delivered within Three Months from the Date
 ‘ of the Bond: And Whereas it is expedient to limit the time for
 ‘ producing such Certificate;’ 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 Parlia-
 ment assembled, and by the Authority of the same, That from and
 after the First Day of *September* One thousand eight hundred and
 seventeen, the Conditions of every Bond given for the truly delivering
 any such Goods, Wares and Merchandize under the said Provision
 of the said recited Act, shall be to produce the Certificate of such
 Delivery within Two Months from the Date of the Bond, instead
 of Three Months as required by the said in part recited Act; any
 thing in the said recited Act to the contrary notwithstanding.

Conditions of
 such Bond shall
 be to produce
 Certificate with-
 in Two instead of
 Three Months.

1 Eliz. c. 11. § 2.

‘ II. And Whereas by an Act passed in the First Year of the
 ‘ Reign of Her late Majesty Queen *Elizabeth*, intituled *An Act*
 ‘ limiting the times for laying on Land Merchandize from beyond
 ‘ the Seas, and touching Customs for Sweet Wines, it is provided, that
 ‘ no manner of Person or Persons shall receive or take into any Ship,
 ‘ Crayer or other Vessel, any Goods, Wares or Merchandize (except
 ‘ as therein before excepted), to be transported into any Place beyond
 ‘ the Sea, by way of Merchandize, at any other Hour or time than
 ‘ from the last of *September* until the First of *March*, between the
 ‘ Hours of Seven in the Morning and Four at the Afternoon: And
 ‘ Whereas it is expedient to permit Goods which have been put off
 ‘ from the Quays in the Port of *London* within the legal Hours to be
 ‘ received on board the exporting Vessels until Sunset within the
 ‘ Period hereinafter mentioned;’ Be it therefore enacted, That from
 and after the passing of this Act it shall be lawful for any Person or
 Persons to receive or take, at any time before and until Sun-
 set, from the Thirtieth Day of *September* to the First Day of *March* in
 each Year, into any Ship or Vessel bound to Parts beyond the Seas,
 any Goods, Wares or Merchandize which may be lawfully exported,
 and which have been put off or water-borne from any Quays in the
 Port of *London*, according to Law, within the legal Hours for
 putting off the same; any thing in the said recited Act, or any Law,
 Custom or Usage to the contrary in anywise notwithstanding.

Goods may be
 taken on board
 Vessels before
 and until Sun-
 set from 30th
 Sept. to the
 1st of March in
 any Year.

52 G. 3. c. 142.
 § 1.

‘ III. And Whereas by an Act passed in the Fifty second Year
 ‘ of the Reign of His present Majesty, intituled *An Act to permit*
 ‘ the Removal of Goods from one Bonding Warehouse to another in
 ‘ the same Port, it is enacted, that it shall and may be lawful for the
 ‘ Importer, Proprietor or Consignee of any Goods, Wares or Mer-
 ‘ chandize, which have been or may be lodged or deposited in
 ‘ any Warehouse or Warehouses or otherwise secured under the
 ‘ Regulations of certain Acts (therein particularly mentioned), to
 ‘ remove any such Goods, Wares or Merchandize from the Ware-
 ‘ house or Place wherein or at which the same may have been first
 ‘ deposited or otherwise secured in the Port of *London*, or any other
 ‘ Port

‘ Port in *Great Britain*, under the Regulations of the said Acts or either of them, to any other Warehouse or Place in the same Port wherein or at which the like Articles are allowed to be warehoused or otherwise secured, provided that Permission for that Purpose shall have been previously obtained from the Commissioners of His Majesty’s Customs in *England* or *Scotland* (as the case may be), and also from the Commissioners of Excise in *England* or *Scotland* (as the case may be), if such Goods, Wares or Merchandize to be removed shall be subject to any Duty of Excise, and that the Removal takes place at the Risk and Expence of the Importer, Proprietor or Consignee, under such Regulations as the said Commissioners respectively may deem necessary for the Security of the Revenue : And Whereas it would afford greater Dispatch if the several Collectors and Comptrollers of the Customs and Excise respectively at the several Ports in *Great Britain*, other than the Port of *London*, were empowered to permit Goods, Wares and Merchandize to be removed from the Warehouse or Place wherein or at which the same may have been first deposited or otherwise secured under the Regulations of the said Acts or either of them, to any other Warehouse or Place in the same Port wherein or at which the like Articles are allowed to be warehoused or otherwise secured ;’ Be it therefore enacted, That it shall and may be lawful for the Collectors and Comptrollers of the Customs and of the Excise (in cases where that Revenue is concerned) at any of the Ports in *Great Britain*, other than the Port of *London*, to permit any Goods, Wares or Merchandize to be removed from the Warehouse or Place wherein or at which the same may have been first deposited or otherwise secured, at any of the Ports in *Great Britain*, other than the Port of *London*, under the Regulations of the said Acts or either of them, to any other Warehouse or Place in the same Port wherein or at which the like Articles are allowed to be warehoused or otherwise secured; under such Regulations as may be deemed necessary by the Lord High Treasurer or the Commissioners of His Majesty’s Treasury, or any Three or more of them, for the Security of the Revenue, and subject to all the Provisions, Powers, Authorities, Penalties, Forfeitures, Regulations, Restrictions, Acts, matters and things contained in the aforesaid recited Act passed in the Fifty second Year of His present Majesty’s Reign.

Collectors, &c. at any Port other than London, may permit Goods to be removed from one Warehouse to another in any Port of G. B. (except the Port of London) under such Regulations as Treasury may deem necessary, subject to 52 G. 3. c. 142.

C A P. CXVII.

An Act to regulate the issuing of Extents in Aid.

[11th July 1817.]

‘ **W**HEREAS Extents in Aid have in many cases been issued for the levying and recovering of larger Sums of Money than were due to His Majesty by the Debtors on whose behalf such Extents were issued, and it is expedient to prevent such Practice in future ; and in other cases Extents in Aid have been issued at the Infrance and for the Benefit of Persons indebted to His Majesty by Simple Contract only :’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon the issuing of every Extent in Aid, on behalf of any Debtor to His Majesty,

Amount of Debt due to the Crown stated and specified in

Fiat, to be indorsed upon the Writ, as the Sum to be levied by the Sheriff.

Regulation when Debt of less Amount than stated and specified in Fiat.

If any Overplus of Money produced by Sale of Lands, &c. Court to dispose of it upon summary Application.

Not to prejudice the Debtor to the Crown in recovering the Remainder of any Debt.

Majesty, after the passing of this Act, His Majesty's Court of Exchequer at *Westminster*, or the Chancellor of His Majesty's Exchequer, or Lord Chief Baron or other Baron of the said Court, granting the Fiat for the issuing of such Extent in Aid, shall cause the Amount of the Debt or Sum of Money due or claimed to be due to His Majesty to be stated and specified in the said Fiat; and that in all cases in which the Debt or Debts found due to the Debtor to His Majesty shall be equal to or exceed the Debt stated and specified in the said Fiat as aforesaid, the Amount of the Debt so stated and specified in the said Fiat shall be indorsed upon the Writ, and the Writ so indorsed shall be deemed to be and be the Authority and Direction to the Sheriff or other Officer who shall execute such Writ, in making his Levy and executing the same, as to the Amount to be levied and taken under the said Writ; and that in all cases in which the Debt or Debts found due to the Debtor to His Majesty shall be of less Amount than the Debt stated and specified in the said Fiat as aforesaid, the Amount of such Debt or Debts found due to such Debtor to His Majesty shall be indorsed upon the Writ, and the Writ so indorsed shall be deemed to be and be the Authority and Direction to the Sheriff or other Officer who shall execute the said Writ, in making his Levy and executing the same, as to the Amount to be levied and taken under the said Writ; and that the Money levied, taken, recovered or received under or by virtue of every such Extent in Aid so prosecuted and issued, shall be, by Order of the said Court, paid over to and for His Majesty's Use, towards Satisfaction of the Debt so due to His Majesty as aforesaid.

II. Provided always, and be it further enacted, That in every case in which the Sum produced by the Sale of any Lands, Goods or Chattels taken, or by the Receipt of any Sum of Money by any Sheriff or other Officer under any such Writ of Extent, for the purpose of levying the Amount or Sum of Money indorsed upon the Back of the Writ, shall be more than sufficient to satisfy the Amount of the Sum so indorsed upon the Writ, such Overplus shall be paid into the Court of Exchequer, together with the said Amount indorsed upon the said Writ; and the said Court shall, upon any summary Application or Applications, make such Order, for the Return, Disposal or Distribution of any such Surplus, or any Part or Proportion thereof, as to the said Court shall appear to be proper.

III. Provided always, and be it further enacted, That nothing in this Act contained, and no Seizure of any Debt into the Hands of His Majesty, or Part Recovery or Payment of such Debt, or other Proceeding had under or in pursuance of this Act, or in relation to the applying for, obtaining or executing any such Writ, or disposing of any such Overplus, shall affect or in any manner prejudice, either at Law or in Equity, any Right, Claim or Demand of the Person or Persons to whom such Debt shall have been due or owing, when seized into His Majesty's Hands, or his or their Assignee or Assignees, or Executor or Executors, or Administrator or Administrators, as to the remaining Part of such Debt, or as to the suing any Person or Persons against whom any such Writ shall have issued, or whose Lands or Goods shall have been seized or taken under any such Writ, for the Residue or remaining Part of such Debt, or as to the Recovery of or receiving any Residue or remaining Part of any Debt so seized or in Part levied, recovered or paid, or any further

further or other Debt seized or sued for under or by virtue of any such Extent, but still remaining due and unpaid, either in the Whole or in Part; but that it shall be lawful for any Person or Persons as aforesaid, his or their Assignee or Assignees, Executor or Executors, or Administrator or Administrators, to demand, sue for, and recover the Remainder of any such Debt so seized, or any other Debt or Debts, by the like Process and in the same manner as if no such Extent in Aid had issued; any thing contained in any Act or Acts of Parliament, or Law or Laws, to the contrary notwithstanding.

IV. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons, Companies or Societies of Persons, Corporate or not Corporate, who shall or may be indebted to His Majesty by Simple Contract only; nor for any such Person or Persons, Companies or Societies, who shall or may be indebted to His Majesty by Bond for answering, accounting for, and paying any particular Duty or Duties, or Sum or Sums of Money, which shall arise or become due and payable to His Majesty from such Person or Persons, Companies or Societies respectively, for and in respect and in the Course of his or their particular Trades, Manufactories, Professions, Businesses or Callings; nor for any Sub Distributor of Stamps who shall have given Bond to His Majesty; nor for any Person who shall have given Bond to His Majesty, either jointly or separately, as a Surety only for some other Debtor to His Majesty, until such Surety shall have made Proof of a Demand having been made upon him on behalf of His Majesty, in consequence of the Non Performance of the Conditions of the Bond by the Principal, and then only to the Amount of the said Demand; to sue out and prosecute any Extent or Extents in Aid, by reason or on account of any such Debt or Debts to His Majesty respectively, for the Recovery of any Debt or Debts due to such Person or Persons, Companies or Societies, or to such Sub Distributor of Stamps or Surety as aforesaid; and that all and every Commission and Commissions to find Debts, Extent and Extents in Aid, and other Proceedings which shall be so issued or instituted at the Instance of or for such Simple Contract or Bond Debtor or Debtors respectively, and all Proceedings thereupon, shall be null and void: Provided always, that nothing herein contained shall extend or be construed to extend to preclude or prevent any Persons who shall or may become Debtor or Debtors to His Majesty by Simple Contract only, by the Collection or Receipt of any Money arising from His Majesty's Revenue for His Majesty's Use, from applying for and suing out any Commission or Commissions, Extent or Extents in Aid, in case one or more of such Persons shall be bound to His Majesty by Bond or Specialty of Record in the said Court of Exchequer, for answering, securing, paying over or accounting for to His Majesty, the particular Duties or Sums of Money which shall constitute the Debt that may be so then due from such Person or Persons to His Majesty; any thing herein before contained to the contrary notwithstanding.

V. Provided nevertheless, and be it further enacted, That no Extent in Aid shall be issued on any Bond given by any Person or Persons as a Surety or Sureties for the paying or accounting for any Duties which may become due to His Majesty from any Body

Extents in Aid not to be sued out by Simple Contract Debtors to the Crown, or by Bond as herein mentioned, except in certain cases.

Extent in Aid not to issue on Bonds as Surety for Insurance Companies, &c.

or Society, whether incorporated or otherwise, carrying on the Business of Insurance against any Risques either of Fire or of any other Kind whatever.

Persons imprisoned under Writ of Capias in Extents in Aid, may apply to the Courts of Exchequer in England or Scotland for their Discharge.

VI. And be it further enacted, That it shall and may be lawful for any Person or Persons who may now or who shall hereafter be imprisoned under or by virtue of any Writ of Capias in any Extent or Extents in Aid, to apply to the Barons of His Majesty's Court of Exchequer in *England* or *Scotland*, or to any Baron of the same Court in Vacation, for his, her or their Discharge, giving One Month's previous Notice in Writing to the Person or Persons to whom he, she or they owed the Debt or Sum or Sums of Money for which he, she or they is or are so imprisoned, at the time such Debt was seized under such Extent in Aid, of his, her or their Intention to make such Application, and stating in such Notice the Ground of such Application, and an Enumeration and Description of all and every the Property, Debts and Effects whatsoever of such Person or Persons in his, her or their own Possession or Power, or in the Possession or Power of any other Person or Persons for his, her or their Use; and for the said Court, or any such Baron in Vacation to whom such Application shall be made, to order such Person or Persons to be brought before them or him to be examined upon Oath touching and concerning his, her or their Property and Effects; and if such Person or Persons respectively shall upon such Examination make a full Disclosure of all his, her or their Property and Effects, to the Satisfaction of the said Court or Baron, or it shall otherwise appear reasonable and proper to such Court or Baron that such Person or Persons should be no longer imprisoned under such Writ, for such Court or Baron to order a Writ of *Superfedas quoad Corpus* to be issued out of the said Court for the Liberation of such Person or Persons from such Imprisonment: Provided always, that no such Liberation as aforesaid shall be held or deemed to satisfy or supersede such Extent in Aid or any Proceedings thereon, except as to such Imprisonment as aforesaid, or the Debt or Debts seized under and by virtue thereof, and for which such Person or Persons shall be so imprisoned.

Court may order Writ of Superfedas quoad Corpus.

C A P. CXVIII.

An Act for authorizing the Executors or Administrators of deceased licensed Navy Agents to receive Prize Money, Bounty Money and other Allowances of Money upon Orders given to such deceased Agents. [11th July 1817.]

WHEREAS Difficulties have arisen respecting the Receipt of Prize Money, Bounty Money and other Allowances of Money due to Petty Officers and Seamen, Non Commissioned Officers of Marines and Marines, in cases of the Death of Agents licensed in pursuance of an Act of Parliament passed in the Forty ninth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act, made in the Forty fifth Year of His present Majesty, for the Encouragement of Seamen, and for the better and more effectually Manning His Majesty's Navy during the present War; and for the Encouragement of Seamen; and for the better and more effectually providing for the Interest of the Royal Hospital for Seamen at Greenwich, and the Royal Hospital for Soldiers at Chelsea;*

49 G. 3. c. 123.

‘Chelsea; and to extend the Provisions of the said Act to cases arising in consequence of Hostilities commenced since the passing of the said Act;’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for the Executors or Administrators of such deceased licensed Agents, (such Executors or Administrators having first duly obtained Probate of the Wills or obtained Letters of Administration to the Effects of such Agents,) upon any Order given to such Agents in their Lifetime for the Payment of any Prize Money, Bounty Money or other Allowances of Money therein mentioned, to receive the same by such Order in like manner as the Agents when living could have done: Provided always, that every such Order shall continue revocable at Pleasure, as before the passing of this Act, by the Person making the same: Provided also, that such Executors or Administrators shall, before they shall receive any Part of such Prize Money, Bounty Money or other Allowances of Money, take out a Licence for that Purpose from the Treasurer of His Majesty’s Navy for the time being, who is hereby authorized and empowered to grant the same on good and sufficient Security (to be approved by the said Treasurer) being given by Bond, as in the case of Licences to Agents to receive any Wages, Pay, Prize Money, Bounty Money or other Allowances of Money, and for which Licence the like Payment shall be made, and the Money received for the same shall be paid over in like manner as in the case of the said other Licences; and which Licences so to be taken out by such Executors or Administrators shall be in force for the Space of Three Years from the Date thereof, and be revocable by the Treasurer of His Majesty’s Navy as in the case of the said other Licences.

Executors, &c. of deceased Agents, where an Order has been given for the Payment of Prize Money, may receive the same on taking out a Licence.

Licence to be in force Three Years.

‘II. And Whereas it is expedient that the Treasurer of His Majesty’s Navy for the time being should be authorized to revoke Licences granted to Persons to receive Pay, Prize Money, Bounty Money and other Allowances of Money of Petty Officers and Seamen, Non Commissioned Officers of Marines and Marines, who shall not have duly accounted with or shall have practised any Fraud or Imposition on the personal Representatives of such Petty Officers or Seamen, Non Commissioned Officers of Marines or Marines;’ Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for the said Treasurer to revoke any such Licence to any such Agent as aforesaid, or to the Executors or Administrators of any such deceased Agent, for not having duly accounted with, or for any Fraud or Imposition practised on, any personal Representative or Representatives of any deceased Petty Officer or Seaman, Non Commissioned Officer of Marines or Marine, in such and the same manner as any such Licence is now by Law revocable for such Agents not duly accounting with or practising any Fraud or Imposition on any such Petty Officer or Seaman, Non Commissioned Officer of Marines or Marine.

Such Licences may be revoked by Treasurer of the Navy for Fraud, &c.

‘III. And Whereas under the Provisions of the said recited Act the Treasurer of His Majesty’s Navy is authorized to withdraw Licences from such Licensed Agents as are therein mentioned only

49 G. 3. c. 123. § 37.

Licences under recited Act may be revoked by Treasurer of the Navy for Misconduct towards Commissioned or Warrant Officers, as well as to Petty Officers and Seamen, &c.

‘ in the cases of Misconduct towards Petty Officers and Seamen,
 ‘ Non Commissioned Officers of Marines and Marines: And
 ‘ Whereas it is expedient that the Powers and Authorities given
 ‘ to the said Treasurer in those cases should be extended to all such
 ‘ like cases of Misconduct by such Agents towards all Commis-
 ‘ sioned and Warrant Officers in His Majesty’s Naval Service, and
 ‘ Commissioned Officers in the Royal Marines, and their respective
 ‘ Personal Representatives, in respect to any Pay, Prize Money,
 ‘ Bounty Money or other Allowances of Money which may be due
 ‘ to or for the Services of such Persons respectively;’ Be it there-
 fore enacted, That it shall and may be lawful for the Treasurer of
 His Majesty’s Navy for the time being to revoke, in the manner in
 the said recited Act mentioned, any Licence which may have been
 granted under the Authority of the said Act for any such like Mis-
 conduct as therein mentioned, by any such Agent committed or to
 be committed towards any Commissioned or Warrant Officer in His
 Majesty’s Naval Service, or Commissioned Officer in the Royal Ma-
 rines, or his personal Representative or Representatives, in any
 manner relating to any Wages, Pay, Prize Money, Bounty Money
 or other Allowances of Money, which may be due to or for the
 Services of any such Officers respectively.

C A P. CXIX.

An Act to exempt *British* and *Irish* Stone Bottles, made and
 used for the sole Purpose of containing Liquid Blacking,
 from the Duties of Excise on Stone Bottles granted by an
 Act of this Session of Parliament. [11th July 1817.]

c. 32: ante.

‘ **W**HEREAS by an Act made in this Session of Parliament,
 ‘ intituled *An Act to repeal the Duties of Excise on Stone*
 ‘ *Bottles, and charge other Duties in lieu thereof*, a Duty of Excise
 ‘ of Five Shillings is imposed for every Hundred Weight of Stone
 ‘ Bottles, not exceeding Two Quarts Measure, made in *Ireland* and
 ‘ imported from thence into *Great Britain*; and by the said Act a
 ‘ Duty of Five Shillings is imposed for every Hundred Weight of
 ‘ Stone Bottles, not exceeding Two Quarts Measure, made in *Great*
 ‘ *Britain*: And Whereas it is expedient to exempt Stone Bottles
 ‘ made in *Great Britain*, or made in *Ireland* and imported from
 ‘ thence into *Great Britain*, and used for the sole Purpose of contain-
 ‘ ing Liquid Blacking, and which shall be of the Description here-
 ‘ inafter mentioned, from the Duties hereinbefore recited and im-
 ‘ posed by 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 Parli-
 ament assembled, and by the Authority of the same, That from and
 after the Fifth Day of *July* One thousand eight hundred and seven-
 teen, all Stone Bottles made in *Great Britain*, or made in *Ireland*
 and imported from thence into *Great Britain*, and used for the sole
 Purpose of containing Liquid Blacking, and which shall be of the
 Description hereinafter particularly mentioned and specified, shall be
 wholly exempted and freed from the several hereinbefore recited
 Duties imposed, and shall not be entitled to the Drawback granted
 by the said Act.

Stone Bottles used for contain- ing Liquid Blacking hereinafter described, exempted from the Duty under recited Act.

II. And be it further enacted, That every Bottle made in *Great Britain*,

Britain, or made in *Ireland* and imported from thence into *Great Britain*, of Earthen or Stone Ware, or of Earth or Clay alone, or mixed with any other Material or Materials, which shall not exceed One Pint in Measure, and the Mouth and Neck of which shall be not less than One Inch and a half in Diameter in the narrowest Part of the Inside thereof, and which shall be permanently stamped in the making thereof, in fair and legible Characters, with the Words "Blacking Bottle," and no other, shall be deemed and taken to be a Stone Bottle made for the sole Purpose of containing Liquid Blacking within the meaning of this Act, and be exempted from the said Duties.

Description of the Stone Bottles so exempted from Duty.

III. And be it further enacted, That if any Person or Persons shall, from and after the said Fifth Day of *July* One thousand eight hundred and seventeen, sell any such Stone Bottle or Bottles as aforesaid for any Purpose or Use whatsoever other than and except for the sole Purpose of containing Liquid Blacking, or shall attempt to export the same upon Drawback, such Person or Persons so offending shall for each and every such Offence forfeit and lose the Sum of Fifty Pounds, over and above all other Penalties and Forfeitures whatsoever, to 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 at *Edinburgh*, 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.

Selling such Bottles for any other Purpose than for containing Blacking, or attempting to export them on Drawback,

Penalty.

IV. And be it further enacted, That the Commissioners of Excise in *England* and *Scotland* respectively, or any Three or more of them respectively, shall and they respectively are hereby authorized and empowered to cause any Sum or Sums of Money which shall have been charged as any such Duty for or in respect of any such Bottles as aforesaid hereby exempted from Duty, to be discharged from and out of the Books and other Documents containing any Entry or Entries of or relating to any such Charge, or Sum or Sums of Money.

Charge of Duty on such Stone Bottles to be discharged.

C A P. CXX.

An Act to authorize the Court of Directors of the *East India* Company to make extraordinary Allowances, in certain Cases, to the Owners of certain Ships in the Service of the said Company. [11th *July* 1817.]

WHEREAS by an Act of Parliament made in the Thirty ninth Year of the Reign of His present Majesty, intituled *An Act for the regulating the Manner in which the United Company of Merchants of England trading to the East Indies shall hire and take up Ships for their regular Service*, various Provisions, regulating the manner in which the said United Company shall hire and take up Ships for their Service, are now in force; and according to the Effect of such Provision the said United Company are not at liberty to release the Owners of Ships taken up for their Service from their several Contracts, or to grant them any Rate of Freight beyond what they are entitled to under such Contracts:

39 G. 3. c. 89.
§ 1—8.

‘ And Whereas by reason of the long Duration of the late War, and
 ‘ the Continuance of the extraordinary Price of Articles of Equip-
 ‘ ment of Ships after the Conclusion of Peace, great Hardships
 ‘ might arise in compelling the Owners of certain Ships now in
 ‘ the Service of the said United Company to a literal Execution of
 ‘ their Contracts; and therefore it is expedient that the Court of
 ‘ Directors of the said United Company should be empowered, under
 ‘ reasonable Limitations, to give them some Relief 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 Tem-
 poral, and Commons, in this present Parliament assembled, and by
 the Authority of the same, That in case the Owners of all or any
 of the Ships hereafter mentioned; that is to say, *The Lady Melville,*
The Princess Amelia, The Lowther Castle, The Phoenix, The Charles
Grant, The Asia, The Rose, The Prince Regent, The Marquis Wellin-
ton, The Carnatic, The William Pitt, The Marchioness of Ely, The
Astell, The Marquis Camden, The Warren Hastings, The Minerva, The
Lord Castlereagh, The Princess Charlotte of Wales, The Streatham,
The Bombay, The Inglis, The Marquis Huntsley, The Castle Huntley,
 and *The Cabalva,* shall pay or secure to the said United Company
 by way of Penalty, for each and every of the Six Voyages con-
 tracted to be performed by each of the said Ships respectively, on
 a permanent Peace Freight under the Provisions of the said Act,
 which had not been performed or commenced on the Twentieth Day
 of *November* One thousand eight hundred and fifteen, the Sum of
 Eight hundred and thirty three Pounds Six Shillings and Eight
 Pence, being One sixth Part of the Penalty of Five thousand
 Pounds, incurred by not performing the Whole of such Six Voyages
 according to the terms of their respective Contracts; it shall and may
 be lawful to and for the Court of Directors of the said United Com-
 pany to make and allow, and to pay and cause to be paid, to the
 Owners of the said Ships, or to such of them who shall have so paid
 or given Security for Payment of the said Penalty aforesaid, such
 Allowances and Payments over and above the Peace Freight and
 Demurrage which the said Ships respectively shall be entitled to un-
 der and by virtue of their several Contracts, in respect of every
 Voyage performed or to be performed after the said Twentieth
 Day of *November* One thousand eight hundred and fifteen, as to
 the said Court of Directors shall appear just and reasonable, with
 Reference to the Prices and Expence of Stores and Articles of
 Outfit which prevailed in the Autumn of the Year One thousand
 eight hundred and sixteen, although such Ship or Ships may have
 come afloat or hereafter may come afloat, in time of Peace; the said
 Act of Parliament passed in the Thirty ninth Year of His Majesty’s
 Reign, or any Contract or Agreement, or any other Matter, Clause
 or Thing to the contrary thereof in anywise notwithstanding.

II. Provided always, and be it further enacted, That it shall not
 be lawful for the said Court of Directors to make and allow, and to
 pay or cause to be paid to the Owners of any of the said Ships of One
 thousand Tons and upwards, any Sum or Allowance exceeding the
 Rate of Eight Pounds *per Ton*, nor to the Owners of any of the said
 Ships of less than One thousand Tons, any Sum or Allowance exceed-
 ing the Rate of Eight Pounds Ten Shillings *per Ton*, according to
 Builders’ Measurement, over and above the Rate of Peace Freight
 which

East India Com-
 pany may allow
 the Owners of
 certain Ships
 herein named an
 additional Sum
 for Freight,

although afloat
 in time of Peace.

Such Allowance
 not to exceed the
 Rates per Ton
 herein men-
 tioned.

which the Owners of the said Ships respectively are entitled to receive under and by virtue of their existing Contracts; nor any Rate of Freight which, added to the Rate of Peace Freight, which the Owners of the said Ships respectively are entitled to receive under and by virtue of their existing Contracts, would amount to more than the Rate of Twenty six Pounds *per* Ton for Ships of One thousand Tons and upwards, and Twenty six Pounds Ten Shillings *per* Ton for Ships of less than One thousand Tons, according to Builders' Measurement.

• III. Provided also, and be it further enacted, That in case on any Voyage or Voyages which the said Ships, or any of them, shall have to perform under and by virtue of their said Contracts, the Prices and Expence of Stores and Articles of Outfit shall be reduced below the Prices and Expence thereof which prevailed in the Autumn of the Year One thousand eight hundred and sixteen, then there shall be a proportionable Abatement made from any extra Payment which shall have been agreed to be allowed under the Authority of this Act, to the Owners of any of the said Ships in respect of such Voyage or Voyages.

Abatement
in case of
Reduction in
Price of Articles.

IV. Provided also, and be it further enacted, That if any such Ship shall be lost or captured on any such Voyage as aforesaid, or shall meet with any Accident, whereby her Owners shall, according to their respective Agreements or Charterparties, lose or be deprived of any Claim upon the said United Company for any Payment of Freight in respect of such Voyage, then and in every such case it shall not be lawful for the said United Company to exact from the Owners of such Ship, for and in respect of such Voyage, the Payment of the said Sum of Eight hundred and thirty three Pounds Six Shillings and Eight Pence; and in case the said Sum shall have been actually paid to the said United Company, the same shall be refunded to the said Owners.

In case Ship
is lost, or meet
with Accident
as herein men-
tioned, Owners
not to pay the
Sum herein
mentioned;

or if paid,
refunded.

V. Provided also, and be it further enacted, That in case on any Voyage or Voyages which any of the said Ships shall have to perform under their several existing Contracts, the Owners of such Ships shall hereafter become entitled under and by virtue of such Contracts to any Allowance in respect of additional Charges arising to them in time of War and Hostilities, or Preparations for War and Hostilities, then and in such case the Owner shall not be entitled to have for such Voyage or Voyages any Payment or Allowance under or by virtue of this Act; but the Payments to be made for such Ships in respect of such Voyage or Voyages shall be regulated and ascertained and made as they would have been according to the Rights of the Parties in case this Act had not been made.

If the Owners
become entitled
to additional
Charges arising
in time of War,
then no Allow-
ance under this
Act.

VI. Provided also, and be it further enacted, That nothing herein contained shall extend, be deemed or taken to prejudice, or in any manner to affect the Rights of such Owners of any of the said Ships as shall not pay or secure such Penalty as is hereinbefore mentioned, but the Rights of such Owners shall be and remain as if this present Act had not passed; any thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

Proviso for
Rights of Own-
ers not paying
Penalty.

VII. Provided also, and be it further enacted, That the Owners of any of the said Ships, who shall take any Advantage under or by virtue of this Act for any Voyage, shall not be entitled to any increased Peace Freight which they might otherwise have been en-

Owners not en-
titled to demand
increased Peace
Freight.

titled to under their existing Contracts in pursuance of the said A& of the Thirty ninth Year of the Reign of His present Majesty.

Proviso for existing Contracts, except for Ships herein enumerated.

VIII. Provided also, and be it further enacted, That nothing herein contained shall be deemed or taken to have Reference to or in any manner to affect any Contracts existing between the said United Company and the Owners of any Ships now in their Service, other than those Contracts between the said United Company and the Owners of the Ships herein enumerated.

How far A& to vacate any other Contracts respecting the Hire of Ships.

IX. Provided also, and be it further enacted, That this A& shall not, nor shall any thing to be done by virtue thereof, extend or be construed to extend to release or discharge the said United Company, or the Owners of the said several Ships, from any Part of the Contracts and Agreements by which the said Ships are severally agreed to be hired by or let to the said United Company, nor to alter or vary the terms of the said Contracts further or otherwise than as by this A& is expressly provided and enacted.

Proceedings of Court of Directors relative to this A& to be laid before Parliament.

X. And be it further enacted, That the Court of Directors of the said United Company shall, and they are hereby required from time to time hereafter, to lay Copies of all Proceedings of the said Court touching the Execution of this A& before both Houses of Parliament, at the same time and together with the Accounts required to be annually laid before Parliament by an A& passed in the Thirty third Year of the Reign of His present Majesty, intituled *An A& for continuing in the East India Company for a further Term the Possession of the British Territories in India, together with their exclusive Trade, under certain Limitations; for establishing further Regulations for the Government of the said Territories, and the better Administration of Justice within the same; for appropriating to certain Uses the Revenues and Profits of the said Company; and for making Provision for the good Order and Government of the Towns of Calcutta, Madras and Bombay.*

33 G. 3. c. 52.

C A P. CXXI.

An A& for regulating Payments to the Treasurer of the Navy under the Heads of Old Stores and Imprests.

[11th July 1817.]

25 G. 3. c. 31.
§ 1.

‘ WHEREAS by an A& passed in the Twenty fifth Year of the Reign of His present Majesty, intituled *An A& for better regulating the Office of Treasurer of His Majesty’s Navy*, all Monies required by the Treasurer of His Majesty’s Navy for the time being for Navy Services are directed to be issued to the Governor and Company of the Bank of *England*, and to be placed to the Account or Accounts of such Treasurer, and drawn for in the Manner therein mentioned: And whereas divers Sums of Money are from time to time payable to such Treasurer under the Heads of Old Naval Stores and Imprests, which Monies have hitherto been received by the Cashier of His Majesty’s Navy, and paid into the Bank of *England* through the Hands of the Paymaster of the Navy: And whereas it is expedient that all such Monies should be paid immediately into the Bank of *England*, without passing through the Hands of any Officer in the Treasurer’s Department;’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, whenever any Sum or Sums of Money shall be payable by any Person or Persons to the Treasurer of His Majesty's Navy for or under the Head of Old Stores or Imprests, the said Treasurer, or the Paymaster or Deputy Paymaster of the Navy, or the Cashier of the Navy or Victualling Department for the time being, as the case may require, shall give an Order or Orders in Writing to the Person or Persons liable to make such Payments, directing and requiring him, her or them to pay the Money in such Order or Orders specified to the Cashiers of the Bank of *England*, to be placed to the Credit of the Treasurer of His Majesty's Navy; and the Person or Persons to whom such Order or Orders shall be so given is and are hereby authorized and required to pay the Sum or Sums of Money therein specified to One of the Cashiers of the Bank of *England*; and such Cashier shall, upon Receipt of every such Sum or Sums of Money, give to the Person or Persons paying the same a Certificate or Receipt in Writing specifying the Amount thereof; and the Certificate or Receipt of such Cashier shall upon every such Payment be a good and sufficient Discharge to the Person or Persons making the same for the Sum therein expressed to be received; and all and every Sums and Sum of Money so paid into the Bank of *England* shall be placed to the same Account of the Treasurer of His Majesty's Navy, and shall be drawn for in the same manner as if the same had been issued from the Exchequer to the Bank of *England* on the Account of such Treasurer in pursuance of any Memorial or Application made by such Treasurer for that Purpose.

Treasurer, &c. to give Orders in Writing to Persons liable to make Payments under the Head of Old Stores or Imprests to pay the same into the Bank.

Receipt of Cashier sufficient Discharge.

Money to be placed to the Account of the Treasurer.

II. And be it further enacted, That no Certificate or Receipt to be given or signed by any of the Cashiers of the Bank of *England* in pursuance of this Act shall be subject or liable to any Stamp Duty whatsoever imposed by any Act or Acts of Parliament now in force, nor to any Stamp Duty to be imposed by any future Act or Acts of Parliament, unless such Certificates or Receipts shall be specially subjected to and charged with Stamp Duties by such future Act or Acts of Parliament.

Certificate or Receipt not to be subject to Stamp Duty.

Exception.

C A P. CXXII.

An Act to extend the Provisions of an Act of the Twelfth Year of His late Majesty King *George* the First, and an Act of the Twenty second Year of His late Majesty King *George* the Second, against Payment of Labourers in Goods or by Truck, and to secure their Payment in the lawful Money of this Realm, to Labourers employed in the Collieries, or in the working and getting of Coal, in the United Kingdom of *Great Britain* and *Ireland*; and for extending the Provisions of the said Acts to *Scotland* and *Ireland*. [11th July 1817.]

WHEREAS the pernicious Practice of paying the Wages of Labourers concerned in the Woollen Trade in Goods was by the Provisions of an Act of the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act to prevent unlawful Combinations of Workmen employed in the Woollen*

12 G. I. c. 34.

22 G. 2. c. 27.

‘ *Woollen Manufactures, and for better Payment of their Wages,*
 ‘ prohibited by certain Regulations and under certain Penalties
 ‘ therein enacted: And Whereas, though the Provisions of this Act
 ‘ were extended by the Act of the Twenty second Year of the
 ‘ Reign of His late Majesty King *George the Second*, intituled *An*
 ‘ *Act for the more effectual preventing of Frauds and Abuses com-*
 ‘ *mitted by Persons employed in the Manufacture of Hats, and in*
 ‘ *the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp,*
 ‘ *Flax, Mohair and Silk Manufactures; and for preventing unlawful*
 ‘ *Combinations of Journeymen Dyers and Journeymen Hot Pressers,*
 ‘ *and of all Persons employed in the said several Manufactures, and*
 ‘ *for the better Payment of their Wages; yet the Security thereby*
 ‘ given, for the Receipt of their Wages in Money, is in neither of
 ‘ these Acts extended to labouring Men working in Collieries, and
 ‘ other Busineses connected with the Trade of working and getting
 ‘ Coal: And Whereas great Injury and Loss have arisen to labour-
 ‘ ing Men working in Collieries and other Busineses connected with
 ‘ the getting of Coal, from being paid their Wages in Goods or
 ‘ by way of Truck, or otherwise than in the lawful Coin of this
 ‘ Realm:’ Be it therefore enacted by The King’s Most Excellent
 Majesty, by and with the Advice and Consent of the Lords Spiritual
 and Temporal, and Commons, in this present Parliament assembled,
 and by the Authority of the same, That the Provisions of the
 aforesaid Act of the Twelfth Year of the Reign of His late Majesty
 King *George the First*, which prohibits the Payment of the Wages
 of Persons employed in the Woollen Manufacture in Goods, and
 to secure the Payment of every Part of their Wages in good and
 lawful Money of this Kingdom, be extended to Labourers employed
 in working and getting Coal in the United Kingdom of *Great Britain*
 and *Ireland*.

Provisions of
 12 G. 1. c. 34.
 extended to
 Labourers in
 Collieries.

Provisions in
 22 G. 2. c. 27.
 applicable to this
 Act.

II. And be it further enacted, That all the Provisions of the said
 Act, to facilitate the Labourers in the Woollen Trade recovering
 the Wages for which they have stipulated, or to which they are en-
 titled, as well as the Provisions imposing a Penalty on Masters paying
 Labourers in Goods, be extended to Persons employed in Collieries,
 and in working and getting Coal, in the United Kingdom of *Great*
Britain and Ireland, in as full and ample a manner as if they had
 been enumerated in the aforesaid Act; and that all Remedies,
 Penalties, Modes of Recovery, Powers and Privileges, and all other
 Matters and Things therein for these Purposes contained, be and
 they are hereby extended to Parties concerned in Coal Works, or
 connected therewith.

Provisions of
 recited Acts ex-
 tended to Scot-
 land and Ireland.

III. And be it also further enacted, That the Provisions of the
 Acts of the Twelfth Year of the Reign of His late Majesty King
George the First, and of the Twenty second Year of the Reign of
 His late Majesty King *George the Second*, be extended, and are
 hereby extended to *Scotland and Ireland*.

C A P. CXXIII.

An Act for imposing a Duty of Excise on the Excess of Spirits made from Corn in *England* above the Proportion, of Nineteen Gallons of Spirits for every One hundred Gallons of Wash; and for further securing the Duties on Wort or Wash made for distilling Spirits in *England*; and for authorizing the Shipment of Rum for Stores in Casks containing Sixty Gallons.

[11th July 1817.]

WHEREAS the Duties of Excise upon Wort or Wash brewed or made for extracting Spirits in *England*, and the Countervailing Duties upon Spirits, are by Law imposed upon the Computation of a certain Quantity of Spirits being extracted from One hundred Gallons of Wort or Wash: And Whereas many Makers and Distillers of Spirits in *England* do extract from such Wort or Wash a much larger Quantity of Spirits than such Proportion, whereby such Excess of Spirits has been carried into Consumption without Payment of any Duty, to the great Injury of Trade and of His Majesty's Revenue: For remedy whereof, be it enacted by The King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Maker or Makers, Distiller or Distillers of Spirits in *England* shall, in the Year ending on the Fifth Day of July in every Year after the Fifth Day of July One thousand eight hundred and seventeen, make, distil, extract or produce, or shall have made, distilled, extracted or produced, from Wort or Wash prepared or made from Malt, Corn, Grain, or Tilts, or any Mixture with the same, any Quantity of Spirits exceeding, upon the Average of his, her or their Work in such Year, the Proportion of Nineteen Gallons of Spirits, computed at the Strength of Eight *per Centum* over Hydrometer Proof, for every One hundred Gallons of such Wort or Wash so distilled into Spirits as aforesaid, every such Maker or Makers, Distiller or Distillers, shall, in lieu of any Penalty for the Excess upon such Average as aforesaid, pay Duty for all such Spirits exceeding the Proportion upon such Average as aforesaid, computed as aforesaid, at and after the Rate of Nine Shillings and Twopence halfpenny for every Gallon of all such Excess and Excesses, computed as aforesaid, over and above all other Duties on Wort or Wash whatsoever.

Distillers making any Quantity of Spirits, exceeding on an Average of their Work for the Year in the Proportion herein mentioned, to pay, in lieu of Penalty, Duty on Excess.

II. And be it further enacted, That the Duty by this Act imposed shall be under the Management of the Commissioners of Excise in *England* for the time being, and shall be raised, levied, collected, recovered and paid in such and the like Manner, and in or by any or either of the general or special Means, Ways or Methods by which the Duties of Excise on Wort or Wash brewed or made for extracting Spirits for Home Consumption in *England* were or might be raised, levied, collected, recovered and paid; and the Persons, Goods, Wares, Merchandizes or Commodities by this Act respectively made liable to the Payment of or chargeable with the said Duty imposed by this Act, shall be and the same are hereby made subject and liable to all and every the Conditions, Regulations,

Duty to be under the Commissioners of Excise in *England*, and to be levied as other Duties on Spirits, and under the same Rules and Penalties.

Rules,

Rules, Restrictions and Forfeitures to which such Persons, Goods, Wares and Merchandize, or Commodities, were generally or specially subject and liable to by any Act or Acts of Parliament in force on and immediately before the passing of this Act, respecting the Duties of Excise on Wort or Wash as aforesaid, or other Duties under the Management of the said Commissioners of Excise in *England* were or might be subject or liable; and all and every Pain, Penalty, Fine or Forfeiture, of any nature or kind whatever, for any Offence whatever committed against or in Breach of any Act or Acts of Parliament in force on and immediately before the passing of this Act, for securing the Revenue of Excise or other Duties under the Management of the said Commissioners of Excise respectively, or for the Regulation and Improvement thereof, and the several Clauses, Powers and Directions therein contained, shall and are hereby directed and declared to extend to, and shall be respectively applied, practised and put in Execution for and in respect of the said Duty hereby charged and imposed, in as full and ample manner to all Intents and Purposes whatsoever as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Pains, Penalties or Forfeitures were particularly repeated and re-enacted in the Body of this Act.

Duty carried to Consolidated Fund.

III. And be it further enacted, That all the Monies arising by the Duty 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 shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

After April 5, 1818, Houses for rectifying or compounding Spirits not to be erected or used within One Quarter of a Mile of a Still House, &c.; nor a Still House to be used within One Quarter of a Mile of a House for rectifying or compounding.

IV. And be it further enacted, That from and after the Fifth Day of *April* One thousand eight hundred and eighteen, no Person or Persons whatsoever shall erect, set up, enter, or make use of any House or Place whatsoever in *England* for the rectifying or compounding of Spirits, or for receiving or keeping of Spirits by any Rectifier or Compounder of Spirits, within the Distance of One Quarter of a Mile in a direct Line from any House or Place which shall be entered or used for preparing Wort or Wash, or for the making or distilling of Spirits for Home Consumption, or for the receiving or keeping of Spirits by any Maker or Distiller of Spirits; nor shall any Person or Persons whatsoever erect, set up, enter or make use of any House or Place whatsoever in *England*, for preparing Wort or Wash, or for the making or distilling of Spirits for Home Consumption, or for receiving or keeping Spirits by any Maker or Distiller of Spirits, within the Distance of One Quarter of a Mile in a direct Line from any House or Place which shall be entered or used for rectifying or compounding of Spirits, or for receiving or keeping of Spirits by any Rectifier or Compounder of Spirits; on Pain of forfeiting in each and every such case the Sum of Five hundred Pounds for every Week that such House or Place shall be erected, set up, entered or used respectively as aforesaid; and all and every Entries or Entry of any such House or Place, so made use of either for the rectifying or compounding or keeping of Spirits, or for the preparing Wort or Wash, or making or distilling or keeping of Spirits, contrary to the true Intent and meaning of this Act, shall be null and void to all Intents and Purposes whatsoever: Provided always, that none of the Prohibitions, Penalties, Forfeitures or Enactments hereinbefore contained shall extend

Penalty.

Exemption in case herein mentioned.

extend or apply, or be deemed or construed to extend or apply, to or in respect of any House or Place, Scite or Premises, which may have been erected, set up, entered, used, occupied or employed for preparing Wort or Wash, or making or distilling Spirits, or for the rectifying or compounding, or for receiving or keeping of Spirits respectively, on the Eighteenth Day of *June* in the Year One thousand eight hundred and seventeen, or within One Month previous thereto, so that no Spirits be at any time after the said Fifth Day of *April* received from any Part of any such House, Place or Premises entered, used, occupied or employed by any Maker or Distiller of Spirits, or from the Possession or Stock of any such Maker or Distiller, into any Part of any such House, Place or Premises entered, used, occupied or employed by any Rectifier or Compounder of Spirits, or into the Stock or Possession of any such Rectifier or Compounder, by any Way, Means or Communication whatsoever, other than by Carriage of a Cart or Waggon through and by means of an open Street or Road.

V. And be it further enacted, That in all cases where any House or Place, Scite or Premises, used or employed for the preparing of Wort or Wash, or for the making or distilling of Spirits, or the receiving or keeping of Spirits by any Maker or Distiller of Spirits, and any House or Place, Scite or Premises, used or employed for the rectifying or compounding or keeping of Spirits by any Rectifier or Compounder of Spirits, shall be situate within the said Distance of One Quarter of a Mile of each other, so as to be entitled to the Exemption aforesaid, it shall and may be lawful to and for the Commissioners of Excise, or any Three or more of them, if they shall think it expedient, at any time to give Twelve Calendar Months Notice at the least to the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers of any such House or Place so used or employed for the rectifying or compounding or keeping of Spirits by any Rectifier or Compounder of Spirits, to discontinue the Use and Employment of such House or Place so used and employed by such Rectifier or Compounder, Rectifiers or Compounders, and to remove the Trade or Business thereof to some other House or Place, Scite or Premises, not within the said Distance of One Quarter of a Mile from the said or any other House or Place used or employed for preparing Wort or Wash, or for the making or distilling of Spirits, or for the receiving or keeping of Spirits by any Maker or Distiller of Spirits; Compensation and Satisfaction being made to all and every the Owner and Owners, Proprietor and Proprietors, Occupier and Occupiers of any such Houses or Places, Scites or Premises, who shall sustain or incur any Loss, Damage or Injury by reason or in consequence of such Discontinuance or Removal, in manner hereinafter mentioned; and at the Expiration of the time mentioned in such Notice, the Prohibitions, Penalties, Forfeitures and Enactments contained in this Act shall apply to and be in force with respect to any such House or Place in respect of which the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers thereof, shall have received such Notice as aforesaid, any thing in this Act contained to the contrary notwithstanding; and the said Commissioners, or any Three or more of them, are hereby authorized and empowered to treat and agree with the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers of such House

Distilling and rectifying Houses now situated within a Quarter of a Mile of each other, may be removed, on giving Twelve Months' Notice to the Owners, and making Compensation for Damages.

Commissioners may treat with Owners for the Expences incurred by Removal, and procuring

some other
House, &c.

House or Place, Scite or Premises, so used and employed for the rectifying or compounding of Spirits, or for receiving or keeping of Spirits by any Rectifier or Compounder of Spirits as aforesaid, for the Expences incurred or to be incurred by such Removal, and in the procuring some other House or Place as aforesaid, and for the Compensation and Satisfaction to be made to such Person or Persons as aforesaid for all and any Loss, Damage and Injury he, she or they shall or may sustain or incur through, by reason or in consequence of such Discontinuance or Removal, and also to treat and agree with the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers of such House or Place, Scite or Premises, used or employed for preparing Wort or Wash, or for the making or distilling of Spirits, or for the receiving or keeping of Spirits by any Maker or Distiller of Spirits, for the Compensation and Satisfaction to be made to such last mentioned Person or Persons, or any of them, for all or any Loss, Damage and Injury he, she or they shall or may sustain or incur through, by reason or in consequence of the Discontinuance or Removal of the Trade or Business of such Rectifier or Compounder as aforesaid; and in case the said Commissioners of Excise shall not be able to agree with any of the said Parties as to the Amount of such Expences, or such Compensation and Satisfaction, then and in every such case the Amount of such Expences and such Compensation and Satisfaction shall be settled and ascertained in an Action upon a feigned Issue or Issues upon the Amount of such Expences and such Compensation and Satisfaction, or of such Compensation and Satisfaction only, as the case may be, to be tried in any Court of Record at *Westminster*, in which Action the Parties claiming such Expences, or such Compensation and Satisfaction, or any of them, shall be the Plaintiff or Plaintiffs, and the Secretary of the Board of Excise for the time being, on behalf of the Commissioners of Excise, shall be the nominal Defendant, who shall accept a Declaration and plead to the said Action; and in case any Difference shall arise touching the terms of the said Issue, the same shall be settled by the proper Officer of the said Court in which such Issue shall be tried; and such Issue shall be tried before a special Jury, to be summoned, impannelled and reduced in the usual manner, as in cases of Actions at the Common Law; and the said Court shall have Power to direct a new Trial upon the said Issue if they shall see fit, and shall give Judgment for the Amount ultimately awarded by the Verdict of such Jury, together with Costs to be taxed by the proper Officer; and thereupon the said Commissioners of Excise shall, within One Month afterwards, pay the said Amount for which Judgment shall be given to the said Parties claiming as aforesaid: Provided always, that if the said Commissioners shall have made an Offer to the said Parties, or any of them, of a Sum of Money for such Expences, Compensation and Satisfaction, or Compensation and Satisfaction only, which Offer shall not be accepted, the said Parties refusing or declining such Offer shall not be entitled to any Costs, unless there shall be awarded by the Verdict of a Jury as aforesaid a larger Sum by One Tenth Part than the Amount of such Offer.

In case the Parties do not agree, Expences to be settled by Action at Law.

Difference as to the Terms of the Issue to be settled by the Officer of the Court.
Special Jury.

Costs.

In lieu of the Credit for Spirits in proportion to the Quantity of

VI. And be it further enacted, That in lieu of the Credit for Spirits in proportion to the Quantity of Wort or Wash made or brewed, to which Makers or Distillers of Spirits in *England* are now by

by Law entitled, every such Maker or Distiller shall, from and after the Tenth Day of *October* One thousand eight hundred and seventeen, be entitled to Credit for the whole Quantity of Spirits, computed at the Strength of Eight *per Centum* over Hydrometer Proof, which he, she or they shall distil, make, extract or produce, and which shall be taken account of by the proper Officer in the Spirit Cask provided by such Distiller for the Reception of the Spirits extracted from the Low Wines produced from each Charge of his, her or their Wash Still or Wash Stills; and if at any time after the said Tenth Day of *October* any such Maker or Makers, Distiller or Distillers as aforesaid, shall make, distil, extract or produce, or there shall be found in his, her or their Stock, Custody or Possession, any Excess of Spirits over and above such Credit as aforesaid, computed as aforesaid, added to any Quantity of Raw Spirits legally brought and received into such Stock by Permit, all such Excess and Excesses shall be deemed to be Spirits unlawfully made, and a Quantity equal thereto shall and may be seized by any Officer or Officers of Excise out of and from any Part of the Stock of any such Maker or Makers, Distiller or Distillers as aforesaid; and such Maker or Makers, Distiller or Distillers, shall, for every Gallon of such Excess and Excesses computed as aforesaid, forfeit and lose the Sum of Twenty Pounds.

Wort, the Distiller, after Oct. 10, 1817, to be entitled to Credit for the whole Spirits, computed at Eight per Cent. over Hydrometer Proof, produced.

Excess found seized, and

Penalty 20l.

VII. And Whereas by an Act made in the last Session of Parliament, for establishing the Use of an Hydrometer called *Sikes' Hydrometer* in ascertaining the Strength of Spirits, instead of *Clarke's Hydrometer*, it is enacted, that in all Trials of the Strength of any Spirits by any Officer or Officers of Excise with the said Hydrometer called *Sikes' Hydrometer* in any Part of the United Kingdom, the Strength of Eight *per Centum* above Proof denoted by the said Hydrometer called *Sikes' Hydrometer*, shall be substituted for the Strength of One to Ten over Hydrometer Proof mentioned in an Act made in the Twenty sixth Year of the Reign of His present Majesty, among other things for the better Regulation of the making and vending *British* Spirits; or in another Act made in the Twenty eighth Year of His said Majesty's Reign, among other things for better regulating the Exportation of *British*-made Spirits from *England* to *Scotland*, and from *Scotland* to *England*; or of another Act made in the Thirtieth Year of His said Majesty's Reign, among other things to continue Two Acts made in the Twenty eighth and Twenty ninth Years of His said Majesty's Reign therein mentioned; or of another Act made in the Fifty second Year of His said Majesty's Reign, among other things for regulating the Warehousing of Spirits distilled from Corn in *Ireland* for Exportation, without Payment of the Duty of Excise chargeable thereon, or in any other Act or Acts of Parliament relating to His Majesty's Revenue of Excise in any Part of the United Kingdom, in force immediately before the passing of the said Act made in the last Session of Parliament; and that all Spirits made subject to Forfeiture under or by virtue of the said last mentioned Acts or any or either of them, for or by reason of their higher Degree of Strength than last aforesaid, shall, together with the Casks and Packages containing the same, be and remain forfeited for and by reason of the said Spirits being of a higher Degree of Strength than the said Eight

56 G. 3. c. 140. § 2.

' per

‘ *per Centum* above Proof ; and it was by the said Act provided, that
 ‘ if the Strength of any Spirits manufactured and imported from
 ‘ that Part of *Great Britain* called *Scotland* into that Part of *Great*
 ‘ *Britain* called *England* as aforesaid shall, upon Trial by any
 ‘ Officer or Officers of Excise in *England* by the said Hydrometer,
 ‘ be denoted to be greater than that of Eight *per Centum* above
 ‘ Proof, and such Excess shall not exceed Three *per Centum* over
 ‘ and above the said Strength of Eight *per Centum* above Proof,
 ‘ then and in such case the said Spirits shall not be forfeited, but
 ‘ shall be charged with the further Duty proportioned to their
 ‘ said Surplus Strength : And Whereas it has been found that the
 ‘ said Strength of Eight *per Centum* above Proof, denoted by the
 ‘ said Hydrometer, exceeds by more than One *per Centum* the
 ‘ Strength of One to Ten over Hydrometer Proof mentioned in the
 ‘ said Acts, for which the same is substituted as aforesaid ;’ Be it

The Strength of Seven per Cent. above Proof, denoted by Sikes' Hydrometer, shall, in lieu of the Strength of Eight per Cent. above Proof, mentioned in 56 G. 3. c. 140. be substituted for One to Ten over Hydrometer Proof, mentioned in any Act relating to Spirits. Regulations of all Acts relating to Strength of Spirits, to extend to this Act.

therefore enacted, That from and after the Tenth Day of *October* One thousand eight hundred and seventeen, in all Trials of the Strength of any Spirits, the Strength of Seven *per Centum* above Proof denoted by the said Hydrometer called *Sikes' Hydrometer* shall, in lieu of the Strength of Eight *per Centum* above Proof mentioned in the said Act of the last Session of Parliament, be substituted and taken for the Strength of One to Ten over Hydrometer Proof mentioned in all and every of the said Acts, and in all other Act and Acts relating to His Majesty's Revenue of Excise on *British* and *Irish* Spirits respectively ; and that all and every of the Clauses, Rules, Regulations, Provisoos, Enactments, Fines, Penalties and Forfeitures made and contained in any of the said Acts, or in the said Act of the last Session of Parliament, or in any other Act or Acts relating or applying to or in respect of any Spirits of the Strength of One to Ten over Hydrometer Proof, or to Eight *per Centum* above Hydrometer Proof as the Substitute thereof mentioned in the said Act of the last Session of Parliament, shall extend and apply and be put in force to and in respect of any Spirits of or above or under the Strength of Seven *per Centum* above Proof, as the case may happen to be, and as denoted by the said Hydrometer called *Sikes' Hydrometer*, in lieu of the said Strength of One to Ten over Hydrometer Proof, and Eight *per Centum* above Hydrometer Proof respectively, mentioned in the said Acts or any of them, as fully and effectually as if the same were hereby repeated and re-enacted in and by this Act ; any thing in the said Act or in any other Act or Acts to the contrary thereof notwithstanding.

After Oct. 10, 1817, Wash, before it is put into the Still, to be conveyed from the fermenting Vessel to an entered circular or elliptical Vessel, called Jack Back, &c.

VIII. And for the better securing the Duties of Excise on Wort or Wash, be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and seventeen, the Wash used or made by any Maker or Distiller of Spirits in *England* shall, before it is put into his, her or their Still or Stills for Distillation into Low Wines, be conveyed from each fermenting Back or Vessel in which it shall have been fermented, into an entered circular or elliptical Vessel called *Jack Back*, having no Pipe or other Communication with any other Vessel or Vessels, Utensil or Utensils whatsoever, except with such fermenting Backs, and with the Wash Still or Stills, by means of the Wash Main Pipe and the Wash Pump, and which Jack Back shall be used for no other Purpose, and shall be of a Size not less than Three Fourths of the Content of the Wash

Wash Still or Stills, including the Head or Heads thereof, intended to be charged, and the mean Diameter of which at the Head shall not exceed the Depth thereof; and no more Wash shall be conveyed into such Jack Back at one time than is sufficient to charge the Still or Stills then intended to be charged; and every Charge of Wash shall be so conveyed into such Jack Back before such Still or Stills shall be unlocked for the Purpose of being charged; and the whole Quantity of Wash conveyed into such Jack Back, after being gauged by the Officer, shall be conveyed into the Still or Stills; and if any Wash used or made by any Maker or Distiller of Spirits in *England* shall not, before it is put into the Still or Stills for Distillation into Low Wines, be conveyed from each fermenting Back or Vessel, into which it shall have been fermented, into such Jack Back as aforesaid, or if such Jack Back shall have any other Pipes or Communication than as aforesaid, or be used for any other Purpose than as aforesaid, or if more Wash be conveyed therein at one time than is necessary to charge such Wash Still or Wash Stills, or if the Wash, or any Part thereof, at any time conveyed into any such Wash Back shall be removed or conveyed from such Jack Back before the proper Officer shall have taken an Account thereof in such Jack Back, or any Part thereof shall be kept or concealed from such Officer in any manner whatsoever, or if the whole Quantity so conveyed shall not, after such Account thereof has been taken, be conveyed from such Jack Back into the Wash Still or Wash Stills in the manner herein directed, every such Maker or Distiller shall for each and every such Offence forfeit and lose the Sum of Five hundred Pounds.

Distiller not complying with the Regulations herein mentioned,

Penalty 500l.

IX. And be it further enacted, That it shall and may be lawful for any Maker or Makers, or Distiller or Distillers of Spirits in *England*, who shall at the time of passing this Act have and use any entered Jack Back for charging his, her or their Wash Still or Wash Stills with Wash, to continue to have and use such Jack Back for the Purpose of receiving the Wash in the Course of its Passage and Transmission from the respective fermenting Backs into such Jack Back, as by this Act is required, for containing at one time the Whole of the Wash which is to be run, pumped or conveyed into the Wash Still or Wash Stills intended to be charged for any Charge thereof, and there to be taken Account of by the proper Officer, such intermediate Jack Back not having at any time hereafter any Pipe or other Communication with any other Vessel or Utensil whatsoever, except the Wash Main Pipe and entered Wash Pump, nor being used for any other Purpose than to contain Wash in the Course of such Passage or Transmission as aforesaid; and for any Maker or Makers, or Distiller or Distillers of Spirits in *England*, in lieu of entering or using any Jack Back, to convey, by means only of his, her or their entered Wash Pump, the Whole of his, her or their Wash immediately from the Wash Main Pipe, into his, her or their Wash Still or Wash Stills, for the Purpose of making and distilling therefrom Low Wines, without running, pumping or conveying the same into any Jack Back or other intermediate Vessel or Utensil whatsoever; any thing in this Act contained to the contrary thereof notwithstanding: Provided, that no such Maker or Makers, Distiller or Distillers as aforesaid, shall have or keep, or pump, run or convey into any Wash Still or Wash Stills,

Directions for using the Vessel called Jack Back now entered in charging the Still, and also the Mode of conveying the Wash to the Still, where the Jack Back is not used.

Distiller, &c.
offending.

any Feints, Liquor, Water or other Matters or Things whatsoever except Wash, or draw off or distil any Wash from any Wash Still, until the Officer or Officers of Excise shall have gauged and taken Account therein of the whole Quantity of unmixed and undiluted Wash run, pumped or conveyed into such Wash Still or Wash Stills for the Charge thereof respectively, without making any Allowance for the Expansion of such Wash from Heat or otherwise, and ascertained that such Quantity of Wash is not less than Three Parts in Four of the Quantity which such Still, including the Head thereof, is capable of containing; and if any such Maker or Makers, Distiller or Distillers as aforesaid, shall at any time hereafter use or employ any Jack Back for any other Purpose than as aforesaid, or shall keep or continue any Wash in any such intermediate Jack Back as aforesaid, and not pump and convey the same forthwith into the Jack Back hereinbefore required, in which all such Wash is to be gauged and taken Account of by the Officer as aforesaid, or shall use or employ any Jack Back unentered, or having any Pipe or other Communication with any other Vessel or Utenfil than as aforesaid, or if any Maker or Makers, Distiller or Distillers as aforesaid, not using or employing any Jack Back whatsoever, shall not run, pump or convey the Whole of his, her or their Wash directly from the Wash Main Pipe into his, her or their Wash Still or Wash Stills as aforesaid, or shall have, keep, run, pump or convey any Feints, Liquor, Water or other Matter or Thing whatsoever, into such Wash Still or Wash Stills, or draw off from or distil therein any Wash, until the proper Officer shall have gauged and taken an Account of the whole Quantity of unmixed and undiluted Wash in such Wash Still or Wash Stills at each and every Charge thereof respectively, without making any Allowance for the Expansion of such Wash from Heat or otherwise, and shall have ascertained that the same is not less than Three Parts in Four of the Quantity which such Still, including the Head thereof, is capable of containing, such Maker or Makers, Distiller or Distillers, in any such Case offending, shall for every such Offence forfeit and lose the Sum of Five hundred Pounds.

Penalty 500l.

After Oct. 10,
Discharge Plugs,
&c. of Wash
Back when
charged, to be
locked and seal-
ed, and opened
by the proper
Officer, to run
the Wash into
the Jack Back,
&c.

Locks, &c. pro-
vided at the
Expence of
Distiller, &c.

X. And be it further enacted, That from and after the said Tenth Day of *October*, all and every the Discharge Plugs, Pipes and Cocks of every Wash Back used or employed by any Maker or Makers, or Distiller or Distillers of Spirits in *England*, when charged with Wort or Wash, shall be locked and sealed and opened by the proper Officer of Excise, for the Purpose of enabling such Distiller or Distillers to run the Wash from any such fermenting Back, of which Notice shall be given, into the Jack Back aforesaid, in order to charge the Wash Still or Stills, in the same manner as the Wash Pump and charging Cock of the Wash Still used by such Maker or Distiller are now by Law required to be locked and sealed and opened by such Officer; and that in like manner there shall be proper Fastenings and Locks provided for the same to the Satisfaction of such Officer as aforesaid, at the Expence of such Maker or Distiller; and that the Wash Main Pipe communicating between the fermenting Backs and the Jack Back aforesaid, shall be so placed and fixed that all Wash or Liquor put or entering therein shall run and be discharged or conveyed from thence into the Jack Back, and will neither rest in such Main Pipe or run elsewhere, and shall have

no Pipe or other Conveyance entering into or passing out of the same, except the Plug Hole or Pipe from each fermenting Back hereby directed and required to be locked as aforesaid, and the Sewer Cock or Pipe to be kept locked by the proper Officer, and opened only for washing out or cleansing such Wash Main Pipe, and shall have no other Cock thereon whatever; and if any such Maker or Distiller shall not provide, fix, maintain and keep such Wash Main Pipe as aforesaid, or shall wilfully open, break or damage, or cause or suffer to be opened, broken or damaged, any of such Locks, Fastenings, Plugs, Pipes or Cocks, or use any other Art or Contrivance whereby any Wash may or can be privately conveyed away or concealed from the Officer, or in any respect offend in any of the Matters or Things aforesaid, every such Maker or Distiller shall for every such Offence forfeit and lose the Sum of Five hundred Pounds.

Concealing, &c.
Wash, &c.

XI. And be it further enacted, That no Rectifier or Rectifiers of Spirits shall sell, send out or deliver in *England* any rectified Spirits, not being Spirits of Wine, *British* Brandy, *British* Gin or Compounds; and that no raw Spirits shall be sold, removed or delivered to, or bought, taken, had or received by or into the Stock or Possession of any Dealer in or Retailer of Spirits or Wine whatsoever in *England*, not being an entered Rectifier of Spirits; and if any such Spirits as aforesaid shall be sold, removed or delivered to or taken, had or received by any such Dealer or Retailer as aforesaid, the same, together with the Casks or other Packages in which the same shall be contained, and the Boats and other Vessels, Carts and other Carriages, and Horses or Cattle used for removing the same, shall be respectively forfeited, and shall and may be seized by any Officer or Officers of Excise; and the Person and Persons respectively selling, delivering, buying, removing, taking, having or receiving the same, shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Penalty 500l.

Rectifiers selling
&c. any other
than Spirits of
Wine, &c. or
selling, &c.
raw Spirits, and
Dealer
being an entered
Rectifier, re-
ceiving.

XII. And be it further enacted, That no Maker or Makers, Distiller or Distillers, or Rectifier or Rectifiers of Spirits in *England*, receiving any Spirits, not being Foreign Spirits, into his, her or their Custody or Possession, shall break Bulk or draw off any Part thereof, or add Water or any thing thereto, or in any respect alter the same, or tap or open any of the Casks, or alter or change any of the Packages containing any such Spirits, or the Spirits therein removed, until the proper Officer or Officers of Excise shall have taken an Account of the Strength and Quantity thereof; and every such Maker, Distiller and Rectifier as aforesaid shall, on the Receipt of any such Spirits, give Notice thereof to his, her or their surveying Officer of Excise, and deliver to such Officer the Permit received by him, her or them with such Spirits, whereupon such Officer shall attend and take an Account of the Strength and Quantity of such Spirits; and if any such Maker, Distiller or Rectifier, who shall receive any such Spirits into his, her or their Custody or Possession, shall fail to give such Notice and deliver such Permit as aforesaid, or shall, unless such Officer shall not attend within Three Hours after receiving such Notice and take such Account as aforesaid, break Bulk or draw off any Part of such Spirits, or add Water or any thing thereto, or in any respect alter the same, or tap or open any of the Casks, or alter or change

Penalty 200l.

No Distiller or
Rectifier receiv-
ing Spirits, not
being Foreign,
to break Bulk,
&c. till Officer
takes an Account
of the
Strength and
Quantity.

Distiller to give
Notice to Officer
of Receipt of
Spirits.

any of the Packages containing any such Spirits, or the Spirits therein removed, until the proper Officer or Officers of Excise shall have taken an Account of the Strength and Quantity thereof, all such Spirits, or a Quantity equal thereto, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and such Maker or Makers, Distiller or Distillers, Rectifier or Rectifiers so offending, shall for every such Offence forfeit and lose the Sum of Five hundred Pounds.

Penalty 5ool.

Removing, &c. without a Permit, or a greater Quantity of Spirits than expressed in Permit, &c.

XIII. And be it further enacted, That any Maker or Makers, Distiller or Distillers, Rectifier or Rectifiers of, or Dealer or Dealers in, or Retailer or Retailers of Spirits in *England*, who shall deliver, remove or receive any Spirits, for the Removal of which a Permit is by Law required, without such Permit, or a greater Quantity of Spirits, or of a different Kind or Quality, than shall be expressed in such Permit, or having obtained such Permit shall not send out therewith the Spirits therein described, or return the said Permit within the Time now by Law required, and every Person or Persons who shall sell, lend, deliver or employ, or make use of, or cause or suffer any such Permit as aforesaid, or any other Permit granted under any Law or Laws of Excise, to be sold, lent, delivered, employed or made use of to or for any other Use or Purpose whatsoever than to accompany the actual Removal of the Spirits or Goods respectively for which the same was obtained and granted, and which shall be therein expressed or described, or shall produce or cause or suffer the same to be produced to any Officer or other Person, as having been received with any Goods other than as aforesaid, or shall in any manner use or employ, or cause or suffer to be used or employed, any Permit, so as that any Account kept or checked or to be kept or checked by the Officer or Officers of Excise by such Permit shall or may be frustrated or evaded, he, she or they shall for every such Offence severally forfeit and lose the Sum of Five hundred Pounds, over and above all other Penalty and Penalties, Forfeiture and Forfeitures whatsoever; and every Permit used for any Purpose whatsoever other than to accompany the Removal of the Spirits or Goods respectively for which it was obtained and granted, and which shall be therein expressed or described, shall be deemed and taken to be a false Permit, and such Use shall, over and above all other Penalties and Forfeitures, subject the Person or Persons so using the same to all and every the Penalties and Forfeitures imposed by Law upon any Person or Persons for using, giving or receiving any false Permit.

Penalty.

What deemed a false Permit.

Penalty.

What Dealer in Foreign Wine, having more than Two Gallons of Spirits of Wine at a time, or any other British Spirits of greater Strength than herein mentioned,

XIV. And be it further enacted, That no Dealer or Dealers in Foreign Wine, not being an entered Dealer or Dealers in, or Retailer or Retailers of Spirits in *England*, shall have, receive or take into his, her or their Custody or Possession any Spirits of Wine exceeding Two Gallons at any one time, or any other *British* Spirits, except Spirits of Wine, of a greater or higher Degree of Strength than Twenty *per Centum* under Hydrometer Proof; and if any such Dealer as aforesaid, not being an entered Dealer in or Retailer of Spirits as aforesaid, shall have, receive or take into his, her or their Custody or Possession any Spirits of Wine exceeding Two Gallons at one Time, or other *British* Spirits, except Spirits of Wine of a greater or higher Degree of Strength than Twenty *per Centum* under Hydrometer Proof, all such Spirits shall be forfeited, and shall

shall and may be seized by any Officer or Officers of Excise; and the Person or Persons in such case offending shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

XV. And be it further enacted, That all Spirits of Wine shall be made and kept of the Strength of Forty three *per Centum* over Hydrometer Proof at the least, and that the actual and true Strength of all Spirits of Wine shall be expressed and specified in the Request Note for a Permit, and in the Permit granted for or to accompany the Removal thereof, and shall be taken Account of by the Officer in the respective Stocks of every Dealer in and Retailer of Spirits according to the actual Strength thereof; and that every Dealer in or Retailer of Spirits shall keep all Spirits of Wine in a separate and distinct Cellar or Place entered for that Purpose, in which no other Spirits or Foreign Wine or Sweets or Made Wines is, are or shall be kept; and if any Spirits of Wine shall from and after the passing of this Act be kept or removed of less Strength than as aforesaid, or be mixed or mingled with any Foreign Wine, Foreign Spirits or other *British* Spirits, or by any means be reduced, lowered or weakened in the Strength thereof, or shall be removed without the Permit expressing the Strength thereof, or shall be found in or upon the Premises or in the Custody or Possession of any such Dealer or Retailer as aforesaid, otherwise than in such separate entered Cellar or Place as aforesaid; all such Spirits of Wine, and all Wine or Spirits with which any Spirits of Wine shall be so mixed or mingled, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and the Dealer or Dealers and Retailer or Retailers as aforesaid offending therein shall forfeit and lose the Sum of Two hundred Pounds.

XVI. And Whereas by an Act made in the Fifty second Year of the Reign of His present Majesty, for permitting the Removal of Goods from one Bonding Warehouse to another in the same Port, it is enacted, that any Rum of the Growth or Produce of the *British* Sugar Plantations imported into *Great Britain* in any Cask of Sixty Gallons or upwards, shall be allowed to be warehoused in the same manner as Foreign Brandy, Rum, Geneva, Spirits or Aqua Vitæ, is or are, by an Act made in the Forty third Year of the Reign of His present Majesty, intituled *An Act for permitting certain Goods imported into Great Britain to be secured in Warehouse without Payment of Duty*, allowed to be warehoused: And Whereas by the Laws now in force such Rum may be delivered from or out of any such Warehouse to be shipped as Stores, to be spent and consumed on board any Ship or Vessel in any Voyage to Parts beyond the Seas, freed and discharged from all the Duties of Excise, provided such Rum be not so shipped in any Cask which shall contain less than One hundred Gallons: And Whereas it is expedient that such Rum should be allowed to be shipped as aforesaid in Casks containing not less than Sixty Gallons; Be it therefore enacted, That from and after the passing of this Act, any Cask not containing less than Sixty Gallons of such Rum as aforesaid shall or may be delivered from or out of any Warehouse, and shipped as Stores to be spent and consumed on board any Ship or Vessel in any Voyage to Parts beyond the Seas, freed and discharged from all the Duties of Excise, subject nevertheless to all and singular the Rules, Regulations, Restrictions

Penalty 100l.

Spirits of Wine to be of the Strength herein mentioned and kept in a separate Place entered.

If found of less Strength, or mixed or removed without a Permit, or found in other than a separate Place,

Penalty 200l.

52 G. 3. c. 142.
§ 3.
43 G. 3. c. 132.
§ 33—37.

Rum may be taken out of Warehouse and allowed to be shipped in Casks containing not less than 60 Gallons, as Stores, to be

consumed on board, free from Duty.

Conditions.

and Provisions, and all Fines, Penalties and Forfeitures, contained, provided, settled or established in or by all or any of the Laws now in force for or in respect of any Rum shipped or to be shipped as Stores, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act: Provided always, that no Rum shall be shipped for Stores on board of any Ship (except by the special Order and Permission of the Commissioners of Excise), but at the Port at which the Ship or Vessel is fitted out for the Voyage; and that the Oath required by Law to be made, that the same is to be shipped as Stores to be spent and consumed in the Voyage, shall be made by Affidavit in Writing by the Master or Purser of such Ship or Vessel; and that if the Contents of any such Cask shall be drawn off, or the Rum or any Part thereof be used or altered, either in Quantity or Quality, before such Ship or Vessel shall have left the Port and sailed upon her intended Voyage, such Cask or Casks and the Rum therein contained or drawn off shall be forfeited, over and above the Penalty of the Bond given on the Shipment thereof, and shall and may be seized by any Officer or Officers of Excise.

Penalty.

Recovery and Application of Penalties.

XVII. 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; 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.

Act may be altered, &c. this Session.

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

C A P. CXXIV.

An Act to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor.

[11th July 1817.]

C. 34. § 5. ante.

WHEREAS by an Act made in this present Session of Parliament, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in manner therein mentioned*, it is among other things enacted, that at any time after the passing of the said Act, by or out of such Monies as shall at any time or times remain in the Receipt of the Exchequer of Ireland, or out of the growing Produce of the Consolidated Fund of the United Kingdom, arising in Ireland (after paying or reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid in Ireland out of the said Consolidated Fund), there shall and may be issued, by Order of the Lord Lieutenant or other Chief Governor or Govern-
ors

‘nors of *Ireland* for the time being, from time to time, in manner and under the Regulations in the said Act mentioned and contained, any Sum or Sums of Money not exceeding in the Whole the Sum of Two hundred and fifty thousand Pounds, to be applied to the Purposes of the said Act in manner and under the Regulations therein mentioned: And Whereas the present Distressed State of the Poor in some Parts of *Ireland* may require more speedy Relief than could be afforded under the Regulations of the said recited Act;’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That after the passing of this Act it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being, and he and they is and are hereby authorized, to nominate and appoint so many and such Persons as he or they shall think fit, not exceeding seven in Number, to be Special Commissioners for the Purpose of receiving Applications for Relief in Cases of extreme Necessity; and upon the Report and Recommendation of such Commissioners or any Three of them, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being to direct that any Part or Portion of the said Sum of Two hundred and fifty thousand Pounds shall be paid and advanced in Aid of any private or local Contribution or Subscription for the Relief and Employment of the Poor in any Part or Parts of *Ireland*, to any Person or Persons whatever, and at any such time or times, and in any such manner and proportion, and under any such Regulations and Directions as shall be suggested and recommended by such Commissioners, and as shall be approved of and authorized by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the time being; any thing in the said recited Act of this Session of Parliament to the contrary in anywise notwithstanding.

Lord Lieutenant of *Ireland* may appoint Special Commissioners for receiving Applications for Relief; and upon their Recommendation, Suma, Part of the said 250,000l., may be advanced for the Employment of the Poor.

II. And be it further enacted, That the Commissioners so to be appointed under the Authority of this Act shall, whenever they shall be thereto required by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary, transmit an Account or Accounts in Writing of all their Proceedings under this Act, to the Office of such Chief Secretary, and the same shall be laid before both Houses of Parliament.

Commissioners to give an Account of their Proceedings to Chief Secretary.

‘III. And Whereas many Public Works of Drainage are to be executed, or are in the Course of Execution, under the Authority of Parliament, by Commissioners or Trustees, out of Taxes upon Land, or other Funds or Revenues raised or charged to pay the Expences of such Works; and Doubts have arisen whether the said recited Act authorizes the Advance of Money to such Commissioners or Trustees for such Works, without personal Security, upon Conditions which are properly applicable to such Works of Drainage;’ Be it therefore enacted, That it shall and may be lawful for the Commissioners for carrying the said recited Act into Execution, to make any Advance of Money by Exchequer Bills, under the said recited Act, in Aid of any Work or Works of Drainage, either with or without Navigation, to be executed, or in the Course of Execution, by Commissioners or Trustees under the Authority

Advances may be made for Drainage on the Credit of the Rates,

if Commissioners
satisfied of the
Utility of the
Work.

thority of Parliament; such Advances to be made to such Commissioners or Trustees without personal Security, upon the Credit of any Rates or Taxes payable from any Lands or Grounds, or upon any other Funds or Revenues for such Works: Provided always, that in every such case of Advance for Works of Drainage under this Act or the said recited Act, the Commissioners for carrying the said recited Act into Execution shall be satisfied of the Utility of the Work, and that the Rates, Taxes, Funds and Revenues to be mortgaged and assigned according to the Provisions of the said recited Act, shall be an adequate Security for the said Advances.

Exchequer Bills,
when payable.

IV. And be it further enacted, That all Exchequer Bills whatever which shall be made out in pursuance of the said recited Act, and shall be advanced for any of the Purposes in the said recited Act or this Act mentioned, shall be made payable on the Tenth Day of *October* One thousand eight hundred and twenty, and at no other time; any thing in the said recited Act to the contrary notwithstanding.

Regulating
Advances to
Parishes.

V. Provided always, and be it enacted, That no Advance shall be made under the Provisions of the said recited Act for the Use of any Parish, Township or Place in *Great Britain*, in which the Amount of the Money actually expended for the Relief of the Poor, in the Year ending at *Easter* One thousand eight hundred and seventeen, or ending at the usual Quarter Day immediately preceding *Easter* One thousand eight hundred and seventeen, shall not exceed by Three Fourths the average annual Amount of the Money expended for the Relief of the Poor for the Three Years preceding *Easter* One thousand eight hundred and sixteen, or shall not exceed by One Half the Amount so expended for the Year ending *Easter* One thousand eight hundred and sixteen; any thing in the said recited Act to the contrary in anywise notwithstanding.

Repayment of
Exchequer Bills.

VI. And be it further enacted, That the Principal Sums contained in the Exchequer Bills which shall be advanced or lent by the said Commissioners for the Execution of this Act in *Great Britain*, under the Authority of the said recited Act, the Payment whereof shall not be otherwise provided for pursuant to the said recited Act, shall be repaid without Deduction or Abatement, together with Interest for the same at and after the Rate of Five Pounds *per Centum per Annum*, to the Cashier or Cashiers of the Bank of *England*, at their Office, by the Space of Fifteen Days at least before the time when each such Exchequer Bill shall become payable according to the Provisions of this Act; such Interest to be computed on the said Principal Sum from the Date of such Exchequer Bill to the time of the Payment thereof.

Preference to
Claims of Com-
missioners on
Bankrupts'
Estates.

VII. And be it further enacted, That all the Claims of the Commissioners under the said recited Act shall be paid and satisfied out of the Estate and Effects of any Person or Persons who shall become Bankrupt, and against whose Estate Sequestration shall be awarded in *Scotland*, out of the Estate and Effects of such Bankrupt or Bankrupts, and in preference to the Claim of any other Creditor or Creditors; nevertheless without Prejudice to Preference, duly obtained according to the Law in *Scotland*, upon the Real Estates of Persons who shall become Bankrupt.

Proviso.

VIII. And

VIII. And be it further enacted, That it shall be lawful for the said Commissioners named in and appointed by the said recited Act, and their Successors for the time being, or any Three or more of them, to receive Applications in Writing from the Trustees of any Road or Roads, Railway or Railways, or the Trustees or Commissioners of any Harbour or Drainage, whether acting under the Authority of Parliament or otherwise, or from any Person or Persons for the Encouragement of the Fisheries, or the Support of any Collieries or Mines, or from any Person or Persons proposing to employ the Poor of any Parish or Parishes in *Great Britain*, in any beneficial Object or Work, for the Loan and Advance of Money by Exchequer Bills or otherwise, according to the said recited Act; and the said Commissioners shall proceed to take such Applications into their Consideration in such and the like Manner as any other Applications mentioned and referred to in the said recited Act, and to grant such Loan or Loans in pursuance thereof as the said Commissioners may think fit, having regard, in considering all such Applications as are mentioned in the said recited Act and this Act, to the Benefit which may arise in affording Employment for the labouring Classes of People and the Numbers to be employed, and to the Validity of the Security proposed for the Repayment of the Money or Exchequer Bills advanced.

Advances may be made to Trustees of Roads, Harbours, &c. not acting under Authority of Parliament; and for Encouragement of Fisheries, Collieries, &c.

IX. And be it further enacted, That it shall be lawful for the said Commissioners named in and appointed by the said recited Act, and their Successors for the time being, or any Three or more of them, in all Cases where they shall see Occasion, in addition to the Security required by the said recited Act and this Act, and as a further Security for any Loan to be made of any such Exchequer Bills mentioned in the said recited Act, or for Part of such Loan from any Principal or Surety in such Loan, to require and take Security by Mortgages, Assignments, Surrenders or other competent Assurance, upon the Freehold, Copyhold or Leasehold Estate or Estates of such Principal or Surety, or other Person or Persons by whom such Loan shall be required, or to or for whose Use such Loan shall be granted; such Mortgages, Assignments, Surrenders or other Security to be respectively granted and made to and in the Name of the Secretary to the said Commissioners for the time being, in Trust for the said Commissioners, and upon such Terms, Provisoes and Conditions as the said Commissioners or any Three or more of them shall direct and appoint with respect to such Loan, or any Part thereof.

Commissioners may take Mortgages or Assignments of Freehold, Copyhold or Leasehold Property, as further Security for Advances made.

X. And be it further enacted, That it shall be lawful for the said Commissioners, or any Three or more of them, in all Cases where they shall see Occasion, to accept and take as a further and additional Security for any Loan to be made of any Sum in such Exchequer Bills as aforesaid, under the said recited Act or this Act, or Part of such Loan, from any Principal or Surety in such Loan, or other Person or Persons having Lands, Heritages or other Real Estates in *Scotland*, or any heritable Security whatever, which may affect, incumber or charge the said Real Estates of such Principal or Sureties, or such other Persons as aforesaid by the Laws of *Scotland*; and also to accept and take as a like further and additional Security from any such Principal or Surety, or other Person or Persons possessed of any heritable Security, affecting, incumbering or charging any Real Estates

Commissioners may take as additional Security, Heritable Securities on Estates in *Scotland*, and Assignments thereof.

Secretary, under Direction of Commissioners, may do all Acts requisite to give Effect to such heritable Security or Assignment thereof.

Estates in Scotland, any Assignment of such heritable Security proposed, according to the Forms prescribed by the Laws of *Scotland*; and that every such heritable Security which shall be so granted and constituted, and every Assignment of any heritable Security which shall be so made as any such further and additional Security for such Loan as aforesaid, shall respectively be granted, constituted and made, to and in the Name of the Secretary of the said Commissioners for the time being, in Trust for the said Commissioners, in terms of the Loan, for which the same shall be a Security; and the said Secretary for the time being shall, under the Directions of the said Commissioners or any Three or more of them, have full Power and Authority to perform, execute and carry into Effect any Acts, Matters and Things whatsoever, which shall be requisite for the further and better assuring and validating any such heritable Security or Assignment thereof as aforesaid, and for enforcing, prosecuting and pursuing the same, for the Recovery of the Sums for which such Securities were respectively granted; constituted and made, in all Courts of competent Jurisdiction in *Scotland*, as fully and effectually to all Intents and Purposes as if the same Securities respectively were granted, constituted and made to the Secretary for the time being, as a Security for his own proper Debt in *Scotland*; and that on Payment or Satisfaction of the Principal Sums for which such Security shall be given, with Interest for the same, and all Costs incurred in recovering the same, the said Secretary for the time being shall and he is hereby authorized, under the Direction of the said Commissioners, or any Three or more of them, to execute on Behalf of the said Commissioners a Discharge or Renunciation of the said Money so paid and satisfied, to be prepared at the Costs of the Party or Parties making such Payment or Satisfaction, according to the Forms prescribed by Law for discharging and renouncing any heritable Debt or Incumbrance upon a Real Estate in *Scotland*; and that such Discharge shall be good and valid in Law to all Intents and Purposes whatsoever.

Commissioners may take, as a further Security, Deposits of India Bonds, Exchequer Bills, Bills of Exchange, &c. or other negotiable Securities.

XI. And be it further enacted, That it shall be lawful for the said Commissioners named in and appointed by the said recited Act, and their Successors for the time being, or any Three or more of them, in all Cases where they shall see Occasion, to accept and take as a farther and additional Security for any Loan to be made of any such Exchequer Bills mentioned in the said Act, or any Part of such Loan, over and above the Security required by the said recited Act or this Act, any Exchequer Bills, *India* Bonds, or any transferrable Share or Shares in any Corporation, Company or Public Work carried on under the Authority of Parliament, Bills of Exchange or other negotiable Securities for Money whatever, which shall be assigned, transferred or deposited for that Purpose, as the said Commissioners or any Three or more of them shall direct; and all such Exchequer Bills, *India* Bonds, Share or Shares in any such Corporation, Company or Public Works, Bills of Exchange, or other negotiable Securities for Money so assigned, transferred or deposited, shall, in Default of Payment of such Loan in the Manner directed and appointed by the said Commissioners under and by virtue of the said recited Act or this Act, or any Three or more of them, become and be vested in the said Commissioners, and shall and may be sold and disposed of, or the Monies due or payable by virtue thereof shall and

and may be sued for in due Course of Law, in the Name of their Secretary for the time being, for the Use of the said Commissioners under the said recited Act.

XII. And be it further enacted, That no Bond to His Majesty, nor any heritable Securities, nor any Assignment of any heritable Securities, nor any Mortgage, Surrender, Assignment or other Instrument or Assurance taken by the said Commissioners in the Name of their Secretary for the time being, or otherwise, under the said recited Act or this Act, nor any Examination, Affidavit, Deposition, Receipt or Consent by Sureties or Surety to an Extension of Time granted by the said Commissioners for Payment of any Exchequer Bills advanced to any Principal by virtue of the said recited Act or this Act, or any Receipt or other Document that may be taken or made under and by virtue of the said recited Act or this Act, and for the Purpose of carrying the said Acts and each of them into Execution, shall be liable to any Stamp Duty whatever; any thing in any Act or Acts in force in *Great Britain or Ireland* to the contrary in anywise notwithstanding.

XIII. And be it further enacted, That it shall be lawful for the said Commissioners under and by virtue of the said recited Act and this Act, in every Case in which it may become necessary, to sue and be sued in the Name of their Secretary for the time being; and that no Action or Suit in Law or Equity to be brought or commenced by or against the said Commissioners on account of the said recited Act or this Act, in the Name of their Secretary for the time being shall abate or be discontinued by the Death or Removal of such Secretary, or by the Act of such Secretary, without the Consent of the said Commissioners; but the Secretary to the said Commissioners for the time being shall always be deemed the Plaintiff or Defendant in such Action or Suit, as the Case may be; and no Action or Suit shall be brought against the said Commissioners collectively or individually, or against their Secretary, except in His Majesty's Court of Exchequer in *England, Scotland or Ireland* respectively, and with the Leave of such Courts respectively first had and obtained, and upon such Terms and Conditions as the said Courts shall direct.

XIV. And be it further enacted, That it shall be lawful for the Commissioners under the said recited Act and this Act, in every Case in which they are empowered to make any Advance under the Provisions of the said recited Act, upon the Deposit of any Proportion specified in the said Act of the Money estimated as the Costs of the Completion of the Whole of any Public Works, to make such Advances in different Sums at different Periods, and without requiring the Whole of any such Proportion to be provided by the Body Corporate or Politic, or Company of Proprietors, or Persons interested in such Public Works, to be expended or deposited as required by the said recited Act: Provided always, that in every such Case the Whole of such Proportion shall be actually subscribed for, and made subject to Calls under the Provisions of some Act or Acts of Parliament relating to such Work, or be otherwise secured to the Satisfaction of the said Commissioners, and Twenty five Pounds *per Centum* thereon actually paid and deposited; and provided always, that no such Advance to be from time to time made by the said Commissioners shall exceed Twice the Money actually from time to time raised, paid, expended or deposited upon any such

Obligations, Mortgages, &c. taken by the Commissioners, Affidavits, Receipts, &c. not liable to Stamp Duty.

Commissioners may sue and be sued in the Name of their Secretary.

Actions against Commissioners to be brought in the Court of Exchequer of England, Scotland or Ireland.

Advances may be made at different times on certain Conditions.

Provid.

Subscrip-

Subscription; any thing in the said recited Act to the contrary notwithstanding.

Advances may be made to Trustees of Railways or Roads, or Commissioners for Drainage, on an adequate Fund for Repayment with Interest being secured.

XV. Provided always, and be it further enacted, That it shall be lawful for the Commissioners for the Execution of the said recited Act in *Great Britain*, or any Three or more of them, upon any Applications which shall be made to them under the said Act from the Trustees of any Roads or Railways, or the Commissioners for any Drainage, for the Advance of any Money by Exchequer Bills under the said recited Act, to grant such Applications, upon having an adequate Fund for Repayment of the Money so advanced secured to the Satisfaction of the said Commissioners, being not less in annual Amount than shall be sufficient to pay an Interest after the Rate of Five Pounds *per Centum per Annum* on the Principal Money advanced, and a farther annual Sum of Five Pounds *per Centum* to be applied as a Sinking Fund for the Redemption of the Principal so advanced, within such time as the said Commissioners for the Execution of the said Act shall direct and appoint, and as shall be specified in the Mortgage or Assignment to be made of the Rates or Tolls of such Roads, Railways or Drainage; and that in all Cases in which Security shall be given in manner aforesaid, it shall not be required of the Party or Parties applying for such Advance to give or enter into any personal Security; any thing in the said Act contained to the contrary thereof notwithstanding.

Personal Security not required.

Letters, &c. to Secretary of Commissioners, free of Postage.

XVI. And Whereas it is expedient that all Letters and Packets addressed to the Secretary to the said Commissioners should pass free of the Duty of Postage; Be it therefore enacted, That all Letters and Packets addressed to the Secretary of the said Commissioners at their Office shall pass free of the Duty of Postage.

C A P. CXXV.

An Act to authorize the driving and keeping a Hackney Coach or Chariot under the same Licence. [11th July 1817.]

54 G. 3. c. 147.

WHEREAS an Act of Parliament was made and passed in the Fifty fourth Year of the Reign of His present Majesty, intituled *An Act for the better Regulation of the Drivers of Licensed Hackney Coaches, for explaining and amending an Act passed in the Forty eighth Year of His present Majesty, relating to Hackney Coaches, and for authorizing the licensing of a limited Number of Hackney Chariots (a)*: And Whereas another Act of Parliament was made and passed in the Fifty fifth Year of the Reign of His present Majesty, intituled *An Act to amend several Acts relating to Hackney Coaches, for authorizing the licensing of an additional Number of Hackney Chariots, and for licensing Carriages drawn by One Horse*; whereby the Commissioners for licensing and regulating Hackney Coaches were empowered, in the manner in the said recited Acts directed, to license Hackney Chariots, not exceeding certain Numbers specified in the said Acts: And Whereas the Holder of a Licence to drive and keep a Hackney Coach cannot, under the Authority of such Licence, drive or keep a Hackney Chariot, or the Holder of a Chariot Licence drive or keep a Hackney Coach, under the Authority of the same: And

55 G. 3. c. 159.
§ 2.

(a) [Sections 1—13. of 54 G. 3. c. 147. relating to providing, &c. Tickets, repealed, 55 G. 3. c. 159. § 1.]

Whereas

‘ Whereas it would be beneficial both to the Persons keeping such Carriages and to the Public, and it is therefore expedient, that the present Holders of such Licences, or any Persons to whom Licences may hereafter be granted, should respectively be allowed to drive and keep Hackney Coaches or Chariots under the same Licences, without a Special Licence for each Description of Carriage:’ 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 any Holder of a Licence already granted, or which may in future be duly granted by the Commissioners of Hackney Coaches, to keep or drive or cause to be driven either a Hackney Coach or a Hackney Chariot, under the Authority of the same Licence, without being subject to any Penalty by reason thereof; provided that no such Person shall drive or cause to be driven for Hire, at one and the same time, more than One Carriage under One and the same Licence; and that in all Licences to be henceforth granted by the Commissioners of Hackney Coaches under the several Acts now in force relative to Hackney Coaches, it shall be expressed that the same authorizes the driving or keeping a Hackney Coach or Hackney Chariot, but no more than One Carriage at one and the same time, any thing in any Act or Acts of Parliament to the contrary notwithstanding.

The same Licence to serve for a Coach or Chariot.

Future Licence, what to excise.

II. And be it further enacted, That if any Holder of a Licence already or in future to be duly granted by the Commissioners of Hackney Coaches for the time being, or the major Part of them, to drive a Hackney Coach or Chariot, shall from and after the passing of this Act use or drive, or cause to be used or driven for Hire under such Licence, more than One Carriage (whether Coach or Chariot), at one and the same time, within the Cities of *London* or *Westminster*, or the Suburbs of the same respectively, or any of the Parishes or Places comprized within the Weekly Bills of Mortality, or any other Place or Places within which, by any of the Laws now in force, Hackney Coaches and Chariots are to be driven, he or she shall, upon being thereof convicted on the Oath of One or more credible Witnesses or Witnesses before the major Part of the said Commissioners, forfeit and pay for every such Offence a Penalty not exceeding Ten Pounds, in the Discretion of the major Part of the said Commissioners; One Half of which Forfeiture and Penalty shall go to His Majesty, and the other Half to the Informer, to be levied and recovered as any Penalty may be levied and recovered under any Act of Parliament relating to Hackney Coaches; or otherwise it shall be lawful for the major Part of the said Commissioners to revoke the Licence of the Person so offending.

Holder of Licence driving more than One Carriage at the same Time,

Penalty.

III. And be it further enacted, That it shall be lawful for any Person to require any Hackney Coachman to drive for a stated Sum of Money a Distance in the Discretion of such Hackney Coachman; and in case such Coachman shall exceed the Distance to which such Person was entitled to be driven for such stated Sum of Money, the Coachman shall not be entitled to demand more than the Sum for which he was so engaged to drive.

Coachman not to charge more than the Sum agreed for, though he exceeds the Distance.

C A P. CXXVI.

An Act to repeal an Act, passed in the Fifty fourth Year of His present Majesty, for the Punishment of Persons destroying Stocking or Lace Frames, and Articles in such Frames; and to make, until the First Day of *August* One thousand eight hundred and twenty, other Provisions in lieu thereof.

[11th July 1817.]

52 G. 3. c. 16.

‘ **W**HEREAS an Act was passed in the Fifty second Year of His present Majesty’s Reign, intituled *An Act for the more exemplary Punishment of Persons destroying or injuring any Stocking or Lace Frames, or other Machines or Engines used in the Framework Knitted Manufactory, or any Articles and Goods in such Frames or Machines; to continue in force until the First Day of March One thousand eight hundred and fourteen*: And Whereas

54 G. 3. c. 42.

‘ an Act passed in the Fifty fourth Year of the Reign of His present Majesty, intituled *An Act to repeal an Act of the Fifty second Year of His present Majesty, for the Punishment of Persons destroying Stocking or Lace Frames, or any Articles in such Frames, and to make other Provisions instead thereof*: And Whereas it is expedient that the said last recited Act of the Fifty fourth Year aforesaid should be repealed, and other Provisions 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 the said last recited Act of the Fifty fourth Year aforesaid shall be repealed, and the same is hereby repealed, save and except as to so much of the said last recited Act as repeals the said recited Act of the Fifty second Year aforesaid, and also save and except as to any thing done before the passing of this Act, with respect to which the said Act shall remain and be in full Force and Effect as if this Act had not been made.

repealed.

Persons forcibly entering House, &c. with Intent to cut, break or destroy, or destroying or cutting, &c. with Intent to destroy or render useless Machinery or Goods therein, to be deemed guilty of Felony.

II. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall by Day or by Night enter by force into any House, Shop or Place, with an Intent to cut or destroy any Framework Knitted Pieces, Stockings, Lace or other Articles or Goods, being in the Frame, or upon any Machine or Engine thereto annexed, or therewith to be used or prepared for that Purpose, or with an Intent to break or destroy any Frame, Machine, Engine, Tool, Instrument or Utensil used in and for the working and making of any such Framework Knitted Pieces, Stockings, Lace or other Articles or Goods in the Hosiery or Framework Knitted Manufactory, or shall wilfully and maliciously, and without having the Consent or Authority of the Owner, destroy or cut, with an Intent to destroy or render useless, any Framework Knitted Pieces, Stockings, Lace or other Articles or Goods, being in the Frame or upon any Machine or Engine as aforesaid, or prepared for that Purpose, or shall wilfully and maliciously, and without having the Consent or Authority of the Owner, break, destroy or damage, with an Intent to destroy or render useless, any Frame, Machine, Engine, Tool, Instrument or Utensil used in and for the working

working and making of any such Framework Knitted Pieces, Stockings, Lace or other Articles or Goods in the Hosiery or Framework Knitted Stockings, or Framework Lace Manufactory; or shall wilfully and maliciously, and without having the Consent or Authority of the Owner, break or destroy any Machinery contained in any Mill or Mills used or any way employed in preparing or spinning of Wool or Cotton, or other Materials, for the Use of the Stocking or Lace Manufactory, every Offender being thereof lawfully convicted shall be adjudged guilty of Felony, and shall suffer Death as in cases of Felony without Benefit of Clergy.

Death.

III. And be it further enacted, That this Act shall continue and be in force until the First Day of *August*, which will be in the Year of Our Lord One thousand eight hundred and twenty.

Continuance of Act.

C A P. CXXVII.

An Act to settle the Share of Prize Money, Droits of Admiralty, and Bounty Money payable to *Greenwich* Hospital, and for securing to the said Hospital all unclaimed Shares of Vessels found derelict, and of Seizures for Breach of Revenue, Colonial, Navigation and Slave Abolition Laws.

[11th July 1817.]

‘WHEREAS Doubts have arisen whether by virtue of the several Laws now in force the Per Centage heretofore payable to the Royal Hospital for Seamen at *Greenwich* out of all Prize Money, Droits of Admiralty and Bounty Money, continued to be payable to the said Institution after the Expiration of the Hostilities which existed at the time Provision was made for the Payment of the said Per Centage; and it is expedient that further Provisions and Regulations should be made relating thereto:’ Be it therefore enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That immediately after the passing of this Act the said Royal Hospital for Seamen at *Greenwich* in the County of *Kent* shall be and are hereby declared to be entitled to receive the Sum of Five Pounds *per Centum*, not only upon all Prizes taken by any of His Majesty’s Ships or Vessels up to the Termination of the said Hostilities, but also upon the Net Proceeds of all Prizes taken and condemned since the Seventeenth Day of *June* One thousand eight hundred and fourteen, and upon all Grants made to the Royal Navy or Marines, and upon all Bounty Monies and Seizures under the Revenue, Colonial, Navigation or Slave Abolition Laws; and also upon all Droits of Admiralty whatsoever, which shall have arisen and become payable, or shall be distributable to or amongst the Officers and Crews of any of His Majesty’s Ships or Vessels since the said Seventeenth Day of *June* One thousand eight hundred and fourteen.

Greenwich Hospital entitled to Five per Cent. on Prizes as herein mentioned; and on Grants to Navy or Marines, and on Bounty Money, Seizures and Droits of Admiralty.

II. And be it further enacted, That from and after the passing of this Act, all and every Prize Agent and Prize Agents already appointed or hereafter to be appointed by virtue of any Act now in force, or of any Prize Act hereafter to be passed, shall, from and out of the Net Proceeds of all Prizes taken and condemned since the

Prize Agents to retain and pay over to the Treasurer Five per Cent. on the Net

Proceeds of Prizes, &c.

the said Seventeenth Day of *June* One thousand eight hundred and fourteen, and from out of the Net Proceeds of all Bounty Bills, and of all Seizures under the Revenue, Colonial, Navigation or Slave Abolition Laws, and of all Monies arising from Derelicts, and of all Grants whatsoever which shall respectively have come into their Hands since the said Seventeenth Day of *June* One thousand eight hundred and fourteen, and are not yet distributed, or shall hereafter come into their Hands, retain for the Use of the said Royal Hospital, and shall, within Ten Days next after the Account of the said Monies shall have been examined and certified by the Examiner of Naval Prize Accounts, or if there should be no such Officer, then within Ten Days from the Notification of any Distribution of the said Monies, pay over to the Treasurer of the said Royal Hospital, or his Deputy, or to any Person to be appointed by such Treasurer by Writing under his Hand and Seal to receive the same, for the Use of the said Royal Hospital, the Sum of Five Pounds *per Centum* on the Net Proceeds of every such Prize, Grant or other Monies; and such Payment and the Receipt of the said Treasurer or his Deputy, or such Person so to be appointed as aforesaid, shall be a sufficient Discharge to such Agent or Agents for the same in his or their Accounts with all Persons entitled to any Share of any such Proceeds.

Receiver of Droits of Admiralty to pay over Five per Cent. on the Proceeds to the Treasurer in like manner.

III. And be it further enacted, That the Receiver of the Droits of Admiralty for the time being shall and he is hereby authorized and required, as soon after the Net Proceeds arising from any such Droits shall from time to time have been ascertained, after the passing of this Act, and after the Expiration of the Period within which any Appeal can be lodged against any Adjudication in relation to such Droits, as the same can be done, deliver in an Account thereof, and pay over to the said Treasurer or his Deputy, or such other Person or Persons as the Treasurer shall by any Writing under his Hand and Seal authorize and appoint to receive the same, Five Pounds *per Centum* upon the Amount of such Net Proceeds, for the Use of the said Hospital.

Persons falsely assuming the Names or Characters of others entitled to Pay or Prize Money, in order to receive the same,

IV. And be it further enacted, That in order to bring into One Act the several Provisions made for the Prevention and Punishment of the Crimes of Personation and Forgery for the Purpose of obtaining Prize Money, if any Person or Persons shall willingly or knowingly personate or falsely assume, or cause or procure any other Person to personate or falsely assume, the Name or Character of any Commissioned Officer, Warrant or Petty Officer, or Seaman, or any Commissioned or Non Commissioned Officer of Marines or Marine, or any other Person entitled or supposed to be entitled to any Wages, Pay, Prize Money, Bounty Money, Pension Money or other Allowances of Money for or in respect of Services performed or supposed to have been performed on board of any Ship or Vessel of His Majesty, His Heirs or Successors, or the Wife, Widow, Executor or Administrator, Relation or Creditor of any such Officer, Seaman, or other Person as aforesaid, in order to receive any Wages, Pay, Prize Money, Bounty Money, Pension Money or other Allowances of Money due or supposed to be due for or in respect of the Services of any such Officer, Seaman, Marine or other Person as aforesaid, performed or supposed to have been performed on board of any Ship or Vessel of His Majesty, His Heirs or Successors;

or shall falsely make, forge, counterfeit or alter, or cause or procure to be falsely made, forged, counterfeited or altered, or willingly act or assist in the false making, forging, counterfeiting or altering any Letter of Attorney, Order, Bill, Ticket, Certificate of Service or other Certificate whatsoever, Assignment, last Will or other Power or Authority whatsoever, in order to receive or to enable any other Person to receive any Wages, Pay, Prize Money, Bounty Money, Pension Money or other Allowances of Money due or supposed to be due for or in respect of the Services of any such Officer, Seaman, Marine or other Person as aforesaid, performed or supposed to have been performed on board of any Ship or Vessel of His Majesty, His Heirs or Successors, with Intention to defraud any Person or Persons, Body or Bodies Politic or Corporate whatsoever; or shall utter or publish as true, or shall aid or assist in uttering or publishing as true, any false, forged, counterfeited or altered Letter of Attorney, Order, Bill, Ticket, Certificate of Service, or other Certificate whatsoever, Assignment, last Will or other Power or Authority whatsoever, in order to receive any Wages, Pay, Prize Money, Bounty Money, Pension Money or other Allowances of Money due or supposed to be due for or in respect of the Services of any such Officer, Seaman, Marine or other Person as aforesaid, performed or supposed to have been performed on board of any Ship or Vessel of His Majesty, His Heirs or Successors, with Intention to defraud any Person or Persons, Body or Bodies Politic or Corporate whatsoever, knowing the same to be false, forged, counterfeited or altered; or shall willingly and knowingly take a false Oath to obtain the Probate of any Will or Wills, or to obtain Letters of Administration, in order to receive or to enable any other Person to receive any Wages, Pay, Prize Money, Bounty Money, Pension Money or other Allowances of Money due or supposed to be due for or in respect of the Services of any such Officer, Seaman, Marine or other Person as aforesaid, performed or supposed to have been performed on board of any Ship or Vessel of His Majesty, His Heirs or Successors; or shall demand or receive any Wages, Pay, Prize Money, Bounty Money, Pension Money or other Allowances of Money due or supposed to be due for or in respect of the Services of any such Officer, Seaman, Marine or other Person as aforesaid, performed or supposed to have been performed on board any of His Majesty's Ships or Vessels, upon or by virtue of any Probate of any Will or Letters of Administration, knowing the Will on which such Probate shall have been obtained to be false, forged and counterfeited, or knowing the Probate of such Will, or such Letters of Administration as last aforesaid, to have been obtained by means of any such false Oath as aforesaid, with Intention to defraud any Person or Persons, Body or Bodies Politic or Corporate whatsoever, then every such Person or Persons so offending, and being thereof convicted according to due Course of Law, shall be deemed guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

V. And be it further enacted, That when and as the said Per Centage shall have been paid into the Hands of the Treasurer of the said Royal Hospital, the same shall be appropriated to the current Services of the said Royal Hospital.

VI. And be it further enacted, That the said Royal Hospital for Seamen at *Greenwich* shall be and they are hereby declared to be

or counterfeiting Letters of Attorney, &c.

or uttering such Letters of Attorney, &c.

or taking a false Oath to obtain Probate of Wills or Letters of Administration, in order to receive Pay or Prize Money,

Death.

The Per Centage appropriated to current Services of Hospital. Hospital entitled to all forfeited

and unclaimed
Shares.

Agents for
Distribution of
Proceeds, &c.
subject to
Regulations of
54 G. 3. c. 93.

entitled to all forfeited and unclaimed Shares of and in the Proceeds which shall have arisen or shall hereafter arise out of and from all Vessels found derelict by any of His Majesty's Ships or Vessels, and out of and from all Seizures for Breach of the Revenue, Colonial, Navigation and Slave Abolition Laws, made by any of His Majesty's Ships or Vessels, and of and from all Bounties given under the Laws for the Prevention of or relating to the Slave Trade; and all and every the Agent or Agents for the Payment or Distribution of all such Proceeds and Bounty or other Monies shall be subject to the same Regulations, Rules, Penalties and Forfeitures, with respect to the unclaimed and forfeited Shares thereof, and the transmitting of Accounts and Payment of Balances to the said Royal Hospital as Prize Agents were subject to with respect to the Transmission of Accounts and Payment of Balances of Prize Money to the said Royal Hospital under an Act of Parliament passed in the Fifty fourth Year of the Reign of His present Majesty, intituled *An Act for regulating the Payment of Navy Prize Money, and the Transmission of Accounts and Payment of Balances to Greenwich Hospital.*

C A P. CXXVIII.

An Act for extending the Exemptions from the Duties granted by certain Acts of the Forty third and Forty fifth Years of His present Majesty's Reign, in Dwelling Houses in Scotland; and for altering the Manner of claiming and ascertaining the Exemptions to be granted. [11th July 1817.]

43 G. 3. c. 161.

WHEREAS by an Act passed in the Forty third Year of the Reign of His present Majesty, intituled *An Act for repealing the several Duties under the Management of the Commissioners for the Affairs of Taxes, and granting new Duties in lieu thereof; for granting new Duties in certain cases therein mentioned; for repealing the Duties of Excise on Licences, and on Carriages constructed by Coachmakers, and granting new Duties thereon, under the Management of the said Commissioners for the Affairs of Taxes, and also new Duties on Persons selling Carriages by Auction or on Commission; it was amongst other things enacted, that any Person inhabiting a Dwelling House in Scotland, containing not more than three Windows in the Whole, and under the Annual Rent of Twenty Shillings, should be exempted from the Duties contained in Schedule (A.) of that Act, in case such Person should be poor and indigent, and should not be assessed or liable to be assessed to any of the Duties contained in Schedules (B.), (C.), (D.) or (E.) of that Act: And Whereas the said Duties contained in the said Schedule (A.) of that Act have been since increased by an Act passed in the Forty eighth Year of His present Majesty's Reign, intituled *An Act for repealing the Duties of Assessed Taxes, and granting new Duties in lieu thereof, and certain additional Duties to be consolidated therewith; and also for repealing the Stamp Duties on Game Certificates, and granting new Duties in lieu thereof, to be placed under the Management of the Commissioners for the Affairs of Taxes; and it is expedient to grant Exemptions to Persons resident in Scotland, in Houses having more Windows, and of greater Annual Value, and in a different manner than in the said first**

48 G. 3. c. 55.

recited

'recited Act is 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 Twenty fourth Day of *May* One thousand eight hundred and seventeen, any Person inhabiting a Dwelling House in *Scotland*, containing not more than Four Windows in the whole, and not exceeding the Rent or Value of Three Pounds Sterling, shall be exempted from the Duties contained in the several Schedules of the said recited Acts respectively marked (A.), or either of the said Acts, in case such Person shall not be assessed, nor liable to be assessed, to any of the Duties contained in the said several Schedules of the said recited Acts, respectively marked (B.), (C.), (D.) or (E.); or any of the said Schedules.

II. And be it further enacted, That from and after the Twenty fourth Day of *May* One thousand eight hundred and seventeen, any Person inhabiting a Dwelling House in *Scotland*, containing not more than Six Windows in the whole, and not exceeding the Rent or Value of Five Pounds, shall be exempted from the Duties contained in the several Schedules of the said recited Acts respectively marked (A.), or either of the said Acts, in case such Person shall be poor and indigent, and shall not be assessed to any of the Duties contained in the said several Schedules of the said recited Acts respectively marked (B.), (C.), (D.) or (E.), or any of the said Schedules; which Exemption shall be proved and claimed in the manner hereinafter mentioned; that is to say, where any such Dwelling House shall be brought into Charge by virtue of the said recited Acts, and the Occupier or Occupiers thereof shall be entitled to the said Exemption by reason of Poverty as hereinbefore specified, then and in every such case the Person and Persons so entitled to Exemption shall give Notice thereof to the Surveyor of the District, who shall forthwith enter on the Assessment the Fact that such Notice hath been given, and his Opinion whether any of the said Persons, and which of them, are or is entitled to the said Exemption or not; and every such Surveyor shall, before the Assessment for the same Parish or Place shall be allowed, forthwith certify the same to any One of the Commissioners of Supply of the District resident in or near the said Parish or Place where such poor Person or Persons shall reside, who shall forthwith issue his Summons to Five, Four or Three substantial Householders of the same Parish or Place, to assemble on a Day and at a Place to be mentioned in the said Summons, to ascertain the Fact of Poverty entered on the said Assessment; and the said Surveyor and Inhabitants, being so assembled, shall carefully examine the Assessment of the said Duties for the said Parish or Place as far as respects the Persons who shall have given such Notices, and ascertain the Facts entered thereon by such Ways and Means as they shall think necessary, either from their own Knowledge, or from the Information of others who may attend, and who shall be then and there examined touching the Truth of the Allegations made by the Person or Persons so charged; and after such Examination and Inquiry the said Inhabitants shall by their Certificate under their Hands certify to the Commissioners of the said District the Names of the Persons entitled to such Exemption, and every Person returned

Houses in Scotland with not more than Four Windows, and not exceeding 3l. Rent, exempted from Duty;

as also Houses with not more than Six Windows, not exceeding 5l. Rent, if the Inhabitants are indigent, &c.

Notice to be given to the Surveyor, who shall ascertain the Poverty of the Claimant. Proceedings by Surveyor.

Certificate of Inhabitants of Names of Persons entitled to Exemption, &c.

by such Certificate to be entitled to such Exemption shall be exempted accordingly, unless the said Surveyor shall object to the said Certificate, in which case the said Commissioners shall examine the said Surveyor and any other Person or Persons touching the Validity of his Objection, and after such Examination shall confirm or discharge the said Certificate as to such Person or Persons only to whom the Objection of the said Surveyor shall relate: Provided always, that the Name of every Person so exempted, and the Number of Windows and Amount of Rent or Value of the House occupied by such Person, shall remain on the Assessment without Charge for that Year.

C A P. CXXIX.

An Act for vesting in His Majesty a certain Part of the Open Commons and Waste Lands within the Manor or Royalty of *Rialton* and *Retraighe* alias *Retertb* in the Parish of *Saint Columb Major*, in the County of *Cornwall*.

[11th July 1817.]

‘ **W**HEREAS The King’s Most Excellent Majesty, in Right
 ‘ of His Crown, is seized to Himself, His Heirs and Suc-
 ‘ cessors, of the Manor or Royalty of *Rialton* and *Retraighe* alias
 ‘ *Retertb* in the County of *Cornwall*, and of certain open Commons
 ‘ and Waste Lands within and Parcel of the same Manor, which are
 ‘ computed to contain Eight hundred and fifty Acres or thereabouts,
 ‘ and are usually called *Castle Dennis* otherwise *Castle Dinnis* other-
 ‘ wise *Castle an Dennis Down*, and of a certain Moor called the
 ‘ *Gofs Moor*, adjacent thereto; and His Majesty, in Right of His
 ‘ Crown, is also seized of or entitled to certain Messuages, Farms,
 ‘ inclosed Lands and Grounds situate within the Parish of *Saint*
 ‘ *Columb Major* in the said County of *Cornwall*, called *Trevitbick*
 ‘ and *Retertb*, and the Lessees or Occupiers of such Farms are en-
 ‘ titled to Rights of Common upon and over the said Commons,
 ‘ Moor and Waste Lands: And Whereas Sir *William Lemon*
 ‘ Baronet, *Mary Harris* Spinster, *Richard Rowe* Esquire, *John*
 ‘ *Peter* Doctor of Physic, *Richard Vivian* Esquire, *William Drew*,
 ‘ *John Henwood* and *James Hawkin*, are the Owners or Pro-
 ‘ prietors of certain ancient Messuages, Cottages, inclosed Lands
 ‘ and Grounds within the said Parish of *Saint. Columb Major* in the
 ‘ said County of *Cornwall*, and as such claim to be entitled to Rights
 ‘ of Common upon and over the said Commons, Moor and Waste
 ‘ Lands: And Whereas the said Commons, Moor and Waste Lands
 ‘ in their present State yield but little Profit, and are incapable of
 ‘ any considerable Improvement; but if the same were divided, and
 ‘ a specific Part thereof allotted unto His Majesty, and the Residue
 ‘ thereof was to be set out and remain to and for the Use and Benefit
 ‘ of the several other Persons interested therein, and if the Allotment
 ‘ to His Majesty was separated and set apart from the Remainder of
 ‘ the said Lands, great Benefit and Advantage would accrue from
 ‘ such Division and Inclosure to His Majesty, as well as to the several
 ‘ Persons having Rights of Common in and over the said Lands;
 ‘ but such beneficial Purposes cannot be effected without the Aid
 ‘ and Authority of Parliament;’ Be it therefore enacted by The
 ‘ King’s Most Excellent Majesty, by and with the Advice and Consent
 ‘ of

of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Martyn Bligh* of *Stone*, in the County of *Cornwall*, and *John Hayward* of *Truro*, in the same County, Surveyors, and their Successors to be nominated or appointed in manner hereinafter mentioned, shall be and they are hereby appointed Commissioners for dividing, allotting and inclosing the said Commons and Moor, and all the said Open Commonable Lands and Grounds, and for carrying into Execution the several other Purposes of this Act in such manner as is hereinafter provided or mentioned.

II. And be it further enacted, That no Commissioner shall act in the Execution of any of the Powers by this Act granted (save and except the Power of signing and giving Notice of the First Meeting of the said Commissioners), until he shall have taken and subscribed the following Oath; which Oath any One of His Majesty's Justices of the Peace for the said County of *Cornwall* may administer; (that is to say,)

I *A. B.* do swear [or, being one of the People called Quakers, do solemnly affirm], That I will faithfully, honestly and impartially, according to the best of my Skill and Judgment, execute the Trusts reposed in me as a Commissioner, by virtue of an Act passed in the Fifty seventh Year of the Reign of His Majesty King *George* the Third, intituled [here insert the Title of this Act]; and that I am neither Proprietor or Occupier of, nor to the best of my Knowledge am I concerned as Guardian, Steward or Agent for any Proprietor of Messuages, Cottages, Houses, Lands or Grounds, or other Person having or claiming any Right of Common, or any Manorial Rights, Tithes or any other Right or Interest whatsoever in, over or upon the Open Commonable Lands and Waste Grounds to be divided, allotted and inclosed by virtue of the said Act.

So help me GOD.

III. And be it further enacted, That in case the said *John Martyn Bligh*, or any Person to be nominated or appointed a Commissioner in his Room or Stead by virtue of this Act, shall die, neglect, refuse or become incapable to act as such Commissioner in the Execution of this Act, then and in such case it shall be lawful for the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, by any Writing under their Hands, within One Calendar Month after such Death, Neglect, Refusal or Incapacity as aforesaid shall be made known to them, to nominate and appoint a proper Person (not interested in the said intended Division, Allotment and Inclosure) to be a Commissioner in the Room or Stead of the said *John Martyn Bligh*, or of such other Person nominated or appointed in his Room or Stead so dying, neglecting, refusing or becoming incapable to act as aforesaid, and so from time to time as often as any Commissioner to be nominated and appointed by the said Commissioners of His Majesty's Woods, Forests and Land Revenues as aforesaid, shall die, neglect, refuse or become incapable to act as such Commissioner in the Execution of this Act; and in case the said *John Hayward*, or any Person to be nominated and appointed a Commissioner in his Room or Stead by virtue of this Act, shall die, neglect, refuse or become incapable to act in the Execution of this Act, then and in every such case the surviving or remaining Commissioner shall,

within Fourteen Days next after such Death, Neglect, Refusal or Incapacity shall happen to be known to him, summon a Meeting (of which Meeting Twenty one Days' Notice at the least, and of the Purpose thereof, shall be given by Advertisement in the *Cornwall Gazette* Newspaper, if then published, and if not, then in some other Newspaper printed or circulated in the said County of *Cornwall*;) of all and every the Owners or Proprietors claiming such Rights as aforesaid, to be holden within Thirty Days from the Date of such Notice; and the major Part in Value of such Owners or Proprietors who shall attend such Meeting in Person, or by their Agents or Proxies duly authorized for that Purpose, such Value, in case of any Difference or Dispute touching the same, to be ascertained by Reference to the Land Tax Assessments of the said Parish, shall and they are hereby required at such Meeting to nominate and appoint, by any Instrument in Writing under their Hands, or under the Hands of their Agents or Proxies, some fit and proper Person, not interested in the said intended Division, Allotment and Inclosure, to be a Commissioner in the Room or Stead of the said *John Hayward*, or of such other Person nominated and appointed in his Room or Stead so dying, neglecting, refusing or becoming incapable to act as aforesaid, and so from time to time as often as any Commissioner to be nominated and appointed by such Persons having Rights of Common or other Rights as aforesaid, or by their Agents or Proxies, shall die, neglect, refuse or become incapable to act as such Commissioner in the Execution of this Act; and every Person to be nominated and appointed to act as a Commissioner in manner as aforesaid shall, after taking and subscribing the Oath herein prescribed in that behalf, have the like Powers and Authorities in every respect for carrying this Act into Execution, and shall be subject and liable to the like Rules, Regulations and Restrictions, as if such Person or Persons had been originally nominated a Commissioner or Commissioners in and by this Act.

If Commissioners of Woods, &c. or Proprietors of Lands, &c. neglect to appoint new Commissioners within a limited time, surviving Commissioner to make such Appointment.

IV. Provided always, and be it further enacted, That if the said Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, or the said Persons having such Rights of Common or other Rights as aforesaid, or their Agents or Proxies as aforesaid, or either or any of them respectively, shall make Default in nominating and appointing any new Commissioner so directed to be nominated and appointed by them respectively as aforesaid within the respective times for that Purpose limited, and in manner aforesaid, then and in every such case it shall be lawful for the surviving or remaining Commissioner, and he is hereby required from time to time, by Writing under his Hand, within One Calendar Month next after the Expiration of such respective times so allowed for nominating and appointing such new and succeeding Commissioners as aforesaid, to nominate and appoint a fit and proper Person, not interested in the said intended Division, Allotment and Inclosure, to be a Commissioner in the Room or Stead of such Commissioner so dying, neglecting, refusing or becoming incapable to act as aforesaid; and every Commissioner so nominated and appointed shall, after taking and subscribing the Oath herein prescribed in that behalf, have the like Power and Authority for carrying this Act into Execution, and shall be subject and liable to the like Rules, Regulations and Restrictions, as if he had been originally nominated a Commissioner in and by this Act.

V. Provided

V. Provided also, and be it further enacted, That if either of the said Commissioners hereby nominated shall refuse or neglect to attend at the First Meeting appointed to be holden for carrying this Act into Execution, and duly qualify himself by taking and subscribing the Oath herein prescribed in that behalf, or if either of the said Commissioners shall at any time after the said First Meeting wilfully absent himself from any Three following successive Meetings appointed to be holden by virtue of this Act, or having been absent from Two successive Meetings, shall not attend during the whole of the Third or next succeeding Meeting, such Meetings being known to him, either by his being present at the Appointment thereof, or by Notice thereof in Writing having been given to him or left at his last or usual Place of Abode by the Clerk or Clerks of the said Commissioners, and such Commissioner not having been prevented by Sickness or other reasonable Excuse, to be allowed by the other Commissioner, from attending or continuing at such Meeting or Meetings; or if any Commissioner to be nominated and appointed in manner by this Act directed shall not attend and qualify himself to act as a Commissioner in the Execution of this Act at the First Meeting of the said Commissioners after his Nomination or Appointment, or shall thereafter wilfully absent himself from any Three following successive Meetings to be holden by virtue of this Act, or having been absent from Two successive Meetings, shall not attend during the whole of the Third or next succeeding Meeting, such Meetings being known by him, either by his being present at the Appointment thereof, or by Notice thereof in Writing having been given to him or left at his last or usual Place of Abode by the Clerk or Clerks to the said Commissioners, and such Commissioner not being prevented by Sickness or other reasonable Cause, to be allowed by the other Commissioner, from attending or continuing at such Meetings; then and in every of such cases such Absence or Non Attendance shall be deemed and taken to be a Refusal to act within the Intent and Meaning of this Act.

Commissioners neglecting to attend Meetings, considered as a Refusal to act.

VI. And be it further enacted, That if any Difference or Disagreement of Opinion shall arise between the Commissioners for carrying this Act into Execution, touching or concerning any matter or thing to be done by them, by virtue or in the Execution of this Act, the said Commissioners from time to time, when and so often as such Difference or Disagreement of Opinion shall arise between them, shall by Writing under their Hands appoint some fit and proper Person, not being interested in the said intended Division, Allotment and Inclosure, nor being the Attorney or Agent of any Person so interested, to be an Umpire between them; and the matter upon which such Difference or Disagreement of Opinion shall or may arise shall be referred to and shall be settled and determined by such Umpire, whose Determination shall be made in Writing, and shall be binding and conclusive upon all Parties whomsoever; and for the Purposes aforesaid, but not for any other Purpose, such Umpire shall have and he is hereby vested with the same Powers and Authorities as are by this Act given to or vested in the said Commissioners; but no Person shall be capable of acting as such Umpire as aforesaid, until he shall have taken and subscribed an Oath in the Form or to the Effect following; (that is to say,)

Umpire to be appointed.

Umpire not to act before Oath taken.

Umpire's Oath.

‘ I do swear, That I will faithfully, impartially and honestly, according to the best of my Skill and Judgment, execute and perform the several Powers and Authorities vested and reposed in me as an Umpire by virtue of an Act passed in the Fifty seventh Year of the Reign of King George the Third, intituled *An Act* [here insert the Title of this Act], according to Equity and good Conscience, and without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever.
‘ So help me GOD.’

Commissioners may administer.

Which Oath the said Commissioners or either of them are and is hereby empowered to administer; and such Oath, and also the Writing appointing an Umpire, shall be annexed to and enrolled with the Award of the said Commissioners.

Commissioners to appoint a Clerk or Clerks.

VII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered to appoint a Clerk or Clerks to assist them in the Execution of this Act, and shall and may remove such Clerk or Clerks, and appoint another or others in his or their Room or Stead, as often as to them shall seem meet; and in case of the Death, Incapacity, or declining or neglecting to act of any such Clerk or Clerks, then and in any of such cases the said Commissioners shall and may appoint any other Person or Persons they may think proper to be their Clerk or Clerks.

Surveyors appointed by Commissioners of Woods.

VIII. And be it further enacted, That it shall and may be lawful to and for the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, as soon as conveniently may be after the passing of this Act, by Writing under their Hands, to nominate and appoint some fit and proper Person or Persons, not interested in the said Division, to be the Surveyor or Surveyors, for the Purpose of viewing, surveying and measuring the said Commons and Moor, and all the said Open Commonable Lands and Grounds hereby directed to be divided, allotted and inclosed; and such Surveyor or Surveyors is and are hereby accordingly authorized and directed, as soon as conveniently may be after he or they shall be so nominated and appointed, to view, survey and measure the same Lands or Grounds, and to describe and lay down the same by way of Map or Plan, or to use for that Purpose any Map or Plan or Maps or Plans already made, and thereon, or in a Book of Reference to be annexed thereto, shall be set forth the Number of Statute Acres and Decimal Parts of an Acre of all the Lands and Grounds so authorized and directed to be surveyed as aforesaid; and that when and so soon as the said Surveyor or Surveyors shall have finished and completed the said Survey, Map or Plan, he or they shall, by Notice in Writing under his or their Hand or Hands, apprise the said Commissioners thereof, and appoint a time and Place for a Meeting with them, of which Meeting Fourteen Days' previous Notice at the least shall be given to the said Commissioners; at which Meeting the said Surveyor or Surveyors shall deliver unto the said Commissioners his or their Survey, Plan and Book of Reference, and shall subscribe the same with his or their Name or Names in the Presence of the said Commissioners, who shall attest the same.

Duty of such Surveyors.

Surveyor not to act before Oath.

IX. And be it further enacted, That no Person shall act as a Surveyor in the Execution of any of the Powers hereby given, until he shall have taken and subscribed the Oath following; (that is to say;)

‘ I A. B.

‘ I *A. B.* do swear [*or, being one of the Persons called Quakers, do solemnly affirm*], That I will faithfully, impartially and honestly, according to the best of my Skill and Judgment, execute the several Powers and Authorities vested and reposed in me as a Surveyor by virtue of an Act passed in the Fifty seventh Year of the Reign of King *George* the Third, intituled *An Act* [*here insert the Title of this Act*], without Favour or Affection, Prejudice or Partiality, to any Person or Persons whomsoever. So help me GOD.’

Form of Surveyor's Oath.

Which Oath or Affirmation it shall be lawful for the said Commissioners or either of them to administer; and the said Oath when so taken shall be written on Parchment, and subscribed by the said Surveyor or Surveyors, and duly attested by the said Commissioners under their Hands, and shall be enrolled with the Award to be made by the said Commissioners.

Commissioners may administer.

X. And be it further enacted, That in case the said Surveyor or Surveyors so to be appointed as aforesaid, or any succeeding Surveyor or Surveyors to be nominated or appointed a Surveyor or Surveyors in his or their Room or Stead by virtue of this Act, shall die, neglect, refuse or become incapable to act as such Surveyor in the Execution of this Act, then and in every such case it shall be lawful for the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, by any Writing under their Hands, within Twenty eight Days after such Death, Neglect, Refusal or Incapacity as aforesaid shall be made known to them, to nominate and appoint some other fit and proper Person, not interested in the said intended Division, Allotment and Inclosure, to be a Surveyor in the Room or Stead of any Surveyor so dying, neglecting, refusing or becoming incapable to act as aforesaid, and so from time to time as often as any Surveyor to be nominated and appointed by virtue of this Act shall die, neglect, refuse or become incapable to act as such Surveyor in the Execution of this Act; and every Person to be nominated and appointed to act as a Surveyor in manner aforesaid, shall, after taking and subscribing the Oath herein prescribed in that behalf, have the like Powers and Authorities in every respect for carrying this Act into Execution, and shall be subject and liable to the like Rules, Regulations and Restrictions, as if such Person or Persons had been originally nominated a Surveyor or Surveyors in and by this Act.

For appointing new Surveyors from time to time.

XI. And be it further enacted, That if the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues shall make Default in nominating and appointing any Surveyor or Surveyors so directed to be nominated and appointed by them as aforesaid, within the time for that Purpose limited, and in manner aforesaid, then and in every such case it shall be lawful for the said Commissioners acting in the Execution of this Act, and they are hereby required from time to time by Writing under their Hands, within One Calendar Month next after the Expiration of the time so allowed for nominating and appointing any new and succeeding Surveyor or Surveyors as aforesaid, to nominate and appoint a proper Person, not interested in the said Division and Inclosure, to be a Surveyor in the Room or Stead of any such Surveyor so dying, refusing or becoming incapable of acting as aforesaid; and every Surveyor so nominated and appointed shall, after taking and subscribing the Oath prescribed in that behalf, have the like Powers and Authorities, and

If Commissioners of Woods make Default in appointing a Surveyor, then Commissioners for executing this Act shall appoint.

and shall be subject to the like Rules, Regulations and Restrictions, as if he had been originally appointed a Surveyor under and by virtue of this Act.

Commissioners' Award to be made within Two Years from Survey.

XII. And be it further enacted, That after the said Surveyor shall have made and delivered his Survey of the said Open Commonable Lands, Moor and Waste Ground, to the said Commissioners, in manner herein directed, the said Commissioners shall proceed in the Execution of this Act with all possible Dispatch, and make their Award within Two Years after they shall have received the said Survey from the said Surveyor, unless the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, shall by any Writing under their Hands think fit to extend or enlarge the time for making the same, in which case such Award shall be made within such extended or enlarged time or times.

Allowance to Commissioners, Clerks and Surveyors.

XIII. And be it further enacted, That the said Commissioners shall be paid the Sum of Three Guineas each, and no more, for each Day they shall be actually attending in and about the Execution of this Act, and in travelling to and from the Meetings necessary for that Purpose, the same to include and be in Satisfaction of all Costs and Expences in travelling and otherwise, which they shall be put to in executing the same; and that the Surveyors and the Clerk or Clerks shall be paid and allowed for their Pains and Trouble such Sum or Sums of Money as the said Commissioners shall think just and reasonable; and that every Proprietor, Attorney and Agent, who shall attend the said Commissioners at any of their Meetings to be held in pursuance of this Act, shall pay his own Expences at all such Meetings; and in such cases as the Objection or Approbation of the Proprietors of any Act, matter or thing to be done or proposed to be done in pursuance of this Act, is directed to be made and testified at any Meeting or Meetings, it shall be lawful for the Proprietors to attend such Meeting or Meetings by their respective Agents or Proxies, duly authorized by Writing under his, her or their Hand or Hands, whose Acts or Votes shall be as effectual as if such Proprietors were present in Person.

Proprietors and Attornies to pay their own Expences.

Proxy.

Time and Place of First and other Meetings of Commissioners.

XIV. And be it further enacted, That the First Meeting of the Commissioners for putting this Act into Execution shall be held at the House known by the Sign of *The Red Lion* in the Town of *Saint Columb* in the County of *Cornwall* aforesaid; or at some other convenient House or Place in the Town aforesaid, within Two Calendar Months after the passing of this Act, or as soon after as Circumstances will admit; and that the said Commissioners shall cause Notice in Writing to be affixed upon each of the principal outer Doors of the Church of the said Parish of *Saint Columb Major*, and also a like Notice to be given by Advertisement to be inserted in the *Cornwall Gazette* Newspaper, if then published, and if not, then in some other Newspaper usually circulated in the said County of *Cornwall*, of the time and Place of their First and every future Meeting (Meetings by Adjournment only excepted) for the Execution of the Powers hereby vested in them, Fourteen Days at least before the times appointed for such respective Meetings; and in case only One of the said Commissioners shall attend at the Time and Place appointed for any Meeting, or to which any Meeting shall be adjourned, it shall be lawful for the said Commissioner, and to and for the Clerk or Clerks to the said Commissioners, in case neither of the

Notice to be given.

Proviso in case of only One or no Commissioner attending.

said Commissioners shall attend, to adjourn the said Meeting to be holden on any future Day not exceeding Twenty one Days from the Day of Adjournment, at the same or some other convenient Place within Eight Miles of the said Parish; and the Commissioner or Clerk or Clerks making such Adjournment is and are hereby required to give timely Notice thereof to the absent Commissioner or Commissioners.

XV. And be it further enacted, That all other public Notices requisite or necessary to be given by the said Commissioners, shall be given by Advertisement to be inserted in the said *Cornwall Gazette* Newspaper, if then published, and if not, then in some other Newspaper usually circulated in the said County of *Cornwall*.

Other Notices,
how to be given.

XVI. And be it further enacted, That if any Person or Persons shall, after the passing of this Act, dig, cut or take away any of the Turf, Bushes, Underwood or Soil of the Lands or Grounds to be divided, allotted and inclosed by virtue of this Act, for any Use or Purpose whatsoever, under any Right, Privilege or Claim, or Pretence of Right, Privilege or Claim whatsoever, then and in every such case, on due Proof made before the said Commissioners on Oath, (which Oath the said Commissioners are hereby empowered to administer,) the said Commissioners shall and they are hereby required, by Warrant under their Hands and Seals, directed to any Person or Persons whomsoever, to cause any Sum or Sums of Money not exceeding Five Pounds to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending in the Premises, rendering the Overplus (if any) on Demand to the Person or Persons whose Goods and Chattels shall be so distrained and sold, after deducting the Costs and Charges attending such Distress and Sale; and the Money so to be levied as aforesaid shall be applied towards the Payment of the Costs, Charges and Expences of obtaining and executing this Act.

Taking Turf,
&c. away of
Lands inclosed.

Penalty.

XVII. And be it further enacted, That all Intakes or Encroachments made on the said Commons, Moor or Waste Lands, and which have been made within the Space of Thirty Years now last past, and for which no Licence or Grant shall have been obtained from the Crown, shall be deemed and considered Part and Parcel of the Lands and Grounds to be divided, allotted and inclosed by virtue of this Act, as if the same were actually lying open and uninclosed.

Certain Encroachments to be allottable.

XVIII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, before they proceed to make any Division or Allotment directed by this Act, to set out and appoint any new and additional public Roads or Highways, or any new Tracts or Ways for such public Roads or Highways, in and over the said Commons, Moor or Waste Lands, and to make such Order or Orders as to them shall seem proper in relation thereto, subject to the Restrictions, Provisions and Directions of this Act; and that the said Commissioners shall and may turn or abate and stop up, or cause or order to be turned, or abated and stopped up, any ancient Carriage Road or Way, Roads or Ways, or any ancient Footway or Path, Footways or Paths, in, through, upon or over any of the Lands and Grounds hereby authorized and directed to be divided and inclosed, where they shall judge it requisite or expedient, and to make such Order or Orders as to them shall seem proper for that Purpose, subject nevertheless to the Provisions, Restrictions

Commissioners empowered to set out new and additional Roads, and to turn and stop Roads, &c.

Proviso as to
Consent of
Trustees of
Roads.

restrictions and Directions of this Act: Provided always, that no Turnpike Road shall be altered or diverted without the Consent of the Trustees having the Care and Management thereof, or any Five or more of them, at a public Meeting of such Trustees, to be convened by due Notice and held for that Purpose, nor any public Highway or Road be shut up or discontinued, until the Road or Roads so marked out as intended to be and remain public Highways shall be set out and made, according to the Directions of this Act, and until the same shall be properly formed and made convenient and safe for Horses, Cattle and Carriages: Provided also, that all private Roads, Ways and Footpaths which shall be set out and appointed by the said Commissioners, shall be made and for ever maintained and kept in Repair by such Person or Persons, and in such manner as the said Commissioners shall by their Award, or by any other Writing under their Hands, order, direct or appoint.

Proviso for keep-
ing up private
Roads.

Allotments for
Repairs of
Roads.

XIX. And be it further enacted, That the said Commissioners shall and they are hereby required, as soon as conveniently may be, after setting out such public Roads and Highways as by this Act are directed, to set out and allot unto and for the Formation and Repairs of the Highways made or to be made within the Limits of the said Commons, Moor or Waste Lands, so much and such Part and Parts of the Open and Commonable Lands and Grounds within the same, and in such Places, as the said Commissioners shall think proper, for getting Stone, Gravel or other Materials for the Formation or for the Repairs from time to time for ever, of the public and private Roads and Highways made or to be made within the Limits of the said Commons, Moor or Waste Lands, and the Grass and Herbage arising therefrom shall be vested in such Person as the said Commissioners shall allot the same unto; and the said Commissioners shall and they are hereby also authorized and required to set out Watering Places on the said Lands and Grounds hereby directed to be divided, allotted and inclosed, for Cattle and Beasts, for the common Use and Benefit of all Persons who are or shall be entitled to Rights of Common in or over the said Lands or Grounds.

Allotment to the
King.

XX. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, after making and setting out the several Allotments hereinbefore mentioned, to divide, set out and allot one full Moiety or Half Part of all the Rest, Residue and Remainder of the said Commons, Moor and other Commonable Lands hereby directed to be divided, allotted and inclosed, due Regard being had to the Quality and Situation thereof, unto The King's Most Excellent Majesty, His Heirs and Successors, in lieu and compensation as well of His Majesty's Right of Soil as Lord of the said Manor or Royalty, as also in lieu and compensation of and for the Rights of Common and other Rights of His Majesty's Tenants, Lessees or Occupiers of the said Messuages, Farms, inclosed Lands and Grounds called *Trevithick* and *Reterth*, upon and over the other Moiety of the said Commons, Moor and Waste Lands; and which Allotment, as soon as the same shall be made and severed from the Lands adjoining thereto, shall become and remain the exclusive and absolute Property of The King's Majesty, His Heirs and Successors for ever, freed, exonerated and discharged of and from all Rights of Common, Common of Pasture and Turbary, Estovers and all other Rights of what Nature or Kind soever.

XXI. And

XXI. And be it further enacted, That all the Rest, Residue and Remainder of the said Commons, Moor and other Commonable Lands, shall be and remain for the Benefit of the several other Owners or Proprietors of ancient Messuages, Cottages, inclosed Lands and Grounds, entitled to Rights of Common in, over and upon the said Commons, Moor and other Commonable Lands or Grounds, according to their several and respective Rights and Interests therein, freed and discharged from all Claims of His Majesty, His Heirs or Successors, as Lord or Lords of the said Manor or Royalty, or as Proprietor or Proprietors of the said Messuages, Farms, inclosed Lands and Grounds called *Trevithick* and *Reterth*, and of His Majesty's Lessees or Tenants as Occupiers of the said Farms or either of them, in, upon or over the same, save such Rights and Interests as are hereinafter expressly excepted and reserved to His Majesty, His Heirs and Successors.

Allotment of the Residue.

XXII. And be it further enacted, That the said Commissioners shall and they are hereby required to set out such and so many private Roads and Ways as shall be necessary for giving convenient Access to such Allotment as shall be so as aforesaid made to or for His Majesty, His Heirs or Successors.

Commissioners to set out private Roads to His Majesty's Allotment.

XXIII. And be it further enacted, That when and as soon as the said Commissioners shall have set out the Allotment hereinbefore directed to be made and set out to His said Majesty, His Heirs and Successors, they shall prepare an Award, with a Map or Plan of such Allotment annexed thereto, whereof there shall be Three Originals, One to be enrolled in the Court of Exchequer at *Westminster*, another in the Office of the Auditor of the Land Revenue for the said County of *Cornwall*, there to remain on Record, and which shall afterwards be filed and preserved amongst the Muniments of the Office of the Commissioners of His Majesty's Woods, Forests and Land Revenues for the time being, and the said Award or the Enrolment thereof shall or may be produced, read and received in Evidence on all Occasions where any Question, Doubt or Controversy may arise relating to or affecting the Rights and Interests of His Majesty, His Heirs and Successors, in respect of the Allotment to be vested in the King's Majesty, His Heirs and Successors, by virtue of this Act; and the Third of the said Awards shall be deposited with the Clerk of the Peace for the said County of *Cornwall*.

Three Originals of Award; One to be enrolled in the Exchequer, One in the Office of the Auditor of the Land Revenue,

and the Third deposited with Clerk of the Peace.

XXIV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen or defeat the Right, Title or Interest of any Person or Persons whomsoever in or to any Tithes, Great or Small, arising or renewing out of or payable for or in respect of any of the Lands, Tenements or Hereditaments hereby directed to be divided, allotted or inclosed, but that all such Great and Small Tithes shall be paid and payable at all times hereafter in such and the same manner as they would have been in case this Act had not been passed.

Proviso for Tithes.

XXV. And be it further enacted, That the several outermost or Ring Fences of the said Moiety so to be allotted to His Majesty, His Heirs and Successors as aforesaid, of the said Commons, Moor and other Open and Commonable Lands or Grounds, shall be made in such manner as the said Commissioners shall direct and appoint; and such outermost or Ring Fences shall be raised and made, and for ever

How Fences to the King's Allotment made.

ever thereafter maintained, supported, and kept in Repair, in such Parts and Proportions and in such manner and by such Persons as the said Commissioners shall by their Award direct and appoint.

The King's Allotment held freed of Claims of Lessees as herein mentioned.

Remedy for Lessees aggrieved.

XXVI. Provided always, and be it further enacted, That the Allotment to be made to His Majesty, His Heirs or Successors, of the said Commons, Moor and other Open and Commonable Lands, by virtue of this Act, shall be allotted to and held by His Majesty, His Heirs or Successors, freed and discharged from all Right or Claim of any Lessee or Lessees, to, in or upon the said Allotment, or any Part thereof, to be derived under or by virtue of any Lease or Leases of the said Manor or Royalty, or of the said Messuages, Farms, inclosed Lands and Grounds called *Trevithick* and *Retertb*; and in case any such Lessee or Lessees shall think himself, herself or themselves aggrieved thereby, and the Commissioners for the time being of His Majesty's Woods, Forests and Land Revenues, and such Lessee or Lessees, shall not settle the same to their mutual Satisfaction, then and in every such case it shall and may be lawful to and for the said Commissioners for carrying this Act into Execution, on Application made to them by either Party, to take the matters in Question into their Consideration, and by their Orders to make unto such Lessee or Lessees, for his, her and their Loss of Commonage or other Losses by means of the said Division, Allotment and Inclosure, such a fair and adequate Allowance and Compensation, either in Money to be paid down, or by way of Abatement or Reduction in the Rack Rents by such Lease or Leases reserved, or otherwise, as the said last mentioned Commissioners shall think just and equitable.

Expences of this Act.

XXVII. And be it further enacted, That all the Costs, Charges and Expences incident to and attending the passing of this Act, and of carrying the same into Execution, shall be paid, borne and defrayed by His Majesty, His Heirs or Successors; save only and except that the Charges and Expences of the said *John Hayward*, and of every other Commissioner to be nominated and appointed in his Stead by the several other Persons having Rights of Common upon and over the said Commons, Moor and other Open and Commonable Lands, shall be paid, borne and defrayed by the Persons having such Rights of Common.

Proviso for His Majesty's Right to Mines,

XXVIII. Provided always, and be it further enacted, That this Act shall not defeat or prejudice the Right or Interest of The King's Most Excellent Majesty, His Heirs or Successors, in or to any Mines of Coal, Lead, Tin, Ores or any other Minerals or Fossils whatsoever, in or under the Commons, Moor or Open and Commonable Lands hereby directed to be divided, allotted and inclosed, or any Part thereof; but that His Majesty, His Heirs and Successors, and his or their Lessees and Grantees, Agents, Servants and Workmen, may search for, work, dig, raise and carry away all Coal, Lead, Tin, Ores, Metals and all other Minerals and Fossils whatsoever, as fully and effectually to all Intents and Purposes whatsoever as if this Act had not been passed; save only that they shall respectively do as little Damage as possible in the Lands to be divided, allotted and inclosed as aforesaid, and shall make reasonable Satisfaction and Recompence from time to time to the Person or Persons possessed thereof, for all Damage that shall be done thereto, or to any Part thereof, by searching for, working, digging, raising and carrying away

away the said Goal, Lead, Tin, Ores, Metals and all other Minerals, Fossils or any of them.

XXIX. And be it further enacted, That nothing herein contained shall prejudice, lessen or defeat the Right, Title or Interest of The King's Most Excellent Majesty, His Heirs or Successors, as Lord or Lords of the Manor of *Rialton* and *Retraighe* alias *Reterth* aforesaid, of, in or to any other Seigniories, Royalties, Manorial Rights, and other Rights, Customs and Services incident or belonging to such Manor, but that he or they shall and may at all times hereafter hold and enjoy the same, and all Rents and Services, Courts, Perquisites and Profits of Courts, Fines, Franchises, Waifs, Estrays, Deodands, Escheats and all other Royalties, Privileges, Pre-eminences, and Appurtenances to such Manor incident, belonging or appertaining, (except only such Rights for which Compensation is hereby directed to be made,) in as full, ample and beneficial manner as he or they could or might have held and enjoyed the same in case this Act had not been made.

and for the King
as Lord of the
Manor of
Rialton.

XXX. Saving always to The King's Most Excellent Majesty, His Heirs and Successors, and to all Bodies Politic, Corporate or Collegiate, and their Successors, and to all and every Person and Persons whomsoever, his and their Heirs, Executors, Administrators and Assigns, all such Estate, Right, Title, Interest, Claim and Demand whatsoever, (other than and except such as is and are hereby expressed, meant and intended to be barred, destroyed or extinguished,) as they, every or any of them had or enjoyed in, to or out of the said Commons, Moor, Open Commonable Lands and Grounds hereby directed to be divided, allotted and inclosed as aforesaid, before the passing of this Act, or would have had and enjoyed therein in case this Act had not been passed.

General Saving.

C A P. CXXX.

An Act to encourage the Establishment of Banks for Savings in *England*. [12th July 1817.]

WHEREAS certain Provident Institutions or Banks for Savings have been established in *England*, for the safe Custody and Increase of small Savings belonging to the industrious Classes of His Majesty's Subjects; and it is expedient to give Protection to such Institutions and the Funds thereby established, and to afford Encouragement to others to form the like Institutions: 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 Number of Persons who have formed or shall form any Society in any Part of *England*, for the Purpose of establishing and maintaining any Institution in the Nature of a Bank, to receive Deposits of Money for the Benefit of the Persons depositing the same, and to accumulate the Produce of so much thereof as shall not be required by the Depositors, their Executors or Administrators, to be paid in the Nature of Compound Interest, and to return the whole or any Part of such Deposit and the Produce thereof to the Depositors, their Executors or Administrators, deducting only out of such Produce so much as shall be required to be

Persons forming
Societies accord-
ing to the Pro-
visions herein
prescribed, en-
titled to the
Benefit of this
Act.

fo

so retained for the Purpose of paying and discharging the necessary Expences attending the Management of such Institution, according to such Rules, Orders and Regulations as shall have been or shall be established for that Purpose, but deriving no Benefit whatsoever from any such Deposit or the Produce thereof, shall be desirous of having the Benefit of the Provisions of this Act, such Persons shall cause the Rules, Orders and Regulations established or to be established for the Management of such Institution to be entered, deposited and filed in manner hereinafter directed, and thereupon shall be deemed to be entitled to and shall have the Benefit of the Provisions contained in this Act.

Rules, &c. of the Institution to be entered in a Book, and a Copy deposited with the Clerk of the Peace,

and filed.

No Fee.

Proviso for Alterations, &c. in Rules, &c.

New Rules, &c. to be entered, &c. as before mentioned.

Officers of the Institution not to have any Benefit therein.

Exception.

II. Provided always, and be it further enacted, That no such Institution as aforesaid shall have the Benefit of this Act, unless the Rules, Orders and Regulations for the Management thereof shall be entered in a Book or Books to be kept by an Officer of such Institution, to be appointed for that Purpose, and which Book or Books shall be open at all seasonable times for the Inspection of the Persons making Deposits in the Funds of such Institution; and unless such Rules, Orders and Regulations shall be fairly transcribed on Parchment, and such Transcript shall be deposited with the Clerk of the Peace for the County, Riding, Division or Place wherein such Institution shall be established; which Transcript shall be filed by such Clerk of the Peace with the Rolls of the Sessions of the Peace in his Custody, without any Fee or Reward to be paid in respect thereof; but nevertheless nothing herein contained shall extend to prevent any Alteration in or Amendment of any such Rules, Orders or Regulations so entered and deposited and filed as aforesaid, or repealing or annulling the same, or any of them, in the Whole or in Part, or making any new Rules, Orders or Regulations for the Management of any such Institution, in such manner as by the Rules, Orders and Regulations of such Institution shall from time to time be provided; but such new Rules, Orders or Regulations, or such Alterations in or Amendments of former Rules, Orders or Regulations, or any Order annulling or repealing any former Rule, Order or Regulation in the Whole or in Part, shall not be in force until the same respectively shall be entered in such Book or Books as aforesaid, and a Transcript or Transcripts thereof shall be deposited with such Clerk of the Peace as aforesaid, who shall file the same without Fee or Reward as aforesaid.

III. Provided also, and be it further enacted, That no such Institution as aforesaid shall have the Benefit of this Act, unless it shall be expressly provided by the Rules, Orders and Regulations for the Management thereof, that no Person or Persons being Treasurer, Trustee or Manager of such Institution, or having any Control in the Management thereof, shall derive any Benefit from any Deposit made in such Institution, but that the Persons depositing Money therein shall have the sole Benefit of such Deposits and the Produce thereof; save only and except such Salaries and Allowances or other necessary Expences as shall, according to such Rules, Orders and Regulations be provided for the Charges of managing such Institution, and for Remuneration to Officers employed in the Management thereof, exclusive of the Treasurer or Treasurers, Trustee or Trustees, or other Persons having Direction in the Management of such Institution, who shall not directly or indirectly have

have any Salary, Allowance, Profit or Benefit whatsoever therefrom, beyond their actual Expences for the Purposes of such Institution.

IV. And be it further enacted, That all Rules, Orders and Regulations from time to time made and in force for the Management of any such Institution as aforesaid, and duly entered in such Book or Books as aforesaid, and deposited with such Clerk of the Peace as aforesaid, shall be binding on the several Members and Officers of such Institution, and the several Depositors therein and their Representatives, all of whom shall be deemed and taken to have full Notice thereof by such Entry and Deposit as aforesaid; and the Entry of such Rules, Orders and Regulations in such Book or Books as aforesaid, or the Transcript thereof deposited with such Clerk of the Peace as aforesaid, or a true Copy of such Transcript examined with the Original, and proved to be a true Copy, shall be received as Evidence of such Rules, Orders and Regulations respectively in all cases; and no Certiorari shall be brought or allowed to remove any such Rules, Orders or Regulations into any of His Majesty's Courts of Record; and every Copy of any such Transcript deposited with any Clerk of the Peace as aforesaid shall be made without Fee or Reward, except the actual Expence of making such Copy; and such Copy shall not be subject to any Stamp Duty.

V. And be it further enacted, That in case the Managers of any such Institution shall receive any Deposit of Money from or for the Benefit of any Person under the Age of Twenty one Years, it shall be lawful for the Managers of such Institution to pay to such Person his or her Share and Interest in the Funds of such Institution; and the Receipt of such Person shall be a sufficient Discharge, notwithstanding his or her Incapacity or Disability in Law to act for him or herself.

VI. And be it further enacted, That it shall be lawful for any Friendly Society, established under and by virtue of any Act or Acts relating to Friendly Societies, from time to time to subscribe the Whole or any Part of the Funds of such Friendly Society, as they shall from time to time direct, through their Treasurer, Steward or other Officer or Officers, into the Funds of any Institution which shall take the Benefit of this Act, and which shall be willing to receive the same, under such Terms and Conditions as shall be specially provided for that Purpose by the Rules, Orders and Regulations of such Institution: Provided always, that the Receipt or Discharge of the Treasurer or other Officer of such Friendly Society for the time being, for any Money, Stock in the Public Funds or other Security, paid, transferred or delivered according to the Requisition of such Treasurer or other Officer, apparently authorized to require such Payment, Transfer or Delivery, shall be a sufficient Discharge for the same; and the Institution in which such Deposit shall be made shall not be responsible for any Misapplication of any such Money, Stock or Security by the Person or Persons to whom the same shall be so paid, transferred or delivered, or for any Want of Authority of the Person or Persons requiring or receiving such Payment, Transfer or Delivery.

VII. And be it further enacted, That if any Treasurer or Treasurers, or other Officer or Officers, or other Person whatever, who shall be intrusted with the Receipt or Custody of any Sum or Sums of Money subscribed or deposited for the Purposes of such Institu-

Rules to be binding.

Entry of Rules, &c. or Copy thereof, &c. to be Evidence of such Rules.

No Certiorari.

Fee.
No Stamp Duty.

Shares of Minors may be paid to them.

Friendly Societies may subscribe any Portion of their Funds into the Funds of Provident Institutions.

Proviso as to Receipt of Treasurer being a Discharge.

Treasurers, &c. to give Security as required by the General Rules.

tion, or any Interest or Dividend from time to time accruing thereby, shall be required by the Rules or Regulations of such Institution to become bound with Sureties for the just and faithful Execution of such Office or Trust, in such Sum or Sums of Money as shall be required by the Rules, Orders and Regulations of such Institution, such Security shall and may be given by Bond or Bonds to the Clerk of the Peace for the County, Riding, Division or Place, or to the Town Clerk of the Place where such Institution shall be established for the time being, without Fee or Reward; and in case of Forfeiture it shall be lawful for the Persons authorized for that Purpose by the Rules, Regulations and Orders of such Institution, to sue upon such Bond or Bonds in the Name of such Clerk of the Peace or Town Clerk for the time being, and to carry on such Suit at the Costs and Charges and for the Use of the said Institution, fully indemnifying and saving harmless such Clerk of the Peace or Town Clerk from all Costs and Charges in respect of such Suit; and no Bond or other Security to be so given shall be subject to or charged or chargeable with any Stamp Duty whatever.

VII. And be it further enacted, That all Monies, Goods, Chattels and Effects whatever, and all Securities for Money, or other obligatory Instruments and Evidences or Muniments, and all other Effects whatever, and all Rights or Claims belonging to or had by such Institution, shall be vested in the Trustee or Trustees of such Institution for the time being, for the Use and Benefit of such Institution and the respective Depositors therein, their respective Executors or Administrators, according to their respective Claims and Interests, and, after the Death or Removal of any Trustee or Trustees, shall vest in the succeeding Trustee or Trustees for the same Estate and Interest as the former Trustee or Trustees had therein, and subject to the same Trusts, without any Assignment or Conveyance whatever, except the Transfer of Stocks and Securities in the Public Funds of *Great Britain*; and also shall for all Purposes of Action or Suit, as well Criminal as Civil, in Law or in Equity, in anywise touching or concerning the same, be deemed and taken to be, and shall in every such Proceeding (where necessary) be stated to be, the Property of the Person or Persons appointed to the Office of Trustee or Trustees of such Institution for the time being, in his, her or their proper Name or Names, without further Description; and such Person or Persons shall and they are hereby respectively authorized to bring or defend, or cause to be brought or defended, any Action, Suit or Prosecution, Criminal as well as Civil, in Law or Equity, touching or concerning the Property, Right or Claim aforesaid or belonging to or had by such Institution; and such Person or Persons so appointed shall and may, in all cases concerning the Property, Right or Claim aforesaid of such Institution, sue and be sued, plead and be impleaded, in his, her or their proper Name or Names, as Trustee or Trustees of such Institution, without other Description; and no such Suit, Action or Prosecution shall be discontinued or abate by the Death of such Person or Persons, or his or their Removal from the Office of Trustee or Trustees as aforesaid, but the same shall and may be proceeded in by the succeeding Trustee or Trustees in the proper Name or Names of the Person or Persons commencing the same, any Law, Usage or Custom to the contrary notwithstanding; and such succeeding Trustee or Trustees shall pay or receive like Costs as if the Action or Suit had been commenced in

Effects of Institution to be vested in Trustees for the time being, without fresh Assignment;

except as to Transfers of Stock in the Public Funds.

Trustees may bring and defend Actions, &c.

No Abatement by Death or Removal of Trustee.

Costs.

his or their Name or Names, for the Benefit of or to be reimbursed from the Funds of such Institution.

IX. And be it further enacted, That it shall not be lawful to and for the Trustee or Trustees, Manager or Managers for the time being of any such Institution as aforesaid, taking the Benefit of this Act, at any time to place or deposit any Sum of Money which shall have been paid to such Institution by any Depositor, or any Interest or Profit arising therefrom, in the Hands of any Banker or Bankers, or upon any Personal Security, except such Sums of Money as from time to time shall necessarily remain in the Hands of the Treasurer or Treasurers of such Institution to answer the Exigencies thereof.

X. Provided always, and be it enacted, That the Trustees of any Institution which shall take the Benefit of this Act in manner hereinbefore provided, shall be and they are hereby empowered to pay into the Bank of *England* any Sum or Sums of Money, not being less than Fifty Pounds, to the Account of the Commissioners for the Reduction of the National Debt, upon the Declaration of the Trustees of such Institution, or any Two or more of them, that such Monies belong exclusively to the Institution for which such Payment is intended to be made, whether such Monies shall have been deposited therein before the passing of this Act, or thereafter shall be deposited therein; and the Cashier or Cashiers of the Bank of *England* are hereby required to receive all such Monies, and to place the same into a new and separate Account, to be raised in the Names of the said Commissioners for the time being, in the Books of the Bank of *England*, to be denominated "The Fund for the Banks for Savings."

XI. Provided always, and be it enacted, That previous to any Payment being made into the Bank of *England* as aforesaid, the Person or Persons applying for that Purpose shall in all cases produce to the Officer of the said Commissioners, at their Office in *London*, an Order according to the Form in the Schedule to this Act annexed, marked (A.), under the Hands of Two of the Trustees of such Institution on the account of which such Payment is to be made; and on the Production of such Order to the said Officer, he shall grant his Certificate in the Form expressed in the Schedule to this Act annexed, marked (B.); and upon the Delivery of the Certificate granted to the Party by the said Officer, and Payment of the Sum expressed therein at the Bank of *England* to the Account of the said Commissioners, the said Officer shall and he is hereby required to make out, within Five Days after he shall have received Notice of such Payment, for Delivery to such Person or Persons producing the Order of the said Trustees, a Debenture containing a Receipt, signed by one of the Cashiers of the Governor and Company of the Bank of *England*, for the Amount of such Payment, carrying Interest after the Rate of Three pence *per Centum per Diem*, payable, with the Principal, at the Bank of *England*, on the Fifth Day of *April* then next following, to be dated on the Day on which such Payment or Payments shall be made; which said Debenture shall be in the Form specified in the Schedule to this Act annexed, marked (C.); and the Principal and Interest of all such Debentures shall be charged and chargeable upon, and they are hereby charged and made payable out of, the Monies or Funds standing in the Names of the said Commissioners in the Books of the Bank of *England*.

Trustees not to deposit Money of Institution with Bankers, &c.

Exception.

In what case Bank of *England* to open an Account called 'The Fund for the Banks for Savings.'

Previous to such Payments into the Bank, an Order to be produced, and thereupon a Certificate granted; afterwards the Commissioners to issue Debentures in favour of such Saving Banks, bearing Interest at 3d. per Cent. per Diem.

Form of Debenture.

Trustees may demand Payment of Principal and Interest secured by Debenture.

XII. And be it further enacted, That it shall be lawful for the Trustees of any such Institution, or any Two or more of them, to demand Payment, at any time other than on the Fifth Day of *April* in every Year, of the said Cashier or Cashiers, of the Principal Sum specified in any Debenture or Debentures issued in pursuance of the Provisions of this Act, together with all the Interest due thereon, computing such Interest from the Day of the Date of the Debenture, inclusive, up to and including the Five Days following the Date of the Order of the said Trustees demanding such Payment.

Previous to such Payment, an Order to be produced, and thereupon Certificate granted.

XIII. Provided always, and be it further enacted, That previous to the Payment of the Principal of any such Debenture or Debentures, together with the Interest due thereon as aforesaid, the Person or Persons applying to receive the same shall in all cases produce to the Officer of the said Commissioners, at their said Office, an Order indorsed on the Back thereof under the Hands of Two Trustees of the Institution for which such Payment shall be demanded, according to the Form in the Schedule to this Act annexed, marked (D.); and the said Officer shall and he is hereby required, within Five Days after the Receipt of such Order, to grant his Certificate to the Person or Persons applying, in the Form specified in the Schedule to this Act annexed, marked (E.); and upon the Production and Delivery at the Bank of *England* of such Certificate, the said Cashier or Cashiers shall thereupon pay such Principal and Interest out of any Monies standing in the Names of the said Commissioners in the Books of the Bank of *England*, or from the Sale of Stock purchased with the Monies originally invested in any Debenture or Debentures as aforesaid, as the said Commissioners shall direct: Provided nevertheless, that if at any time the said Trustees shall require a new Debenture or Debentures in lieu of the Debenture or Debentures to be paid off, with or without the Interest to be added thereto (the same being so expressed in the said Order of the said Trustees), it shall be lawful for the Officer of the said Commissioners to make out and deliver, to the Person or Persons applying to receive the same, a Debenture or Debentures of the like Amount, in lieu of paying the Amount of such original Debenture (with or without the Interest to be added thereto) in Money.

New Debentures may be granted.

Monies paid in on Saving Bank Account to be invested in Stock, and carried to a new Account.

XIV. And be it further enacted, That the said Commissioners shall cause all the Monies paid into the Bank of *England* and placed to their Account in pursuance of the Provisions of this Act, to be invested from time to time in the Purchase of Bank Annuities in their Names, and to be carried to the new and separate Account hereinbefore provided; and the Interest which shall arise from time to time and become due thereon shall in like manner be invested in the Purchase of Bank Annuities as aforesaid.

Debentures not transferrable.

XV. And be it enacted, That the Debenture or Debentures issued under the Provisions of this Act shall not be transferrable or assignable, but shall remain and continue to be the actual Property of the Trustees of the Institution on the account of which every such Debenture or Debentures was or were originally issued, until the same shall be actually paid off.

Debentures, &c. not liable to Stamp Duty, and

XVI. And be it further enacted, That no Debenture or Debentures, nor any Order or Orders required from the Trustees of any such Institution, issued or produced in pursuance of this Act, shall be

be subject or liable to any Stamp Duty whatever; and that if any Debenture or Debentures issued under the Provisions of this Act shall be lost or destroyed, it shall be lawful for the said Commissioners, upon satisfactory Evidence being produced by the Party, and good and sufficient Security given to the said Commissioners, to direct the said Officer to grant a Duplicate Debenture to the Party applying, under the same Regulations as by this Act are required for the Issue of an original Debenture.

if lost, Duplicate Debenture may be granted.

XVII. And be it further enacted, That if any Order or Declaration produced to the said Officer, for the Purpose of paying Monies into the Bank of *England* to the Account of the said Commissioners as aforesaid, shall contain any matter or thing which shall be false or untrue, then and in every such case the Sum so paid shall be forfeited to the said Commissioners.

False Declaration for paying in Monies, Penalty.

XVIII. And be it further enacted, That the following Account shall be prepared by the said Commissioners for the Reduction of the National Debt, and shall be annually laid before both Houses of Parliament on or before the Twenty-fifth of *March* in every Year, if Parliament shall be sitting, and if Parliament shall not be sitting, then within Fourteen Days after the Commencement of the then next Session of Parliament; *videlicet*, An Annual Account, made up to the Fifth Day of *January* preceding, of all Sums of Money which shall have been received by the said Commissioners from the Trustees of any Institution or Institutions as aforesaid in pursuance of this Act, showing the Amount of all Bank Annuities which shall have been purchased by the Application of such Sums, and the Amount of Interest or Dividends receivable thereon by the said Commissioners, and distinguishing in such Account the Amount of Interest payable by the said Commissioners, on all Debentures issued to the said Trustees as aforesaid within the same Period, and terminating on the Fifth Day of *January* in every Year.

Account by Commissioners for National Debt to be laid before Parliament.

XIX. And Whereas it is expedient to provide against an improper Investment of Monies under the Provisions of this Act, Be it therefore further enacted, That the Privilege aforesaid of paying Money into the Bank of *England*, and of receiving Debentures for the same, shall be restricted to such Institutions only which shall by One or more of their Rules provide that the Sums paid by one Person in any one Year, and applied to the Purchase of the aforesaid Debentures, shall not exceed the Sum of One hundred Pounds in the First Year, and Fifty Pounds in every Year afterwards, in the whole from each Depositor, except in the cases where Friendly Societies shall become Depositors; and it shall be lawful for the Commissioners for the Reduction of the National Debt, previous to the Payment of any Sum or Sums into the Bank of *England* in pursuance of this Act, to require the Production of such Rule or Rules so limiting the Sums to be deposited to the Amount above mentioned, certified under the Hands of Two of the Trustees or Managers of each such Institution respectively, and any other Proof they may think it necessary to require.

Providing against an improper Investment of Monies.

XX. And be it further enacted, That upon every Change of a Trustee or Trustees, the preceding Trustee or Trustees, his or their Executors or Administrators, shall and do forthwith transfer all Stocks and Annuities in the Public Funds belonging to such Institution, from the Name or Names of such preceding Trustee or

On Change of Trustees, Stock to be transferred by former Trustees into the Names of the

new Trustees
and continuing
Trustees, &c.

Trustees may
execute a Letter
of Attorney for
that Purpose.

Persons intrust-
ed with Effects
of Society to ac-
count and deliver
up Effects when
required.

Neglecting or
refusing,

General or
Quarter Sessions
may proceed in
a summary Way.

Members of
Friendly Socie-
ties not liable to
Forfeitures by
fubfcribing to
any Institution
under this Act.

Trustees, to the Name or Names of the new Trustee or Trustees who shall be appointed as hereinbefore mentioned or of such new Trustee or Trustees and any continuing Trustee or Trustees, if any of the former Trustees shall be continued, as the case shall require, so as to vest the same in such new Trustee or Trustees and the continuing Trustee or Trustees, as the case shall happen; and in case any Sale or Sales, Transfer or Transfers, of any Part of such Stocks or Annuities, shall from time to time be directed according to the Rules, Orders and Regulations of such Institution, every such Transfer or Sale shall be made by the Trustee or Trustees in whose Name or Names the same shall then stand, or by some Person or Persons duly authorized by such Trustee or Trustees, by Letter of Attorney executed as is required by Law in such cases; and where any such Transfer or Sale as aforesaid shall be made under or by virtue of any Letter of Attorney, such Letter of Attorney shall not be subject to or charged or chargeable with any Stamp Duty whatsoever.

XXI. And be it further enacted, That all and every Person and Persons who shall have or receive any Part of the Monies, Effects or Fuads of or belonging to such Institution, or shall in any manner have been or shall be intrusted with the Disposition, Management or Custody thereof, or of any Securities relating to the same, his, her or their Executors, Administrators and Assigns respectively, shall, upon Demand made in pursuance of any Order of the Committee of such Institution, or of any other delegated Authority as aforesaid, or at any General Meeting of the Managers thereof, give in his, her or their Account or Accounts to such Committee or other Authority as aforesaid, or to such General Meeting of the Managers of such Institution, or to such other Person or Persons who shall be nominated to receive the same, to be examined and allowed or disallowed by the said Committee or Managers respectively; and shall on the like Demand pay over all the Monies remaining in his or their Hands, and assign and transfer or deliver all Securities, Effects or Funds taken or standing in his or their Name or Names as aforesaid, or being in his or their Hands or Custody, to such Person or Persons as the said Committee or Managers of such Institution 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, Effects or Funds in manner aforesaid, it shall be lawful to and for the Trustee or Trustees of such Institution for the time being to exhibit a Petition to the Justices of the Peace at their General or Quarter Sessions of the Peace for the County, Riding, Division or Place wherein such Institution shall be established, 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, which Order shall be final and conclusive; and all Assignments, Sales and Transfers made in pursuance of such Order shall be good and effectual in Law to all Intents and Purposes whatsoever.

XXII. And be it further enacted, That no Person who is or shall be a Member of any Friendly Society established or to be established under and by virtue of any Act or Acts relating to Friendly Societies, shall, by reason of such Person being or becoming a Depositor in any Institution taking the Benefit of this Act, be considered

as

as subject or liable to any Penalty, Forfeiture or Disability, declared or expressed, or intended so to be, by or in the Rules, Orders or Regulations of such Friendly Society; any Rules, Orders or Regulations of such Friendly Society made or hereafter to be made to the contrary notwithstanding.

XXIII. And be it further enacted, That in case any Depositor in the Funds of any Institution taking the Benefit of this Act shall die, leaving any Sum or Sums of Money in the said Funds, or any Dividends or Interest due thereon, belonging to him or her at the time of his or her Death, exceeding in the Whole the Sum of Twenty Pounds, the same shall not be paid to any Person or Persons as Representative or Representatives of such Depositor, but upon Probate of the Will of the deceased Depositor, or Letters of Administration of his or her Estate and Effects: Provided always, that where the whole Estate or Effects of any such deceased Depositor, for or in respect of which any Probate or Letters of Administration respectively shall be granted, shall be under the Value of Fifty Pounds Sterling, no Stamp Duty shall be chargeable thereon, nor upon any Legacy or Residue or Part thereof bequeathed, nor upon any Share or Part of the Estate or Effects to be paid or distributed by or under such Probate or Letters of Administration: Provided also, that in every such case the Person or Persons claiming such Probate or Letters of Administration free of Stamp Duty under this Act shall exhibit to the Court or Person having Authority to grant the Probate or Letters of Administration in such case, a Certificate of the Amount and Value of the Share and Interest which the deceased Depositor had in the Funds of the said Institution; which Certificate shall be granted in such form and manner as shall have been settled by the Rules, Orders, Regulations or Bye Laws of the Institutions respectively, and shall be signed or testified by such Person or Persons as shall be directed therein; and every such Certificate shall be taken and received, by the Court or Person having Authority to grant such Probate or Letters of Administration, as Evidence of the Amount or Value of the Shares and Interests of the deceased Depositor in the Funds of the said Institution.

XXIV. Provided always, and be it further enacted, That in case any Depositor in the Funds of any such Institution shall die, leaving a Sum of Money in the said Fund, which, with the Interest thereon, shall not exceed in the whole Twenty Pounds, it shall be lawful for the Trustees or Managers of such Institution, and they are hereby authorized and required, if no Will shall be proved, or no Letters of Administration shall be taken out, within Six Calendar Months after the Death of the said Depositor, to pay the same according to the Rules and Regulations of the said Institution in such case made and provided; and in the Event of there being no Rules and Regulations made in that Behalf, then the said Trustees or Managers are hereby authorized and required to pay and divide the same to and amongst the Person or Persons entitled to the Effects of the deceased Intestate, according to the Statute of Distributions.

XXV. And Whereas such Institutions may be subject to considerable Losses on Payment of Money or Transfer of Securities to Persons who may have obtained Letters of Administration of the Effects of a Depositor, or Probate of a Will or Testamentary Dis-

Share of Deceased, exceeding 20l. not paid but upon Probate, &c.

When Property is under the Value of 50l. no Stamp Duty to be paid in cases of Administration.

Persons so claiming to exhibit Certificate of Amount of Share.

Such Certificate received as Evidence of Amount.

Where the Effects of a Person dying intestate shall not exceed 20l. Administration not necessary.

Payments under Probates of Wills, &c. afterwards repealed, valid.

Remedy for Representative against Person receiving.

Powers of Attorney by Trustees or Depositors,

Receipts and Entries,

free from Stamp Duty.

Where Rules of Institution direct an Arbitration, the Award to be final.

‘ position, or supposed Will or Testamentary Disposition of such Depositor, which Letters of Administration or Probate may afterwards be repealed or deemed null and void ;’ Be it further enacted, That Payment or Transfer of any Money or Security for Money by any such Institution as aforesaid to any Person or Persons having any such Letters of Administration or Probate of any such Will or Testamentary Disposition, granted by any Ecclesiastical Court, and appearing to be in force, shall be valid and effectual with respect to any Demand of any other Person or Persons as the lawful Representative or Representatives of such Depositor against the Funds of such Institution, or against the Treasurer, Trustees or Managers thereof ; but nevertheless such lawful Representative or Representatives shall have Remedy for such Money or Securities for Money so paid or transferred as aforesaid, against the Person or Persons who shall have received the same.

XXVI. And be it further enacted, That no Power, Warrant or Letter of Attorney granted or to be granted by any Person or Persons as Trustee or Trustees of any Institution established under this Act, for the Transfer of any Share or Shares in the Public Stocks or Funds standing in the Name or Names of such Person or Persons as such Trustee or Trustees ; nor any Power, Warrant or Letter of Attorney given by any Depositor or Depositors in the Funds of such Institution to any other Person or Persons, authorizing him, her or them to make any Deposit or Deposits of any Sum or Sums of Money in the Funds on the behalf of the said Depositor or Depositors, or to sign any Document or Instrument required by the Rules, Orders, Regulations or Bye Laws of such Institution to be signed on making such Deposits, or to receive back any Sum or Sums of Money deposited in the said Funds, or the Dividends or Interest arising therefrom ; nor any Receipts given for any Dividend or Dividends in any Public Stock or Fund, or Interest of Exchequer Bills; nor any Receipt, nor any Entry in any Book of Receipt, for Money deposited in the Funds of any such Institution, nor for any Money received by any Depositor, his or her Executors or Administrators, Assigns or Attornies, from the Funds of such Institution, shall be subject or liable to or charged with any Stamp Duty or Duties whatsoever.

XXVII. And be it further enacted, That where Provision shall be made by one or more of the general Rules, Orders or Regulations of any such Institution, and filed as hereinbefore required, for a Reference by Arbitration of any Matter in Dispute between any such Institution, or any Person or Persons acting under them, and any individual Depositor therein, or any Executor, Administrator, next of Kin or Creditor of any deceased Depositor, or any Person claiming to be such Executor, Administrator, next of Kin or Creditor, then and in every such case the Matter so in Dispute shall be referred to such Arbitrator or Arbitrators as shall have been named according to the general Rules, Orders or Regulations of such Institution ; and whatever Award, Order or Determination shall be made, according to the true Purport and meaning of the Rules, Orders and Regulations of such Institution, shall be binding and conclusive on all Parties, and shall be final to all Intents and Purposes, without any Appeal.

XXVIII. And

XXVIII. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without the same being specially shewn or pleaded. Public Act.

SCHEDULES.

(A.)

FORM of the ORDER for the Trustees to make Payments into the Bank of *England*, to be produced to the Officer of the Commissioners for the Reduction of the National Debt.

WE, being Two of the Trustees of the Saving Bank established at [*insert the Town and County*], do, in pursuance of an Act of the 57 *Geo.* 3. Cap. hereby authorize and direct *A. B.* to pay into the Bank of *England*, to the Account of the Commissioners for the Reduction of the National Debt

Pounds, and to receive for the same, on account of us the said Trustees, a Saving Bank Debenture of the like Amount, carrying Interest at the Rate of Three pence *per Centum per Diem*: And we hereby declare, that the Sum above stated is the exclusive Property of the said Saving Bank specified in this our Order, arising wholly from individual Contributors, not exceeding the Amount specified in the said Act for the Contribution of each Contributor, or arising from the voluntary Donation to the Funds of the said Society.

Witness our Hands, this

Day of
A. - - - } Trustees.
B. - - - }

(B.)

CERTIFICATE of the Officers of the Commissioners, to enable Payments to be made into the Bank of *England*.

I DO hereby certify, That it appears by an Order dated produced to me conformably to the Provisions of an Act of the 57 *Geo.* 3. Cap. intitled [*insert the Title of this Act*], that Two of the Trustees of the Saving Bank established at [*insert the Town and County*] have authorized and directed *A. B.* to pay into the Bank of *England*, to the Account of the Commissioners for the Reduction of the National Debt, the Sum of

Pounds, arising from Contributions not exceeding the Amount in the said Act mentioned, and to receive a Saving Bank Debenture of the like Amount, carrying Interest at the Rate of Three pence *per Centum per Diem*.

Witness my Hand, *A.* - - - Superintendent.

INDORSEMENT on the Back of the Trustees' Order, upon the Receipt of the Debenture.

RECEIVED the Debenture within described, in virtue of the foregoing Order.

Witness my Hand, *A.* - - - acting for the Trustees.

FORM

(C.)

FORM of the DEBENTURE to be issued by the Officer of the Commissioners for the Reduction of the National Debt.

No. _____ £ _____

RECEIVED _____ of the Saving Bank established at _____ in the County of _____

Pounds, which Sum is placed to the Account of the Commissioners for the Reduction of the National Debt.

For the Governor and Company of the Bank of England, A. B. - - - Cashier.

WHEREAS by virtue of an Act of the Fifty seventh George 3. Cap. _____ intituled, [insert the Title of this Act] the Sum of _____ Pounds hath been paid into the Bank of England, to the Account of the Commissioners for the Reduction of the National Debt, on account of "The Saving Bank" established at _____ in the County of _____

Now this Debenture is chargeable on the Monies or Funds standing in the Names of the Commissioners for the Reduction of the National Debt at the Bank of England, and entitles the said Saving Bank to the Principal Sum of _____ Pounds, carrying an Interest after the Rate of Three pence per Centum per Diem from the Day of the Date hereof, payable at the Bank of England to the Trustees, or to their Use, by the Order of Two of such Trustees indorsed thereon, on the Fifth Day of April next after the Date hereof, or at any other time, upon the Production of such Order at the Office of the said Commissioners, the same being indorsed hereon under the Hands of Two of the Trustees of the said Saving Bank, directing Payment thereof to be demanded by the Person producing the same; and the Interest shall in all cases be computed to and include the Five Days following the Day of the Date of such Order.

Dated this _____ Day of _____ A. - - - Superintendent.

This Debenture is not transferrable nor assignable.

(D.)

INDORSEMENT of the Order of the Trustees on the Debenture to receive Payment.

WE, Two of the Trustees of the Saving Bank within described, do hereby authorize and direct A. B. to demand [and receive both the Principal and Interest of this Debenture in Money] or [and receive the Interest due thereon in Money, and also a new Debenture of the like Amount in lieu of this Debenture, bearing the like Rate of Interest, or a new Debenture or Debentures of the like Amount, and the Interest added thereto, bearing the like Rate of Interest], as the case may be.

Witness our Hands this _____ Day of _____ } Trustees of the said Saving Bank.

Dated the _____ Day of _____

CER-

(E.)

CERTIFICATE of the Officer of the Commissioners to enable the Payment of the Principal and Interest of the Debenture.

I DO hereby certify, That the Debenture No. for the Principal Sum of Pounds, hath been delivered at the Office of the Commissioners for the Reduction of the National Debt, conformably to an Order indorsed thereon, under the Hands of Two of the Trustees of the Saving Bank established at [*insert the Town and County*] pursuant to the Provisions of an Act of the Fifty seventh George 3. Cap. intituled [*insert the Title of this Act*], and that the Interest due thereon, computed to and including the Five Days following the Day of the Date of the said Order, amounts to
 Pounds Shillings and pence.

And I do further certify, That the said Trustees have authorized and directed *A. B.* [to receive both the Principal and Interest of the said Debenture in Money] or [to receive a new Debenture of the like Amount in lieu of the said Debenture, and also the Interest due thereon in Money, or with the said Interest added to the Amount of the said Debenture.]

Witness my Hand, this

Day of

A. - - - Superintendent.

THE RECEIPT for the above Principal and Interest must be acknowledged on this Certificate, as follows :

RECEIVED in virtue of the Order specified in this Certificate [the Principal Sum of Pounds in Money, being the Amount of the Debenture within described] or [a new Debenture for the Sum of Pounds, being of the like Amount, and in lieu of the Debenture within described] and also the Interest due thereon, computed to and including the Five Days following the Day of the Date of the said Order.

Witness my Hand, *A.* - - acting for the said Trustees.

C A P. CXXXI.

An Act for the better Regulation of Polls, and for making other Provisions touching the Election of Members to serve in Parliament for Places in *Ireland.* [12th July 1817.]

WHEREAS it is necessary to amend the Laws for regulating the Election of Members to serve in Parliament for Places in *Ireland*, and to provide for the more expeditious taking of Polls thereat; Be it enacted by The King's Most Excellent Majesty, by and with the 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* next, every Poll which shall be demanded at any Election for a Member or Members to serve in Parliament for any County, City, Borough or other Place in *Ireland*, shall commence on the Day upon which the same shall be demanded, or upon the next Day at farthest (unless it shall happen to be a *Sunday, Christmas Day or Good Friday*, and then on the Day next after), and shall be duly and regularly proceeded in from Day to Day (*Sundays, Christmas Day* and

From Aug. 1, 1817, every Poll must commence at the latest the Day after it is demanded, unless it be *Sunday, &c.* and must not continue longer than a certain

Day, except as herein mentioned.

Name of Person elected to be declared at the Close of the Poll, or the Day after, and Return made.

After Fourth Day, Returning Officer may close any Booth when no more than 20 have polled in the Day.

Within Two Days after Receipt of Writ, Proclamation to be made of the Election.

Whenever more than 2,000 Freeholders registered in one Barony, &c. Names of Freeholders to be so divided that no more than 2,000 shall have to poll in one Booth.

Expence of Booths, &c.

and *Good Friday* always excepted) until the same be finished; but so as, that no Poll at any Election held by virtue of a Writ shall continue longer than the Fortieth Day at furthest after the Test thereof, and if by virtue of such Writ the Election shall be held by Precept, no Poll at such Election shall continue longer than the Thirtieth Day at furthest after the Date thereof; and if such Polls shall continue respectively until such Fortieth or Thirtieth Day, then the same shall be finally closed at or before the Hour of Three in the Afternoon of the same Day; and the Returning Officer or Officers at every such Election shall immediately, or on the Day next after the final Close of the Poll, truly, fairly and publicly declare the Name or Names of the Person or Persons who have the Majority of Votes on such Poll, and shall forthwith make a Return of such Person or Persons.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Returning Officer or Officers, and he or they are hereby required, on any Day after the Fourth Day of Polling, to close finally any Booth in which no more than Twenty Electors have polled, or have been referred for Decision to the Booth of such Returning Officer or Officers, during that Day.

III. And Whereas it is expedient to afford full time before the Return of the Writ for the polling of Freeholders at the Election of a Knight or Knights to serve in Parliament for any County in *Ireland*; Be it enacted, That immediately after the Receipt of the Writ for making any such Election, it shall and may be lawful for the Sheriff of such County, and he is hereby required, to indorse on the Back thereof the Date of receiving the same, and within Two Days after the Receipt thereof to cause Proclamation to be made at the Place where the ensuing Election ought by Law to be holden, and to cause to be affixed on the Door of the County Court House public Notice thereof, signed by himself, of a Special County Court to be there holden, for the Purpose of such Election only, on any Day, *Sunday* excepted, not later from the Day of making such Proclamation and affixing such Notice than the Sixteenth Day, nor sooner than the Tenth Day.

IV. And be it enacted, That whenever in any one Barony or Half Barony of any County in *Ireland*, the Number of Freeholders registered within Eight Years previous to the Test of the Writ for holding such Election, and exceeding Twelve Calendar Months previous to the Test of such Writ, shall exceed Two thousand, it shall and may be lawful for the Sheriff, and he is hereby required, on receiving written Notice thereof from any Candidate, to divide alphabetically, as equally as can be (but so as not in any case to divide the Names beginning with the same Letter), all the Names of the Freeholders so registered in such Barony or Half Barony, so that it shall not be necessary for more than Two thousand to poll in any Booth, and to erect as many more Booths, or hire as many more Buildings, as may be necessary for this Purpose, and to appoint as many additional Deputies or other Officers as shall be necessary, to take the Poll at such additional Booths or Buildings, not exceeding One Deputy and One Poll Clerk to each such Booth or Building; and the Expence of every such additional Booth or Building, and the Wages of every such additional Deputy or Officer, at the same Rate as other Booths or Buildings, and as other Deputies or

or Officers, shall be paid to the Sheriff by all Candidates jointly on Demand.

‘ V. And Whereas it is expedient that any Reference made to the Sheriff should not interrupt the Poll;’ Be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Sheriff of any County in *Ireland*, and he is hereby required, to erect a Booth or hire a Building wherein he may and shall decide such cases as may be referred to him, exclusive of the Number of Booths or Buildings nor † required by Law; and such Sheriff is hereby required to give his constant Attendance therein, during the entire Number of Hours that the Polling shall continue each Day.

Sheriff to have a Booth, separate and exclusive of Polling Booths, where he is to attend

† Sic.

‘ VI. And Whereas by an Act passed in the Fifty first Year of His present Majesty, intituled *An Act to amend the Laws for regulating the Election in Ireland of Members to serve in Parliament*, it is (among other things) enacted, That when a Poll shall be demanded at any Election of a Member or Members to serve in Parliament for any County, City, Town or Borough in *Ireland*, the Returning Officer or Officers at any such Election, after such Poll shall be demanded, shall, at the Instance and Request of any Candidate or Candidates at such Election, under his or their Hand or Hands, immediately after such Request, and before he or they shall proceed further in taking the Poll, retain, nominate and appoint Two or more Justices of the Peace (as the case may require) to administer the Oaths and Declarations required in and by an Act passed in the Thirteenth and Fourteenth Years of His present Majesty’s Reign, intituled *An Act to enable His Majesty’s Subjects, of whatever Persuasion, to testify their Allegiance to Him*; and also another Act, passed in the Thirty third Year of His present Majesty’s Reign, intituled *An Act for the Relief of His Majesty’s Popish or Roman Catholic Subjects in Ireland*; and that the Clerk of the Peace, or a Deputy by him appointed in Writing under his Hand for that Purpose, shall attend such Persons: And Whereas there are other Oaths besides those enumerated in said Act which Voters at Elections of Members to serve in Parliament may be by Law required to take, the present Mode of administering whereof is attended with Delay and Inconvenience;’ Be it therefore enacted, That it shall and may be lawful for such Justices of the Peace so appointed, and they are hereby empowered and required, severally and at different Places separate and apart from the Place where the Poll shall be taken, to administer all the Oaths and the Declarations and Affirmations required to be taken or made by Persons offering to vote at any Election (the Bribery Oath or Affirmation only excepted), which Oath or Affirmation shall be taken or made at the Place of taking the Poll, at the Desire of any Candidate or Elector, by every Person offering to vote at any Election, as before the passing of this Act.

51 G. 3. c. 77. § 4.

13 & 14 G. 3. (1.) c. 35.

33 G. 3. (1.) c. 21.

Justices to administer all Oaths, &c.

Exception.

VII. And be it further enacted, That every such Person so appointed as aforesaid shall, immediately after such Appointment, and before he shall take upon him to act under such Appointment, take the following Oath, in place of the Oath required by the said recited Act; (that is to say),

Persons so appointed to take the following Oath.

‘ I *A. B.* do swear, That I will faithfully and impartially administer the Oaths and take the Affirmations now required by Law to be taken or made by Voters at Elections for Members to serve in Par-

liament

liament (except the Bribery Oath or Affirmation) to and from such Persons as shall lawfully apply to me in that Behalf, in order to qualify themselves to vote at this Election.'

Which Oath, to be taken by the several Persons respectively so to be appointed, the Returning Officer or Officers, or any of them, is and are hereby authorized and required to administer; and such Clerk of the Peace, or a Deputy so appointed by him for the Purposes aforesaid, shall attend each of such Justices of the Peace during the Administration of such Oaths, Affirmations and Declarations, and shall give, without Fee or Reward, to every Person who shall take such Oaths or make such Declarations or Affirmations respectively, a Certificate thereof in manner hereinafter mentioned, and shall take the following Oath, in place of the Oath required by the said recited Act; (that is to say),

‘ I *A. B.* do swear, That I will, on being thereunto requested, fairly and truly give, without Fee or Reward, to every such Person, or any of them, who shall take such Oaths or make such Declarations or Affirmations respectively, or any of them, as are now required by Law to be taken or made by Voters at Elections for Members to serve in Parliament before the Justices of the Peace appointed by the Returning Officer, a Certificate thereof; and that I will not give such Certificate to any Person before he shall have taken such Oath or Oaths, or make such Declaration or Declarations, Affirmation or Affirmations respectively, as shall be mentioned in such Certificate, in my Preference.’

Which Oath, to be taken by the several Persons respectively so to be appointed, the Returning Officer or Officers, or any of them, is and are hereby authorized and required to administer.

VIII. And be it further enacted by the Authority aforesaid, That after the Persons so appointed shall have taken such Oath so required to be taken by them respectively as aforesaid, any Person or Persons claiming to vote at any such Election as aforesaid may, at any time before he or they shall give his or their Vote or Votes at such Election, apply to any One of the Persons so appointed and sworn as aforesaid, to take the Oaths and make the Declarations and Affirmations or any of them; and the Person to whom such Application shall be made shall accordingly administer the same to such Person or Persons so claiming a Right to vote; and the said Clerk of the Peace, or his Deputy, so sworn and appointed, shall, immediately upon such Oaths being taken, and Affirmations or Declarations being made, sign and deliver a Certificate thereof to such Person who shall have taken such Oaths or made such Affirmations or Declarations respectively, which Certificate shall contain the Name, Addition and Place of Abode of the Person to whom the same shall be so given; and in case of Persons taking the said Oath shall be in the Terms following; (that is to say),

‘ *A. B.* [naming the Person taking the Oath, Declaration or Affirmation] of [naming the Place of such Person's Abode, and his Addition or Occupation] has taken the Oath [or Oaths, Affirmation or Affirmations, Declaration or Declarations] of [naming the said Oath or Oaths, Affirmation or Affirmations, Declaration or Declarations, so administered], before me, this
Day of

Clerks of the Peace, &c. to give Certificate of Oath, &c. without Fee, and to take the following Oath.

Electors to apply before voting, to Persons so appointed, who shall administer the Oaths, &c. and Clerks of the Peace to give Certificates thereof.

Form of Certificate of taking Oaths, &c.

And every such Person to whom such Certificate shall be so given shall, on producing such Certificate to the Person or Persons lawfully taking the Poll at such Election, be deemed to have taken or made such Oaths, Declarations or Affirmations as effectually, in order to entitle him to vote at such Election, as if the same had been taken or made in manner and form required before the passing of this Act.

IX. And be it further enacted by the Authority aforesaid, That when any Person or Persons offering to vote at any such Election, without producing such Certificate as aforesaid, shall be lawfully required to take the said Oaths, or make the said Declarations or Affirmations or any of them, then such Oaths, Declarations or Affirmations, or any of them, shall not be administered by the Returning Officer or Officers or other Person or Persons taking the Poll, or at the Place of taking the said Poll; but the Elector or Electors so required to take such Oaths, or make such Declarations or Affirmations, shall immediately withdraw, and shall take the said Oaths, or subscribe and make the said Declarations or Affirmations respectively, before One of the Commissioners appointed and sworn as aforesaid in manner hereinbefore mentioned.

X. And be it further enacted, That every Elector having received such Certificate as aforesaid, shall, so soon as he shall have polled, deliver the same to the Person taking the Poll, who shall forthwith cancel the same.

XI. And be it further enacted by the Authority aforesaid, That if at any time during the Poll at any such Election, it shall be found that the Number of Persons so appointed as aforesaid is insufficient for the Purposes aforesaid, and that the Poll is delayed for want of a sufficient Number of Persons to administer such Oaths, Declarations and Affirmations as aforesaid, then and in every such case the Returning Officer or Officers at such Election may, and he or they is and are hereby empowered and required, at the Instance and Request in Writing of any Candidate then present, to retain, nominate and appoint such further Number of Persons, for the Purpose of administering the said Oaths, Declarations and Affirmations as aforesaid, and of granting such Certificates as aforesaid, as shall be necessary to prevent such Delay; and the Persons so nominated and appointed shall take the like Oath, which shall be administered to them respectively in like manner as is hereinbefore directed with respect to the Person first appointed for the Purposes aforesaid.

XII. And be it further enacted, That the Returning Officer or Officers at every such Election shall and is and are hereby required to appoint, find and provide a proper Place for every such Person so appointed as aforesaid, to execute the Duty hereby imposed upon such Person, to which Place the respective Electors may have free Access, without interrupting the Poll, and so as to enable the Persons so appointed to act separately without interfering with each other in the Execution of their Office; and that each of the said Places so appointed shall be open and attended by the Person or Persons appointed to act there during all such times as the Poll at any such Election shall be kept open, and shall continue at least Eight Hours in every Day, between the Hours of Eight in the Morning and Eight in the Evening, until the final Close of the Poll; and that the said Oaths and the said Declarations and Affirmations shall respectively be administered to as many of the Electors, being ready

Production of Certificate to entitle to vote.

Persons offering to vote without producing Certificate, on being required, to withdraw and take the Oaths before One of the Commissioners.

Certificate to be cancelled after polling.

If the Number of Persons so appointed to administer the Oaths should be insufficient, more may be appointed by Returning Officer.

Returning Officer to appoint proper Places for executing Act.

Hours of keeping such Places open.

03 21
704

Returning Officers to provide printed Forms of Certificates.

ready and desiring to take or make the same respectively, as can conveniently take or make the same together, not exceeding the Number of Twelve at one time; and such Returning Officer or Officers shall also find, provide and deliver to each Person who shall be appointed by him or them in manner aforesaid, a sufficient Number of printed Certificates, agreeable to the Form hereinbefore directed, to be filled up as Occasion may require, and signed by the Clerk of the Peace or his Deputy, appointed or sworn as aforesaid, attending on such Person as aforesaid, and delivered to each Elector so taking the said Oaths or declaring or affirming as aforesaid.

Returning Officers on Notice to provide proper Places for administering Oaths, &c.

XIII. And be it further enacted by the Authority aforesaid, That in case the Candidates or any of them shall, Three Days at least before any such Election, give or cause to be given Notice in Writing to the Returning Officer or Officers, to provide proper Places for administering said Oaths, Declarations and Affirmations to the Electors, then and in every such case Booths or such other proper Places shall be prepared and provided, so as to be ready before and against the Day of Election; the Expence of which Booths or Places, and of the said printed Forms, and also the Allowance and Compensation (if any) to be made to the several Justices of the Peace administering such Oaths, Declarations and Affirmations as aforesaid, for their Trouble and Attendance, not exceeding One Guinea a Day to every of them, and also the Allowance and Compensation to be made to the Clerk of the Peace or his Deputies, appointed as aforesaid, for their Trouble and Attendance, not exceeding Half a Guinea a Day to every of them for each Day of Attendance, shall be defrayed and repaid by the Candidates at such Election, in equal Proportions, to the Returning Officer or Officers who shall have incurred such Expence.

Expences, as herein mentioned, defrayed by Candidates.

Clerk of the Peace to cause Deputy to attend with Affidavits of Registry of Freeholds.

XIV. And be it further enacted, That the Clerk of the Peace shall and is hereby required to attend, or cause his Deputy to attend, during the whole of every Election of Members to serve in Parliament, the Returning Officer or Officers in his or their Booth, Court or Building where he or they shall preside at such Election; and the Clerk of the Peace or his Deputy shall bring with him all the original Affidavits of the Registry of Freeholds, and shall, on Demand of the Returning Officer or Officers, or his or their Assessor, produce such Affidavit as may be required by him or them.

Returning Officers, on Demand of Candidate, to appoint Interpreters.

XV. And be it further enacted by the Authority aforesaid, That it shall be lawful for the Returning Officer or Officers, and he or they is and are hereby required, on Demand or Request in Writing of any Candidate or Candidates, immediately after such Request, to retain, nominate and appoint as many competent Persons to act as Interpreters as there shall be Places of Polling, or Places of taking the Oaths, Declarations and Affirmations as aforesaid, so that one such Interpreter shall attend each of such Places to translate faithfully such Oaths, Declarations and Affirmations, and such Questions and Answers as are hereinbefore or hereinafter required to be taken, made, asked or given at the Place of Polling, and also before the Persons appointed to administer Oaths, Declarations and Affirmations as aforesaid; and every such Interpreter shall, immediately after such Appointment, and before he shall take upon him to act under such Appointment, take the following Oath, which the Returning Officer or Officers are hereby required to administer:

Interpreters to take the following Oath.

‘ I A. B.

‘ I *A. B.* do swear, That I will faithfully interpret such Oaths; Declarations, Affirmations, Questions and Answers as I shall be directed to interpret by the Returning Officer or Officers, his or their Deputies, and the Persons appointed to administer Oaths, Declarations and Affirmations at this Election.’

And the Allowance and Compensation to be made to the several Persons appointed as aforesaid for their Trouble and Attendance, not exceeding Half a Guinea a Day to every of them for each Day of Attendance, shall be defrayed and repaid by the Candidates at such Election, in equal Proportions, to the Returning Officer or Officers.

Allowance to such Persons paid by Candidates.

XVI. And be it further enacted by the Authority aforesaid, That at all Elections at which any Person shall tender his Vote as having a Freehold, the Deputy presiding in any Polling Booth or Building shall personally examine such Person as to his Name and Residence, as to the Value, Tenure and Situation of his Freehold, and whether it arises from a Rent Charge; but it shall not be lawful for any other Person besides the Deputy, whether Barrister, Attorney, Agent, Candidate, Elector or other Person, to plead or speak to or examine any Person tendering his Vote, on any Pretence whatever, during the Continuance of the Poll, in any of the Polling Booths.

Deputy to examine Electors as to Qualification. No other Person to examine or plead.

‘ XVII. And Whereas Doubts have arisen as to the Power of Rejection and Examination of Persons tendering their Votes by the Deputies of Returning Officers;’ Be it enacted by the Authority aforesaid, That it shall not be lawful for any Deputy to examine any Person tendering his Vote, except as hereinbefore directed; and that if any Objection shall arise as to the Right of such Person to vote, such Objection shall be forthwith referred to the Returning Officer or Officers; but it shall not be lawful for any Deputy to investigate such Person’s Right to vote, nor to reject such Person’s Vote, without Reference to the Returning Officer or Officers.

Deputy not to investigate Right to vote, but to refer to Returning Officer.

‘ XVIII. And Whereas great Delay has taken place from unnecessary Searches for original Affidavits of Registry at various Elections, notwithstanding the Freeholders tendering their Votes had produced legal Certificates of their having registered their Freeholds;’ Be it therefore enacted by the Authority aforesaid, That after the passing of this Act, in every case in which a Person offering to poll shall produce a Certificate of Registry in manner and form by Law required, without Erasure or Interlineation, such Certificate shall be deemed conclusive Evidence of his having duly registered such Freehold; but if any Variance between such Certificate and the Book of Registry shall appear to the Deputy, or if no such Certificate shall be produced by such Person, it shall and may be lawful for such Deputy, and he is hereby required, to refer such Person, if objected to, to the Returning Officer or Officers, or his or their Assessor or Assessors, who, or one of whom, are hereby exclusively authorized to examine such Person’s original Affidavit of Registry.

Certificate of Registry of Freeholds being regular conclusive Evidence.

‘ XIX. And Whereas by an Act of the *Iris* Parliament, passed in the Thirty seventh Year of the Reign of His present Majesty, intituled *An Act for the further Regulation of the Election of* 37 G. 3. (1.)
57 GEO. III. L.1 ‘ *Members*

‘ *Members to serve in Parliament*, it is enacted, that any Person
 ‘ seised of a Freehold, not consisting of a Rent Charge, shall desire
 ‘ to register it, as being of the Value of Fifty Pounds or Twenty
 ‘ Pounds, he shall, in the Oath or Affirmation therein provided,
 ‘ name the Parish or Parishes, and the Townland or Townlands in
 ‘ which such Freehold may be situated: And Whereas it is ex-
 ‘ pedient that the Name of the Parish or Parishes should in the said
 ‘ Oath be omitted, and that the Townland or Townlands, or
 ‘ other Denomination by which the Place is generally known,
 ‘ wherein the Freehold is situated, be named in the said Oath or
 ‘ Affirmation;’ Be it enacted, That it shall be lawful for any
 Person seised of a Freehold, not consisting of a Rent Charge, who
 shall desire to register it as being of the yearly Value of Fifty
 Pounds or Twenty Pounds, to omit in said Oath or Affirmation
 the Name of the Parish or Parishes in which said Freehold may be
 situated, and to name therein the Townland or Townlands, or
 other Denomination by which the Place is generally known, wherein
 the said Freehold may be situated.

Freeholders of
 50l. or 20l. may
 omit Parish in
 Oaths,

and to name
 Townland, &c.

Persons convict-
 ed of polling
 Twice, (Excep-
 tion) or of per-
 sonating others,
 to be transported
 for Seven Years.

XX. And be it further enacted by the Authority aforesaid,
 That every Person who shall be by due Course of Law convicted
 of having polled a Second time at the same Election, except as
 hereinafter mentioned, or of having personated any other Person
 for the Purpose of polling at such Election, shall be adjudged
 guilty of Felony, and be transported for Seven Years to some Part
 of His Majesty’s Dominions out of *Europe*, or be imprisoned for
 any term not more than Seven Years, at the Discretion of the Judge
 or Judges who shall try such Person.

‘ XXI. And Whereas it is expedient that Persons having Free-
 ‘ holds under the yearly Value of Twenty Pounds, and subject
 ‘ only to Crown or Quit Rent, or arising from Fee Farm Grants,
 ‘ or under a Lease or Leases for ever, or for Lives renewable for
 ‘ ever, should have the Power of voting at Elections for Members
 ‘ of Parliament, although they should not reside thereon, or occupy
 ‘ such Freeholds by tilling or grazing, to the Amount of Forty
 ‘ Shillings yearly Value thereof;’ Be it enacted, That it shall and
 may be lawful for Persons having Freeholds under Twenty Pounds
 yearly Value, not consisting of a Rent Charge, and liable only to
 Crown or Quit Rents, to register the same in like manner as is
 provided for Persons having Freeholds of the yearly Value of
 Twenty Pounds in an Act of the Thirty seventh Year of His
 present Majesty, hereinbefore in part recited.

Freeholder
 under 20l. sub-
 ject only to
 Crown or Quit
 Rent, &c. may
 register as under
 the said Act
 37 G. 3. (1.)

Oath to be taken
 by such Free-
 holder.

XXII. And be it further enacted, That such Person so registering
 his Freehold, shall insert in the Oath of Registry the Words
 “ Forty Shillings,” instead of the Words Twenty Pounds or
 Fifty Pounds; and shall add the following Words, “ and that the
 “ said Freehold does not consist of a Rent Charge, and that it is
 “ liable to no Rent, except Crown or Quit Rent,” or “ that it
 “ arises from a Fee Farm Grant,” or “ that I hold it under a
 “ Lease or Leases for ever,” or “ that I hold it under a Lease or
 “ Leases for Lives, renewable for ever,” as the case may be.

Such Freeholder
 to make the same
 Affirmation and
 Oaths as Persons
 having Freeholds
 of 20l. Value.

XXIII. And be it further enacted, That every Person who shall
 offer to vote by virtue of a Freehold under the yearly Value of
 Twenty Pounds, and holding the same subject only to Crown or Quit
 Rents, before he be admitted to poll, shall make the same Affirma-
 tions

tions and take the same Oaths as are now provided for Persons having Freeholds of the Value of Twenty Pounds: Provided always, that such Person shall in such Oaths make the same Alterations and Additions as are herein set forth in the Oath of Registry for such Persons. Proviso.

XXIV. And Whereas by sundry Statutes passed by the Parliament of *Ireland*, and also by the Forty fifth of His present Majesty, it is enacted, that every Oath or Affirmation made and subscribed at any Session of the Peace for Registry of any Freehold, shall be read aloud in open Court and signed by Two of the Justices presiding therein: And Whereas the Number of the Justices who are empowered to act within several of the Counties of Cities and Counties of Towns in *Ireland*, agreeably to the Charters thereof, is extremely limited in Amount, and often confined in a great Degree to those who from Age and Infirmary are incapacitated for active Performance of Duty: And Whereas it is necessary to provide against any consequent Inconvenience or Delay of Persons possessed of Freehold Property who wish duly to register such Freeholds, and to qualify themselves for exercising the elective Franchise; Therefore be it enacted, That in all Counties of Cities and Counties of Towns in *Ireland*, the Mayor or other Chief Magistrate of such County of a City or County of a Town, or other his sufficient Deputy appointed by him pursuant to the Charter, in case of his Illness or Absence from such City or Town, shall continue to hold each General Quarter Session of the Peace for one entire Day after the Criminal and other Business of every such Session has been fully transacted, commencing his Sitting at the Hour of Ten in the Forenoon, for the Purpose of registering all such Freeholders as present themselves for that Purpose, in such manner and form as now required by Law; and that the said Mayor shall continue his Sitting until the Hour of Four in the Afternoon, and administer all the Oaths and sign all Certificates which are now required by Law to render the Registry of such Freehold valid; and that the Signature of such Chief Magistrate or his Deputy shall be singly and of itself a sufficient Attestation of such Registry, in place of the Signatures of Two Magistrates as now required by Law, and shall be then and there delivered by such Mayor or his Deputy to the Clerk of the Peace, to be filed and kept among the Records of the Court. 45 G. 3. c. 59. § 2.

Regulations for
the Registry of
Freeholders.

XXV. And it is hereby further enacted, That if the Mayor or other Chief Magistrate shall, by himself or his sufficient Deputy, neglect or wilfully omit to hold any such Session, in manner and form as hereinbefore recited, or to admit to register their Freeholds thereat such Persons duly qualified as shall present themselves for that Purpose to the said Mayor or Chief Magistrate, such Mayor or Chief Magistrate so offending shall forfeit the penal Sum of One hundred Pounds for each and every such Neglect of Duty; and if the Clerk of the Peace or his sufficient Deputy shall neglect or omit to attend at such Session of the Peace, and then and there to do all Acts now required of him by Law for the Registry of Freeholders, such Clerk of the Peace shall forfeit the penal Sum of Fifty Pounds; such Penalties to be recovered by Information in any of His Majesty's Courts of Record in *Dublin*; One Moiety whereof shall be payable Mayor, &c. not admitting Freeholders to be registered,

Penalty 100l.
Clerk of the
Peace neglecting
his Duty,

Penalty 50l

payable to our Lord The King, and the other Moiety to him who shall sue for and recover the same.

Poll Clerk to take the following Oath.

XXVI. And be it further enacted, That from and after passing the said recited Act, at any Election for any Member or Members to serve in Parliament for any County, City, Borough or Town in *Ireland*, every Person whom the Returning Officer or Officers shall retain to act as a Clerk for taking the Poll, shall, before he commences to take such Poll, take the following Oath :

Oath.

‘ I *A. B.* swear, That I will truly and indifferently take the Poll at this Election, and set down the Name and Residence of each Voter, the Value, Tenure, Situation and Place and Date of Registry of his Freehold, and whether sworn to or affirmed by such Voter, as the case may be, and for whom he shall poll.’

Which Oath of every such Poll Clerk the said Returning Officer or Officers is or are hereby authorized and required to administer.

Returning Officer acting partially, Imprisonment for Three Years, and Incapacity.

XXVII. And Whereas it is necessary to guard against improper Conduct of Returning Officers at such Election for Members to serve in Parliament ; Be it enacted, That every Returning Officer who shall be by due Course of Law convicted of having acted corruptly or partially in the Execution of his Duty of Returning Officer at any Election for Members to serve in Parliament, shall be adjudged guilty of a high Misdemeanor, and be imprisoned for Three Years ; and such Person, so convicted, is hereby declared to be for ever incapable of holding any Office or Situation, Civil or Military, under the Crown.

Deputy Sheriff, &c. absenting himself, to forfeit Compensation, and another to be appointed.

XXVIII. And be it further enacted, That any Deputy Sheriff, Commissioner for administering Oaths, Declarations and Affirmations as aforesaid, Poll Clerk, Clerk of the Peace or Deputy Clerk of the Peace, appointed as aforesaid, or Interpreter, absenting himself, shall forfeit all Compensation for Attendance during such Election ; and the Returning Officer or Officers is and are hereby authorized and required, in case of the Absence of any such Person or Persons, immediately to appoint, as before herein directed, a Person or Persons to fill his or their Place or Places.

Returning Officer, &c. refusing or neglecting to perform his Duty, Penalty.

XXIX. And be it further enacted by the Authority aforesaid, That any Returning Officer, or Deputy Returning Officer, Sheriff or Deputy Sheriff, Clerk of the Peace or Deputy Clerk of the Peace, or other Officer hereinbefore mentioned, who shall refuse or neglect to perform his Duty according to the Provisions of this Act, shall forfeit Ten Pounds with Treble Costs for each and every such Instance of Refusal or Neglect, to any Person suing for the same at any Sessions of the Peace within Twelve Calendar Months after such Instance of Neglect or Refusal.

Qualification of Deputy Sheriffs.

XXX. And be it further enacted, That no Sheriff of any County in *Ireland* shall appoint, after the passing of the present Act, any Person to act as his Deputy, unless such Person shall be a Freeholder of such County, having a Freehold of the yearly Value of Fifty Pounds at least above all Charges ; and such Sheriff is hereby required to demand, upon Oath, of such Person offering to be sworn as Deputy, whether such Person has a Freehold of that Value.

In case of Death or Illness of Returning Officer,

XXXI. And be it further enacted, That in case of the Death or severe Illness of the Returning Officer or Officers during the Continuance

Continuance of the Poll, it shall and may be lawful for the first sworn Deputy, who shall be sworn by himself for this Purpose before the Commencement of the Poll, and he is hereby required, under the Penalty of forfeiting One thousand Pounds to any Person suing for the same, to proceed in the Poll, and to act in every respect for all the Purposes of the Election as if he had been originally Returning Officer, and take the Oath as directed by Law for the Returning Officer at the Commencement of the Poll, which any Two Justices of the Peace are hereby authorized to administer, and proceed in the Poll, and to act in every respect as Returning Officer for all the Purposes of such Election, as if he had been originally Returning Officer, and shall make a Special Return of the Facts, as the case may be, unless his Authority shall be previously superseded by the Recovery of the Returning Officer, or the legal Appointment of a new one, as the case may be.

first sworn Deputy to proceed in Poll, &c. as Returning Officer. Penalty 1000l.

XXXII. And Whereas it is expedient, in the Event of the Death of any Candidate during a Poll, that all Persons who have given their Votes for such Candidate should be enabled to vote over again; Be it enacted by the Authority aforesaid, That in all cases where it shall be made to appear to the Returning Officer, upon Oath of any credible Witness, which Oath he is hereby empowered and directed to administer at any time before the Poll is finally closed at any Election, that any Candidate for whom any Votes have been given at such Election shall have died, then such Returning Officer shall cause public Notice thereof to be given, and shall direct such Poll to be adjourned till the next Day; and in such case every Elector who shall have voted for such deceased Candidate shall be admitted, if he think fit, to vote over again: Provided always, that nothing herein contained shall extend to enable any Person who shall have so voted for any deceased Candidate to vote again for more than one Candidate, or to give such Vote in favour of any Candidate for whom he shall have before voted.

Persons having voted for Candidate dying during the Poll, empowered to vote again.

Proviso.

XXXIII. And be it further enacted, That in every such case of any Person being so admitted to vote a Second time, the following Words shall be omitted out of the Oaths or Affirmations now directed by Law to be taken or made by every such Person before he is admitted to poll; (that is to say), "And that I have not been before polled at this Election;" and that in lieu thereof the following be inserted; (that is to say), "and that I have polled at this Election for A. B. now deceased."

Oath to be taken by Persons voting a Second time.

XXXIV. And be it further enacted, That at any Election for any County, City, Borough or Town in *Ireland*, it shall be lawful for any Returning Officer or Officers to summon all Constables, Bailiffs or other Peace Officers, to attend and keep the Peace at such Election; and that any such Constable, Bailiff or Peace Officer neglecting to attend during the whole of such Election, shall forfeit such Office of Constable, Bailiff or other Peace Officer, and all Salary due to him.

Returning Officer may summon Bailiffs, &c. to attend Elections.

XXXV. And be it further enacted, That any Constable, Bailiff or other Peace Officer, convicted of a Breach of the Peace during such Election, shall be adjudged guilty of a Misdemeanor, and be imprisoned for any time not more than Twelve Calendar Months.

Bailiffs convicted of a Breach of the Peace, Misdemeanor.

XXXVI. And be it further enacted, That the Returning Officer or Officers, or his or their Deputy or Deputies, at any Election, shall have Power, and he and they is and are hereby authorized, to com-

Returning Officer may commit Persons for 24

Hours found rioting.

mit all Persons to Gaol, without Bail or Mainprize, who shall be found rioting or interrupting the Poll, or wilfully preventing the Approach of Electors to the Place of polling; provided that the time of such Imprisonment shall not in any case exceed Twenty four Hours.

All former existing Acts confirmed, &c. except as herein altered, &c.

XXXVII. And be it further enacted, That all former Acts of Parliament, made for the Regulation of the Election of Members to serve in Parliament for Places in *Ireland*, not heretofore repealed, are hereby confirmed and reenacted, except as the same are herein amended or altered.

C A P. CXXXII.

An Act for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and seventeen; and for further appropriating the Supplies granted in this Session of Parliament.

[12th July 1817.]

§ I.	£.1,300,000	o	o	Out of the Duties of 56 G. 3. c. 17.	} Granted to make good the Supply of Great Britain and Ireland for 1817.
II.	1,500,000	o	o	Out of Arrears of Property Tax under 46 G. 3. c. 65.	
III.				Treasury to direct any Number of Exchequer Bills to be made out as directed by 48 G. 3. c. 1. on Fourteen Days' Notice in the <i>London Gazette</i> , and in three or more of the <i>London Newspapers</i> , of the Day of Payment.	
IV.				Powers of 48 G. 3. c. 1. extended to such Exchequer Bills.	
V.				Such Exchequer Bills to bear Interest not exceeding 3½d. per Cent. per Diem.	
VI.				And may be taken in Payment of the Revenue after Expiration of Four Months after their Date.	
VII.	2,000,000	o	o	Bank may advance on Credit of Aids, notwithstanding 5 & 6 W. & M. c. 7. or any subsequent Act	} Granted as above, and appropriated to Uses hereinafter expressed. See § XIII. &c.
VIII.	15,749	15	2	Surplus of Grants for 1815	
IX.	1,849,810	1	6¼	————— for 1816	
X.	1,225,978	2	3	————— Consolidated Fund	
XI.	400,000	o	o	From Sale of Old Naval and Victualling Stores	
XII.	3,000,000	o	o	Raised by Exchequer Bills under c. 5.	
	24,000,000	o	o	————— c. 2.	
	18,000,000	o	o	————— c. 16.	
	9,000,000	o	o	————— c. 80. } ante.	
				Monies arising from Lotteries c. 31.	
	3,600,000	o	o	Raised by Irish Treasury Bills c. 81. }	
	15,749	15	2	(granted above, § VIII.)	
	1,849,810	1	6¼	(—————, § IX.)	
	1,225,978	2	3	(—————, § X.)	
	1,300,000	o	o	(—————, § I.)	
	400,000	o	o	(—————, § XI.)	
	1,500,000	o	o	(—————, § II.)	

XIII. £.7,645,422		1	2	For Naval Services; that is to say,						
	216,600	0	0	For Wages of	} At per Man per Month.	} £. s. d.	} For 6 Months, commencing 1st Jan. 1817.			
				19,000 Men,				1	18	0
	233,700	0	0	For Victuals,				2	1	0
	245,100	0	0	For Wear and Tear of Ships,				2	3	0
	22,800	0	0	For Ordnance for Sea Service,				0	4	0
	1,142,838	11	4½	For Ordinary Establishment of the Navy	-	-	-			
	780,759	4	7¼	For Extraordinary Ditto	-	-	-			
	142,500	0	0	For Transport Service, Sick and Wounded Seamen, and Prisoners of War	-	-	-			
	252,700	0	0	For Wages of	} At per Man per Month.	} £. s. d.	} For 7 Months, from 17th June 1817.			
				19,000 Men,				1	18	0
	272,650	0	0	For Victuals,				2	1	0
	285,950	0	0	For Wear and Tear of Ships,				2	3	0
	26,600	0	0	For Ordnance for Sea Service,				0	4	0
	1,660,000	0	0	Towards paying off the Debt of the Navy and Transport Service.						
	119,026	16	6	For Transport Service, Sick and Wounded Seamen, and Prisoners of War	-	-	For 7 Months, commencing 18th June 1817.			
	1,333,311	13	3½	For Ordinary Establishment of the Navy	-	-	-			
	610,885	15	4¾	For Extraordinary Ditto	-	-	-			
	300,000	0	0	For Provisions for Troops and Garrisons on Foreign Stations, and Rations for Troops to be embarked on board of Ships and Transports	-	-	For the Year 1817.			
XIV.	9,412,373	14	0¼	For Land Forces and other Services; that is to say,						
	1,237,600	0	0	For Land Forces for G. B. and on Stations abroad, (excepting the Corps stationed in France, and the Regiments employed in the Territorial Possessions of the E. I. Company)			From 25th Dec. 1816 to 24th June 1817.			
	438,000	0	0	For Land Forces for Ireland						
	131,600	0	0	Towards Charge of Corps, &c. existing on the British Establishment to 25th Dec. 1816, but now disbanded, or proposed to be wholly or partially reduced in 1817, and also for Two Regiments proposed to be transferred to the Indian Establishment in the course of the said Year 1817.						
	16,700	0	0	net Towards Charge of Corps, &c. in Ireland, proposed to be reduced in the course of the Year 1817.						

£. 37,500	0	0	0	For Volunteer Corps in <i>G. B.</i>		
15,800	0	0	net	<i>Ireland</i>		
20,500	0	0		For In Pensioners of <i>Chelsea</i>		
				<i>Hospital</i>		
8,300	0	0	net	For <i>Kilmainham</i> Hospital		From
393,200	0	0		For Out Pensioners of <i>Chel-</i>	25th Dec. 1816 to	
				<i>sea</i> Hospital	24th June 1817.	
82,700	0	0	net	<i>Kilmainham</i>		
				Hospital		
1,237,371	5	6		To complete the Sum required		
				for Land Forces for <i>G. B.</i>		
				and on Stations abroad,		
				(excepting the Corps sta-		
				tioned in <i>France</i> , and the		
				Regiments employed in the		
				Territorial Possessions of		
				the <i>E. I. Company</i>)		
438,405	15	2	net	To complete the Sum re-		
				quired for Land Forces in		
				<i>Ireland</i>		
111,548	12	1		For General and Staff Of-		From
				ficers, and Officers of the	25th Dec. 1816 to	
				Hospitals serving with the	24th Dec. 1817.	
				Forces in <i>G. B.</i> and on Fo-		
				reign Stations, excepting		
				<i>France</i> and <i>India</i>		
35,266	19	11	net	For Ditto in <i>Ireland</i>		
153,775	6	7		For Allowances to the Prin-		
				cipal Officers of certain Pub-		
				lic Departments in <i>G. B.</i>		
				their Deputies, Clerks, and		
				Contingencies		
8,828	7	3	net	For Ditto in <i>Ireland</i>		
15,000	0	0		For Medicines and Surgical		
				Materials for Land Forces		
				on the Establishment of		
				<i>G. B.</i> , and of certain Hof-		
				pital Contingencies		
11,446	3	1	net	For Ditto in <i>Ireland</i>		
37,500	0	0		To complete the Sum required		
				for Volunteer Corps in <i>G. B.</i>		
15,865	9	7	net	For Ditto in <i>Ireland</i>		
17,824	1	5		For Four Troops of Dra-		
				goons, and Twelve Com-		
				panies of Foot, stationed in		
				<i>G. B.</i> for recruiting the		
				Corps employed in the		
				Territorial Possessions of		
				the <i>E. I. Company</i>		
177,360	6	0		For Pay of General Officers		From
				in Land Forces, not being	25th Dec. 1816 to	
				Colonels of Regiments up-	24th Dec. 1817.	
				on the Establishment in		
				<i>G. B.</i>		
1,684	12	4	net	For Ditto in <i>Ireland</i>		

£. 27,045	3	4	For Garrisons at Home and Abroad, on the Establishment of <i>G. B.</i>	} For the Year 1817.
7,033	6	1 net	For Garrisons in <i>Ireland</i>	
127,311	13	4	For full Pay for retired Officers, and unattached Officers of Forces on the Establishment of <i>G. B.</i>	} From 25th Dec. 1816 to 24th Dec. 1817.
5,224	7	10 net	For Full Pay for retired Officers of Forces on Establishment of <i>Ireland</i>	
597,430	0	0	For Half Pay to reduced Officers of Land Forces upon the Establishment of <i>G. B.</i>	} From 25th Dec. 1816 to 24th Dec. 1817.
50,492	7	6 net	----- <i>Ireland</i>	
29,106	17	6	For Military Allowances to reduced Officers of Land Forces upon the Establishment of <i>G. B.</i>	} From 25th Dec. 1816 to 24th Dec. 1817.
2,520	19	11 net	----- <i>Ireland</i>	
133,462	0	0	For Half Pay and reduced Allowances to the Officers of disbanded Foreign Corps, Pensions to Wounded Officers, and Allowances to the Widows and Children of deceased Foreign Officers	} From 25th Dec. 1816 to 24th Dec. 1817.
20,519	0	4	To complete the Sum required for In Pensioners of <i>Chelsea</i> Hospital	
8,341	13	11 net	----- <i>Kilmainham</i> Hospital	} From 25th Dec. 1816 to 24th Dec. 1817.
393,260	2	11	----- Out Pensioners of <i>Chelsea</i> Hospital	
82,708	15	4 net	----- Out Pensioners of <i>Kilmainham</i> Hospital	} From 25th Dec. 1816 to 24th Dec. 1817.
80,770	0	0	For Pensions to Widows of Officers of Land Forces and Marines upon the Establishment of <i>G. B.</i>	
18,214	9	0 net	----- <i>Ireland</i>	} From 25th Dec. 1816 to 24th Dec. 1817.
163,502	3	7	For Allowances on Compassionate List to Officers for Wounds	
19,500	0	0	For Allowances to Reduced Adjutants of Local Militia in <i>G. B.</i>	} From 25th Dec. 1816 to 24th Dec. 1817.
19,672	6	1	For Allowances, Compensations and Emoluments in the nature of Superannuation or retired Allowances to Persons belonging to several Public Departments, in respect for their having	

		held Public Offices or Em- ployments of a Civil Nature		
£. 5,894	13	10	net	Ireland
35,000	0	0		For Fees expected to be paid at the Exchequer on Issues for Army Services for the <i>British</i> Establishment
131,714	0	0		To complete the Sum required for Corps, &c. ex- isting on the <i>British</i> Establishment on 25th Dec. 1816, but now disbanded, or proposed to be wholly or partially reduced in 1817; and also for Two Regiments proposed to be transferred to the <i>Indian</i> Establishment in the course of the said Year.
16,747	0	0	net	To complete the Sum required for Corps, &c. in <i>Ireland</i> , proposed to be reduced in the course of the Year 1817.
83,038	0	0		For the Service of the Barrack Department in <i>G. B.</i>
500,649	0	0		For Supply of Bread, Meat and Forage, Coals, Candles, Straw and Furniture, for the Troops in <i>G. B.</i> and for casual Supplies of the Troops on Foreign Sta- tions, and also for the Pay of the Commissariat Depart- ment
194,566	11	10 $\frac{3}{4}$	net	For the Commissariat Depart- ment in <i>Ireland</i>
20,000	0	0	net	For Pay and Contingent Allowances of Yeomanry Corps on Permanent Service in <i>Ireland</i>
151,439	19	9 $\frac{1}{2}$	net	For Service of Barrack Department in <i>Ireland</i> for Three Months to 25th March 1817, calculating the Military Establishment at 4,352 Cavalry and 24,287 Infantry, and for Nine Months to 24th Dec. 1817, calculating the Military Establishment at 4,352 Cavalry, and 21,181 Infantry.
11,076	18	6	net	For the External Establish- ment of <i>Kilmainham</i> Hof- pital
207,832	7	0		For the Disembodied Militia of <i>G. B.</i>
124,522	17	5	net	of <i>Ireland</i>
1,400,000	0	0		For Extraordinary Expences of the Army for <i>G. B.</i>
100,000	0	0		for <i>Ireland</i>
XV. 1,000,000	0	0		To Field Marshal the Duke of <i>Wellington</i> , and His Majesty's Forces and those of His Majesty's Allies serving under His Grace's Command at the Battle of <i>Waterloo</i> and the Capture of <i>Paris</i> , in such manner as His Majesty shall direct, the Sum of

For the Year 1817.

From
25th Dec. 1816 to
24th Dec. 1817.For the Year ending
24th Dec. 1817.

For the Year 1817.

For the present Year.

of Twenty five Millions of Francs, assigned to His Majesty from the Pecuniary Indemnity payable by *France* under the Treaty of the 25th Day of *Nov.* 1815, by the Protocol of the Ministers of the Allied Powers of the same Date.

XVI.	£.1,030,603	15	0	For the Land Forces for Service in <i>France</i> - - -	<table border="0"> <tr> <td rowspan="2">}</td> <td>From</td> </tr> <tr> <td>25th <i>Dec.</i> 1816 to 24th <i>Dec.</i> 1817.</td> </tr> </table>	}	From	25th <i>Dec.</i> 1816 to 24th <i>Dec.</i> 1817.
}	From							
	25th <i>Dec.</i> 1816 to 24th <i>Dec.</i> 1817.							
XVII.	100,000	0	0	Towards the Office of Ordnance for Land Service - - -	} For the Year 1817.			
	248,000	0	0	For the Office of Ordnance for Land Service for <i>Great Britain</i> - - - - -				
	25,000	0	0	For Services performed by the Office of Ordnance for Land Service for <i>Great Britain</i> , and not provided for by Parliament in the Year 1815.	<table border="0"> <tr> <td rowspan="2">}</td> <td>From</td> </tr> <tr> <td>the 1st <i>Jan.</i> to the 30th <i>June</i> 1817.</td> </tr> </table>	}	From	the 1st <i>Jan.</i> to the 30th <i>June</i> 1817.
}	From							
	the 1st <i>Jan.</i> to the 30th <i>June</i> 1817.							
	25,081	0	11	For Services performed by the Office of Ordnance for Land Service for <i>Great Britain</i> , and not provided for by Parliament for the Year 1816.				
	25,000	0	0	For Expences of Reduction in the Office of Ordnance for Land Service in <i>Great Britain</i> - - - - -	} From 1st <i>Jan.</i> to 30th <i>June</i> 1817.			
	105,000	0	0	For the Office of Ordnance for <i>Great Britain</i> on account of the Allowances to Superannuated, Retired and Half Pay Officers, to Officers seconded, and to Officers for good Services, to Superannuated and disabled Men, also for Pensions to Widows and Children of deceased Officers late belonging to the several Ordnance Military Corps - - -				
	30,831	9	6	For Allowance to Superannuated and Half Pay Officers, to Superannuated and Disabled Men, also for Pensions to wounded Officers late belonging to the several Ordnance Military Corps in <i>Great Britain</i> , and not provided for by Parliament in the Year 1816.				
	15,000	0	0	For Allowances, Compensations and Emoluments in the nature of Superannuated or Retired Allowances, to Persons late belonging to the Office of Ordnance in <i>Great Britain</i> , in respect of their having held any Public Offices or Employments of a Civil Nature, and also for the Charge of Widows' Pensions - - - - -				

£.72,000	0, 0	For the Office of Ordnance for <i>Ireland</i> - - -	From 1st Jan. to 30th June 1817.
7,000	0 0	For the Office of Ordnance in <i>Ireland</i> on account of the Pay of Retired Officers of the late Royal <i>Irisb</i> Artillery and of Royal Engineers, and of Pensions to Widows of deceased Officers of the same - - -	
1,750	0 0	For Allowances, Compensations and Emoluments in the nature of Superannuated or Retired Allowances, to Persons late belonging to the Office of Ordnance in <i>Ireland</i> , in respect of their having held any Public Offices or Employments of a Civil Nature, and also for the Charge of Widows' Pensions - - -	
348,959	19 10	In full for the Office of Ordnance for Land Service for <i>Great Britain</i> - - -	For the Year 1817.
63,186	15 3	In full for the Office of Ordnance for <i>Ireland</i> - - -	
25,000	0 0	In full for Expenses of Reduction in the Office of Ordnance for Land Service in <i>Great Britain</i> in the Year 1817.	
105,728	10 11	In full for the Office of Ordnance for <i>Great Britain</i> on account of the Allowances to retired General Officers, to Superannuated, Retired and Half Pay Officers, to Officers seconded, and to Officers for good Services, to Superannuated and Disabled Men, also for Pensions to Widows and Children of deceased Officers late belonging to the several Ordnance Military Corps -	
15,008	9 5	In full for Allowances, Compensations and Emoluments in the nature of Superannuated or Retired Allowances, to Persons late belonging to the Office of Ordnance in <i>Great Britain</i> , in respect of their having held any Public Offices or Employments of a Civil	For the Year 1817.

			Nature, and also for the Charge of Widows' Penfions - - -
£.7,000	o o	In full for the Office of Ordnance in <i>Ireland</i> on account of the Pay of Retired Officers of the late <i>Iriſh</i> Artillery and Engineers, and of Penfions to Widows of deceased Officers of the ſame - - -	
1,750	o o	In full for Allowances, Compensations and Emoluments in the nature of Superannuated or Retired Allowances, to Perſons late belonging to the Office of Ordnance in <i>Ireland</i> , in reſpect of their having held any Public Offices or Employments of a Civil Nature, and alſo for the Charge of Widows' Penfions - - -	
XXVIII.	11,000,000	o o	For diſcharging Outstanding Exchequer Bills under 56 G. 3. r. 4.
XIX.	13,000,000	o o	Ditto ——— c. 54.
XX.	1,235,000	o o	(<i>Iriſh</i> Currency) Treasury Bills iſſued in <i>Ireland</i> under 53 G. 3. c. 61. and 56 G. 3. c. 41.
XXI.	3,080,000	o o	(<i>Britiſh</i> Currency) Treasury Bills iſſued for <i>Ireland</i> purſuant to 56 G. 3. c. 41, 42, and 47.
XXII.	12,152,000	o o	Exchequer Bills charged on the Aids of 1816.
XXIII.	1,689,900	o o	Ditto - under 55 G. 3. c. 196.
XXIV.			Civil Eſtabliſhments, viz.
	15,814	o o	<i>Sierka Leone.</i>
	13,440	o o	<i>Nova Scotia.</i>
	12,815	o o	<i>New South Wales.</i>
	11,325	o o	<i>Upper Canada.</i>
	6,247	10 o	<i>New Brunſwick.</i>
	5,485	o o	<i>Newfoundland.</i>
	3,826	o o	<i>Saint John (Prince Edward Iſland).</i>
	3,301	10 o	<i>The Bahama Iſlands</i> , in addition to the Salaries now paid to the Public Officers out of the Duty Fund, and the incidental Charges attending the ſame.
	2,550	o o	<i>Cape Breton.</i>
	600	o o	<i>Dominica.</i>
XXV.	200,000	o o	For ſuch Expences of a Civil Nature in <i>Great Britain</i> as do not form Part of the ordinary Charges of the Civil Liſt.
	1,900,000	o o	For diſcharging Intereſt on Exchequer Bills.
	330,000	o o	Being the Hundredth Part of the Sum of Thirty three Millions of Exchequer Bills

			authorized in the last Session of Parliament to be issued and charged upon the Aids granted in the present Session, by Quarterly Payments to be placed to the Account of the Commissioners of the National Debt	} For the Year ending the 1st Feb. 1818.
£.41,229	8	4	For discharging on the 5th of April 1817 certain Annuities granted by 37 & 42 G. 3.	} To be paid without any Fee or other Deduction.
28,155	4	9	For the Royal Military College	
34,415	5	5	For the Royal Military Asylum at Chelsea	} For the Year 1817. From the 25th Dec. 1816, to 24th Dec. 1817.
75,300	0	0	For the confining, maintaining and employing Convicts at home	} For the Year 1817.
80,000	0	0	For Bills drawn, or which may be drawn, from <i>New South Wales</i>	
17,000	0	0	For printing Acts of Parliament for the two Houses of Parliament, for the Sheriffs, Clerks of the Peace and Chief Magistrates throughout the United Kingdom, and for the Acting Justices throughout <i>Great Britain</i> , also for printing Bills, Reports, Evidence and other Papers and Accounts for the House of Lords	
2,552	12	3	For printing 1,250 Copies of Vol. 49. of Journals of the House of Peers.	
815	8	4	To make good the Deficiency of the Grant of 1816, for printing 1,750 Copies of Vol. 69. of Journals of the House of Commons.	
3,500	0	0	Expence that may be incurred in 1817 for printing 1,750 Copies of Vol. 70. of Journals of the House of Commons.	
3,250	0	0	_____ Vol. 71.	} For the Year 1817.
3,250	0	0	_____ Vol. 72.	
8,500	0	0	Reprinting Journals and Reports of the House of Commons	
6,472	17	0	To make good Deficiency of Grant for 1816 for reprinting Journals and Reports of the House of Commons.	
21,000	0	0	For printing Bills, Reports and other Papers, by Order of the House of Commons, during the present Session.	
8,197	6	8	To make good the Deficiency of the Grant of 1816 for printing Bills, Reports and other Papers, by	

			Order of the House of Commons, during the last Session.			
£.2,500	0	0	For printing the Votes for the House of Commons during the present Session of Parliament.			
4,895	6	0	For Superintendance of Aliens according to 56 G. 3. c. 86.	} For the Year 1817.		
13,500	0	0	For American Loyalists			
3,000	0	0	For confining and maintaining criminal Lunatics	} For the Year 1817.	} To be paid without Fee or other Deduction.	
20,000	0	0	For Law Charges			
4,000	0	0	For extraordinary Expences for Prosecutions, &c. relating to the Coin of this Kingdom	} For the Year 1817.		
266	13	4	For Superannuation Allowance or Compensation to one of the late Paymasters of Exchequer Bills			
1,950	0	0	For Superannuation Allowances or Compensations to retired Clerks and other Officers formerly employed in the Office of the Commissioners for auditing the public Accounts	} For the Year 1817.	} To be paid without Fee or other Deduction.	
331	10	0	For Superannuation Allowances or Compensations to retired Clerks and other Officers formerly employed in the Lottery Office			
620	0	0	For Superannuation Allowances or Compensations to retired Officers formerly employed in His Majesty's Mint			
20,000	0	0	For further Execution of 43 G. 3. c. 80. towards making Roads and building Bridges in the Highlands of Scotland	} For the Year 1817.		
2,695	18	10	For Repair of Henry the 7th's Chapel			
3,000	0	0	For the National Vaccine Establishment	} For the Year 1817.		
8,577	16	5	For Management of the British Museum			
10,000	0	0	For defraying of Workscarrying on at the College of Edinburgh, for the Year 1817	} To be paid without Fee or other Deduction.		
11,400	0	0	For Penitentiary House, from the 24th June 1817, to the 24th June 1818			

	£. 40,000	o o	Towards building a Penitentiary House at <i>Milbank</i> , for the Year 1817		
	400	10 5	To make good Deficiency of Grant in the present Session for printing 1,750 Copies of the 70th Volume of Journals of the House of Commons.		
	300,000	o o	For such Expences of a Civil Nature as do not form a Part of the ordinary Charges of the Civil List.		
	25,000	o o	For inland Navigation from the Eastern to the Western Sea, by <i>Inverness</i> and <i>Fort William</i>	} For the Year 1817.	} To be paid without Fee or other Deduction.
	7,614	o o	To complete the original estimated Expence of the Works at <i>Holyhead</i> Harbour, for the present Year		
	450	o o	For making a Landing Place at <i>Port Dewargh</i> , on the Hill of <i>Holyhead</i> , for the Landing of the Mails from the Packets by Boats, when the Wind does not enable them to reach the Harbour in time to land the Mail by the Coach		
	8,951	o 6	Supplemental Charge for Miscellaneous Printing done by Order of the House of Commons in the Session of 1816.		
	40,000	o o	For extraordinary Expences of the Mint in the Gold Coinage	} For the Year 1817.	} To be paid without Fee or other Deduction.
	20,000	o o	For improving fundry Portions of the <i>Holyhead</i> Roads		
	600	o o	For paying off and discharging on the 10th of <i>October</i> 1817 certain Annuities granted by 37 & 42 <i>Geo.</i> 3.		
	23,000	o o	For maintaining and repairing the <i>British</i> Forts on the Coast of <i>Africa</i>	} For the Year 1817.	} To be paid without Fee or other Deduction.
	3000	o o	For the Board of Agriculture		
XXVI.	246,508	14 2 net	To make good the Permanent Charges of <i>Ireland</i> outstanding and unprovided for on the 5th <i>January</i> 1817.		
	<i>Irish Currency net.</i>				
XXVII.	1,250	o o	For the Remuneration of several Public Officers for their extraordinary Trouble, in the Year 1817.		
XXVIII.	21,514	o o	Board of Works in <i>Ireland</i>	} For the Year 1817.	
	22,543	14 5	Printing, Stationery and other Disbursements for the Chief and Under Secretaries' Offices and Apartments and other Public Offices in <i>Dublin Castle</i> , and for Riding		

Irisb Currency net.

			Charges and other Ex- pences of the Deputy Pur- suivants and extra Messen- gers attending the said Of- fices; also superannuated Allowances in the said Chief Secretary's Office	} For One Year, end- ing 5th Jan. 1818.
£.	10,500	0 0	Publishing Proclamations and other Matters of a Public Nature in the <i>Dublin Ga- zette</i> and other Newspapers in <i>Ireland</i>	
	3,726	5 0	Printing 1,290 Copies of a compressed Quarto Edi- tion of the Statutes of the United Kingdom for the Magistrates of <i>Ireland</i> , and 250 Copies of a Folio Edition of ditto, bound for the Use of the Lords, Bishops and Public Officers in <i>Ireland</i> .	
	25,000	0 0	Criminal Prosecutions and other Law Expences	} From 5th Jan. 1817 to 5th Jan. 1818.
	2,500	0 0	Apprehending Public Of- fenders	
	9,297	0 0	For completing the Sum for the Support of Non Con- forming Ministers	
	4,111	0 0	For Support of the seceding Ministers from the Synod of <i>Ulster</i>	} From 25th March 1817 to 25th March 1818.
	2,112	0 0	For Salaries of the Lottery Officers	
	1,017	5 10	For Pratique of the Port of <i>Dublin</i>	} From 25th Dec. 1815 to 5th Jan. 1817.
	740	0 0	For Clothing Battle-axe Guards	
	11,000	0 0	For completing Works of the Harbour of <i>Howth</i> , in addition to the Balance in the Hands of the Commissioners, and of the Sale of the Machinery, Barges, Lighters, Railways, Tools and other Implements.	} For 18 Months, from 1st Dec. 1817.
	14,000	0 0	To carry on the Works at <i>Dunmore</i> Harbour in the Current Year.	
	43,333	6 8	For Civil Contingencies	} For the Year ending 5th Jan. 1818.
	4,000	0 onet.	For the Board of Inland Navigation.	

Sterling.

XXIX. *Irisb Currency net.*

	10,000	0 0	For building Churches and Glebe Houses and purchas- ing Glebes	} For One Year, end- ing 5th Jan. 1818.
	20,000	0 0	To the Trustees and Commissioners of First Fruits, to be by them employed towards the building, re- building and enlarging of Churches and Chapels,	

Irish Currency net.

			the building of Glebe Houses and procuring Glebes, in such manner as they shall think fit.	
	£1,600	o o	For Trustees of the Linen and Hempen Manufactures, to be by them applied in such manner as shall appear to them to be most conducive to promote and encourage the said Manufactures	For One Year, ending 5th Jan. 1818.
	12,000	o o	For Commissioners for making wide and convenient Streets in <i>Dublin</i>	
	300	o o	For an additional Allowance to the Chairman of the Board of Inland Navigation	For the Year 1817.
	350	o o	For the Royal Irish Academy in the City of <i>Dublin</i>	
XXX.	35,225	o o	For the Foundling Hospital at <i>Dublin</i>	For the Year ending 5th Jan. 1818.
	39,701	o o	For the House of Industry and Asylums for industrious Children in <i>Dublin</i>	
	7,920	o o	For the <i>Richmond</i> Lunatic Asylum at <i>Dublin</i>	
	8,399	o o	For the <i>Hibernian</i> Society for Soldiers' Children at <i>Dublin</i>	
	2,985	o o	For the <i>Hibernian</i> Marine Society in <i>Dublin</i>	
	3,000	o o	For the Female Orphan House in the Circular Road, <i>Dublin</i>	
	9,010	o o	For the <i>Westmorland</i> Lock Hospital in <i>Dublin</i>	
	3,411	o o	For the Lying-in Hospital in <i>Dublin</i>	
	1,590	o o	For Doctor <i>Stevens's</i> Hospital	
	5,000	o o	For the House of Recovery and Fever Hospital in <i>Cork Street, Dublin</i>	For One Year, ending 5th Jan. 1818.
	504	o o	For the Hospital for Incurables at <i>Dublin</i>	
	3,716	o o	For the Association for discountenancing Vice and promoting the Knowledge and Practice of the Christian Religion	
		113	o o	For the <i>Green Coat</i> Hospital for the City of <i>Cork</i>
		9,853	o o	For defraying the Sums required in furtherance of several Objects of the Society

Irish Currency net.

			for promoting the Education	}
			of the Poor - -	
£.10,000	o o		For the <i>Dublin</i> Society -	
4,918	o o		For the Farming Society of <i>Ireland</i> - -	
2,500	o o		For the <i>Cork</i> Institution -	
41,539	o o		For the Protestant Charter Schools of <i>Ireland</i> -	
9,673	o o		For the Roman Catholic Se- minary. - -	

XXXI. Supplies to be applied for the Purposes aforesaid.

XXXII. Rules for Application of Half Pay.

XXXIII. Half Pay to Officers of *Manx* Fencibles.

XXXIV. ————— Chaplains of Regiments although in Possession of Ecclesiastical Benefices.

XXXV. Application of Overplus of Sum under 56 *Geo. 3. c. 142.* †

† [*But in this Section the Title of the Act 55 Geo. 3. c. 187 is recited instead of the Title of 56 Geo. 3. c. 142.*]

LOCAL AND PERSONAL ACTS

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

N. B.—*The Continuance of such of the following Acts as are Temporary will be known (where it is not expressly stated) by referring to the following List, according to the corresponding Letter at the End of the Title.*

- (a) *For 21 Years, &c. [i. e. to the End of the next Session] from a Day named in the Act.*
- (b) *For 21 Years, &c. from the passing of the Act.*
- (c) *For 21 Years, &c. after the End of the Term under former Acts.*

The following are all PUBLIC ACTS; to each of which is annexed a Clause in the Form following :

“ And be it further enacted, That this Act shall be deemed
 “ and taken to be a Public Act, and shall be judicially taken
 “ Notice of as such by all Judges, Justices and others, without
 “ being specially pleaded.”

Cap. i.

An Act to extend the Limits of an Act, made in the last Session of Parliament, for preventing Frauds in the Admeasurement of Coals in certain Parishes in the Counties of *Middlesex* and *Essex*. [4th March 1817.]

56 G. 3. c. xxi.

“ **W**HEREAS by an Act of Parliament made in the Fifty
 “ sixth Year of the Reign of His present Majesty, intituled
 “ *An Act for preventing Frauds in the Admeasurement and Delivery of*
 “ *Coals within the several Parishes in the County of Middlesex lying*
 “ *between the Parish of Saint Luke Chelsea, and the Mouth of the*
 “ *River Colne, near Staines; and also between Limehouse Hole and*
 “ *the Mouth of the River Lee, near Blackwall; and also within the*
 “ *several Parishes in the Counties of Middlesex and Essex adjoining to*
 “ *both Banks of the River Lee, and the Branches thereof between the*
 “ *River Thames and Edmonton, a Public Office was directed to be*
 “ provided or continued at or near *Hammersmith*, in the said County
 “ of *Middlesex*, which should be deemed and taken to be the Principal
 “ Land Coal Meter’s Office for the several Parishes, Hamlets and
 “ Places in the County of *Middlesex* lying upon and adjoining to the
 “ North Side or Bank of the River *Thames*, between the Parish of
 “ *Saint Luke Chelsea*, and the Mouth or Entrance of the said River
 “ *Colne,*

' Colne, near *Staines*; and also between *Limehouse Hole*, and the
 ' Mouth or Entrance of the said River *Lee*, or *Bow Creek*; and
 ' also for the several Parishes in the Counties of *Middlesex* and *Essex*
 ' lying upon or adjoining to the said River *Lee*, or *Bow Creek*, and
 ' of every Stream or Branch thereof, on both Sides or Banks thereof
 ' respectively, situate between the said River *Thames* and the said
 ' Parish of *Edmonton*; that is to say, the several Parishes, Hamlets
 ' and Places of *Saint Luke*, *Fulham*, *Hammer Smith*, *Chiswick*, *Ealing*,
 ' *Brentford*, *Hanwell*, *Isleworth*, *Twickenham*, *Teddington*, *Hampton*,
 ' *Sunbury*, *Shepperton*, *Laleham*, *Staines*, *Saint Anne Limehouse* (ex-
 ' cept so much thereof as is situate between *Tower Dock* and *Lime-*
 ' *house Hole*), *Poplar* and *Blackwall*, in the Parish of *Stepney*; *Saint*
 ' *Leonard Bromley*, *Saint Mary Stratford-le-Bow*, *Saint John* at
 ' *Hackney*, and *Tottenham*, in the County of *Middlesex*; and *All*
 ' *Saints*, *West Ham* and *Leyton*, in the County of *Essex*; and Three
 ' Subordinate Offices were directed to be provided and continued at
 ' the respective Places following; (that is to say), One at *Stratford-*
 ' *le-Bow* in the County of *Essex*, and One at *Brentford*, and another
 ' at *Stamford Hill*, in the said County of *Middlesex*; and *Abraham*
 ' *Sanderson* of the Parish of *Stepney*, in the County of *Middlesex*,
 ' Gentleman, was thereby nominated and appointed the Principal
 ' Land Coal Meter for executing the Provisions of the said Act, and
 ' the Manager of the several Offices thereby directed to be provided
 ' for the time and in the manner therein mentioned, and certain Pro-
 ' visions and Regulations were thereby made for preventing Frauds
 ' in the Admeasurement and Delivery of Coals within the several
 ' Parishes and Places in the said Act mentioned: And Whereas it is
 ' apprehended, that if the Provisions of the said Act were extended to
 ' the several Parishes of *All Saints Edmonton*, and *Saint Andrew*
 ' *Enfeld*, in the County of *Middlesex*; *Saint Margaret Barking*,
 ' *Great Ilford*, *Little Ilford* and *Saint Lawrence Waltham Holy*
 ' *Cross*, commonly called *Waltham Abbey*, in the County of *Essex*;
 ' and *Saint Mary Cheshunt*, in the County of *Herts*, they would
 ' be of great Benefit to the Inhabitants thereof respectively: May
 ' it therefore please Your Majesty that it may be enacted; and be it
 ' enacted by The King's Most Excellent Majesty, by and with the
 ' Advice and Consent of the Lords Spiritual and Temporal, and
 ' Commons, in this present Parliament assembled, and by the Authority
 ' of the same, That from and after the Expiration of Fourteen Days
 ' from the passing of this Act, the said Principal and Subordinate Land
 ' Coal Meter's Office, directed to be provided and continued by the
 ' said recited Act, shall be and be deemed and taken to be the Prin-
 ' cipal and Subordinate Land Coal Meter's Office, not only for the
 ' Places included within the Limits of the said recited Act, but also
 ' for the Parishes and Places hereinafter mentioned; (that is to say),
 ' the said Parishes of *All Saints Edmonton* and *Saint Andrew Enfeld*,
 ' in the County of *Middlesex*; the said Parishes of *Saint Margaret*
 ' *Barking*, *Great Ilford*, *Little Ilford* and *Saint Lawrence Waltham*
 ' *Holy Cross*, commonly called *Waltham Abbey*, in the County of
 ' *Essex*; and the said Parish of *Saint Mary Cheshunt*, in the County of
 ' *Herts*; and that the said *Abraham Sanderson* shall be the Principal
 ' Land Coal Meter for the same Parishes, as well as for the Parishes
 ' and Places comprised within the Limits of the said recited Act:
 ' Provided always, that in addition to the Land Coal Meter's Offices

The Principal
 and Subordinate
 Coal Meter's
 Offices in the
 said Act to be
 for certain other
 Parishes herein
 mentioned.

already established under the said recited Act, there shall be an Office to be situated in *Edmonton* or *Waltham Abbey* aforesaid, and another Office to be situated in *Barking* or *Ilford* aforesaid.

Provisions of
56 G. 3. c. xxi.
extended to this
Act for Parishes
herein men-
tioned.

II. And be it further enacted, That from and after the Expiration of Fourteen Days from the passing of this Act, all the Regulations, Provisions, Powers, Authorities, Directions, Penalties, Forfeitures, Clauses, matters and things in the said recited Act of the Fifty sixth Year of the Reign of His present Majesty contained, shall extend and be construed to extend to the said Parishes of *All Saints Edmonton*, *Saint Andrew Enfield*, *Saint Margaret Barking*, *Great Ilford*, *Little Ilford* and *Saint Lawrence Waltham Holy Cross*, commonly called *Waltham Abbey*, and *Saint Mary Cheshunt*, and shall operate and be in force according to the true Intent and Meaning of this Act, as fully and effectually to all Intents and Purposes whatsoever, as if the said Parishes of *All Saints Edmonton* and *Saint Andrew Enfield*, *Saint Margaret Barking*, *Great Ilford*, *Little Ilford*, *Saint Lawrence Waltham Holy Cross*, commonly called *Waltham Abbey*, and *Saint Mary Cheshunt*, had been originally comprised within the Limits of the said Land Coal Meter's Offices appointed to be provided and continued by the said Act, or as if the same Regulations, Provisions, Powers, Authorities, Directions, Penalties, Forfeitures, Clauses, matters and things were particularly repeated and reenacted in the Body of this Act, and the Names of the said Parishes of *All Saints Edmonton*, *Saint Andrew Enfield*, *Saint Margaret Barking*, *Great Ilford*, *Little Ilford*, *Saint Lawrence Waltham Holy Cross*, commonly called *Waltham Abbey*, and *Saint Mary Cheshunt*, were always inserted therein, and in every Oath to be taken, and Ticket delivered in pursuance thereof, together with the Names of the Parishes and Places in the said Act mentioned, when and as often as the same Names shall occur, and the Title of this Act were inserted in addition to the Title of the said recited Act in all Forms appointed to be used by the said Act, in which the Title of the said recited Act is directed to be inserted.

Public Act.

III. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Cap. ii.

An Act for paving the Footways, and for lighting and cleansing the Streets, Lanes and Public Places within the Town and Borough of *Teitbury*, in the County of *Gloucester*, and for preventing Nuisances therein. [17th March 1817.]

Cap. iii.

An Act for continuing the Term and enlarging the Powers of Two Acts of the Seventeenth and Thirty eighth Years of His present Majesty, for repairing the Roads from *Henfield* to *Brigbilstone*, and from *Poyning's Common* to *Higb Cross*, in the County of *Suffex*; and for repealing so much of the said Acts as relates to certain Parts of the said Roads. (b) [17th March 1817.]
[Additional Trustees. Former Tolls to cease. New Tolls granted. One Half additional Toll on Sundays.]

17 G. 3. c. 90.
38 G. 3. c. 55.
except as repeal-
ed, continued for
81 Years, &c.

Cap.

Cap. iv.

An Act for more effectually repairing the Roads from *Coventry* to *Warwick*, and from *Coventry* to *Martyn's Gutter*, in the County of the City of *Coventry*, and in the County of *Warwick*. (b)
[17th March 1817.]

27 G. 2. c. 42.
16 G. 3. c. 81.
36 G. 3. c. 123.

Cap. v.

An Act for repairing the Road from the Cross Hands, on the *Worcester* and *Oxford* Turnpike Road, to *Halford Bridge*, and other Roads therein mentioned, in the Counties of *Gloucester*, *Warwick* and *Worcester*. (b)
[17th March 1817.]

Cap. vi.

An Act for enlarging the Term and Powers of several Acts of His late and present Majesty, for repairing the Road from the Town of *Shrewsbury* to *Bridgnorth*, and several other Roads near or adjoining thereto, in the Counties of *Salop* and *Stafford*. (c)
[17th March 1817.]

25 G. 2. c. 49.
5 G. 3. c. 86.
12 G. 3. c. 77.
subject to Alterations, &c. herein, continued for 21 Years, &c.

[Additional Trustees.]

Cap. vii.

An Act for making better Provision for the Support and Maintenance of the Rector of the Parish of *Saint Olave*, in the Town and Borough of *Southwark*; and for providing a more convenient Rectory or Parsonage House for the said Rector.
[17th March 1817.]
[Proviso for His Majesty's Right as Patron.]

Cap. viii.

An Act for further continuing, until the First Day of *August* One thousand eight hundred and eighteen, and from thence to the End of the then next Session of Parliament, the Powers given by an Act of the Forty sixth Year of His present Majesty, for enabling the Commissioners acting in Execution of an Agreement made between the *East India* Company and the private Creditors of the Nabobs of the *Carnatic*, the better to carry the same into Effect.
[17th March 1817.]

46 G. 3. c. cxxiii
50 G. 3. c. 203.
52 G. 3. c. 188.
46 G. 3. c. 133.
further continued.

Cap. ix.

An Act for providing a convenient House, with suitable Accommodations, for His Majesty's Judges at the Assizes for the County of *Northampton*.
[29th March 1817.]

‘ WHEREAS the Lodgings in the Town of *Northampton*, in which His Majesty's Judges have heretofore resided during their Attendance at the Assizes for the County of *Northampton*, are very inconvenient, and do not afford proper and suitable Accommodation to them during their Residence in the said Town: And Whereas the Justices of the Peace for the said County assembled at the Quarter Sessions holden at *Northampton* on the Seventeenth Day of *October* One thousand eight hundred and sixteen, having duly considered the Propriety of procuring a better Accommodation for the Judges, were of opinion that such Accommodation ought to be procured; and that there appears no Mode of procuring

Justices at Quarter Sessions enabled to make Orders for providing Lodgings for the Judges.

‘ curing suitable Accommodation for them but the taking on Lease from time to time, or by purchasing, repairing or building of some House for that Purpose, and for which the Expenditure of a considerable Sum of Money will be necessary ;’ But as the same cannot be done without the Authority of Parliament, may it therefore please Your Majesty that it may be enacted ; and be it enacted by The King’s Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at the next General Quarter Sessions of the Peace to be holden after the passing of this Act at *Northampton*, in and for the said County of *Northampton*, and afterwards at any subsequent General Quarter Sessions of the Peace to be holden for the said County, it shall and may be lawful for the Justices of the Peace for the said County then and there assembled, and they are hereby authorized and empowered, to make from time to time such Order or Orders for taking on Lease, purchasing, building, repairing, providing and furnishing, in the Town of *Northampton* aforesaid, any proper House, or any Piece or Pieces of Land or Hereditaments whereon a House may be built, with suitable Offices and Accommodations for the Residence of His Majesty’s Judges at the Assizes for the said County, with their Officers and Attendants, and for transacting the Business usually transacted at the Lodgings of His Majesty’s Judges during the Assizes, as to them the said Justices so assembled, or the major Part of them, shall from time to time appear expedient or necessary, and for paying, discharging and defraying all the Expences, Costs and Charges of and attending the taking, purchasing or renewing of any Lease or Leases, or the purchasing, erecting, building, repairing, providing and furnishing of such House, Piece or Pieces of Lands and Hereditaments, and of effecting and carrying into Execution the several Purposes of this Act, by and out of the Public Stock or County Rates ; subject to such Restrictions and Provisions as are hereinafter contained ; and that such Order or Orders for the purchasing or building of any House for the permanent Accommodation of the said Judges may be made and carried into Execution at any time hereafter, notwithstanding any previous Order or Orders shall be made for the taking or purchasing the Lease of any House or Houses for their temporary Accommodation.

Clerk of the Peace to be remunerated for his Trouble in executing this Act.

II. And be it further enacted, That it shall be lawful for the said Justices of the Peace assembled at any General or Quarter Sessions for the said County, from time to time to order and direct such Salary or Allowance to be paid out of the Monies to be raised by virtue of this Act, or out of the County Rates, to the Clerk of the Peace for the said County of *Northampton* for the time being, or his Deputy, for assisting in the Execution of this Act, or for executing any Rules, Orders or Regulations to be made in pursuance thereof, as shall be thought reasonable by the said Justices.

Quarter Sessions may borrow Money on the Credit of the County Rates for Purposes of Act.

III. And for the more effectually carrying into Execution the Powers of this Act, be it further enacted, That it shall be lawful for the said Justices assembled at any General Quarter Sessions of the Peace, or the major Part of such Justices, to borrow and take up at legal or lower Interest any Sum or Sums of Money, not exceeding in the whole the Sum of Seven thousand Pounds, on the Credit of the Rates to be made, raised and assessed upon and within the

the said County, and by Writing under their Hands and Seals to mortgage or assign over any such Rates to the Person or Persons who shall advance or lend such Money, or to his, her or their Trustee or Trustees, as a Security for the Repayment of any Money to be advanced for the Purposes of this Act, with Interest as aforesaid; and all Persons to whom any such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums in such Securities mentioned, Creditors on the said Rates equally one with another, without any Preference in respect of the Priority of advancing such Money, or the Dates of any such Mortgages or Assignments; and every such Mortgage or Assignment shall be good, valid and effectual in the Law for the Purposes thereby intended; all which Mortgages or Assignments shall be in the Form or to the Effect following; (that is to say,)

WE, *A. B.*, one of His Majesty's Justices of the Peace, and Chairman of the Court of Quarter Session of the Peace for the County of *Northampton*, holden at *Northampton* the Day of _____, and *C. D.*, *E. F.*, *G. H.* and *I. K.*, Four other of His Majesty's Justices of the Peace acting for the said County, and assembled in the said Court, in pursuance of the Powers to us given by an Act passed in the Fifty seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for providing a convenient House, with suitable Accommodations, for His Majesty's Judges at the Assizes for the County of Northampton*, do hereby in open Court mortgage and charge all the Rates to be raised within the said County under the Description of County Rates, by the Laws now in being, with the Payment of the Sum of _____ which *L. M.* of _____ hath proposed and agreed to lend, and hath now actually advanced and paid for the Purposes of the said Act; and we do hereby confirm and establish the same unto the said *L. M.*, his Executors, Administrators and Assigns, for securing the Repayment of the said Sum of _____ and Interest for the same after the Rate of _____ for One hundred Pounds for a Year; and do hereby order the Treasurer of the Western Division of the said County to pay the Interest of the said Sum of _____ half yearly, as the same shall become due, until the Principal shall be discharged.

IV. And be it further enacted, That it shall be lawful for the respective Persons entitled to any of the Securities to be given for Money advanced for the Purposes of this Act, and their respective Executors, Administrators or Assigns, at any time by Writing under their Hands and Seals to transfer such Securities to any Person or Persons whomsoever; and Copies of all Mortgages and Assignments which shall be made in pursuance of this Act, and Extracts or Memorials of all Transfers thereof, shall be entered in a Book to be kept for that Purpose by the Clerk of the Peace for the said County; which Extracts or Memorials shall specify and contain the Dates, Names of the Parties and the Sums of Money thereby secured, to which Book any Person interested shall at all reasonable times have Access, and shall have free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer the said Clerk of the Peace shall be paid, by the Person to whom such

Securities for
Money to be
transferable.

Transfer

Transfer shall be made, the Sum of Five Shillings and no more ; and after such Entry made of any such Transfer, every such Transfer so entered shall entitle the Person to whom the same shall be made, and his, her and their respective Executors, Administrators and Assigns, to the Benefit of the Security thereby transferred.

The Money to be expended not to exceed 7,000*l*.

Expences of the Act.

V. Provided always, and be it further enacted, That the Money to be expended in the purchasing, building, erecting, providing, fitting up and furnishing such House, Buildings, Lands, Offices, Accommodations, Furniture and Appurtenances as are by this Act directed, shall not in the whole exceed the Sum of Seven thousand Pounds : Provided always, that it shall be lawful for the said Justices so assembled as aforesaid to raise any further Sum or Sums of Money, over and above the said Sum of Seven thousand Pounds, which shall be found wanting to discharge and pay all the Costs, Charges and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest for any Money which may be lent or advanced by any Person or Persons for that Purpose.

Quarter Sessions enabled to purchase Houses and Lands for the Purposes of this Act.

VI. And be it further enacted, That it shall be lawful for the said Justices so assembled as aforesaid, or the major Part of them, and they are hereby authorized and empowered from time to time to treat, contract and agree with the Owners of and Persons interested in any Houses, Buildings, Lands or Hereditaments which they shall judge to be proper or necessary for the Purposes of this Act, for the Purchase or Letting thereof, and by and out of the said public Stock and County Rates of the said County to pay or cause to be paid for the Purchase of such Houses, Buildings, Lands or Hereditaments, or for a Fine on the granting or renewing the Lease or Leases thereof, such Sum or Sums of Money as shall be agreed upon between such Owners and Persons interested as aforesaid and the said Justices, and also the Costs and Charges attending such Agreement and Purchase, or the granting or renewing of any such Lease or Leases as aforesaid ; and upon Payment of the Money agreed to be paid for the Purchase or Lease of any such Houses, Buildings, Lands or Hereditaments as aforesaid, it shall be lawful for the said Justices of the Peace, or any Two or more of them, their Surveyors, Workmen or Agents, at any time thereafter, to enter upon and take Possession of the said Houses, Buildings, Lands or Hereditaments ; and the same shall be conveyed or leased to the Clerk of the Peace for the said County of *Northampton* for the time being for the Purposes of this Act.

Bodies Politic, &c. enabled to sell.

VII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Fee Tail General or Special, or for Years determinable on any Life or Lives, and all Husbands, Trustees or Feoffees in Trust, Executors, Administrators; Guardians, Committees, and all other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their *Cestui que* Trusts, whether Infants, Issue unborn, Females Covert, Lunatics, Idiots or other Person or Persons whomsoever, and to and for all Females Covert who are or shall be seized, possessed of or interested in their own Right, and to and for all and every Person or Persons whomsoever who are or shall be seized, possessed of or interested in any of such Houses, Buildings, Lands or Hereditaments, to treat, contract and agree with the said Justices,

or

or the major Part of them so assembled as aforesaid, for the Sale or Letting of such Houses, Buildings, Lands or Hereditaments, and of all or any Part of their Interest therein, or in any Part thereof, and to convey or lease the same to such Person or Persons for the Purposes of this Act, and in such manner as they the said Justices, or the major Part of them so assembled as aforesaid, shall direct; and as Occasion shall require; and all Contracts, Sales, Leases and Conveyances which shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage or other matter to the contrary in anywise notwithstanding; and all and every such Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Husbands, Trustees, Feoffees, Executors, Administrators, Guardians, Committees and all other Persons, shall be and are hereby indemnified for what they shall do by virtue of this Act.

All Contracts to be valid.

Trustees, &c. indemnified.

VIII. And be it further enacted, That if any Money shall be agreed to be paid for the Purchase or Lease of any Houses, Buildings, Lands, Tenements or Hereditaments purchased or leased by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee or other Trustee, for or on behalf of any Infant, Lunatic, Idiot, Feme Covert or other *Cestui que* Trust, or to any Person or Persons whose Houses, Buildings, Lands, Tenements or Hereditaments are limited in strict or other Settlement, or to any other Person or Persons under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Justices of the Peace for the County of *Northampton*, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements or Hereditaments, in the Purchase of the Land Tax, or in or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements or Hereditaments, or affecting any other Houses, Buildings, Lands, Tenements or Hereditaments settled therewith to the same or the like Uses, Trusts, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Houses, Buildings, Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same manner, as the Houses, Buildings, Lands, Tenements and Hereditaments which shall be so purchased or taken on Lease as aforesaid stood settled or limited, or such of them as at the time of making the Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name

Application of Compensation when amounting to or exceeding 200l.

Name in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid by Order of the said Court to the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation is less than 200l. and exceeds 20l.

IX. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Houses, Buildings, Lands, Tenements or Hereditaments purchased or leased for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such cases the same shall, at the Option of the Person or Persons for the time being entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements or Hereditaments so purchased, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank with the Privy and in the Name of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by any Two or more of the Justices of the Peace for the said County; such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and the Dividends arising thereon may be applied in manner hereinbefore directed, so far as the case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where the Money is less than 20l.

X. Provided also, and be it further enacted, That when such Money so agreed to be paid as last before mentioned shall not exceed Twenty Pounds, then and in all such cases the same shall be applied to the Use of the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements or Hereditaments so purchased or leased for the Purposes of this Act, in such manner as the said Justices, or the major Part of them so assembled as aforesaid, shall think fit; or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Respecting disputed Tickers.

XI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements or Hereditaments, or of any Estate, Right or Interest in any Houses, Buildings, Lands, Tenements or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities

Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Houses, Buildings, Lands, Tenements or Hereditaments at the time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Houses, Buildings, Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

XII. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Houses, Buildings, Lands, Tenements or Hereditaments to be purchased or taken on Lease under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Houses, Buildings, Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance thereof, it shall be lawful for the said Court to order the Expences of all such last mentioned Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Justices of the Peace out of the Money to be raised by virtue of this Act, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by the Justices.

XIII. And be it further enacted, That as soon as such House, Buildings and Accommodations shall have been provided and furnished, and put into a proper State for the Reception of His Majesty's Judges as aforesaid, it shall be lawful for the Clerk of the Peace for the County of *Northampton* for the time being, and he is hereby required, forthwith to give Notice thereof to the High Sheriff of the County of *Northampton* for the time being; and it shall be lawful for such Sheriff or his Under Sheriff, within Eight Days previous to any Assizes, or to any Special Commission of Oyer and Terminer for the Trial of Offenders, to be holden for the same County, to enter upon and occupy the said House, Buildings and Offices so to be appropriated for the Accommodation of His Majesty's Judges as aforesaid, and also the Furniture and Utensils in the same, in order that he may prepare and make ready the same for the Reception of His Majesty's Judges as aforesaid, the Clerk of the Peace or his Deputy delivering to the said Sheriff or his Under Sheriff an Inventory or Schedule of all Furniture and Articles of Household Use appertaining to the said House and Premises, and the said Sheriff shall be accountable for the due Care and Redelivery of the same, all reasonable Damage or Loss by Wear and Tear excepted; and the said High Sheriff, Under Sheriff and every Person or Persons to be employed by them or either of them, is

Clerk of the Peace to give Notice to the Sheriff when the House, &c. are completed.

and are hereby authorized and empowered to require all and every Tenant or Tenants of the said Premises, and all other Person or Persons then and there found therein, to remove and quit the same for the Reception and Accommodation of the Judges as aforesaid, and in case of their not removing and quitting, taking to his and their Assistance a Constable or Peace Officer, to displace and remove the Person or Persons so not removing or quitting, without being liable or subject to any Action for Trespafs, or any Indictment for forcible Entry, or otherwise, for so doing.

Purchases under this Act to be vested in the Clerk of the Peace.

XIV. And be it further enacted, That any House, Buildings, Lands, Offices and Accommodations, and all Furniture therein so to be provided as aforesaid, with their Appurtenances, shall at all times from and after the same shall be purchased or leased, or erected, built, finished, fitted up and furnished, be vested, and the same are hereby declared to be vested, in the Clerk of the Peace for the said County of *Northampton* for the time being, for the Purposes of this Act; and it shall be lawful for the Justices of the Peace for the said County, assembled at any General or Quarter Sessions, or the major Part of them, from time to time as they shall think proper, to let any House, Building, Land, Furniture and Premises to be purchased, leased or provided under the Provisions of this Act, to any Person or Persons, from Year to Year, or for any shorter Period, for the best Rent that can be gotten for the same; nevertheless reserving the Premises for the Use of His Majesty's Judges during the Assizes or any Special Commission as aforesaid, and subject to the Power hereinbefore given to enter upon the same Eight Days previous thereto, and also reserving full Powers for the Payment of the Rent and Recovery thereof; and the Rent to be received for the same, or so much thereof as may be requisite, shall be annually expended and applied, by Order of the said Justices, in defraying any Expences which may be incurred in cleaning, airing or repairing the said House, Buildings, Furniture and Premises; and in case any Surplus shall remain after such Expenditure, and after any other Payments by this Act authorized to be made, the same shall be annually paid to the Treasurer of the Western Division of the said County, and form Part of the public Stock or Fund of the said County.

Lands or Buildings not wanted may be resold.

XV. And Whereas it may be necessary for effecting the Purposes of this Act to purchase more Land or Buildings than it may be absolutely necessary to retain for the Purposes of this Act; or it may be found expedient to surrender, sell or dispose of any Lease or Leases which may be taken or purchased under the Provisions of this Act; Be it therefore further enacted, That it shall be lawful for the said Justices so assembled as aforesaid, or the major Part of them, and they are hereby empowered, from time to time to cause any such superfluous Land or Buildings, or any such Lease or Leases, to be sold and disposed of, together or in Parcels, either by public Sale or private Contract, as they shall find most advantageous and convenient, and to order the same to be conveyed, or any such Lease or Leases to be surrendered or assigned, by Indenture or Indentures under the Hand and Seal of the Clerk of the Peace for the said County for the time being, to such Person or Persons as shall be willing to contract for and purchase the same, or to accept of such Surrender or Surrenders, or Assignment or Assignments and to apply

apply the Monies to arise by such Sale or Sales, or the Money, if any, to arise by such Surrender or Surrenders, or Assignment or Assignments, to and for the Purposes of this Act; but the Purchaser or Purchasers shall not be obliged to see to the Application of such Purchase Money, nor be accountable for the Misapplication or Nonapplication thereof, or of any Part thereof; and the Receipt and Receipts of the Treasurer of the Western Division of the said County for the time being, for all such Purchase Monies, shall be a sufficient Discharge and Discharges to any Person or Persons for his, her or their Purchase Monies.

XVI. And be it further enacted, That during such time as any House, Buildings and Offices to be provided by virtue of this Act, shall be used for the Accommodation of His Majesty's Judges at the Assizes, or at any Special Commission as aforesaid, all and every Sum and Sums of Money allowed to the Sheriff of the said County for the time being, out of His Majesty's Exchequer, for such Lodgings and Accommodations, shall be paid over by the said Sheriff to the Treasurer of the Western Division of the said County for the time being, to be taken and applied as Part of the public Stock of the said County collected under the Rates for the same County.

Allowance to Sheriff for the said House whilst used by the Judges to be paid over to the Treasurer for the County.

XVII. And be it further enacted, That from time to time and at all times whenever such House, Buildings, Offices or Accommodations shall require Alterations, or shall become out of Repair, or any Furniture thereto belonging shall become unfit for the Use of the said Judges, then and in every such case the said Justices so assembled as aforesaid, or the major Part of them, shall, as the same may become necessary, direct the making of such Repairs and supplying of all matters, things and Furniture wanting from time to time, and the Discharge of all Rent, Taxes and Demands upon the said House, Buildings and Hereditaments; and it shall be lawful for such Justices, or the major Part of them, and they are hereby authorized to direct that such Sum or Sums as shall be expended in the Repairs and Alterations, or Supply of such matters, things or Furniture as may from time to time become necessary as aforesaid, if the Rent of the said Premises shall not be sufficient for that Purpose, to be defrayed by the Treasurer of the Western Division of the said County for the time being out of any Money in his Hands of any County Rate, or to make any Rate for that Purpose; and the Treasurer of the said Western Division of the said County is hereby authorized and required to pay any Sum of Money so ordered by such Justices, and such Order shall be a sufficient Authority or Discharge to the said Treasurer for such Money; and that it shall be lawful for the said Justices to appoint a proper Person, with a competent Salary and Allowance, to take care of the said House, Buildings and Offices, and to have the Charge of the Furniture being in the said House; and also it shall be lawful for the said Justices to order the said House, Buildings and Offices and Furniture to be insured from Fire, and the Sum or Sums of Money so to be expended, and all Charges incident thereto, as well as any Rent payable for the said House, to be defrayed and paid out of the said County Rates, in manner aforesaid, or out of any Rents which may be received for the said House and Premises.

How the Repairs are to be made.

XVIII. And be it further enacted, That the Clerk of the Peace for the time being for the said County may sue and be sued for or in respect

Actions, &c. to be brought in the Name of the

Clerk of the
Peace.

respect of any Claim, Contract or other matter or thing made or done, or in any way arising under the Authority of this Act, in any Court or Courts of Law or Equity, and that no Action or Suit to be brought or commenced by or against the said Clerk of the Peace by virtue of this Act shall abate or be discontinued by the Death or Removal of such Clerk of the Peace, or by any Act of the said Clerk of the Peace done without the Consent of the said Justices, but such Clerk of the Peace for the time being shall always be deemed the Plaintiff or Defendant in such Action or Suit nominally, but the same shall be carried on and defended under the Direction of the said Justices, or the major Part of them so assembled as aforesaid, and the Damages (if any) shall be levied, and also all Expences be by them defrayed in like Manner as the other Charges under this Act; and the said House, Buildings, Offices, Furniture and Appurtenances, and all Furniture, Articles, matters and things therein or thereunto belonging, or any Lands or Hereditaments purchased by virtue of this Act, shall in any Indictment or Indictments be laid, alleged and described to be the Property of the said Clerk of the Peace for the time being, under the Style and Description of "The Clerk of the Peace for the County of *Northampton*:" Provided always, that in all and every Action or Actions, Suit or Suits, to be brought and commenced as aforesaid, no Person or Persons whomsoever shall be deemed incompetent to give Evidence by reason of his, her or their paying or contributing towards the public Stock of the said County, or by reason of his, her or their being charged with or liable to pay any of the public Rates of the said County.

Limitation of
Actions.

XIX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance or by virtue of this Act after Six Calendar Months next after the Fact committed, or Cause of Action accrued for which such Action or Suit shall be so brought; and 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.

Public Act.

XX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Cap. x.

An Act for more effectually repairing and improving the Road from *West Houghton* to *Duxbury Stocks* in the County of *Lancaster*. (b) [29th March 1817.]

33 G. 3. c. 181.
as to the Road
from the White
Horse in West
Houghton to
Duxbury Stocks,
repealed.

Cap. xi.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road leading from *Towcester* to the Turnpike Road in *Cotton End*, in the Parish of *Hardington*, in the County of *Northampton*. (b) [29th March 1817.]
[Additional Trustees. Former Tolls to cease. New Tolls granted. Additional Half Toll on Sundays.]

35 G. 3. c. 153.
continued for
21 Years, &c.

Cap.

Cap. xii.

An Act for making and maintaining a Turnpike Road from and out of the Turnpike Road at the Bottom of *Coalbrook Dale*, in the Parish of *Madley*, into the Turnpike Road leading from *Shiffnal* to *Shrewsbury*, at or near a Place called *Watling Street*, in the Parish of *Wellington*, all in the County of *Salop.* (b)

[29th April 1817.]

[Additional Half Toll on Sundays.]

Cap. xiii.

An Act for making and maintaining a Turnpike Road from the Town of *Cromford* to the Town of *Belper*; and for making a Branch of Road from and out of the said Road near the River *Amber*, to join the Turnpike Road at *Bull Bridge*, all in the County of *Derby.* (b)

[29th April 1817.]

Cap. xiv.

An Act for lighting and watching *Kentish Town* in the Parish of *Saint Pancras* in the County of *Middlesex.* [23d May 1817.]

Cap. xv.

An Act to enable the Company of Proprietors of the *Stratford upon Avon* Canal Navigation to raise Money to discharge their Debts, and to complete the said Canal.

[23d May 1817.]

33 G. 3. c. 112.
35 G. 3. c. 72.
39 G. 3. c. 1x.
49 G. 3. c. xlii.
55 G. 3. c. xxxix.

Cap. xvi.

An Act for enlarging the Term and Powers of several Acts of the Seventeenth and Thirty seventh Years of His present Majesty, for repairing the Road from *Halifax* to *Sheffield*, in the West Riding of the County of *York*, so far as relate to the Road from *Penistone* to *Sheffield.* (b)

[23d May 1817.]

[New Trustees.]

17 G. 3. c. 106.
37 G. 3. c. 160.
as hereby altered, &c. continued for Residue of their respective Terms, and for 21 Years, &c. afterwards.

Cap. xvii.

An Act to continue and amend an Act passed in the Thirty fifth Year of His present Majesty for amending, widening, altering, improving and keeping in Repair the Road leading out of the Turnpike Road between *Aylebury* and *Wendover*, through *Prince's Risborough*, to *West Wycombe*, in the County of *Buckingham.* (c)

[23d May 1817.]

[Royal Family, &c. exempted from Toll.]

materials for making and repairing Road, and the rest of the said Act continued during Refidue of the Term, and for 21 Years, &c. afterwards.

35 G. 3. c. 149.
repealed as to Exemptions from Toll for Road from Ellesborough Church to Marth and Kimblewick, and as to getting Ma-

Cap. xviii.

An Act for enlarging the Term and Powers of several Acts passed for repairing and widening the Roads from the East End of *Brough* under *Stainmoor* in the County of *Westmorland*, by the End of *Appleby Bridge*, to *Eamont Bridge* in the said County. (b)

[23d May 1817.]

[New Trustees. Former Tolls continued until 8th July 1817, and then New Tolls. Additional Tolls on Sundays.]

Terms in
26 G. 2. c. 67.
19 G. 3. c. 97.
41 G. 3. c. 82.
to cease, and the rest of the said Acts continued during Residue of the Term, and for 21 Years, &c. afterwards.

Cap. xix.

55 G. 3. c. 96.

An Act to amend an Act of the Fifty fifth Year of His present Majesty, for building a new † Church and Workhouse in the Parish of *Bathwick*, in the County of *Somerset*. [23d May 1817.]
 † [*Saint Mary's*.]

Cap. xx.

12 G. 3. c. 22.
 34 G. 3. c. 99.
 recited as expired.

An Act for improving and maintaining the Harbour of *Ayr*, and for regulating Vessels resorting thereto. (a) [23d May 1817.]
 [*Proviso for His Majesty's Ships, &c. and Yachts, &c. of the Royal Family, and for 54 G. 3. c. 159.*]

Cap. xxi.

An Act for providing an additional Burial Ground for the Parish of *Sculcoates* in the East Riding of the County of *York*. [23d May 1817.]

Cap. xxii.

54 G. 3. c. xxxii.
 repealed as to requiring Seven Trustees to be present at any Meeting.

An Act for amending an Act of His present Majesty, for rebuilding *Newton Chapel* †, in the County Palatine of *Lancaster*. [23d May 1817.]

† [*All Saints' Chapel*.]

Cap. xxiii.

An Act for better lighting the Streets and Houses of the Metropolis with Gas. [23d May 1817.]

‘ WHEREAS several Streets and Houses in the City of *London* are now lighted to the Satisfaction and Advantage of the Inhabitants thereof, and the Benefit of the Public, with inflammable Air or Gas, produced from Coal, and conveyed by Means of Pipes : And Whereas certain Persons who have carried on Business under the Firm of ‘ The City of *London* Gas Light and Coke Partnership,’ have expended considerable Sums of Money in erecting Works and laying down Pipes in the City of *London*, and have entered into Contracts with the Commissioners of Sewers, Lamps and Pavements of the said City of *London*, and several other Persons, for lighting several Streets and public Places, and also several private Houses, with Inflammable Air or Gas : And Whereas the Persons carrying on the said Business are not able to raise sufficient Money among themselves for completing the Works necessary for supplying with such inflammable Air or Gas the Streets and Places which they have contracted or agreed to light as aforesaid : And Whereas some of the said Persons are willing to relinquish their Shares in the said Undertaking to the others of them, and the several other Persons hereinafter named, who are desirous at their own Costs and Charges to complete and extend the said Works ; but 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

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Frederick Sparrow, James Lynn, Charles Cofield, William Pitcher, Harbut Ward, William Pocknell, James Smethurst, Charles Hutchins, Timothy Stansfeld, James Sidney, Samuel Fish, Timothy Tyrrell, Richard Ford, John Blacket, Thomas Hadland, Henry Sparrow, Anthony Weatherhead, James Blacket, William Kimpton, William Fortescue,* and all and every such other Person or Persons as shall from time to time become Proprietors of the Company hereby established as hereinafter is mentioned, their respective Successors, Executors, Administrators and Assigns, shall be and are hereby united into a Company for supplying the Cities of *London* and *Westminster*, and the Borough of *Southwark*, and the Liberties and Precincts thereof respectively, with inflammable Air or Gas, and making and maintaining the Works necessary for that Purpose, under the Regulations hereinafter contained, and shall be one Body Corporate, by the Name of 'The City of *London* Gas Light and Coke Company,' and by that Name shall from and after the passing of this Act be and continue for and during and unto the full End and Term of Forty six Years, and have a Common Seal, and shall and may sue and be sued; and that from and after the passing of this Act it shall be lawful for the said Company to make inflammable Air or Gas, and also Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and any other Products to be obtained from the Manufacture of such Air or Gas, and to sell and dispose of the same respectively in such manner as they shall think proper.

Company incorporated.

II. And be it further enacted, That from and after the passing of this Act it shall be lawful for the said Company to contract with the Commissioners of Sewers of the City of *London*, and any other Commissioners, Trustees, Persons or Bodies, having the Control, Direction or Management of the lighting of any of the Parishes, or Extra Parochial Places, in the said Cities of *London* and *Westminster*, and the Borough of *Southwark*, and the Liberties and Precincts thereof respectively, or any of them respectively or adjacent thereto, or any Persons, Bodies Politic, Corporate or Collegiate, Aggregate or Sole, willing to contract with the said Company for the lighting of any such Parishes or Places, or any Streets, Roads, Highways, Lanes or Passages, or Manufactories, Shops, Warehouses or private Houses, or Places of public Exhibition within the said Parishes, or Extra Parochial Places respectively.

Power to the Company to contract for lighting Streets and Houses.

III. And be it further enacted, That if any Commissioners or Trustees, or other Persons, Bodies Politic or Corporate, in whom by any Act or Acts of Parliament, or otherwise, the Care, Superintendance and Control of lighting the same public Streets or Roads, Ways, Lanes and Passages aforesaid, or any Part thereof, are or shall be vested, shall think it fit and convenient to contract with the said Company to light the said public Streets, Roads, Highways, Lanes, Passages or Places, or any Part of them, by means of such inflammable Air or Gas as aforesaid, then and in every such case it shall be lawful for the said Company and their Successors, with the Approbation and under the Direction of such Commissioners or Trustees, or other Persons or Bodies, and under the Inspection of their Surveyor, to break up the Soil and Pavement of any such Streets, Roads, Ways, Lanes, Passages and Places, and dig and sink Trenches,

Power to Company, under Direction of Commissioners, &c. of Pavements, to break up the Pavement for laying Pipes, &c.

and lay Pipes, and put Cocks, Syphons, Plugs or Branches from such Pipes, in such Places as aforesaid, in such manner as shall be necessary, for the Purpose of supplying any such Light as aforesaid, and from time to time with such Approbation, and under such Direction and Inspection as aforesaid, to alter the Position of, and to repair, relay, and maintain such Stop Cocks, Syphons and Plugs, and to do all such other Acts, matters and things as the said Company and their Successors, or such other Person or Persons as aforesaid shall, with such Approbation, and under such Direction and Inspection as aforesaid, from time to time think necessary and convenient for completing, amending, repairing, improving and using the same.

Power to Commissioners, &c. to determine Contracts.

IV. And be it further enacted, That if the said Company shall not duly perform any Contract with any such Commissioners or Trustees as aforesaid, for lighting any Parish or Place, or Part of any Parish or Place, then and in such case it shall be lawful for such Commissioners or Trustees to determine such Contract respectively, giving Six Calendar Months' Notice thereof, and then and in such case, and also at the Expiration of any such Contract, it shall be lawful for the said Commissioners or Trustees either to purchase the Pipes, Cocks, Plugs, Branches of Pipes and other Materials belonging to the said Company, and employed in lighting such Parish or Place, at such Price as shall be agreed upon between the said Commissioners or Trustees and the said Company, or in case the said Commissioners or Trustees shall decline so to purchase, then it shall be lawful for the said Company to remove such Pipes, Cocks, Plugs, Branches and other Materials at the Expiration of such Contract or Determination thereof by such Notice; and in the meantime for such Commissioners or Trustees to lay such Pipes, Cocks, Plugs, Branches and other Articles as shall be necessary for the Supply of such Parish or Place, or Part of a Parish or Place, at the Expiration or sooner Determination of such Contract.

Power to Company to light up Houses, &c.

V. And be it further enacted, That it shall be lawful for the said Company, and they are hereby fully authorized and empowered, in such cases as to them shall seem meet and convenient, to carry, fit up and furnish any Pipe or Pipes, Cocks or Branches or other necessary Apparatus, from any Main Pipe laid in any Street, Way, Road, Lane, Passage or Place by the said Company, by virtue of this Act, in, to or through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting the same, or any public or private Lamp from any such Main, with the Consent of the Owner or Occupier of such Dwelling House or Houses, Manufactories, public or private Buildings, but not otherwise: Provided always, that the said Company in carrying into Execution the Power hereby granted in respect of fitting up any such Dwelling Houses, Manufactories, public or private Buildings, shall employ or appoint such Manufacturers of or Dealers of the Materials to be used as to the said Company shall seem meet and proper; and such Manufacturers or Dealers shall execute the same, under and subject to the Superintendance, Control and Direction of the said Company: Provided also, that the said Company shall not on any Account or upon any Pretence whatever employ or fet to work in fitting up any such Dwelling Houses, Manufactories, public or private Buildings, any Workman or Servant, or any other Person in the Pay or Employ of the said Company; nor shall the said Company

Company themselves manufacture, sell or vend any of the Materials requisite, except Stop Cocks and Burners, nor directly or indirectly take or derive any Emolument, Advantage or Profit from such Works, upon Pain of forfeiting for every Offence the Sum of Fifty Pounds, with full Costs of Suit, to the Party who shall sue for the same, to be recovered by Action of Debt, or on the Case, Bill, Complaint, Suit or Information, in any of His Majesty's Courts of Record at *Westminster*, in which no Effoign, Protection, Wager of Law nor more than One Imparllance shall be allowed.

VI. Provided always, and be it further enacted, That the said Company shall have full Power and Authority to lay any Main requisite for the Supply of any Dwelling House or Houses, Manufactories, Warehouses, public or private Buildings, in the said Cities of *London* and *Westminster*, and the Borough of *Southwark*, and the Liberties and Precincts thereof respectively, or any of them respectively, or adjacent thereto, and to erect and set up, by themselves, or their Agents, Servants and Workmen, any Machine or other Apparatus necessary or requisite for securing to such Dwelling House or Houses, Manufactories, Warehouses, public or Private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply; and also to alter or amend any bad or imperfect Work which shall have been placed in such Dwelling Houses, Manufactories, Warehouses, public or private Buildings, any thing in this Act to the contrary thereof in anywise notwithstanding: Provided always, that nothing in this Act contained shall extend or be construed to extend to permit or authorize or empower the said Company, or any Officer or Person appointed or employed by the said Company, or any other Person or Persons whomsoever, at any time or times hereafter, to break or take up or remove any Stones, Ground, Soil or Pavement in or of any Streets, Roads or public Places whatsoever or wheresoever, in order to lay down any Main Pipe or Pipes to convey Gas, without the Consent of the Commissioners, Trustees or other Persons having the Superintendance or Control or Property of or in such Stones, Ground, Soil or Pavement in or of any such Streets, Roads, or public Places, or a competent Number of them, from time to time, in Writing first obtained; but that nothing in this Clause contained shall be deemed or construed to extend to prevent the said Company from repairing such Main Pipes, after such Consent obtained as aforesaid, or from breaking or taking up or removing any Stones, Ground, Soil or Pavement, in or of any Streets, Roads or public Places whatsoever, for the Purpose of laying down or repairing any Service Pipe or Pipes leading from such Main Pipes, after such Consent so obtained as aforesaid.

VII. And be it further enacted, That it shall not be lawful to or for the said Company, or any Person or Persons acting by or under their Authority, after such Consent shall have been given as aforesaid, to break or take up, or cause to be broken or taken up, any of the Pavements or Ground in any Streets, Roads, Lanes or public Places, for the Purpose of making or laying down or repairing any Main or Mains of Pipes, or any Pipe or Pipes, or of altering the Position of or repairing any Pipes, Stop Cocks, Valves or Syphons, or other Works, or for any other Purpose, unless Notice in Writing of their Intention to break or take up such Pavement or Ground, signed by the Principal Clerk or Secretary, or Inspector or Surveyor to the

Power to Company to lay Mains and to erect Machinery requisite for securing a competent Supply of Gas to Dwelling Houses, &c. and to alter and amend imperfect Work.

Company not to break up Pavements, &c. without Consent of Commissioners or Trustees in Writing.

Proviso for Company repairing Main Pipes.

Restrictions respecting breaking up Pavements.

Notice of breaking up.

said Company, specifying the Street, Road, Lane or public Place, and the particular Part of such Street, Road, Lane or public Place, in which such Pavement or Ground is intended to be broken or taken up, shall have been given to a Surveyor of the Pavements or Roads for the time being (duly appointed and notified in pursuance of any Act of Parliament now or hereafter in force for that Purpose) of the Parochial or other District or Place wherein such Street, Road, Lane or public Place, the Pavement, Ground or Soil whereof is so intended to be broken or taken up shall be situate, or shall have been left for him at his Dwelling House or Office within such Parochial or other District or Place, for the Space of Three Hours at the least before such Pavement or Ground or any Part thereof shall be so broken or taken up, except in all cases of sudden Emergency, in which such Notice as aforesaid shall be given to such Surveyor of Pavements or Roads as soon as possible after such Pavement or Ground or any Part thereof shall be broken or taken up; and that the said Company shall not break or take up or disturb, or cause to be broken or taken up or disturbed, the Pavement or Ground in any Street, Road, Lane or public Place within the Limits aforesaid, for the Purpose of laying down any Mains or Pipes, except Service Pipes of a Diameter not exceeding One Inch in the Bore, without the Consent in Writing of the Commissioners or Trustees, or other Persons having the Control of the Pavements or Roads, Ground or Soil, in any Parochial or other District or Place, signified under the Hand or Hands of their Clerk or Clerks, or other proper Officer or Officers, first obtained; and that if the said Company or any Person or Persons acting by or under their Authority, shall break or take up, or cause to be broken or taken up, any of such Pavement or Ground without such Notice being given or left as aforesaid (except as aforesaid), or shall break or take up or disturb, or cause to be broken, taken up or disturbed, any of such Pavement or Ground, for the Purpose of laying down any Mains or Pipes (except Service Pipes as aforesaid), without such Consent as aforesaid, then and in every such case the said Company shall forfeit and pay to the Commissioners or Trustees, or other Persons having the Control of the Pavements or Roads within the Parochial or other District or Place in which such Pavement or Ground so broken or taken up or disturbed shall be situate, or to their Treasurer, Clerk or Surveyor, or to such other Person as they may appoint, the Sum of Twenty Pounds for every Square Foot of Pavement or Ground which shall be so broken or taken up without such Notice or Consent as aforesaid, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, Bill, Plaint, Suit or Information, wherein no Essoign, Protection, Wager of Law or more than One Imparance shall be allowed: Provided always, that the said Company shall not be subject or liable to the Payment of more than One Penalty, or to more than One Action, Suit or other Proceeding in respect of any One Offence committed, whether by virtue of this Act or any other Act or Acts of Parliament now or hereafter in force, any Law, Statute, Usage or Custom to the contrary thereof in anywise notwithstanding.

VIII. And be it further enacted, That whenever and so often as the said Company shall have lawfully broken up or removed the

Proviso for laying down Service Pipes.

Breaking up without Notice or Consent,

Penalty.

One Penalty, &c. only for One Offence.

Requiring Company to reinstate

Stones, Ground, Soil or Pavement, in or of any Street, Road, Highway, Lane or public Place, or any Part thereof, the said Company shall and they are hereby required immediately thereafter to reinstate and make good such Ground, Soil or Pavement, in as good sound State and Condition as the same was or were in at the time of being so broken up, to the Satisfaction of the Surveyor of the Commissioners or Trustees of such Pavement, Soil or Ground respectively; and the said Company shall carry away all surplus Earth, Filth and Rubbish occasioned thereby at their own Costs and Charges; and that during the Works of the said Company, and reinstating such Ground, Soil or Pavement as aforesaid, the said Company shall provide proper Watchmen with necessary Lamps, and otherwise secure and guard the said Works, so as to prevent any Damage or Inconvenience happening to Passengers, Cattle or Carriages; and in case the said Company shall neglect and make Default in making good and reinstating such Ground, Soil or Pavement as aforesaid, within Twenty four Hours next after Notice given to or left for the said Company at their House or Office, it shall be lawful for the said Commissioners or Trustees to reinstate and make good such Ground, Soil or Pavement, and the Charges and Expences thereof shall be reimbursed and repaid by the said Company or their Treasurer to the said Commissioners or Trustees or their respective Treasurer; and in Default of Payment thereof within Seven Days next after Demand thereof in Writing shall have been made by the Clerk of the said Commissioners or Trustees, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace, all such Sum or Sums of Money so paid by them shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Sum or Sums of Money shall be paid to the said Commissioners or Trustees, or their Treasurer.

Pavements, &c. after Pipes, &c. have been laid down.

Company to guard the Works,

and in case of Neglect,

Proceedings.

IX. And be it further enacted, That if it shall at any time or times be deemed necessary or expedient by the Commissioners of Sewers of the City of *Loudon* or *Westminster*, or the Commissioners or Trustees for paving or repairing, the said Streets, Roads, Ways, Lanes and Passages respectively, to require the said Company to raise, sink or otherwise alter the Situation of any of the Pipes, Stop Cocks, Plugs or Branches, which shall be laid down for the Purposes aforesaid, the said Company shall at their own Expence, within Three Calendar Months next after being required so to do, by Notice in Writing to them given by the said Commissioners or Trustees respectively, signed by their Clerk, raise, sink or alter such Pipes, Stop Cocks, Plugs or Branches, according to such Notice, in such Manner and in such Place or Places as the said Commissioners or Trustees respectively shall think right and proper; and in Default thereof it shall be lawful for the said Commissioners or Trustees or their Surveyor, or any other Person or Persons acting by their Order or under their Authority, to cause such Pipes, Cocks, Plugs or Branches to be raised, sunk or altered, and that the reasonable Costs and Charges for doing the same shall immediately

Company to alter, &c. Pipes on Requisition of Commissioners.

If the Coſts not paid as herein mentioned,

thereafter be paid by the ſaid Company: Provided nevertheless, that if ſuch reaſonable Coſts and Charges be not paid within One Calendar Month next after Demand ſhall be made by ſuch Surveyor or other Perſon acting by or under the Authority of the ſaid Commiſſioners or Truſtees at the Office of the ſaid Company, Proof of ſuch Demand being made by the Oath of One credible Witneſs, before One or more Juſtice or Juſtices of the Peace, all ſuch reaſonable Coſts and Charges ſhall and may be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the ſaid Company, together with the Charges of ſuch Diſtreſs and Sale, by Warrant under the Hand and Seal, or Hands and Seals of any ſuch Juſtice or Juſtices of the Peace as aforeſaid; and which Warrant ſuch Juſtice or Juſtices is and are hereby empowered to grant; and ſuch Coſts and Charges ſhall be paid to the ſaid Commiſſioners or Truſtees, or their Treafurer.

Proceedings.

In what caſe Damage to be made good by Commiſſioners.

X. Provided always, and be it further enacted, That if by the raiſing, ſinking or altering any of the ſaid Pipes, Cocks, Syphons, Plugs or Branches, any Damage or Injury ſhall be wilfully or negligently done to the ſame by the ſaid Commiſſioners, Truſtees or their Servants, then and in every ſuch caſe ſuch Damage or Injury ſhall be made good as ſoon as Circumſtances permit, and the Coſts, Charges and Expences thereof, ſhall be paid by the ſaid Commiſſioners or Truſtees.

Company to light Pariſhes on Application, but not beyond the Extent of their Capital.

XI. Provided always, and be it further enacted, That the ſaid Company ſhall upon due and reaſonable Application made to them for that Purpoſe on the behalf of any Pariſh or Pariſhes, or Parts of any Pariſh or Pariſhes, or Extra Parochial Place or Places within the Cities of *London* and *Weſtmiſter* aforeſaid, the Borough of *Southwark*, Suburbs, Precincts and Liberties of the ſame Cities, undertake to furniſh, and ſhall furniſh ſuch Pariſh or Pariſhes, or ſuch Parts of any Pariſh or Pariſhes reſpectively with a ſufficient Supply of inflammable Air for the Purpoſes of lighting the ſaid Pariſh or Pariſhes, or Part or Parts thereof with a ſtronger and better Light, and at a cheaper and lower Price, all Expences included, than ſuch Pariſh or Pariſhes, or Part or Parts of Pariſhes could be ſupplied with if lighted in the uſual manner during the Exiſtence of the Contract which they may enter into with the ſaid Company: Provided alſo, that nothing herein contained ſhall extend to compel or require the ſaid Company to expend any greater Sum or Sums of Money for the Purpoſes mentioned in this Act than the Members of the ſaid Company ſhall have raiſed under the Powers granted by this Act for the Purpoſes of the ſaid Undertaking, nor to contract with any ſuch Pariſh or Pariſhes, or Place or Places, for a leſs Term than Fourteen Years, but at the Option of the ſaid Company.

Term of Contract.

Contracts with Pariſhes void if the Price for Gas be greater than Oil.

XII. And be it further enacted, That every Contract or Agreement entered into by any Pariſh or Pariſhes, or Parts of Pariſhes, with the ſaid Company, ſhall contain a Clause providing that the ſaid Contract ſhall be null and void if at any time the Price charged for inflammable Air uſed in lighting the Pariſh ſhall be greater than what at the time ſuch Pariſh may be lighted for in the uſual manner with Oil, for a Period not leſs than Twelve Months, by any Contractor offering due Security for the Performance of his Contract.

XIII. Pro-

XIII. Provided always, and be it further enacted, That the said Company shall not under any Pretence or Pretences, or by any Ways or Means, contract to supply, or shall be permitted to supply with such inflammable Air as aforesaid, for the Purposes aforesaid, any Parish or Parishes, or any Part or Parts of Parishes that shall not lie or be situate within the Cities of *London* or *Westminster*, or one of them, or the Borough of *Southwark*, or the Suburbs, Liberties or Precincts of the said Cities or Borough respectively or adjacent thereto.

Powers of supplying inflammable Air limited to London, Westminster, Southwark, &c.

XIV. And be it further enacted, That the said Company shall not by any Ways or Means, or under any Pretence or Pretences, contract to sell and furnish, or shall sell or furnish any Stove, or Pipe or Pipes, or Apparatus or Machinery of any Description whatever, for the Purpose of conveying or whereby such inflammable Air as aforesaid, or any Quantity thereof, may be conveyed into any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting the same.

Company not to traffic in Machinery for conveying Gas to private Houses.

XV. And be it further enacted, That the Committee of Management of the said Company shall and they are hereby required within One Calendar Month after every Half Yearly General Meeting of the said Company, or oftener if required by the Right Honourable the Secretary of State for the Home Department for the time being, to transmit to the said Secretary of State, a Report in Writing signed by the Chairman or Deputy Chairman, or One of the Members of the said Committee of Management, of the State of the said Company, and of their Works and the Means possessed by the said Company for securing the Continuance of their Operations, and such other matters relating to the Works and Proceedings of the said Company, as the said Secretary of State shall from time to time require.

Report of Works, &c. to be sent to the Secretary of State for the Home Department Half Yearly, or when required.

XVI. And be it further enacted, That all the Stations and Works of the said Company shall be open at all convenient times for the Inspection and Examination of such Person or Persons as the said Secretary of State for the Home Department for the time being shall appoint from time to time for that Purpose; and the said Company shall, and they are hereby required to conform to such Regulations and Proceedings in the several Parts of their Works and Operations, as well in respect of those already erected or executed as of such as shall hereafter be erected and executed, as the said Secretary of State shall consider necessary and proper and shall direct to be adopted for the better and more effectually lighting the several Parts of the Metropolis, and the Suburbs, Liberties and Precincts thereof, where the Mains and Pipes of the said Company shall lie, and for more effectually securing a proper and permanent Supply of Gas for lighting the public Lamps therein, and for assisting and advancing the benefits to be derived from an active and efficient Police, and for such other Purposes as to the said Secretary of State shall seem meet and proper for the Advantage of the Public.

Stations and Works to be open at all times to the Inspection of Persons appointed by the Secretary of State.

XVII. Provided always, and it is hereby further enacted, That no Person shall lay or cause to be laid any Pipe to communicate with any Pipe belonging to the said Company, on Pain of forfeiting the Sum of Twenty Pounds, and also the further Sum of Twenty Shillings a Day for every Day such Pipe shall so remain; to be recovered by Distress and Sale of the Offender's Goods and Chattels

Laying Pipes of Communication with Pipes of the Company, Penalty.

tels by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, City, Town, Place, Division or District where the said Offence shall be committed, and which Warrant such Justice or Justices is and are hereby empowered to grant; and the Surplus, after such Penalty or Forfeiture, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand to the Owner of such Goods and Chattels; and in case sufficient Distress cannot be found, or such Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices to cause such Offender or Offenders to be committed to the Common Gaol of the said County, City, Town, Place, Division or District, there to remain without Bail or Mainprize for such time as such Justice or Justices shall direct, not exceeding Three Calendar Months, unless such Forfeiture and all reasonable Charges be sooner paid and satisfied.

Damaging, &c.
Pipes, &c.

XVIII. And be it further enacted, That if any Person shall wilfully and maliciously remove, take away, destroy, damage or injure any or any Part of any Pipe, Post, Plug, Lamp or other Apparatus, matter or thing actually in use during the Existence of any Contract with any Parish or Parishes for the Purpose of fulfilling such Contract, or shall wilfully and maliciously waste or improperly use any of the inflammable Air or Gas supplied by the said Company, every Person so offending in any of the respective Premises, and being thereof lawfully convicted, on the Oath of One credible Witness, before One or more Justice or Justices for the County, City, Town, Place, Division or District, where the said Offences shall be committed, shall forfeit and pay to the aforesaid Company and their Successors, or such other Person or Persons as aforesaid, Three times the Amount of the Damage proved upon Oath to be done, at the Discretion of such Justice or Justices; such Penalty, together with reasonable Costs, to be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any); or such Offender shall and may be committed to the Common Gaol of the said County, City, Town, Place, Division or District, for any time not exceeding Three Calendar Months, at the Discretion of the Justice or Justices before whom such Offender shall be committed.

Penalty.

Power to the
Company to purchase
Lands, &c.

XIX. And be it further enacted, That from and after the passing of this Act it shall be lawful for the said Company to purchase and hold to them and their Successors, the Buildings, Ground, Works and Estates belonging to the said City of London Gas Light and Coke Partnership, of and from the Persons entitled thereto, and also from time to time to purchase and hold to them and their Successors and Assigns any Houses, Buildings, Lands, Tenements or Hereditaments situate in the said Cities of London and Westminster and the Borough of Southwark, and the Liberties and Precincts thereof respectively, or any of them respectively, or adjacent thereto, (the Annual Value of such Houses, Buildings, Lands, Tenements and Hereditaments at the time of such Purchase, not exceeding the Sum of One thousand five hundred Pounds of lawful Money of Great Britain,) and also to sell and dispose of the said Houses, Buildings, Lands, Tenements and Hereditaments, or any of them, as they shall think proper, and purchase and hold other Houses,

Amount of
Annual Value.

Mes.

Messuages, Lands, Tenements and Hereditaments, (not exceeding the Annual Value aforesaid,) without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

XX. And be it further enacted, That it shall be lawful for the said Company to raise and contribute among themselves a Sum of Money, by way of Capital or Joint Stock, to be applied and used in establishing and carrying on the Undertaking and the Purposes aforesaid, not exceeding in the whole the Sum of Two hundred thousand Pounds, to be subscribed in Shares of One hundred Pounds each.

Capital of Company not to exceed 200,000l.

XXI. Provided always, and it is hereby enacted, That the said Company shall not be authorized to exercise any of the Powers granted under this Act, until such time as the Sum of One hundred thousand Pounds shall have been subscribed.

Company not to act until 100,000l. subscribed.

XXII. And be it further enacted, That in order to provide a sufficient Sum of Money for answering the Purposes of this Act, the said Company shall be obliged to raise among themselves, by Subscription, the full Sum of Two hundred thousand Pounds within the Period of Five Years from the passing of this Act.

Capital to be raised within Five Years.

XXIII. And be it further enacted, That all and every Persons and Person, by or for whom any Subscription shall be made or accepted, or any Payment made pursuant to the Orders of any General Meeting or Meetings to be held as hereinafter is mentioned, for or towards the raising the said Capital Sum of Two hundred thousand Pounds as aforesaid, his, her or 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 Company, 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 Company, and shall be admitted to be a Member or Members of the same.

Subscribers to share in the Joint Stock in proportion to their Subscription.

XXIV. Provided always, and it is hereby enacted, That the several Members of the said Company shall respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Company, 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 Company, or be subject or liable, by reason of his or their being Members of the said Company, or of any Acts of the said Company, to the Statutes respecting Bankrupts, or any of them.

Subscribers liable to the Debts of the Company in proportion to their Share in the Stock.

XXV. And be it further enacted, That the said Sum of Two hundred thousand Pounds shall be divided into Shares of One hundred Pounds Sterling each, and that no Person or Persons shall be a Subscriber or Subscribers for a less Sum than One hundred Pounds Sterling; and that all Shares in the Joint Stock and undertaking of the said Company, and in the Net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Estate, and shall be transmissible accordingly.

Stock divided into Shares of 100l. each, and to be Personal Estate.

XXVI. And be it further enacted, That the said Company shall not borrow or take up by Way of Loan any Sum or Sums of Money whatsoever,

How far Company may borrow Money.

whatsoever, other than by a Subscription for Shares in manner and to the Extent hereinbefore directed.

Officers of the Company.

XXVII. And be it further enacted, That there shall be elected from time to time, as hereinafter is mentioned, from among the Members of the said Company who shall have subscribed for or be possessed of at least Fifteen Shares in the Joint Stock of the said Company, Five Persons, who shall and are hereby declared to be the Committee of Management for managing the Affairs of the said Company, and One of such Committee shall afterwards be elected the Chairman of the said Company, and another of them the Deputy Chairman of the said Company; and that no Person who shall not be possessed of Fifteen Shares in the Joint Stock of the said Company at the time of the passing of this Act, shall be eligible to be One of such Committee until he shall have continued possessed of Fifteen such Shares for the Space of Three Calendar Months; and that no Person who shall be a Member of the said Committee shall be a Dealer, either directly or indirectly, in any of the Articles manufactured and sold or supplied by the said Company, or shall hold any other Office or Place of Profit under the said Company.

No Member to be a Dealer in Articles manufactured, &c. by the Company, or hold an Office of Profit.

Persons interested in working, &c. for the Company, not eligible on the Committee.

XXVIII. Provided always, and be it further enacted, That if any Person being a Member of the said Committee shall directly or indirectly be interested or concerned in doing any Work for or on the behalf of the said Company, or supplying any Materials, Articles or Things to or for the Use of the said Company, every such Person shall immediately cease to be a Member of the said Committee, and shall never afterwards be reeligible; and every such Person shall also, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, to be commenced within Six Calendar Months next after the Offence committed, in which Action or Suit respectively no Protection, Effoign or Wager of Law, or more than One Imparance, shall be allowed.

Regulations of the Company as to General Meetings.

XXIX. And be it further enacted, That the Affairs and Concerns of the said Company shall be conducted and managed under and subject to the several Rules, Regulations and Restrictions hereinafter contained; (that is to say,) the Members of the said Company shall assemble together at Eleven o'Clock in the Forenoon on the Seventh Day next after the passing of this Act, and shall assemble at such other times and Places as they shall be duly convened in manner hereafter mentioned; and every such Assembly shall be styled a General Meeting; and Two such Meetings shall be held in every Year, on the Third *Wednesday* in the Month of *January*, and the Third *Wednesday* in the Month of *July*, which shall be styled Half Yearly General Meetings; and that a Special General Meeting may be called at any time by the Committee of Managers; and that Five or more Members of the said Company, holding in the Aggregate Fifty Shares or upwards in the said Joint Stock, may at any time, by Writing under their Hands left at the Office of the said Company, require the Committee of Management to call a Special General Meeting, so as such Requisition fully expresses the Object for which such Meeting is required to be called; and in case of the Neglect or Refusal of the said Committee to call such Meeting, the same may be called by the said Members, as hereinafter is expressed; and that

every

every General Meeting may be adjourned from time to time, and from Place to Place, as shall be found expedient; and that at least Six Days' previous Notice of every General Meeting, and Three Days' previous Notice of every Adjournment of any General Meeting, shall be given by Advertisement in Two or more of the *London Newspapers*.

XXX. And be it further enacted, That no Member of the said Company shall be entitled to be present or to vote at any General Meeting or Adjournment thereof, unless he shall have subscribed for at least Three Shares in the Joint Stock of the said Company at the time of the passing of this Act, or unless he shall afterwards have been entitled to or continued possessed of at least Three Shares in the said Joint Stock for at least Three Calendar Months before such Meeting; and that such Members of the said Company shall have a Vote or Votes at such General Meetings in proportion to the Number of Shares held by them respectively, as hereinafter is mentioned; (that is to say,) For Three Shares and less than Seven Shares, One Vote; for Seven Shares and less than Twelve Shares, Two Votes; for Twelve Shares and less than Twenty Shares, Three Votes; for Twenty Shares and less than Thirty Shares, Four Votes; and for Thirty Shares or upwards, Five Votes; but no Person or Persons shall be entitled to vote in respect of any Share or Shares after a Day appointed for Payment of any Instalment thereof to be called for as hereinafter is mentioned, until such Instalment or Call shall have been paid; and that no Person or Persons shall vote at any General Meeting, upon any Question or Questions relating to the Concerns of the said Undertaking in which such Person or Persons shall be anywise interested, other than as a Subscriber or Subscribers, Proprietor or Proprietors, to or of the said Undertaking.

What Number of Shares entitled to vote.

No Persons interested, other than as Subscribers, to vote.

XXXI. And be it further enacted, That when any Share or Shares in the said Joint Stock shall be the Property of more than One Person, the Owner or Proprietor whose Name shall have been entered first in Order on the Books of the said Company shall, for all the Purposes of the said Company, be deemed and taken to be the Owner or Proprietor of such Share or Shares; and all Notices required to be given to the Owner or Proprietor of any Share or Shares in the said Company shall and may be given to or served upon such Person whose Name shall so stand first in Order in the Books of the said Company, and such Service upon such Person shall be deemed and taken to be a Service upon all the Owners or Proprietors of such Share or Shares, for all the Purposes for which such Service is intended to be made upon the Owner or Proprietor of any Share or Shares, and such Person shall be entitled to any Vote or Votes which may be given in respect of such Shares.

Shares standing in the Names of more than One Person, the Person whose Name stands first shall for all the Purposes of this Act be deemed the Owner.

XXXII. And be it further enacted, That any Female, Infant or other Proprietor of Three or more Shares in the said Joint Stock, entitled to vote in respect of such Shares at any General Meeting of the said Company, shall have full Power and Authority to give his or her Vote or Votes at such General Meetings as aforesaid, either in Person or by Proxy, every such Proxy being a Member of the said Company entitled to vote: Provided nevertheless, that no Person shall deliver in Proxies for more than Three Members; and the Appointment of such Proxies may be made in the Form following; *videlicet*,

Empowering Proprietors of Shares to vote by Proxy.

‘ I A. B.

Form of Ap-
pointment of
Proxies.

‘ I *A. B.* of One of the Proprietors
‘ of and in the City of *London Gas Light and Coke Company*,
‘ do hereby nominate, constitute and appoint *C. D.* of
‘ to be my Proxy, in my Name and in my Absence
‘ to vote or give my Assent to or Dissent from any Business, matter
‘ or thing relating to the said Undertaking, that shall be mentioned
‘ or proposed at any General Meeting of the said Company, in such
‘ manner as he the said *C. D.* shall think proper, according to his
‘ Opinion and Judgment, for the Benefit of the said Undertaking,
‘ or any thing relating thereto. In Witness whereof I have hereunto
‘ set my Hand, the Day of .’

Regulations of
Election of
Chairman,
General Meet-
ings, &c.

XXXIII. And be it further enacted, That at the First General Meeting, to be held on the Seventh Day next after the passing of this Act, and any Adjournment or Adjournments thereof, a Chairman shall be elected by the Members present; and that at every subsequent General Meeting the Chair shall be taken by the Chairman of the said Company, or in his Absence by the Deputy Chairman of the said Company, and in their Absence by a Member to be elected by the Members present; and that at every such General Meeting all Questions shall be decided by a Majority of Votes of the Members and Proxies present, and not declining to vote, according to their respective Number of Votes; and upon any Difference of Opinion any Member may require such Votes to be taken by Ballot, but no Ballot shall be kept open more than One Hour; and that such Member as shall be in the Chair shall be entitled to vote, and shall also have a casting Vote in case the Number of Votes shall be equal; and the Orders and Proceedings of every General Meeting shall be entered by the Secretary or Clerk in a Book or Books to be kept for that Purpose, and shall be signed by the Chairman; and such Orders and Proceedings so entered and signed shall be allowed to be read in Evidence in all Courts and Places whatsoever; and that no Business shall be transacted at any Special General Meeting besides the Business for which it shall have been called, and no other Business shall be transacted at any Adjourned Special General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place; and if at any Special or General Meeting Seven Members entitled to vote shall not assemble and proceed to Business in One Hour from the time appointed for such Meeting, or if that Number be not present when the Whole or any Part of the Business to be transacted shall be decided upon, the Meeting shall adjourn to the same Day in the following Week, or some other Day to be appointed by the Committee of Management.

Election of First
Chairman, De-
puty Chairm-n
and Committee.

XXXIV. And be it further enacted, That at the First General Meeting to be holden on the Seventh Day next after the passing of this Act, or some Adjournment thereof, the First Committee of Management of the said Company, and the First Chairman and Deputy Chairman of the said Company, shall be elected.

The Half Yearly
Meeting in
January to elect
Two Managers,
the Chairman
and Deputy
Chairman.

XXXV. And be it further enacted, That at the Half Yearly General Meeting to be held in *January* in every Year, or some Adjournment thereof, Two Members of the Company, qualified as aforesaid, who shall have been Members of the Committee elected in the preceding Year, shall be reelected Members of the Committee of Management, and as soon as such Election shall have been made, Three other Members of the said Company, qualified as aforesaid, shall

shall be elected Members of the said Committee, and after such Committee shall have been elected, Two of the Members thereof shall be elected Chairman and Deputy Chairman of the said Company for the ensuing Year; but all the Members of the said Committee, and the Chairman and Deputy Chairman, elected in the preceding Year, shall be immediately reeligible; and after such Elections as aforesaid shall have taken place, the said Officers respectively, who shall not be reelected, shall respectively go out of their respective Offices.

XXXVI. And be it further enacted, That any Chairman, Deputy Chairman or other Member of the said Committee of Management, may at any time be removed from his respective Office by a General Meeting specially called for that Purpose; and any Chairman, Deputy Chairman or other Member of the said Committee, may at any time vacate his Office, by sending his Resignation in Writing to the Office of the said Company; and in case any Chairman, Deputy Chairman or other Member of the said Committee shall, during the Continuance of his respective Office, by Transfer, Forfeiture or otherwise, reduce the Number of Shares in the said Joint Stock held by him respectively below the Number of Fifteen Shares, or shall otherwise become disqualified to be a Member of the said Committee, then and in every such case the Office of such Chairman, Deputy Chairman or other Member of the said Committee, shall instantly determine and become vacant; and that every Vacancy in the Offices of Chairman, Deputy Chairman and Members of the Committee, by Death, Removal, Resignation or becoming ineligible or unqualified as aforesaid, shall be filled up at a Special General Meeting to be called for that Purpose, within Fourteen Days next after such Office respectively shall become vacant; and every Person who, in consequence of a Vacancy occasioned by any other Cause than that of going out of Office according to the Rotation aforesaid, shall be appointed Chairman, Deputy Chairman or a Member of the said Committee, shall be deemed only a Substitute for the Person whose Place he shall supply, and shall continue in Office upon the same Terms and only for the same Period as the Person whose Place he shall supply would have continued, if his Office had not been vacated before the time at which he must necessarily have gone out of Office.

XXXVII. And be it further enacted, That the General Meeting shall from time to time elect some Person to be Treasurer of the said Company, and it shall not be necessary that such Person be a Member of the said Company; and any General Meeting may from time to time dismiss, remove or suspend such Treasurer from time to time as they shall think fit; and the first Treasurer shall be elected at the First General Meeting to be holden on the Seventh Day next after the passing of this Act, or some Adjournment thereof.

XXXVIII. And be it further enacted, That any General Meeting, or General Meeting specially called for that Purpose, shall have full Power to call for and examine and settle the Accounts of the said Company; and that at every Half Yearly General Meeting, or some Adjournment thereof, an Half Yearly Dividend or Dividends shall be made out of the Interest, Profits or Advantages of the said Undertaking, unless such Meeting shall declare otherwise; and such Dividend or Dividends shall be at and after the Rate of so much for every One Hundred Pounds upon all and every the Sum and Sums of Money paid to the said Company by the Members thereof,

The Offices may be vacated, and are to be supplied by Special General Meetings.

General Meeting to elect a Treasurer.

General Meeting to settle Accounts, and Half Yearly Meetings to declare Dividends.

thereof, their Executors, Administrators, Successors or Assigns, as such Meeting or Meetings shall think fit to appoint and determine: Provided that no Dividend shall be made or paid for until after the Sum of Fifty thousand Pounds shall have been subscribed for towards the Capital or Joint Stock of the said Company; and that no Dividend shall be paid in respect of any Share or Shares after a Day appointed for Payment of any Call for Money in respect thereof, until such Call shall have been paid: Provided also, that no Dividend shall be made whereby the Capital of the said Company shall be in any Degree reduced or impaired; and that the Chairman, Deputy Chairman and Committee of Management, who shall make such Dividends, shall be personally responsible to the Proprietors, and also to the Creditors of the said Company, for any Injury which may arise therefrom.

Half Yearly or Special General Meetings may make Calls on Subscribers.

XXXIX. And be it further enacted, That any Half Yearly General Meeting, or Special General Meeting to be called for that Purpose, or Adjournment thereof respectively, shall have full Power to make such Call or Calls for Money from the several Subscribers and Proprietors of the said Undertaking, their Executors, Administrators, Successors and Assigns, as such Meeting shall from time to time find wanting and necessary for the Purposes of the Undertaking, so that no one such Call to exceed the Sum of Twenty Pounds for or in respect of any one Share of One hundred Pounds, and so that no Call or Calls be made but at the Distance of One Calendar Month at least from another; and that the Sum or several Sums of Money so to be called for shall be paid into the Hands of the Treasurer to the said Company, and that the said several Sums of Money so called for shall be paid at such Time and Place as shall be appointed by such General Meeting, of which time and Place Thirty Days' previous Notice at least shall be given in Two or more of the Daily *London Newspapers*.

Power of General Meetings to make Bye Laws,

XI. And be it further enacted, That the General Meetings shall have full Power to superintend, regulate and control all the Affairs and Concerns of the said Company, and shall have full Power and Authority from time to time to make such Rules, Orders and Bye Laws as to them shall seem meet and proper for the good Government of the said Undertaking, and for regulating the Proceedings of the Committee of Management, and for the Management of the said Undertaking in all respects whatsoever, and from time to time to alter and repeal such Rules, Orders and Bye Laws, or any of them, and to make others, and impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the said General Meeting shall seem meet and expedient; and all Rules, Orders and Bye Laws so made as aforesaid, being reduced into Writing, and the Common Seal of the said Company thereto affixed, shall be printed, and be binding upon all Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain and Ireland* called *England*, or any of the express Directions or Provisions of this Act: Provided also, that all such Rules, Orders and Bye Laws shall be subject to Appeal in manner by this Act directed.

and inflict Penalties.

Bye Laws not to be repugnant to the Laws of England.

· XLI. And be it further enacted, That the Committee of Management of the said Company shall meet together at the Office of the said Company one Day in every Week at the least; and at such other times as they shall think proper; and any Two of the said Committee may at any time call a Meeting of the said Committee, by Notice in Writing sent to the Residence of every Member of the said Committee, when they shall think fit; but no Business shall be transacted at any Meeting of the said Committee, unless Three Members be present when such Business shall be decided upon; and that the Chair shall be taken at every Committee by the Chairman, or in his Absence by the Deputy Chairman, or in their Absence by a Member to be chosen by the Members present; 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 Members then present; and in case of an equal Division, the Member for the time being in the Chair shall have the casting Vote, besides his own Vote; and that if, on the Day appointed for any Meeting of the said Committee, Three Members shall not attend, that then and in every such case the Meeting shall be adjourned to the next Day by the Members or Member then present, or if none be present, by the Secretary or Clerk to the said Company, or such other Person as shall attend in his Place; and the Proceedings of every Committee shall be entered in a Book to be kept by the Secretary or Clerk for that Purpose, and signed by the Person in the Chair.

Regulations concerning Meetings of the Committee.

Questions decided by Majority.

XLII. And be it further enacted, That the Committee of Management shall and may call a Special General Meeting of the said Company for any Purpose they may think proper, and shall appoint the time and Place of holding every General Meeting, and shall give at least Six Days' Notice of every General Meeting by Advertisement in Two or more of the *London Newspapers*, and shall give Three Days such Notice of every Adjourned General Meeting, and such Notice shall be given for every Special Meeting which shall be required to be held by Five or more Members holding in the aggregate Fifty Shares or upwards, within Six Days next after such Requisition shall have been given, and shall cause a Special General Meeting to be called within Fourteen Days next after any Vacancy shall happen in the Offices of Chairman, Deputy Chairman or Member of the Committee, and shall cause to be expressed in the Notices of every Special and Adjourned General Meeting the Objects for which such Meetings respectively are to be held.

Powers and Duties of Committee as to calling General Meeting.

· XLIII. And be it further enacted, That in case the Committee of Management for the time being shall refuse or neglect for the Space of Six Days to comply with any such Requisition, then and in such case it shall be lawful for the Members who shall have signed the same to call a Special Meeting of the Company by Advertisement in Two 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 Six Days after such Notice, and the Place somewhere in the said City of *London*, and likewise specifying in such Notice the Reason for and Intention of calling such Special Meeting; and the Members 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

Special Meetings of the Company may be convened by Members on Neglect of Committee.

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 of Proprietors.

Power to the
Committee to
appoint Clerks,
&c.

XLIV. And be it further enacted, That the Committee of Management shall appoint all the Clerks, Officers, Servants and Workmen, and Tradesmen of the said Company, and dismiss, remove and suspend them as they shall think fit, and may require such Security from the Clerks and Officers, and also from the Treasurer for the time being of the said Company, as they shall think necessary.

General Powers
of Committee,
&c.

XLV. And be it further enacted, That the Committee of Management for the time being shall have the Custody of the Common Seal of the said Company, and shall have Power and Authority to direct the Affairs and Business of the said Undertaking, as well in issuing, receiving and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of, for the Purposes of the same, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods and Chattels for the Use of the said Undertaking, and entering into Contracts for the Lighting of any such Parishes, Places, Streets, Roads, Ways, Houses or Buildings as aforesaid, and in ordering, directing and employing the Works and Workmen, and in selling and disposing of all Articles produced from such Manufacture of Air or Gas as aforesaid, and in making all Contracts or Bargains touching or in anywise concerning the same, subject to such Orders, Bye Laws, Rules and Regulations as shall at any time be duly made by the said Company in Restraint, Control or Regulation of the Powers and Authorities by this Act granted.

Treasurer not to
issue Money
without an
Order signed by
Three of the
Committee.

XLVI. And be it further enacted, That the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, shall not issue any Sum or Sums of Money on account of the said Company without an Order or Orders in Writing signed by Three or more Members of the said Committee; and that the Receipts of the said Treasurer, for all Monies payable to him on account of the said Company, shall be effectual Discharges for the same.

To compel
Payment of
Subscriptions.

XLVII. And be it further enacted, That the several Persons who have subscribed, or who shall hereafter subscribe or advance any Money for and towards carrying on the Works hereby authorized to be made, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed or such Parts or Portions thereof as shall from time to time be called for by any General Meeting, under and by virtue of the Powers and Directions of this Act, at such times and Places as shall be directed by a General Meeting in manner before mentioned; and in case any Person or Persons shall neglect or refuse to pay the same at the time and in the manner required for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity.

In Default of
Payment of
Calls, Shares to
be forfeited;

XLVIII. And be it further enacted, That if any Subscriber or Proprietor of any Share or Shares in the said Undertaking, his, her or their Executors, Administrators, Successors or Assigns, shall neglect

neglect or refuse to pay his, her or their Part or Portion of the Money to be called for by any General Meeting as aforesaid, by the time appointed for Payment thereof, then in such case such Person or Persons so neglecting or refusing shall (whether or not the same shall then have been sued for in any Court of Law or Equity) absolutely forfeit all his, her or their Share, Part and Interest in the said Undertaking and Capital Stock, and all Profit and Advantage thereof, and all Money theretofore advanced by him, her or them on account thereof, to and for the Use and benefit of the said Company, unless otherwise determined by a Special General Meeting; and that all Shares which shall or may be so forfeited shall or may be sold at a public Sale 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; but that no Advantage shall be taken of such Forfeiture of any Share in the said Undertaking as aforesaid until after Thirty Days' Notice shall be given by the Chairman or Deputy Chairman of the said Company to the Owner or Owners thereof, by Notice in Writing left at his, her or their usual or last Place of Abode; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Subscriber or Subscribers, Proprietor and Proprietors, or their Executors, Administrators, Successors and Assigns, so forfeiting, against all Actions, Suits and Prosecutions for any Breach of Contract or other Agreement between such Subscriber or Subscribers, Proprietor or Proprietors, his, her or their Executors, Administrators, Successors and Assigns.

but Notice to be given.

XLIX. And be it further enacted, That if any Person or Persons, Proprietor or Proprietors 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 or in respect thereof as aforesaid, without having made any sufficient Provisions as aforesaid, by Will or otherwise, how such Share or Shares shall be disposed of, and how the future Calls in respect thereof shall be answered, that then and in such case the Executors or Administrators of such Proprietor and Proprietors, and the Trustee or Trustees, Guardian or Guardians of any Infant or other Person entitled to the Estate and Effects of such Proprietor or Proprietors, 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. indemnified in paying Calls.

L. And in order that where the original Holder or Proprietor of One or more Share or Shares in the said Undertaking shall die, become Insolvent or Bankrupt, or go out of the Kingdom, or shall transfer his or her Right and Interest to some other Person, and no Register shall have been made of the Transfer thereof with the Clerk to the said Company, it may not be in the Power of the said Company to know who is the Owner or Proprietor of such Share or Shares, in order to give him, her or them, their Executors, Administrators, Successors and Assigns, Notice or Notices of Calls to be made on such Share or Shares, and to maintain any Action or Actions against him, her or them, their Executors, Administrators, Successors and Assigns, for the Recovery of the same, or for the Purpose of safely paying to him, her or them, their Executors, Administrators, Successors and Assigns, the Interest or Dividends to

For ascertaining the Proprietorship of Shares in cases of Death, Insolvency, &c.

And that every such Transfer shall be registered in the Books of the said Company; and a Copy of such Register, signed by the Clerk or other Officer of the said Company duly authorized thereto, shall be sufficient Evidence of every such Sale, and received as such in all Trials before any Court in the United Kingdom; and that, until such Transfer shall be registered in the Books of the said Company as aforesaid, no Purchaser or Purchasers of any Share or Shares, their Executors, Administrators, Successors and Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall receive any Interest or Dividends for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Member or Members of the said Undertaking in respect of such Share or Shares, until the Expiration of Three Calendar Months after such Transfer shall have been registered.

Transfer to be registered.

Evidence.

LII. Provided always, and be it further enacted, That after any Call for Money shall have been made by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares which he, she or they shall possess in the said Undertaking, after the Day appointed for the Payment of the said Call, until the Money so called for or in respect of his, her or their Shares intended to be sold shall be paid; and until such Money so called for shall be paid, any such Sale or Transfer of any Share or Shares shall be void; and all and every Person or Persons making Default herein shall be subject and liable to forfeit such his, her or their Share or Shares in the said Undertaking, to and for the general Benefit of the said Undertaking, unless he, she or they shall at the time of such Sale or Transfer pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred; such Forfeiture nevertheless to be first notified and declared in manner directed by this Act with respect to the Forfeiture of Shares for not answering the Calls to be made thereon as aforesaid.

No Share to be sold after a Call till the Money is paid.

In such case Transfer void.

LIII. And be it further enacted, That the said Company, or their Committee of Management, shall and they are hereby required to cause the Names and Designations of the several Persons who shall be entitled to Shares in the said Undertaking, with the Number of the Shares, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by their Clerk, and after such Entry to cause the same to be signed by their Chairman, and they shall also cause a Certificate, to be signed by the Chairman and Clerk, to be delivered to every Proprietor upon Demand, specifying the Share or Shares to which he or she is entitled in the said Undertaking; and such Certificate shall be admitted in all Courts whatsoever as Evidence of the Title of such Proprietor, his or her Executors, Administrators and Assigns, to the Share or Shares therein specified; but the Want of such Certificate shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof.

Names, &c. of Proprietors to be entered, and Certificate of their Shares delivered to them.

LIV. And be it further enacted, That any Person or Persons thinking himself, herself or themselves aggrieved by any Judgment or Determination of any Justice or Justices of the Peace relating to any matter or thing in this Act mentioned or contained, may within Three Calendar Months next after such Order, Judgment or Determination

Appeal to Quarter Sessions.

Notice of
Appeal.

mination shall have been made or given, (first giving Twenty one Days' Notice of such Complaint to the Person or Persons against whom such Complaint is intended to be made,) complain to the Justices of the Peace at the General Quarter Sessions to be held in and for the City or County in which the Cause of Appeal shall arise, who shall in a summary way either hear and determine the said Complaint at such General Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for such City or County; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Determination; but no Proceedings to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere; any Law or Statute to the contrary notwithstanding.

Power of Quar-
ter Sessions.

Proviso for Rights
of Persons to
light Streets, &c.
and for Com-
missioners of
Pavement,
Sewers, New
River Company,
&c.

LV. Provided always, and be it further enacted, That nothing in this Act contained shall have the Effect of depriving any Person or Persons of any Right which he or they at present possess, or of interfering with any Right which he or they may hereafter acquire, of lighting Streets or Houses with Gas Lights, or in any other manner: Provided also, that nothing in this Act contained shall extend or be construed to defeat, abridge, alter, obstruct or in any manner interfere with the Powers and Authorities of the Commissioners or Trustees for Lighting or Paving, or of the Commissioners of Sewers, or the New River Company, or any other Company established for the Supply of Water in or for any of such Parishes or Places, or any Part or Parts thereof, or the Rights of any Person or Persons to make, enlarge, repair or amend any Vault under any Street within such Parishes or Places: Provided also, that nothing herein contained shall extend or be construed to prevent any Person or Persons from proceeding against the said Company, or against any of their Officers, Servants or Workmen, in respect of any Works of the said Company, or the Method which shall be employed by them for furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Company, or any of their Officers, Servants or Workmen, for any Injury sustained by reason of any such Works or Method of Lighting, whether such Injury shall proceed from the Nature of such Method of Lighting, or the Carelessness or Want of Skill of the Persons employed therein.

Proviso for Per-
sons aggrieved
proceeding
against the
Company.

Public Act.

LVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Cap. xxiv.

56 G. 3. c. 46.

An Act to amend an Act of the last Session of Parliament, for the better repairing the several Roads leading into and from the City of *Worcester*. [23d May 1817.]

Cap. xxv.

15 G. 3. c. 67.
35 G. 3. c. 132.
subject as herein

An Act to continue and amend Two Acts of the Fifteenth and Thirty fifth Years of His present Majesty for amending and widening

widening the Road leading from *Yarmouth Bridge* through *Little Yarmouth*, to *Gorleston*, in the County of *Suffolk*. (c)
[23d May 1817.]

mentioned, continued during the Residue of their respective Terms, and for 21 Years, &c. afterwards.

Cap. xxvi.

An Act for amending the Roads leading from *Basingstone*, near *Bagshot*, through *Farnham*, in the County of *Surrey*, and *Alton* and *New Alresford*, to *Winchester*, in the County of *Southampton*. (b)
[23d May 1817.]

26 G. 2. c. 51.
13 G. 3. c. 51.
35 G. 3. c. 162.
repealed.

[Additional Tolls on Sundays.]

Cap. xxvii.

An Act for more effectually improving the Road from *Richmond*, in the County of *York*, to *Lancaster*, in the County of *Lancaster*, and the Road from *Richmond* to *Lucy Cross*, and from *Gilling* to the Turnpike Road on *Gatherley Moor*, in the County of *York*. (a)
[23d May 1817.]

24 G. 2. c. 17.
29 G. 2. c. 91.
35 G. 3. c. 137.
except as continued by this Act, repealed from 1st June, 1817.

Cap. xxviii.

An Act for continuing and amending an Act of His present Majesty, for repairing the Road from the Town of *Bedford* in the County of *Bedford*, to *Kimbolton* in the County of *Huntingdon*. (a)
[23d May 1817.]

35 G. 3. c. 148.
continued.
[But the Term for which it is continued is not stated.]

[New Trustees. Power to appoint Additional Trustees. Former Tolls to cease, and new Tolls granted.]

Cap. xxix.

An Act for better paving, improving and regulating the Streets of the Metropolis, and removing and preventing Nuisances and Obstructions therein.
[16th June 1817.]

WHEREAS many of the Streets and public Places within that Part of the Metropolis which is situate within the Weekly Bills of Mortality, and the Parishes of *Saint Pancras* and *Saint Mary le bone*, in the County of *Middlesex*, are divided into parochial and other Districts, and are paved and repaired and regulated, and Obstructions and Nuisances therein are removed, under the Direction of certain Commissioners or Trustees, or other Persons appointed to superintend and regulate the same in each of such parochial or other Districts, by virtue of certain local Acts of Parliament; and the Pavements of many of such Streets and public Places are often in a State dangerous to Passengers, and frequently contain Nuisances and Obstructions which are offensive or injurious: And Whereas it would materially tend to the remedying of such Defects in the Pavements, and such Nuisances, if more summary means of compelling the speedy Reparation of the Pavements of such Streets and public Places, and of enforcing due Regulations as to the various Water and Gas Companies and Commissioners of Sewers, by whom the Pavements of such Streets and public Places have been frequently displaced; and also if more adequate Funds and Authorities were given to

‘ the said several Commissioners, Trustees and other Persons having ‘ the Superintendence and Regulation of the Pavements of such ‘ Streets and public Places;’ For which Purposes, 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 this Act and the Provisions herein contained shall extend to all Streets and public Places which are now paved, or which may be hereafter paved, within the Cities of *London* and *Westminster* and Borough of *Southwark*, and any other Parts of the Metropolis which are included within the Weekly Bills of Mortality, and to all Streets and public Places which are now paved, or which may be hereafter paved, within the Parishes of *Saint Pancras* and *Saint Mary le bone* in the said County of *Middlesex*, except only any Parts thereof which may be hereinafter particularly excepted.

How far Act to extend.

Surveyors of Pavements to be appointed in Parishes or other Districts.

II. And be it further enacted, That within Two Calendar Months after the passing of this Act the Commissioners, Trustees or other Persons having the Control of the Pavements of any Parish or other District included within the Operation of this Act, shall appoint One or more competent Person or Persons, being a House-keeper or Housekeepers, and having an House or Houses, or an Office or Offices, within their several Parishes or other Districts, and to be and be called “The Surveyor” or “The Surveyors of the Pavements,” within each of such respective Parishes or other Districts, and that such Person or Persons so to be appointed the Surveyor or Surveyors shall superintend the Pavements of the several Parishes or other Districts to which he or they shall be so appointed by the Commissioners, Trustees or other Persons having the Control of the Pavements therein, and shall observe and perform all the Duties imposed on Surveyors or Inspectors of Pavements by this Act, or by the several local Acts of Parliament whereby or by virtue whereof such Commissioners, Trustees or other Persons shall have been and shall be appointed, and which they shall be from time to time directed to observe and perform by the several Commissioners, Trustees or other Persons by whom they shall be so appointed; and also that all and every the Surveyors so appointed shall and may be discharged and removed from time to time by the several Commissioners, Trustees and other Persons by whom they shall be so appointed, at their Pleasure; and that they shall be paid such annual or other Salaries, Gratuities or Compensation, out of the Monies arising from the Rates made and to be made for or towards the paving and repairing the Pavements of each of such Parishes or other Districts, and either separately or jointly with any other Objects or Purposes, during their continuance in the said Office, as the said Commissioners, Trustees or other Persons by whom they shall be severally appointed, shall from time to time think fit: Provided nevertheless, that this Act shall not limit or prevent the Appointment by the said Commissioners, Trustees or other Persons, of any Inspectors or other inferior Officers for the Assistance of the Surveyor or Surveyors of the Pavements within each of their respective parochial or other Districts, as they shall think necessary for the better Preservation and Superintendence of the Pavements therein.

III. And

III. And be it further enacted, That no Person shall at any time hereafter be appointed to the Office of Surveyor of the Pavements of and in any Parish or other District, or shall continue in such Office, or shall act therein, who at the time of such Appointment shall be, or after such Appointment shall become, a Commissioner or Trustee, or a Person having the Control of the Pavements of such Parish or other District by virtue of any local Act or Acts of Parliament or otherwise, or who shall be a Pavior or Mason, or Dealer in Stones, and who shall have any Share or Interest in any Employment or Contract for the Pavement or Reparation of the Pavement of such Parish or other District, or in any other public Works under such Commissioners or Trustees or other Persons within such Parish or other District; and that no Person shall be continued in such Office of Surveyor of Pavements by any Commissioners, Trustees, or other Persons having the Control of the Pavements of any Parish or other District, or shall act therein, who shall cease to be an House-keeper, or to have an House or Office within the particular Parish or other District, to the Superintendence of the Pavements whereof he shall have been so appointed, or who shall become otherwise disqualified by virtue of this Act; and that if any Person shall presume to act as a Surveyor of Pavements for and in any Parish or other District, being disqualified as herein mentioned, every such Person shall for every such Act forfeit and pay the Sum of Twenty Pounds, to be recovered in the manner in which other Forfeitures and Penalties are hereinafter directed to be recovered by virtue of this Act.

What Persons
incapacitated
from being
Surveyors.

Incapacitated
Persons acting,

Penalty.

IV. And be it hereby further enacted, That from time to time and at all times hereafter, within One Calendar Month after the Death or Removal or Disqualification of any Person appointed by any Commissioners or Trustees, or other Persons having the Control of the Pavements within any parochial or other District, to be a Surveyor of the Pavements of and within such parochial or other District, the said Commissioners or Trustees, or other such Persons, shall appoint another competent Person, qualified as hereinbefore directed, to the Office of a Surveyor of the Pavements of and within such parochial or other District, in the Room or Stead of the Person who shall so die or be removed, or otherwise become disqualified for such Office.

Successors to
Surveyors to be
appointed within
One Month
after Vacancy.

V. And be it hereby further enacted, That the Commissioners or Trustees, or other Persons having the Control of the Pavements of and in every parochial or other District within the Jurisdiction of this Act, from time to time and at all times within Fourteen Days after they shall have appointed any Person or Persons to the Office of a Surveyor or Surveyors of the Pavements of and within such parochial or other District, shall cause to be painted on Boards the Christian and Surnames of each and every such Person or Persons so from time to time by them appointed to the Office of Surveyor for such parochial or other District, with the Number of the House, and the Street or other public Place within the said parochial or other District which may then be the Dwelling House or Dwelling Houses, or Office or Offices, of the Person or Persons so appointed a Surveyor or Surveyors of the Pavements for such particular parochial or other District, and that such Inscriptions shall be so painted on the said Boards in Oil Colours, and in Roman Letters, being at least One Inch in Height; and that they the said Commissioners or Trustees,

Commissioners,
&c. to cause
Boards, inscribed
with the Names
and Residence of
Surveyors, to be
placed in con-
spicuous Parts of
every District.

Trustees, or other Persons having the Control of the Pavements of and in every such parochial or other District, shall also cause one of such Boards, being so painted, to be set up or fixed in a conspicuous Place of the external Part of every Parish Church and parochial Chapel and Watch House, within their several parochial or other Districts, and also on any Walls or Erections or Buildings within their several parochial or other Districts respectively, not being private Dwelling Houses, as they may think necessary, and from time to time may vary and transpose the same, or cause the same to be varied or transposed, as they shall think necessary or convenient; and that they the said Commissioners or Trustees, or other Persons having the Control of the Pavements of and in every such parochial or other District, from time to time and at all times shall cause to be renewed or repaired and repainted all and every such Boards with the Inscriptions aforesaid, when and as often as occasion shall require, and so that the Inscriptions on the said Boards, with the Names and Residence of the several Surveyors of the Pavements of and in every parochial or other District, shall be legible at all times during the Day; and that if any Person shall wilfully remove, destroy or injure any of such Boards, or shall obliterate or deface the Words painted thereon, or any of them, or any Part thereof, or shall cause or procure the same to be removed, destroyed or injured, or obliterated or defaced, then every such Person shall for every such Offence forfeit and pay a Sum not exceeding Thirty Shillings nor less than Fifteen Shillings, to be recovered in the manner hereinafter provided.

Removing or
obliterating such
Boards or In-
scriptions,
Penalty.

Certain House-
keepers living
within Jurisdic-
tion of Act may
give Notice to
Surveyors of
dangerous or de-
fective Pave-
ment, and
require the Re-
paration thereof.

VI. And be it further enacted, That in case any Person being the Occupier of an inhabited Dwelling House, situate in any Parish or Place also within the Jurisdiction of this Act, and rated to the Relief of the Poor of such Parish or Place wherein such Dwelling House shall be situate, at the Sum of Fifty Pounds at the least, for and in respect of such Dwelling House, or in case any Two Persons being the Occupiers of Two several inhabited Dwelling Houses situate in any Parish or Place, Parishes or Places, also within the Jurisdiction of this Act, and each of whom shall be rated to the Relief of the Poor of such Parish or Place, Parishes or Places, wherein such Dwelling Houses shall be respectively situate, at the Sum of Twenty five Pounds at the least, for and in respect of their said respective Dwelling Houses, shall think that the Pavement of any Street or public Place in any parochial or other District within the Jurisdiction of this Act, or any Part of such Pavement, is in a State dangerous to Passengers, or so very defective as to occasion serious Inconvenience to Passengers and Carriages, then and in every such case it shall and may be lawful to and for such One Person alone, or for such Two Persons jointly, to prepare a Notice, signed with his or their respective Hand or Hands, setting forth the Number of his or their respective Dwelling House or Dwelling Houses, and the Street or public Place, or Streets or Public Places, wherein such Dwelling House or Dwelling Houses is or are situate, and describing the Part of the Pavements of any Street or public Place which he or they consider to be then dangerous to Passengers, or so very defective as to occasion serious Inconvenience to Passengers and Carriages, and also requiring the Reparation thereof, and so address such Notice to any Person being a Surveyor for the time being of the

the Pavements of and within the parochial or other District wherein the Part of any Street or public Place shall be situate, the Pavement whereof shall then be dangerous to Passengers, or so very defective as aforesaid, and to give such Notice to any such Surveyor, or to leave the same for him at the Dwelling House or Office within such parochial or other District, inscribed on the Boards to be from time to time set up by the Commissioners or Trustees or other Persons having the Control of the Pavements of and within such parochial or other District, pursuant to the Directions of this Act.

VII. And be it further enacted, That every Person from time to time hereafter being the Surveyor of the Pavements of any parochial or other District within the Jurisdiction of this Act, to whom shall be given or for whom shall be left a Notice, signed and prepared as before directed, of the dangerous or very defective State as aforesaid of any Part of the Pavement of any Street or public Place in the parochial or other District in and for which he shall then be a Surveyor of Pavements, shall forthwith inspect the Part of the Pavement described in such Notice given to or left for him; and if the same or any Part thereof shall really be in a State dangerous to Passengers, or so very defective as to occasion serious Inconvenience to Passengers and Carriages, and if the Costs and Charges of and about the repairing of such dangerous or very defective Pavement will not exceed the Sum of Two Pounds, he shall cause such Pavement to be effectually repaired within Three Days after the Day whereon such Notice shall have been given to or left for him as aforesaid; and if the Costs and Charges of and about the repairing of such Pavement will exceed the Sum of Two Pounds, but will not exceed the Sum of Ten Pounds, then he shall cause such dangerous or very defective Pavement to be effectually repaired within Seven Days after the Day whereon such Notice shall have been given to or left for him as aforesaid; and in either of such cases, such Surveyor may and shall cause such Pavements to be so effectually repaired by and of his own Authority, and without any Order or Direction from the Commissioners or Trustees or other Persons having the Control of the Pavements of the parochial or other District wherein he shall be appointed to act; and the Costs and Charges of such effectual Reparation shall be paid by such Commissioners or Trustees or other Persons having the Control of the Pavements of the parochial or other District wherein such dangerous or very defective Pavement may be situate; but if it shall appear to the said Surveyor, upon the Inspection of the Pavements described in any Notice to be given to or left for him as aforesaid, that the same is really in a State dangerous to Passengers, or so very defective as to occasion serious Inconvenience to Passengers and Carriages, and that the Costs and Charges of and about the effectual Reparation of such Part of the said Pavements as may then be in a State dangerous to Passengers, or so very defective as to occasion serious Inconvenience to Passengers and Carriages, will exceed the Sum of Ten Pounds, then and in every such case, the said Surveyor shall deliver a Copy of the Notice given to or left for him as aforesaid, to the Clerk or Clerks or other proper Officer of the Commissioners or Trustees or other Persons having the Control of the Pavements of such parochial or other District, within Three Days after such Notice shall have been given to or left for him as aforesaid, and shall in Writing require such Clerk or Clerks, or other proper

Surveyors to cause such dangerous or defective Pavement to be repaired.

If Charge do not exceed 2l.

If exceeding 2l.

Such Charge to be paid by Commissioners of Pavements, &c.

If Charges exceed 20l. Proceedings.

proper Officer, duly to summon a General Meeting of the Commissioners or Trustees or other Persons having the Control of the Pavements of such parochial or other District, according to the usual Custom of such Clerk or Clerks, or other proper Officer, or to the Directions of the local Act or Acts of Parliament under or by virtue whereof such Commissioners or Trustees, or other Persons having the Control of the Pavements of and in such parochial or other District, shall be appointed; and that such Clerk or Clerks, or other proper Officer, within Two Days after he shall receive such Notice and Requisition from the said Surveyor, shall summon or cause to be summoned a General Meeting of the said Commissioners or Trustees, or other Persons having the Control of the Pavements of and in such parochial or other District, to be held within Four Days then next, for the Purpose of considering the Notice given to or left for the Surveyor appointed by them as aforesaid; and that the said Commissioners or Trustees, or other Persons having the Control of the Pavements of such parochial or other District, or a sufficient Number of them for the Transaction of Business, according to the Provisions of the local Act or Acts of Parliament under or by virtue of which they are or shall be appointed, shall assemble at their usual Place of Meeting pursuant to such Summons, and shall then and there consider such Notice so given to or left for the said Surveyor of the Pavements of such parochial or other District; and if such Part of the Pavement described in such Notice, or any Part thereof, shall really be in a State dangerous to Passengers, or so very defective as to occasion serious Inconvenience to Passengers and Carriages, then such Commissioners or Trustees or other Persons shall then and there direct the effectual Reparation of such Part of the Pavements mentioned in the said Notice as may be dangerous to Passengers, or so very defective as aforesaid, and shall cause the same and every Part thereof to be so effectually repaired at their Costs and Charges, within Twenty eight Days then next, if the Charges of and about so effectually repairing the same will not in their Judgment exceed the Sum of Fifty Pounds, and within Six Weeks then next if the Charges of and about so effectually repairing the same will in their Judgment exceed the said Sum of Fifty Pounds.

Justices on Neglect may summon Surveyors, and order the Repair.

VIII. And be it further enacted, That if at any time or times hereafter the Pavement of any Street or public Place within the Jurisdiction of this Act, being in a State dangerous to Passengers, or so very defective as to occasion serious Inconvenience to Passengers and Carriages, whereof a Notice, prepared and signed as hereinbefore is directed, shall have been given to or left for any Person being a Surveyor of the Pavements of the parochial or other District wherein the Pavement so dangerous to Passengers, or so very defective as aforesaid, may be situate, shall not be sufficiently repaired within the times hereinbefore appointed for the Reparation thereof, (that is to say) within Three Days from the Day whereon the said Notice shall have been given or left as aforesaid, if the Costs and Charges of and about such Repair would not exceed the Sum of Two Pounds, and within Seven Days from the Day whereon the said Notice shall have been given or left as aforesaid, if the Costs and Charges of and about such Repair would not exceed the Sum of Ten Pounds, and within Twenty eight Days from the Day whereon the said Notice shall have been given or left as aforesaid, if the Costs and

and Charges of and about such Repair would not exceed the Sum of Fifty Pounds, and within Six Weeks next after the said Notice shall have been given or left as aforesaid, if the Costs and Charges of and about such Repair would exceed the Sum of Fifty Pounds, then it shall and may be lawful to and for the Person or Persons by whom any Notice signed as hereinbefore is directed shall have been given or left as aforesaid, to apply and complain to any Two Justices of the Peace acting for the City, Borough or County wherein the Pavement of the Street or public Place described in the Notice so given or left as aforesaid shall be situate, and that upon Proof upon Oath, by One or more credible Witness or Witnesses, that a Notice, prepared and signed as hereinbefore is directed, had been given to or left for a Person appointed and notified to be a Surveyor of the Pavements of such parochial or other District wherein the Pavement described in such Notice may be situate, and according to the Directions of this Act, and that the Part of the Pavements in any Street or public Place described in such Notice, and being in a State dangerous to Passengers, or so very defective as to occasion serious Inconvenience to Passengers and Carriages, had not been sufficiently repaired within the time hereinbefore limited by this Act, according to the Costs and Charges which must be incurred in and about such Reparation; then such Justices of the Peace, by a Summons under their Hands, shall require the said Person, being appointed and notified to be a Surveyor of the Pavements for the parochial or other District wherein the Pavement of any Street or public Place dangerous to Passengers, or so very defective as aforesaid, shall be situate, to or for whom the said Notice, prepared and signed as aforesaid, shall have been given or left, according to the Directions of this Act, to appear before them the said Justices, at a Place and time to be mentioned in such Summons, (and the Time being Twenty four Hours at the least after the said Summons shall have been given to the said Surveyor, or shall have been left for him at his Dwelling House or Office within the parochial or other District the Pavement whereof he shall be appointed to survey, inscribed on the Boards hereinbefore directed to be set up in every parochial and other District within the Jurisdiction of this Act,) and then and there to show Cause why the Pavement described in the said Notice hath not been sufficiently repaired according to such Notice, within the times hereinbefore by this Act limited, according to the Expence which must be incurred in and about such Repair; and that if the said Surveyor, or some Person authorized by him shall not attend before the said Justices at the time and Place mentioned in such Summons, or if he or such other Person authorized by him shall then and there attend, and shall not show to them the said Justices a sufficient Cause or sufficient Causes why the said Pavement described in the said Notice given to or left for the said Surveyor as hereinbefore is directed, and every Part thereof, hath not been sufficiently repaired according to such Notice, then and upon Proof upon Oath by Two or more credible Witnesses that the Pavement described in the said Notice is then dangerous to Passengers, or so very defective as aforesaid, and that the same is situate within the parochial or other District for which the said Surveyor shall have been appointed and notified as appointed to act, it shall and may be lawful to and for the said Justices, by Order under their

Proof on Oath
of One Witness.

Surveyor to show
Cause why
Pavement not
repaired.

On Default Jus-
tices may order
Hands

Surveyor to pay Money expended, and to repair.

Hands and Seals, to order and direct that the said Surveyor shall pay to the Person or Persons by whom the said Notice shall have been signed as aforesaid, such Sum of Money as he or they shall have legally expended for the Costs and Charges of such Summons and Order, and which said Sum of Money so by the said Justices ordered to be paid by the said Surveyor shall and may be recovered in the same manner in which any other Forfeitures and Penalties are hereinafter directed to be recovered by virtue of this Act; and the said Justices shall also then and there, by an Order under their Hands and Seals, order the said Surveyor to sufficiently repair or cause to be repaired all the Pavement described in the said Notice being in a State dangerous to Passengers, or so very defective as aforesaid, and being in the parochial or other District wherein he the said Surveyor shall have been appointed to act as Surveyor of the Pavement, within Three Days then next if the Costs and Charges of and about such Repair will not exceed the Sum of Two Pounds, and within Seven Days then next if the Costs and Charges of and about the said Repair will not exceed the Sum of Ten Pounds, and within Twenty eight Days then next if the Costs and Charges of and about such Repair will exceed the Sum of Ten Pounds but will not exceed the Sum of Fifty Pounds, and within Six Weeks then next if the Costs and Charges of and about such Repair will exceed the Sum of Fifty Pounds; and the said Order of the said Two Justices of the Peace, within Twenty four Hours after the same shall be made, shall be given to the said Surveyor, or left for him at his Dwelling House or Office within the Parish or other District the Pavement whereof he shall be appointed to survey, inscribed on the said Boards hereinbefore directed to be set up, and shall be obeyed and performed by him; and he the said Surveyor shall sufficiently repair the said Pavements, or cause the same to be sufficiently repaired, within the time to be directed by the said Order, at the Costs and Charges of the Commissioners or Trustees or other Persons having the Control of the Pavements of that parochial or other District wherein the Pavements shall be situate which by such Order shall be so ordered to be repaired; but if the said Surveyor, or any Person authorized by him, shall attend before the said Justices at the time and Place mentioned in such Summons, and shall show to the said Justices that such Notice was not prepared and signed and given or left according to the Directions of this Act, or that the Pavement described in such Notice was not in a State dangerous to Passengers, or was not in a State so very defective as to occasion serious Inconvenience to Passengers and Carriages, either at the time of the Delivery of such Notice, or at the time of the Application of the Person or Persons signing such Notice to such Justices, or shall then and there show to such Justices such other Cause or Causes as they shall deem sufficient why the said Pavements have not been repaired according to such Notice, then and in any or either of the said Cases the said Justices shall dismiss the said Complaint of the Person or Persons by whom the said Notice shall have been signed as aforesaid, and by an Order under their Hands and Seals shall declare that such Person or Persons having signed the said Notice, and having made the Application and Complaint to them the said Justices, hath or have forfeited the Sum of Forty Shillings, and shall direct the same Sum of Forty Shillings to be paid by him

Proceedings on the said Order.

If Surveyor show that Notice not duly given, &c.

Justices may dismiss Complaint, and inflict

Penalty of 40s.

or them to the said Surveyor or other Person authorized by him, then attending before the said Justices, for his own Use and Benefit; and such Sum of Forty Shillings so forfeited shall be recovered in the manner in which other Forfeitures and Penalties are hereinafter directed to be recovered by virtue of this Act: Provided always, and be it hereby also enacted, That if it shall appear to the said Justices of the Peace that the Costs and Charges of and about the Repair of any Pavement so by them ordered to be repaired as aforesaid will exceed the Sum of Fifty Pounds, or that such Reparation cannot be probably completed within Six Weeks then next, then and in such case, or under any other special Circumstances, it shall and may be lawful to and for the said Justices to extend any of the times for completing the Repair of any such Pavement to some other time beyond the Period of Six Weeks, or beyond the other Periods mentioned by this Act, at their Discretion, and so that such Repair be completed with all the Expedition which the Extent of such Repair and such special Circumstances, in the Judgment of the said Justices of the Peace, will permit.

Proviso where Expence of Repair exceeds s^{ch}. or cannot be completed within Six Weeks.

IX. And be it further enacted, That if any Person from time to time hereafter, being the Surveyor of the Pavements of any parochial or other District within the Jurisdiction of this Act, and being summoned by any Two Justices of the Peace as hereinbefore is directed, shall refuse or neglect, either personally or by some Person authorized by him, to attend before such Justices at the time and Place to be mentioned in such Summons, or shall refuse or neglect to perform and obey any Order which may be legally made by such Two Justices of the Peace, under their Hands and Seals, as hereinbefore is directed, and which shall direct, according to the Provisions of this Act, the Reparation of any Pavements dangerous to any Passengers, or so very defective as to occasion serious Inconvenience to Passengers and Carriages in any Streets or public Places within the parochial or other District for which he shall be appointed to act as a Surveyor of the Pavements, and to perform and obey the same within the time specified therein, (he having Notice thereof as hereinbefore is directed, and not being prevented from the Observance and Performances of such Order by Frost or other unavoidable Circumstances, or by the Neglect or Proceedings of any Water or Gas Company, or Commissioners of Sewers,) then and in such case the said Person being the Surveyor as aforesaid shall forfeit and pay for such Refusal or Neglect any Sum not exceeding Ten Pounds for the First Offence and a Sum not exceeding Twenty Pounds for a Second Offence, and a Sum not exceeding Thirty Pounds for every Third Offence, to be recovered in such manner as other Penalties or Forfeitures are by this Act hereinafter directed to be recovered, and to be paid, when recovered, to the Churchwardens or Overseers of Poor of the Parish or District wherein any such dangerous or defective Pavement shall be situate, and to be by them applied to and for the Use of the Poor of such Parish or District, and in aid of the Rates for the Relief of the Poor of such Parish or District, and to no other Person or Persons, and for no other Use or Purpose whatsoever; and such Person who shall be guilty of such Third Offence shall thereafter become disqualified, from acting in the said Office of a Surveyor of the Pavements in the same or in any other parochial or other District within the Jurisdiction of this Act, and from being re-appointed

Surveyors neglecting to attend on Justices, or disobeying their Orders.

First Offence.
Second Offence.
Third Offence.
Penalties.

Disqualified.

Proviso for Re-
imbursement of
Costs incurred
by any Person in
Performance of
Orders of Com-
missioners, &c.

Notice of Ap-
pointment of
Surveyor to be
given to Water
and Gas Com-
panies,

and Commis-
sioners of Sewers.

Proviso as to Ne-
cessity of giving

re-appointed or appointed thereto, and from acting therein, either gratuitously or otherwise, or under any Pretence whatsoever, unless he shall so act under the Direction and by the Command of the Commissioners, Trustees or other Persons by whom he shall have been appointed: Provided always, that all Costs, Charges and Expences which such Person, being the Surveyor of the Pavements of any parochial or other District, shall incur or expend in and about the Observance and Performance of any such Order made by the said Two Justices of the Peace as aforesaid for the Reparation of the Pavements in such parochial or other District being dangerous to Passengers or very defective as aforesaid, as hereinbefore is directed, or which he shall incur or be put unto in consequence of his Refusal or Neglect to perform and obey any such Order by the Directions in Writing of the Commissioners or Trustees, or other Persons having the Control of the Pavements of the parochial or other District for which he may be appointed to act, shall be forthwith paid or reimbursed to him by such Commissioners or Trustees or other Persons, out of the Monies which they shall then possess, or shall first thereafter receive, by virtue or on account of any Rates or Assessments thenceforth or thereafter made, for and towards the Expences of the Paving or Reparation of the Pavement of such parochial or other District, or otherwise, by virtue of any local Act or Acts of Parliament, or by virtue of this Act.

X. And be it further enacted, That from time to time, when and as often as any Person shall be appointed by the Commissioners or Trustees, or other Persons having the Control of the Pavements of any parochial or other District within the Jurisdiction of this Act, to be a Surveyor of the Pavements of the Streets and public Places in such parochial or other District, such Appointment shall be notified, within Seven Days after every such Appointment, by the Clerk or Clerks or some other Officer of such Commissioners or Trustees, or other Persons, to a Clerk, Secretary or some Officer or Servant of each of the several Companies for the Supply of Water, or Proprietors of Water Works, commonly and hereinafter called and described as 'Water Companies,' and of each of the several Companies or Societies or Proprietors of Works for the Supply of inflammable Air or Gas or Gas Lights, commonly and hereinafter called and described 'Gas Light Companies,' whose Pipes for the Conveyance of Water or Gas may or shall then be laid beneath the Surface of any of the Streets or public Places within each of such parochial or other Districts for which such Surveyor shall have been so appointed, and also to a Clerk or Secretary of the Commissioners of Sewers then having Jurisdiction over the common and public Drains and Sewers within every such parochial or other District, by a Notice in Writing to be signed by such Clerk or Clerks or other proper Officer of such Commissioners or Trustees or other Persons, and to be given to a Clerk, Secretary or some other Officer or Servant of the said several Water and Gas Light Companies, or to a Clerk or Secretary of such Commissioners of Sewers, or to be left for them or some or one of them at their or some or one of their Dwelling House or Dwelling Houses or Place or Places of Abode, or at an Office or Counting House for the time being of each of such Water and Gas Light Companies or Commissioners of Sewers: Provided, that it shall not be necessary to give any

any such Notice to any Water or Gas Light Companies or Commissioners of Sewers which shall not have previously notified that their Pipes or Drains and Sewers have been and are placed beneath the Streets or public Places within each of such parochial or other Districts, to the Clerk or Clerks or other proper Officer of the Commissioners or Trustees or other Persons having the Control of the Pavements in the Streets or public Places within each of such parochial or other Districts respectively.

Notice in certain cases.

XI. And be it further enacted, That it shall not be lawful to or for any Water or Gas Light Company, or for any Commissioners of Sewers, or any Person or Persons acting by or under the Authority of them or any of them, or on their Account, to break or take up, or cause to be broken or taken up, any of the Pavements in any of the Streets or public Places within the Jurisdiction of this Act, for the Purpose of making and laying down any Main or Mains of Pipes, or of making any Sewer, Vault or Drain, or for any other Purpose (except for the Purpose of altering the Position of, or of repairing any Pipes, Stopcocks or Plugs, or of substituting Iron for Wooden Mains or Pipes, or of repairing, cleansing or altering any Sewer, Vault or Drain), unless Notice in Writing of their Intention to break or take up such Pavement, signed by the principal Clerk or Secretary of such Water or Gas Light Company, or Commissioners of Sewers for the time being, or by their Surveyor, or Inspector, or Turncock for the time being, specifying the Street or public Place, and the particular Part of such Street or public Place in which such Pavement is intended to be broken or taken up, shall have been given to a Surveyor of the Pavements for the time being of the parochial or other District wherein such Street or public Place the Pavement whereof is so intended to be broken or taken up shall be situate, or shall have been left for him at his Dwelling-house or Office within such parochial or other District, for the Space of Three Days at the least before such Pavement or any Part thereof shall be so broken or taken up for the Purposes aforesaid; and that no Gas Light Company shall break or take up or disturb, or cause to be broken or taken up or disturbed, the Pavement of any Street or public Place for the Purpose of laying down any new Mains or Pipes, without the Consent in Writing of the Commissioners or Trustees or other Persons having the Control of the Pavements in any parochial or other District, signified under the Hand or Hands of their Clerk or Clerks, or other proper Officer or Officers, first obtained; and also, that any Water or Gas Light Company, or Commissioners of Sewers, or any of them, who shall break or take up, or cause to be broken or taken up, any of the Pavements in any of the Streets or public Places within the Jurisdiction of this Act, for the Purpose of altering the Position of or repairing any Pipes, Stopcocks or Plugs, or of substituting Iron for Wooden Mains or Pipes, or of repairing, cleansing or altering any Sewer, Vault or Drain, shall give such Notice thereof as aforesaid, signed as aforesaid, and in manner aforesaid, unto such Surveyor as aforesaid, within Twelve Hours after any such Water or Gas Light Company, or Commissioners of Sewers, or any Person or Persons acting by or under the Authority of them, or any of them or on their Account, shall begin to break or take up, or to cause to be broken or taken up, any of such Pavements for the Purposes last aforesaid; and that if any such Water or Gas Light Company, or

Previous Notice to be given by the said Companies and Commissioners of Sewers to Surveyors before they break up any Pavement, except for Repairs, &c.

and to have Consent of Commissioners, &c.

Notice after beginning to break up for Repairs, &c. of Pipes, &c.

Companies, &c. breaking up

without Notice,
(Exception)

any Commissioners of Sewers, or any Person or Persons acting by or under their Authority, or on their Account, shall break or take up, or cause to be broken or taken up, any of such Pavement (except for the Purpose of altering the Position of or repairing any Pipes, Stopcocks or Plugs, or of substituting Iron for Wooden Mains or Pipes, or of repairing, cleansing or altering any Sewer, Vault or Drain) without such Three Days previous Notice being given or left as aforesaid; or if any Gas Light Company shall break or take up or disturb, or cause to be broken or taken up or disturbed, any of such Pavement, for the Purpose of laying down any new Mains or Pipes, without such Consent as aforesaid; or if any Water or Gas Light Company, or Commissioners of Sewers, who may break or take up, or cause to be broken or taken up, any of the Pavements aforesaid, for the Purpose of altering the Position of or of repairing any Pipes, Stopcocks or Plugs, or of substituting Iron for Wooden Mains or Pipes, or of repairing, cleansing or altering any Sewer, Vault or Drain, shall refuse or neglect to give or leave, or to cause to be given or left, such Notice thereof as aforesaid within Twelve Hours after any such Water or Gas Light Company, or Commissioners of Sewers, or any Person or Persons acting by or under the Authority of them, or any of them, or on their Account, shall begin to break or to take up, or to cause to be broken or taken up, any of such Pavements, then and in every or any such case, the Company, or Commissioners of Sewers, or other Person or Persons so breaking or taking up the same Pavement, or any Part thereof, or causing or directing the same to be broken or taken up, or under whose Authority or on whose Account the same shall be so broken or taken up, or the Persons so breaking or taking up the same, shall forfeit and pay to the Commissioners or Trustees or other Persons having the Control of the Pavements within the parochial or other District in which such Pavement so broken or taken up or disturbed shall be situate, or to their Treasurer, Clerk or Surveyor, or to such other Person as they may appoint, the Sum of Forty Shillings for every Square Foot of Pavement which shall be so broken or taken up without such Notice or Consent as aforesaid, to be recovered in the same manner in which other Forfeitures and Penalties are hereinafter directed to be recovered by virtue of this Act.

Penalty.

New Mains of
Water Pipes,
&c. to be made
of Iron only.

Not laid down
during the
Months of De-
cember, January
or February.

And so from
Ten Years from
passing this Act.

XII. And be it further enacted, That all new or complete Mains or Pipes for the Conveyance of Water, or inflammable Air or Gas, which after the passing of this Act shall be laid down beneath the Surface of any Streets or Public Places within the Jurisdiction of this Act, by or on account of any Water or Gas Light Company, and whether such new or complete Main of Pipes shall or shall not be substituted for or added to any other complete Main or Mains of Pipes for the Conveyance of Water or inflammable Air or Gas, then-efore laid down for the Conveyance of Water or of inflammable Air or Gas, shall consist and be made of Iron alone, and of no other Material; and that the Pavements of any Streets or public Places within the Jurisdiction of this Act, or any Part thereof, shall not be broken or taken up for the Purpose of laying down any new Main of Pipes, for the Conveyance of Water or of inflammable Air or Gas, during any Part of the Months of *December, January or February* in any Year; and also, that from and after Ten Years from the passing of this Act all and every new Main Pipe and Pipes for the Convey-

ance of Water, or of inflammable Air or Gas, which shall be laid down by or on account of any Water or Gas Light Company, or other Persons, shall consist and be made of Iron alone, and of no other Material; and all and every new Service and other Pipes shall not consist or be made of Wood, but shall consist or be made of Iron or Lead, or of some durable Material; and that if any Water or Gas Light Company, or any other Person, shall break or take up, or cause to be broken or taken up, any such Pavement for the Purposes aforesaid during the Months aforesaid, or shall lay or cause to be laid down any Pipes consisting or made of any Materials in Violation of the Provisions of this Act, then and in every such case the Company or other Person so offending, shall forfeit and pay the Sum of Five Pounds for every Square Foot of Pavement which shall be so broken or taken up by them or on their Account, and the like Sum for every Foot in Length of Pipe which shall be so laid down consisting or made of any such Material; and which said Forfeitures and Penalties shall be recoverable in the same manner in which other Forfeitures and Penalties are hereinafter directed to be recovered by virtue of this Act: Provided always, that nothing herein contained shall extend or be construed to extend to hinder or prevent any Water Company, at any time within or after the Space of Ten Years from the passing of this Act, from repairing all or any of their present Mains or Service Pipes, which are not constructed of Iron, with Wood or such other Materials whereof such Mains or Pipes are now constructed.

Penalty.

Proviso for Water Companies repairing present Mains, &c.

Plans of Pipes and Sewers may be examined by Surveyors of Pavement, &c.

XIII. And be it further enacted, That it shall and may be lawful to and for any Person appointed to act as a Surveyor of the Pavements in any parochial or other District within the Jurisdiction of this Act, and to and for any other Person or Persons appointed by the Commissioners or Trustees or other Persons having the Control of the Pavements of any such parochial or other District, when he shall be directed so to do by the Commissioners or Trustees or other Persons by whom he or they shall be appointed to act, from time to time and at any times between the Hours of Ten of the Clock in the Forenoon and of Four of the Clock in the Afternoon of any Day not being a Sunday or Holiday appointed by Law, at the Office or Counting House of any Water or Gas Light Company, any of whose Pipes for the Conveyance of Water or of inflammable Air or Gas shall then be laid beneath the Surface of any of the Streets or public Places within each of such parochial or other Districts, the Pavements whereof shall be under the Control of such several Commissioners or Trustees or other Persons, or for which any such Surveyor shall be appointed to act, and at the Office of any Commissioners of Sewers then having Jurisdiction over the common and public Drains and Sewers within every such parochial or other District, to examine and inspect any and every Map or Plan, or Draft or Survey, or Delineation or Description, of all and every the Main of Pipes and Pipes belonging to any of such Water or Gas Light Companies, then possessed by them, or being in their Custody or Power, and any and every Map or Plan, or Draft or Survey, Delineation or Description, of the common and public Drains or Sewers being within such parochial or other District, and under the Jurisdiction of such Commissioners of Sewers, then possessed by them, or being in their Custody or Power, he such Surveyor for the time being, or such

Notice thereof
in Writing.

other Person or Persons appointed by the said Commissioners or Trustees, or other Persons having the Control of the Pavements in any such parochial or other District, having given to a Clerk or Secretary of any such Company or Commissioners of Sewers, or having left at the Office or Counting House of such Company or Commissioners of Sewers, Two Days previous Notice in Writing of his or their Intention to attend at the Office or Counting House of such Companies or Commissioners of Sewers for the Purpose aforesaid; and that the Secretary or Clerk, or some other Officer of such Company or Commissioners of Sewers shall then and there produce and show, or cause to be produced and shown, unto such Surveyor or other Person or Persons, all and every the Maps, Plans, Drafts, Surveys, Delineations and Descriptions aforesaid, in the Custody or Power of the said Company or Commissioners of Sewers, and shall permit him or them then and there to take Extracts therefrom, or Copies thereof, or of and from any of them, or any Part of any of them, so far as may relate to the Mains of Pipes or Pipes, and to the public or common Sewers or Drains which shall be laid or be beneath the Surface of the Streets or public Places within the parochial or other District for which such Surveyor of Pavements, or other Person or Persons appointed by any such Commissioners or Trustees, or other Persons having the Control of Pavements, shall be deputed or directed to act.

Officers of Companies, &c. to notify their Names and Places of Abode to Clerks of Commissioners or to Surveyors of Pavements.

XIV. And be it further enacted, That all and every the Secretaries or Clerks, Surveyors or Inspectors, and the several and respective Turncocks employed or appointed, or hereafter being employed or appointed by all and every the Water and Gas Light Companies, any of whose Pipes shall be laid beneath the Surface of any Street or public Place in any parochial or other District within the Jurisdiction of this Act, and also all and every the Clerk and Clerks, Secretary and Secretaries appointed or being hereafter appointed by any Commissioners of Sewers whose Jurisdiction shall extend over the common or public Drains or Sewers within every such parochial or other District, within Forty Days next after the passing of this Act, or within the Space of Five Days next after he or they shall be hereafter severally appointed to such several Offices, Situations or Employments, shall give Notice in Writing to each and every of the Clerk or Clerks to the Commissioners or Trustees, or other Persons having the Control of the Pavements, or to the Surveyor and Surveyors of the Pavements of each parochial or other District, beneath the Surface of the Streets or public Places wherein the Mains or Pipes of such Company, or any of them, shall be laid, or there shall be any common or public Drains or Sewers within the Jurisdiction of such Commissioners of Sewers, of his, their and every of their Christian and Surnames and Place or Places of Abode, and of the Company or Commissioners of Sewers by whom he or they is or are, or hath or have been so appointed or employed, and also of the Place which is appointed as the Office or Counting House of the said Company or Commissioners of Sewers; and that in case any such Person or Persons shall neglect to give such Notice within the respective times aforesaid, every such Person or Persons so offending in either of the said Cases shall forfeit and pay the Sum of Ten Pounds, to be recovered in the same manner in which other Penalties and Forfeitures are hereafter directed to be recovered by virtue of this Act.

Penalty.

XV. And

XV. And be it further enacted, That when and so often as it shall appear to any Person appointed to act as a Surveyor of Pavements in any parochial or other District within the Jurisdiction of this Act, that any Pipe or Pipes, Stopcock, Plug or other Thing belonging to any Water or Gas Light Company, or that any public Sewer beneath the Surface of the Pavement of any Street or public Place within such parochial or other District, be broken or damaged, it shall be lawful for such Surveyor, and he is hereby required, to give immediate Notice, signed by himself, to the Company or Commissioners of Sewers to whom it may appear to him that such Pipe or Stopcock, Plug or other Thing, or Sewer, doth or may belong, by either giving such Notice to a Clerk or Secretary, or to a Turncock of such Company, or to a Clerk or Secretary of such Commissioners of Sewers, or to some or one of them, or by leaving the same at the Place or Places of Abode of some or one of them, or at the Office or Counting House of such Company or Commissioners of Sewers, and shall require that such Pipe, Stopcock, Plug or other Thing, or Sewer, be examined, and, if needful, that such Pipe, Stopcock, Plug or other Thing be repaired, altered, amended or renewed, and such Sewer be repaired by such Company or Commissioners of Sewers; and that † within Forty eight Hours after such Notice shall be so given or left as aforesaid, the said Company or Commissioners of Sewers, to or for whom, or to or for whose Officer or Servant such Notice shall have been given or left as aforesaid, shall cause to be taken up the Pavement of the Street or public Place beneath which the Pipe, Stopcock, Plug or other defective Thing, or Sewer, shall be, and shall cause the Ground to be opened, and shall also cause the said Pipe, Stopcock, Plug or other Thing to be substantially repaired, altered, amended or renewed, or the said Sewer to be examined, and, if necessary, to be substantially repaired, and the Ground properly filled in with hard Rubbish or other good Materials, and rammed down †, within Forty eight Hours next after such Notice shall be given or left as aforesaid, or with all convenient Expedition, in the Judgment of the Commissioners, Trustees or other Persons having the Control of the Pavements in the parochial or other District wherein such Pavement, Street, or public Place shall be situate, and to their Satisfaction, or the Satisfaction of any Three or more of them; and also within Twelve Hours after such Pipe, Stopcock, Plug or other Thing shall be so substantially repaired, altered, amended or renewed, or such Sewer shall be so substantially repaired, and the Ground above the same shall be so filled in and rammed down, the said Company or Commissioners of Sewers shall cause Notice thereof, signed by the Clerk or Secretary to such Company or Commissioners of Sewers, to be given to the said Surveyor of Pavements, or to the Pavior or Paviers or other Persons then employed or appointed by the Commissioners or Trustees, or other Persons having the Control of the Pavements in such parochial or other District, to pave and repair the Pavements within such parochial or other District, as the said Commissioners or Trustees or other Persons for the time being may from time to time direct, that such Examination, and, if necessary, such Reparation, Alteration, Amendment or Renewal, hath been made pursuant to such Notice of the Surveyor of Pavements, and that the Ground hath been refilled and rammed down, that the Pavement in such Street or public Place may be forthwith relaid in

Surveyor may require Repair of Pipes and Drains when defective.

Notice to be given to repair them.

† *Sic.*

To be done within 48 Hours from Notice;

† *Sic.*

and Notice thereof to Commissioners, &c.

Company to whom the Pipes belong not repairing and giving Notice thereof to Surveyor, &c.

First Offence.

Second Offence.
Subsequent Offence.
Penalty.

Where Notice not made to the proper Company,

Proceedings.

the manner directed by this Act; and in case the Water or Gas Company, or Commissioners of Sewers, to or for whom such Notice of the Surveyor of Pavements shall have been given or left as aforesaid, and to whom such Pipe, Stopcock, Plug or other Thing or Sewer, referred to in such Notice shall belong, shall neglect to cause the same to be repaired, altered or amended, or renewed, as the case may be, and the Ground to be filled in and rammed down to the Satisfaction of the said Commissioners, Trustees or other Persons having the Control of the Pavements in such parochial or other District, or any Three or more of them, within the time hereinbefore limited and appointed for those Purposes, or shall neglect to give or cause to be given Notice thereof as aforesaid to the said Surveyor of the Pavements, or to the Pavior or Paviers, or other Persons employed or appointed by the Commissioners or Trustees or other Persons having the Control of the Pavements in such parochial or other District, to pave and repair the Pavement within such parochial or other District; then the said Company or Commissioners of Sewers shall for the first Neglect and Offence forfeit and pay the Sum of Five Pounds, and for the second Neglect and Offence shall forfeit and shall pay the Sum of Eight Pounds, and for the third and every subsequent Neglect and Offence shall forfeit and shall pay the Sum of Ten Pounds, to be recovered in the same manner in which other Penalties and Forfeitures are directed to be recovered by virtue of this Act.

XVI. Provided always, and be it further enacted, That in case it shall happen and it shall be discovered, after any Pavement in any Street or public Place shall have been taken up, and the Ground shall have been opened, that any Pipe, Stopcock, Plug or other Thing, beneath the Surface of the Pavement of any Street or public Place, which shall have appeared to any Surveyor of Pavements to require to be repaired, altered, amended or renewed, shall not belong to the Water or Gas Company to or for whom such Notice for the Reparation, Alteration, Amendment or Renewal thereof as aforesaid shall have been given or left as is hereinbefore directed by the said Surveyor, but to some other Water or Gas Company, or to some other Persons, then such Company to or for whom the said Notice of the said Surveyor of Pavements shall have been given or left, within Twenty four Hours after the Notice from the said Surveyor of Pavements shall have been given or left as aforesaid, shall cause a Notice, signed by the Secretary or Clerk, to be given in the same manner hereinbefore directed as to the Service of the original Notice to the Company or other Persons to whom the Pipe, Stopcock, Plug or other Thing shall appear to belong, which did appear to the said Surveyor of Pavements to require Reparation, Alteration, Amendment or Renewal, and shall thereby require them to obey and perform and comply with the said original Notice from the said Surveyor of Pavements, instead of the Company to whom such original Notice had been given; and that such Company or other Persons to whom such Pipe, Stopcock, Plug or other Thing shall belong, shall reimburse and pay on Demand to the first mentioned Company to or for whom the original Notice may have been given or left, the reasonable Costs and Charges which they shall have incurred in and about taking up the Pavements and opening the Ground, and shall obey, execute, and perform the said original Notice of the said Surveyor, and the Directions of this Act relating thereto, in such and the same manner, and

and within such and the same time, in all respects, as if the said original Notice from the said Surveyor had been given to them; and they shall be liable to and shall incur the same Penalties and Forfeitures on Neglect so to do, as they ought to have done, or would have been liable to, and would have incurred, if the said original Notice had been given to them in manner before directed; and that the Company by whom the Pavements shall be first taken up and the Ground shall be opened, who shall neglect to give the Notices hereby required to the Company to whom the Pipe, Stopcock, Plug or other Thing which shall appear to the Surveyor of the Pavements to require Reparation, Alteration, Amendment or Renewal, shall appear to belong, in manner hereinbefore directed, shall for the first Neglect and Offence forfeit and pay the Sum of Five Pounds, and for the second Neglect and Offence shall forfeit and shall pay the Sum of Eight Pounds, and for the third and every subsequent Neglect and Offence shall forfeit and pay the Sum of Ten Pounds, to be recovered in the same manner in which other Penalties and Forfeitures are hereinafter directed to be recovered by virtue of this Act.

Penalty.

Company opening Ground and not giving Notice to Company to whom Pipe belongs.

First Offence.

Second Offence.

Subsequent Offence.
Penalty.

XVII. And be it further enacted, That whenever after the passing of this Act any Water or Gas Light Company, or Commissioners of Sewers, pursuant to the Provisions hereinbefore contained, shall take up or cause to be taken up any Pavement of any Street or public Place in any parochial or other District within the Jurisdiction of this Act, or shall place in any Street or public Place any Pipes or other Materials and Things, for the Purpose of executing any Works beneath the Surface of any Street or public Place, or otherwise, all and every such Works shall be executed and completed within such reasonable time as the Commissioners or Trustees, or any other Persons having the Control of the Pavements of the Streets and public Places in such parochial or other District, or any Three or more of them, shall from time to time and at any time direct and appoint; and also, that all such Pipes or other Materials and Things shall be and remain on the Surface of any such Street or public Place, and of any Streets or public Places in any parochial or other District, for no longer Period than shall be unavoidably necessary in the Judgment of the said Commissioners or Trustees, or other Persons having the Control of the Pavements in such parochial or other District, or any Three or more of them; and also that the same Pipes or other Materials and Things shall be from time to time and at all times removed and taken away off and from the Surface of any and every Street or public Place by the Water or Gas Light Company, or Commissioners of Sewers, or by the Officers or Servants of the Company, or Commissioners of Sewers, by whom or by whose Order, or by whose Officers or Servants, or for whose Offices or Works, all or any such Pipes or other Materials or Things shall have been brought to and placed on the Surface of such Streets or public Places, or any of them, and at their Costs and Charges, within Forty eight Hours after such Company or Commissioners of Sewers shall have been required to remove and take away the same by the Commissioners or Trustees, or other Persons having the Control of the Pavements in any such parochial or other District, or any Three or more of them, by a Notice signed by Three or more of such Commissioners or Trustees or other Persons, and given to such Company or Commissioners of Sewers, or left for them at the Dwelling

Repairs and Works by Companies, &c. to be executed with all convenient Expedition;

and Pipes, &c. removed:

within Forty eight Hours on Notice.

Neglecting to
comply with
Notice.

First Offence.

Second Offence.
Subsequent
Offence.
Penalty.

Rubbish and
Obstructions
occasioned in
Streets by the
Repairs of Pipes,
&c. to be speedily
removed

on Notice.

Neglecting,

House or Place of Abode of any Secretary or Clerk or Turncock employed by such Company, or of a Clerk or Secretary to such Commissioners of Sewers, or at the Office or Counting House of such Company or Commissioners of Sewers; and that in case any Company or Commissioners of Sewers shall at any time or times neglect to comply with, any and every such Notice, and to obey all and every the Directions which the said Commissioners or Trustees or other Persons having the Control of the Pavements in any parochial or other District, or any of them, are by this Act authorized and empowered to give, then and in every or any such case such Company or Commissioners of Sewers shall for the First Neglect and Offence forfeit and shall pay the Sum of Five Pounds, and for the Second Neglect and Offence shall forfeit and shall pay the Sum of Eight Pounds, and for the Third and every subsequent Neglect and Offence shall forfeit and shall pay the Sum of Ten Pounds, to be recovered in the same manner in which other Penalties and Forfeitures are directed to be recovered by virtue of this Act.

XVIII. And be it further enacted, That all Dirt, Gravel, Filth, Rubbish and other Things, which at any time or times after the passing of this Act shall be placed, collected or occasioned by or by means of any Water or Gas Light Company or Commissioners of Sewers, or of any Repairs or other Works executed and performed or intended to be executed and performed by their Officers or Servants, or by their Orders or Directions, or on their Account, in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, by the taking up of the Pavement of such Streets or public Places, or any of them, or by opening the Ground beneath the Surface of such Streets or public Places, or by the Execution of the Works of any Water or Gas Light Company or otherwise, or which shall be in anywise consequent thereon or incidental thereto, in the Judgment of the Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places in any such parochial or other District, or any Three or more of them, shall be from time to time and at all times collected and removed and carried away, by or at the Costs and Charges of such Company or Commissioners of Sewers, with all practicable Expedition, and to the Satisfaction of such Commissioners or Trustees or other Persons having the Control of the Pavements in such parochial or other District, or any Three or more of them; and that such Company or Commissioners of Sewers shall especially so do whenever they shall be required so to do by any Notice from such Commissioners or Trustees or other Persons having the Control of the Pavements in such parochial or other District, or any Three or more of them, or from any Surveyor of the Pavements appointed by them, signed by them or him and given to such Company or Commissioners of Sewers, or left for them at the Dwelling House or Place of Abode of any Secretary or Clerk or Turncock employed by such Company or Commissioners of Sewers, or at any Office or Counting House of such Company, or of any Clerk or Secretary to any such Commissioners of Sewers; and that in case any such Company or Commissioners of Sewers shall neglect to collect, carry away and remove, or cause to be collected, carried away and removed, from all and every such Streets and public Places, all such Dirt, Gravel, Filth, Rubbish and other Things whatsoever, within Twenty four Hours

Hours after any such Notice shall be from time to time given or left as aforesaid, to the Satisfaction of such Commissioners or Trustees, or other Persons by whom any such Notice shall be signed, then the said Company or Commissioners of Sewers shall for every such Neglect and Offence forfeit and shall pay the Sum of Five Pounds, to be recovered and applied in the same manner in which other Penalties and Forfeitures are hereinafter directed to be recovered and applied by virtue of this Act. Penalty 5l.

XIX. And be it further enacted, That from time to time and at all times after the passing of this Act, all and every Water or Gas Light Company or Commissioners of Sewers, who shall take up or shall cause or direct the taking up of any Pavement in any Street or public Place in any parochial or other District within the Jurisdiction of this Act, for the Purpose of laying down or repairing any Pipe or other Thing, or any Sewer or Drain beneath the Surface of any Street or public Place, or for executing any other Works or otherwise, from time to time and at all times, from the Commencement until the Completion of all and every such Works, and from the breaking up of the said Pavement of any Street or public Place until the same Pavement shall be relaid and repaved, at their Costs and Charges (unless the said Works shall be completed during the Day on which the said Works shall be commenced) shall place or cause to be placed such Posts, Rails, Bars or Ropes, Lanthorns and Watchmen, in any and every such Street or public Place, and adopt and execute all such other Means for the Prevention of any Accidents or Mischiefs to any Passengers, Horses, Cattle or Carriages, and every other public Inconvenience, to the Satisfaction of the Commissioners or Trustees or other Persons having the Control of the Pavements of the parochial or other District wherein any such Street or public Place shall be situate, or of a Surveyor of Pavements, or other Officer or Person appointed by them, in the manner and whenever from time to time such Company or Commissioners of Sewers shall be required so to do by such Surveyor of the Pavements, or any Officer or Person appointed by the Commissioners, Trustees or other Persons having the Control of the Pavements in such parochial or other District, by any Notice to be signed by him or them, and given to such Company or Commissioners of Sewers, or left for them at the Dwelling House or Place of Abode of any Secretary or Clerk or Turncock employed by such Company, or of any Clerk or Secretary to any such Commissioners of Sewers, or at any Office or Counting House of such Company or Commissioners of Sewers; and that in case any such Company or Commissioners of Sewers, for Three Hours after any such Notice as aforesaid, signed as aforesaid, be given or left as aforesaid, shall neglect to place, or shall neglect to continue for the time before limited, in any Street or public Place, such Posts, Rails, Bars or Ropes, Lanthorns and Watchmen, or to adopt and execute any and every other Means for the Purposes aforesaid, to the Satisfaction of the Commissioners or Trustees or other Persons having the Control of the Pavements of the parochial or other District wherein any such Street or public Place shall be situate, or of a Surveyor of Pavements or other Officer or Person appointed by them, by whom any such Notice shall be signed, pursuant to and in the manner directed by any such Notice as aforesaid given or left as aforesaid, then and in every such case the said Company or Commissioners of Sewers Bars, Watchmen and other Securities are to be provided during Repairs of Pavements, to prevent Accidents,

on Notice.

Neglecting,

Sewers

Penalty 5l. Sewers shall for every such Neglect and Offence forfeit and pay the Sum of Five Pounds, to be also recovered in the same manner in which other Penalties and Forfeitures are hereinafter directed to be recovered by virtue of this Act.

Breaches in the Pavement may be inclosed by Surveyor.

XX. And be it hereby further enacted, That in case at any time or times hereafter any Pavement in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act shall by the breaking or falling in or Decay of any Sewer or Drain, Cesspool or Watercourse, or any Pipe or Pipes, Stopcock, Plug or other Thing, become broken or irregular, so as to be dangerous or hazardous to Passengers or Carriages, it shall and may be lawful to and for any Surveyor of the Pavements for any such parochial or other District to cause and direct such Part of the Pavements of any Streets or Public Places as he shall deem so dangerous or hazardous to be forthwith inclosed, in such manner, by such Persons, and with such Materials as he may direct, and as may be needful to prevent such Danger and Hazard to Passengers or Carriages; and that the Costs and Charges incurred thereabouts shall be ascertained and determined by him, and shall be paid and discharged by the Commissioners of Sewers, Water or Gas Company, or other Person or Persons to whom the Sewer or Drain, Cesspool or Watercourse, Pipe or Pipes, Stopcock, Plug or other Thing so broken, fallen in or decayed, and by the Breach, falling in or Decay whereof such Breach or Irregularity of the Pavements as aforesaid may have been occasioned, and shall and may be certified to them or him, and be paid by them or him within the time, and shall and may be recovered from them or him in such and the same manner as is by this Act directed, limited and authorized as to any Monies to become due from any Persons whomsoever for the Costs and Charges of repairing or paving or repaving any Pavements of any Streets or public Places by the Commissioners or Trustees or other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act.

By whom costs paid.

Stand Cocks placed during Frosts,

XXI. And be it further enacted, That no Water Company whose Mains or Pipes shall be laid beneath the Surface of any Street or public Place in any parochial or other District within the Jurisdiction of this Act, shall place or set up, or cause to be placed or set up, any Stand Cock or Pump, or other Instrument, Machine or Thing, for the Supply of Water in times of Frost or otherwise, in any public Street or Place within the Jurisdiction of this Act, which shall be furnished with any other than a Metal Cock and Spout, to be to the Satisfaction of the Surveyor of the Pavements for such parochial or other District for the time being; and that any Water Company who shall set up or cause to be set up any other Stand Cock, Pump or other Instrument, Machine or Thing, furnished with any other than a Metal Cock and Spout, in any Street or public Place, and which shall not be to the Satisfaction of the Surveyor of the Pavements for such parochial or other District, shall forfeit and shall pay for every such Offence the Sum of Twenty Shillings, to be recovered in the same manner in which other Penalties and Forfeitures are hereinafter directed to be recovered by virtue of this Act.

to the Satisfaction of Surveyor.

Penalty 20s.

Works neglected by Companies, &c.

XXII. And be it further enacted, That in case any Water or Gas Light Company, or Commissioners of Sewers, at any time or times after the passing of this Act, shall neglect to take up the Pavement

in

in any Street or public Place in any parochial or other District within the Jurisdiction of this Act; or to open any Ground beneath the Surface of such Street or public Place; or substantially to repair, alter, amend or renew any Pipe, Plug, Stopcock or other Thing, or any public Sewer, as the case may be; or to give the Notices required by this Act to any other Company, or to any Paviers, Surveyors of Pavements or other Persons; or to remove or take away any Pipes or other Materials or Things from any Street or public Place; or to collect and carry away or remove all Dirt, Gravel, Filth, Rubbish and other Things, from any Street or public Place; or to place and continue Posts, Rails, Bars or Ropes, Lanthorns and Watchmen, in any Street or public Place; or to do and execute all and every such Works and Things, and all or any other Works and Things directed and required by this Act to be done and executed by any such Company or Commissioners of Sewers, and pursuant to any Notice given or left as herein directed by any Commissioners or Trustees, or other Persons having the Control of the Pavements in the Streets or public Places within any parochial or other District within the Jurisdiction of this Act; or by the Surveyors of Pavements, or other Officers or Persons appointed by them or otherwise, and to their respective Satisfaction, and within the several times and Periods specified and directed by this Act; then and in every or any of such cases, and at all times afterwards, it shall and may be lawful to and for any Surveyor of the Pavement of the parochial or other District wherein the Street or public Place shall be situate as to which any such Neglect shall occur, and all and every such Surveyors are hereby empowered and required, forthwith to cause all and every such several Works, Matters and Things, which shall not be executed and performed by every such Company or Commissioners of Sewers, or which shall not be well, substantially and effectually executed and performed to his or their Satisfaction, or to the Satisfaction of the Commissioners or Trustees or other Persons by whom he or they shall be appointed, within the times and Periods limited by this Act, to be well and effectually performed, to his or their Satisfaction, or to the Satisfaction of such Commissioners or Trustees or other Persons as aforesaid, as herein provided, at the Costs and Charges of such Company or Commissioners of Sewers who shall have so neglected well, substantially and effectually to perform and execute the same, and every of them, and every Part thereof; and that such Costs and Charges and every of them shall be reimbursed and paid by any and every such Company or Commissioners of Sewers to such Surveyor or Surveyors of Pavements, or to the Person or Persons employed by him or them to perform and execute any or every of such Works, or to the Commissioners or Trustees, or other Persons having the Control of the Pavements of the parochial or other District within which such Works shall be performed and executed, or to their Treasurer, or to such other Person or Persons as such Commissioners or Trustees or other Persons shall from time to time appoint to receive the same; and that the Amount of such Costs and Charges, and of the Monies so to be paid, being directed by the said Commissioners or Trustees or other Persons, shall be ascertained and notified, and certified and recovered, (over and above all and every the Penalties and Forfeitures which may be incurred for any such Neglect by virtue of this Act,) in the same manner in which any Costs and

may be executed by Surveyors of Pavements.

Charges reimbursed to Surveyor by Commissioners.

The Amount thereof ascertained and recovered.

Charges

Charges which may be incurred, and any Monies which may become due, for and about and in respect of the relaying or repairing of any Pavements hereafter broken or taken up in any Streets or public Places by or by the Direction or on Account of any Company, Commissioners of Sewers or other Persons, are to be ascertained and notified and certified, and may be recovered by virtue of this Act.

Pavements taken up by Companies, &c. to be relaid by Commissioners of Pavements.

XXIII. And be it further enacted, That when and as often as any Pavement of any Streets or public Places in any parochial or other District within the Jurisdiction of this Act shall be broken or taken up by any Water or Gas Light Company, or by any Commissioners of Sewers, or by any Person or Persons acting by or under their respective Orders or Authorities, or by any other Person or Persons by the Directions of this Act, or by and with or without the Consent of the Commissioners or Trustees or other Persons having the Control of the Pavements in any parochial or other District wherein any Street or public Place shall be situate, the Pavements whereof or any Part whereof shall be broken or taken up, then all such Part and Parts of the Pavements of any such Street or public Place which from time to time and at all times shall be so broken or taken up as aforesaid, and the Pavement contiguous thereto, as far as may be rendered necessary in the Judgment of a Surveyor of Pavements to such Commissioners or Trustees, or other Persons having the Control of the Pavements in such parochial or other District, and after the Ground opened shall be refilled and rammed down pursuant to the Directions of this Act, shall be with all convenient Speed completely and substantially repaved, with all necessary Stones, Ballast, Gravel and other Materials, and shall be kept in complete Repair, by the Pavior or Mason then contracting with or employed by such Commissioners or Trustees or other Persons, or by such Person or Persons as they may from time to time appoint for that Purpose, under the Inspection and Direction and to the Satisfaction of the said Surveyor of Pavements to the said Commissioners or Trustees or other Persons, for the Periods following; (that is to say,) all such Part or Parts of the Pavements of any such Street or public Place, which from time to time and at all times shall be so broken or taken up as aforesaid, and the Pavement contiguous thereto as aforesaid, which shall be so broken or taken up for the Purpose of making and laying down any Main or Mains of Pipes, or of substituting Iron for Wooden Pipes, or of making any Sewer, Vault or Drain, for Twelve Calendar Months next ensuing the breaking and taking up of the same Pavements; and all such Part or Parts of the Pavements of any such Street or public Place, which from time to time and at all times shall be so broken or taken up as aforesaid, and the Pavement contiguous thereto as aforesaid, which shall be so broken or taken up for the Purpose of altering the Position of or of repairing any Pipes, Stopcocks or Plugs, or of repairing, cleansing or altering any Sewer, Vault or Drain, for Three Calendar Months next ensuing the breaking and taking up of the same Pavements; and that the Costs, Charges and Expences of taking out any Ground, and filling in hard Rubbish or other good Materials, and of repairing and keeping in necessary Repair for the Materials aforesaid all or any such Pavement in manner aforesaid, and all the Expences of Cartage, and all other Charges and Expences attending the same, as well as all Costs and Charges which may be incurred pursuant to the Directions of this Act by any Surveyor

Charges thereof ascertained and certified,

veyor of Pavements in and about executing and performing any Works or Matters neglected to be executed and performed by any Company or Commissioners of Sewers, as hereinbefore directed, shall be ascertained and fixed from time to time by the Surveyor of Pavements to such Commissioners or Trustees or other Persons within whose parochial or other District such Works or other Matters shall have been performed and executed, or such Pavements shall have been broken up and repaved; and such Costs and Charges from time to time, whenever directed by the said Commissioners or Trustees, or other Persons, shall be certified by their Clerk or Clerks, Surveyor or Surveyors of Pavements, or one of them, or some other Officer or Servant appointed by them, by a Note to be given to the said Company or Commissioners of Sewers or other Persons who shall have neglected to perform and execute such Works, or by whom or by whose Orders or Authorities or on whose Account such Pavement shall have been broken or taken up, or to be left for such Company, Commissioners of Sewers, or other Person or Persons, at their Dwelling House or Dwelling Houses, or Place or Places of Abode, or at any Office or Counting House of any such Company or Commissioners of Sewers, or at the Dwelling House or Place of Abode of any Secretary, Clerk or Turncock employed by such Company, or of any Clerk or Secretary to any such Commissioners of Sewers; and that the full Amount of the Costs and Charges so certified shall be paid within Two Months after the same Note shall be given or left as aforesaid, by such Company or Commissioners of Sewers, or other Person or Persons to or for whom the same Note shall have been given or left as aforesaid, to the Surveyor of Pavements, or to the Treasurer to such Commissioners or Trustees, or other Persons having the Control of the Pavements as aforesaid, or to the Mason or Pavior or other Person or Persons by whom any such Works or Matters shall have been done and performed, or to such other Person or Persons as the said Commissioners or Trustees or other Persons, by the said Note of their Clerk or Clerks, Surveyor or Surveyors, or other Officer or Servant, shall direct and appoint to receive the same, or any Part thereof; and the Receipt or Receipts of the Person or Persons so appointed to receive the same shall be a good and effectual Discharge or Discharges for any and every such Payment, and for all and every the Monies in any such Receipt or Receipts expressed and acknowledged to have been received; and also that in case at any time or times the full Amount of such Costs and Charges so certified as aforesaid shall not be so fully paid without any Deduction or Abatement whatsoever, within Two Months after such Note as aforesaid shall have been given or left † aforesaid, and although no other Demand shall be made of any such Amount or Costs and Charges, or any Part thereof, then from time to time and at all times afterwards it shall and may be lawful for the said Commissioners or Trustees, or other Persons having the Control of the Pavements as aforesaid, to recover Double the Amount of such Costs and Charges so certified and being unpaid, of and from the Company or Commissioners of Sewers, or other Person or Persons to or for whom such Note shall have been given or left as aforesaid, either by Distress and Sale of the Goods and Chattels of such Company or Commissioners of Sewers or other Person or Persons, by a Warrant under the Hand and Seal of any Justice of the Peace for the City, Borough or County wherein

and repaid to them by such Companies, &c.

† Sic.

or Double the Amount recovered.

Proceedings.

wherein such parochial or other District shall be situate, and which Warrant every such Justice is hereby empowered and required to grant, upon Proof of the Service of such Note as aforesaid, and of the Nonpayment of the Costs and Charges thereby certified, by the Oath or Affirmation of the Person who shall have left any such Note as directed by this Act, and by the Oath or Affirmation of the Person or Persons appointed by such Note to receive such Costs and Charges of the Nonpayment thereof, and every Part thereof, to him or them, and which Oath or Affirmation any and every such Justice of the Peace is hereby empowered and required to administer, or to recover the same and every Part thereof in any Court or Courts of Requests or County Court, or by any Action or Actions in any Court of Law; and that in any such Proceedings in any Court or Courts of Requests or County Court, or in any such Action or Actions, it shall be only necessary for the said Commissioners or Trustees or other Persons, or the Complainant or Complainants, Plaintiff or Plaintiffs, in any such Proceedings or Actions, to prove the Service of such Note pursuant to the Directions of this Act, to entitle him or them to recover by such Proceedings, or by such Action or Actions, from the said Company or Commissioners of Sewers or other Person or Persons, Double the full Amount of such Costs and Charges so certified by such Note, unless the said Company or Commissioners of Sewers or other Person or Persons shall prove, upon the Return of the Summons in such Proceedings in any Court or Courts of Requests or County Court, or on the Trial of such Action or Actions, the actual Payment of the full Amount of the Costs and Charges so certified, within Two Months after the said Note was left as aforesaid, to the Person or Persons thereby appointed to receive the same; and that in any and every such Action or Actions, no Effoign, Protection or Wager of Law, or Plea in Abatement, or any dilatory Plea, or more than One Imparance, shall be allowed.

XXIV. And be it further enacted, That it may be lawful to and for the Persons, who, under any local Act or Acts of Parliament for any parochial or other District within the Jurisdiction of this Act, are empowered to make Rates and Assessments for the Expences of paving or keeping in Repair the Pavements of any Streets or public Places within such parochial or other Districts, either separately or jointly with other Purposes, from time to time and at all times after the passing of this Act, for and notwithstanding any Provisions or Restrictions, Matters or Things, in such local Act or Acts of Parliament contained, to make and sign all and every or any such Rates or Assessments as shall be from time to time necessary or expedient for paving or repairing the Pavements of the Streets and public Places within such parochial or other District, pursuant to the Direction of the local Act or Acts of Parliament for such parochial or other District, or of this Act; and for the Payment of all Debts or Charges heretofore incurred or hereafter to be incurred in and about the Execution of such local Act or Acts of Parliament and of this Act, or either of them, as to the paving and repairing the Pavements of and in such parochial or other District; and for the Payment of any Interest or Annuities charged or chargeable on the Paving Rates of the said parochial or other District, or for the Payment of any principal Monies which may be due in respect thereof, either separately or jointly for other Purposes, as to such Persons

Necessary
Paving Rates
may be made by
Persons herein
mentioned;

Persons shall seem reasonable and proper, not exceeding in Amount in any one Year double the Sum or Sums in the Pound limited and fixed in the local Act or Acts of Parliament for such parochial or other District as the Rate or Rates in the Pound which may be made for and towards the Charges of paving and repairing the Pavements therein, and either separately or jointly with any other Objects or Purposes; except in such parochial or other Districts wherein the Sum or Sums in the Pound limited and fixed in the local Act or Acts of Parliament for each of such parochial or other Districts, as such Rate or Rates in the Pound, are at the time of the passing of this Act limited and fixed at a Sum not exceeding One Shilling in the Pound, and in any such parochial or other District not exceeding in Amount in any one Year treble the Sum or Sums in the Pound so limited and fixed; and that such Rates or Assessments may be either substituted for the Rates or Assessments directed by such local Act or Acts of Parliament to be made for or in respect of the paving and keeping in Repair the Pavements of such parochial or other District, either separately or exclusively or jointly with any other Objects or Purposes, or may be additional thereto, as the Persons making the said Rates or Assessments from time to time at the making thereof may determine and direct; and that such Rates and Assessments, and also all Rates or Assessments made and signed from and after the passing of this Act, for and in respect of or towards the paving or repairing the Pavements of the Streets or public Places in any parochial or other District, and either separately or jointly with or towards any other Objects or Purposes, by virtue of any local Act or Acts of Parliament, or by virtue of this Act, shall be laid upon all and every Person or Persons who do and shall inhabit, hold, occupy, be in Possession of or enjoy, any Messuages, Tenements, Lands, Grounds, Coach Houses, Stables, Cellars, Vaults, Houses, Shops, Warehouses or other Buildings or Hereditaments, situate or being within any of the Streets or Places within the said parochial or other District, and shall be just and equal Pound Rates, and shall be laid according to the annual Rents or Value of such Messuages, Tenements, Lands, Grounds, Coach Houses, Stables, Cellars, Vaults, Houses, Shops, Warehouses or other Buildings and Hereditaments respectively; and also that all Rates or Assessments hereafter made by virtue of this Act shall be made and signed and allowed and published by the same Persons and in the same manner as hath been directed by the local Act or Acts of Parliament relating to each particular parochial or other District, as to the Rates or Assessments for such parochial or other District for and towards the Expenses of paving and repairing the Pavements therein, and either separately or jointly with any other Objects and Purposes, by such local Act or Acts of Parliament; and that all such Rates or Assessments, being so made and signed and allowed and published (when such Signature, Allowance and Publication shall be necessary), shall be good and effectual; and that all and every such Rates and Assessments to be made by virtue of this Act, or to be hereafter made by virtue of any local Act or Acts of Parliament, for any parochial or other District within the Jurisdiction of this Act, shall become due and payable and may be received and recovered as soon as the same shall have been duly made and signed, published and allowed, when such Signature, Publication and Allowance shall be necessary under any

not exceeding
1s. in the Pound.

Upon whom laid.

Laid according
to Annual Rent
or Value, and to
be published, &c.

At what times,
and how collect-
ed.

Proviso for
Occupiers of
public Wharfs
in Southwark.

Separate Rates
may be made for
other Objects.

To whom to be
paid.

If adequate
Rates be not
otherwise made,

any local Act or Acts of Parliament for any such parochial or other District; but that the same may be collected in one or several Payments; or yearly or half yearly, or quarterly, as the Commissioners or Trustees, or other Persons having the Control of the Pavements in the Streets or public Places of any such parochial or other District, shall from time to time think proper and direct: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to render the Inhabitants and Occupiers of public Wharfs within the Town and Borough of *Southwark* liable to a greater Proportion of such Rates or Assessments than they now are liable to under the local Acts of Parliament relating to the Pavements and Improvements of the said Town and Borough of *Southwark*.

XXV. Provided always, and be it also enacted, That in any parochial or other District wherein by virtue of the local Act or Acts of Parliament One general Rate or Assessment only is directed to be made for the paving and repairing of the Pavements therein, as well as for other Objects and Purposes mentioned in such local Act or Acts of Parliament, it may be lawful to and for the Persons authorized by such local Act or Acts to make such Rate or Assessment, to make and sign from time to time such separate Rates or Assessments for the other Objects and Purposes mentioned in such local Act or Acts of Parliament, and to make and sign such other separate Rate or Assessment as may be necessary for the Purposes of paving or repairing the Pavements of such parochial or other District, and for the Payment of any Interest or Annuities chargeable thereon, or for the Payment of any principal Monies due or which may become due in respect thereof under and by virtue of this Act, or shall and may make and sign from time to time general Rates or Assessments, as well for and towards the Expences of and concerning the paving or repairing the Pavements of such parochial or other District, for all and every or any of the other Objects and Purposes relating to the said parochial or other District mentioned in any such local Act or Acts of Parliament, as such Persons authorized by such local Act or Acts to make such Rates or Assessments shall from time to time deem most expedient; and that the Monies to be raised under and by virtue of such several separate Rates or Assessments, or general Rates or Assessments, when and as they shall be collected and received, or any Portions of such general Rates or Assessments, shall be either paid to One Treasurer or other Person or Persons, and be considered as One general Fund, to be applied to the Purposes mentioned in such local Act or Acts of Parliament and in this Act, or shall be paid to different Treasurers or other Person or Persons, and be considered as separate and distinct Funds, to be applied in Part for and towards the Expences of and concerning the Pavements of the Streets and public Places in each of such parochial or other Districts, and in other Part towards the other Objects and Purposes for which the several separate Rates and Assessments or general Rates or Assessments shall be made, as the Persons authorized to make such separate Rates or Assessments, or such general Rates or Assessments, from time to time at the making and signing thereof may determine and direct.

XXVI. And be it further enacted, That if the Persons authorized by any local Act or Acts of Parliament for any parochial or other District within the Jurisdiction of this Act to make the Rates and Assessments for and towards the Expences of paying or keeping in Repair

Repair the Pavements of any Streets or public Places within such parochial or other District, jointly or separately with any other Objects or Purposes, shall refuse or neglect to make such Rates or Assessments from time to time as shall be necessary for paving and repairing the Pavements of and within such parochial or other District, and for the Payment of any Interest or Annuities charged on the paving or other Rates of such parochial or other District, and for the Discharge of any Debts due and demandable in respect of the Pavements thereof, and for all the Purposes of this Act, after defraying the Charges and Expences attendant upon and of the other Objects and Purposes for which any such Rates or Assessments may from time to time be made, then and in every such case, and so often as it shall happen, it shall be lawful for the Commissioners or Trustees, or other Persons having the Control of the Pavements of the Streets and public Places within such parochial or other District, and they are hereby required, to meet together, and having ascertained the Money necessary to be raised for the Purposes aforesaid, the said Commissioners or Trustees or other Persons, or such Number of them as, under and by virtue of their particular local Act or Acts of Parliament or of this Act, shall be competent to act, or more of them, shall make and sign such just and equal Pound Rates or Assessments as may from time to time be needful to produce and obtain such Money necessary to be raised for the Purposes aforesaid; and that such Rates or Assessments shall be made and allowed and published in the manner before directed as to Rates and Assessments to be made by virtue of this Act, where any Allowance or Publication shall be necessary under any local Act or Acts of Parliament for any such parochial or other District, and which Rate or Rates, Assessment or Assessments, being so made and signed, published and allowed, when such Signature, Publication or Allowance shall be necessary as aforesaid, shall be deemed and taken to be as good, valid and effectual, and shall and may be collected and levied in like manner, as if the same had been made and signed by the Persons authorized to make and sign such paving or other Rates or Assessments for such parochial or other District by virtue of any local Act or Acts of Parliament; any such Act or Acts, or any other Custom, Law or Statute to the contrary notwithstanding.

Commissioners,
&c. may make
Pound Rates.

XXVII. And be it further enacted, That it shall and may be lawful to and for the Clerk or Clerks, or any other Person or Persons appointed by the Commissioners or Trustees, or other Persons having the Control of the Pavements of the Streets and public Places in any parochial or other District within the Jurisdiction of this Act, under any local Act or Acts of Parliament, or by the Persons authorized by any such local Act or Acts of Parliament, or by virtue of this Act, to make any Rates or Assessments for or towards the paving and repairing the Pavements of the Streets and public Places within any such parochial or other District, either separately or jointly with any other Objects or Purposes as hereinbefore is mentioned, at any time or times between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, on any Day not being a *Sunday*, or an Holiday appointed by Law, to peruse, examine and inspect the Book or Books of the Rates or Assessments for the Relief of the Poor, or for the Land or Assessed Taxes, or of any other public, parliamentary, parochial or local Tax affecting or

Other Rates
may be inspect-
ed, to assist in
preparing such
Paving Rates;

charged upon or in proportion to the Messuages or Hereditaments inhabited, held or occupied by any Person or Persons within any such parochial or other District, in order that thereby the Names of such Persons liable to be assessed to such paving or other Rates or Assessments, and the Messuages or Hereditaments in respect whereof such Person or Persons should be charged to such Rates or Assessments, and the Value of such Messuages or Hereditaments, may be more correctly ascertained; and that such Clerk or Clerks or other Person or Persons so appointed, at the Expence of the Commissioners or Trustees or other Persons by whom he or they shall be employed or appointed may then take Copies or Extracts from such Books and Rates and Assessments at his or their Pleasure; and the Clerk or Clerks, Collector or Collectors, or other Persons having the Custody or Power over such Books and Rates and Assessments, shall and he and they is and are hereby directed to produce the same, and all and every of them, whenever thereunto required by the Clerk or Clerks or other Persons so appointed as aforesaid for the Purposes aforesaid, by a Notice signed by such Clerk or Clerks or other Person or Persons so appointed as aforesaid, given to or left for him or them, or any of them, at his or their or any of their Dwelling House or Dwelling Houses, Office or Offices, or last or usual Place or Places of Abode, at the Hour and on the Day and at the Dwelling House or Office mentioned in such Notice; and that if such Clerk or Clerks, Collector or Collectors, or other Person or Persons having for the time being the Custody or Power of such Book or Books, Assessment or Assessments, shall neglect so to do, then he or they shall forfeit for such Offence and Neglect and shall pay the Sum of Five Pounds, to be recovered in the same manner in which other Forfeitures and Penalties are hereinafter directed to be recovered by virtue of this Act.

and Copies taken at the Expence of Commissioners, &c.

Rates to be produced on Notice.

Penalty 5l.

Property in different Districts to be proportionally assessed.

XXVIII. And be it further enacted, That if any Messuages or other Hereditaments shall be partly within Two or more parochial or other Districts within the Jurisdiction of this Act, or partly within any parochial or other District within the Jurisdiction of this Act, and partly without such Jurisdiction, then the Inhabitant, Holder or Occupier thereof, or other Person or Persons liable to be rated in respect thereof, shall be rated and assessed to the Rates and Assessments to be made by virtue of any local Act or Acts of Parliament relating to the Pavements of each of such parochial or other Districts, jointly or separately with any other Objects or Purposes, or by virtue of this Act, to the paving and other such Rates and Assessments, for each of such parochial or other Districts, for a proportionable Part of the Rent or Value thereof, according to the Quantity or Extent or Value of the Part of any such Messuages or other Hereditaments which may be in each of such parochial or other Districts; and that it shall and may be lawful for any Commissioners or Trustees, or any other Persons having the Control of the Pavements in each of such parochial or other Districts, and they are hereby respectively authorized and required, to ascertain, settle and determine in what Proportion of the Rent or Value of such Messuages or Hereditaments such Person or Persons shall be rated and assessed and shall pay towards the said paving and other Rates or Assessments of each of such parochial or other Districts respectively.

XXIX. And be it further enacted, That if it shall appear to the Commissioners or Trustees, or other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, at any time or times after any Paving Rate or Assessment shall have been duly made, or made and allowed, by virtue of any local Act or Acts of Parliament for their parochial or other District, or by virtue of this Act, that the Name or Names of any Person or Persons who ought to be included in such Rate or Assessment hath or have been omitted therein, or that the Name or Names of some Person or Persons hath or have been inserted in such Rate or Assessment as Inhabitants, Holders or Occupiers of any Messuages or Hereditaments, for and in respect of which some other Person or Persons ought to have been rated or assessed, or that any other Alteration or Amendment of such Rate or Assessment may be necessary, then and in any or either of such cases it shall be lawful for the said Commissioners or Trustees, or other Persons, to add or insert, or cause to be added and inserted, to or in such Rate or Assessment, the Name or Names of the Person or Persons so omitted, together with the Sum or Sums for which he or they ought to be rated and assessed, and the Amount of such Rate or Assessment in respect thereof; and also to insert and substitute, or cause to be inserted and substituted, the Name or Names of such Person or Persons as may be the Inhabitants, Holders or Occupiers of any Messuages or Hereditaments, instead of and for the Name or Names of the Person or Persons incorrectly inserted in such Rate or Assessment as the Inhabitants, Holders or Occupiers of any Messuages or Hereditaments, and otherwise from time to time to alter and amend the said Rate and Assessment as they may from time to time deem necessary; and that every such Addition, Insertion, Alteration and Amendment, to or in any such Rate or Assessment, shall be valid and effectual in Law to all Intents and Purposes, and the Monies charged to any Person or Persons in consequence thereof shall and may be demanded, received and recovered in the same manner as if the Name or Names of such Person or Persons, or other Alteration or Amendment, had been inserted and made in such Rate or Assessment at the time of or previous to the original making or Signature or Allowance or Publication may be required by the said local Act or Acts.

Commissioners,
&c. may rectify
Omissions or
Errors in Paving
Rates.

XXX. And be it further enacted, That it may be lawful to and for the Commissioners, Trustees or other Persons having the Control of the Pavements of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, to include in any Rate or Assessment for or towards the Costs and Charges of paving or repairing the Pavement of and within such parochial or other District, either jointly or separately with any other Objects or Purposes, to be hereafter made by virtue of the respective local Act or Acts relating to the Pavements of such parochial or other District, or to such Pavements and other Objects, or by virtue of this Act, and from time to time to rate and assess thereby any Cathedral, collegiate or other Church or Churches, parochial and other Chapels, Meeting Houses, Places for Religious Worship, Hospitals, public Schools, and all other public Buildings within each of such parochial or other Districts, which now is or hereafter may be built,

Public Buildings
to be rated.

Cathedrals,
Churches, Hos-
pitals, &c.

and all other Place or Places which by any local Act or Acts of Parliament relating to any particular parochial or other District may be or are or is liable to be rated or assessed for those Purposes, or any of them, at a Rate not exceeding in any one Year the Sum of One Shilling for every Square Yard of the Foot, Carriage Way, and other Pavements contained in One Half of the entire Width of as much of any and every Street or public Place as shall or may lay † before or at the Sides or Rear of, or abut upon or adjoin to such Cathedral, collegiate, or other Church or Churches, parochial and other Chapels, Meeting Houses, Places for Religious Worship, Hospitals, public Schools, and other public Buildings or Place or Places respectively, or before, upon or to the Areas or Ground in front of or surrounding or belonging to the same, or any Part or Parts thereof, or the Entrance to the same; and also to rate and assess thereby all and every the Church Yards, Cemeteries or other Burying Places, dead Walls, and void Spaces of Ground within such parochial or other District, and which are not charged to such Rate or Assessment in respect of any Messuage or other Building whereunto they may be appurtenant, at a Rate not exceeding in any one Year the Sum of One Shilling for every Square Yard of the Foot and Carriage Way, and other Pavements contained in One Half of the entire Width of as much of any and every such Street or public Place as shall or may lay † before or at the Sides or Rear of, or abut upon or adjoin to such Church Yards, Cemeteries or other Burying Places, dead Walls and void Spaces of Ground, or any Part or Parts thereof; and that every of the said Rates or Assessments so made from time to time shall be paid for such Cathedral, collegiate or other Churches, parochial and other Chapels, Meeting Houses, Places for Religious Worship, Hospitals, public Schools, and other public Buildings, Church Yards, Cemeteries or other Burying Places, dead Walls and void Spaces of Ground, by the Persons following; (that is to say,) the Rates or Assessments of and for any Cathedral or collegiate Church, by the Dean and Chapter thereof; and of and for any other Churches or parochial Chapels, and Church Yards and parochial Cemeteries, by the Churchwardens or Chapelwardens thereof respectively for the time being; and the Rates or Assessments of or for any Hospitals, by the Stewards or Housekeepers of such Hospitals for the time being; and the Rates or Assessments of or for any public Schools, by the Masters or Mistresses of such public Schools for the time being; and the Rates or Assessments of and for any Sessions Houses or Gaols, or Courts of Justice, by the Clerk or Clerks of the Peace for the City, Borough or County for the time being; and the Rates or Assessments of and for any other public Buildings, by the Housekeeper or other Keepers, or other Person or Persons having the Care of such other public Buildings as aforesaid for the time being; and that such Rates or Assessments of and for any other Cemeteries or Burial Places, not being parochial, shall be paid by the Owners or Proprietors thereof respectively, or by the Persons who for the time being shall receive the Money which shall be paid for the Interment of the Dead therein; and such Rates or Assessments of and for any other Chapels or Meeting Houses and Places for Religious Worship (not being parochial) shall be paid by the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers thereof respectively,

† Sic.

Church Yards,
Dead Walls, &c.

† Sic.

By whom Rates
paid for Cathedrals, &c.;for Hospitals;
for public
Schools;
Sessions Houses,
&c.;for Cemeteries,
&c. not being
parochial;

Respectively, or any Person or Persons who shall receive or collect any Money for the Seats or Pews therein, or any other Money arising therefrom; and such Rates or Assessments of and for such dead Walls or void Spaces of Ground shall be paid by the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers thereof respectively, or the Person or Persons claiming to be the Owner or Owners, Proprietor or Proprietors of any void Spaces of Ground, when there shall be no actual Occupier or Occupiers thereof respectively, as the Commissioners or Trustees or other Persons having the Control of the Pavements in any such parochial or other District shall from time to time direct; and that all and every such Persons respectively shall be charged with and shall pay such Sums of Money as shall from time to time be rated, assessed or imposed on or in respect of or for the said Premises respectively; and the Rates or Assessments for any other Place or Places which by any such local Act or Acts as aforesaid may be or is or are liable to be rated and assessed, shall be paid by such Person or Persons, Officer or Officers, as by the same local Act or Acts are directed to pay the Rates thereby authorized to be made and assessed; and that the same Rates and Assessments may be recovered from all and every such Persons respectively, and be applied, in such manner as other Rates and Assessments made for and towards the Expenses of paving and repairing the Pavements, either separately or jointly with any other Objects and Purposes, are directed to be recovered and applied by any local Act or Acts relating to the Pavements and other Objects and Purposes of such parochial or other District, or in and by this Act.

Dead Walls, &c.;

any other Place
liable by local
Acts.How recovered
and applied.

XXXI. And be it further enacted, That every Rate or Assessment which at any time or times hereafter shall be made, laid or assessed, by virtue of this Act, or by virtue of any local Act or Acts of Parliament, for or towards the paving or repairing the Pavements of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, and either exclusively or jointly with or for any other Objects or Purposes, for or in respect of any Messuage or Hereditament which any Ambassador, Envoy, Resident Agent, or other public Minister of any Foreign Prince or State, or the Servant of any such Ambassador, Envoy, Resident Agent, or other public Minister, or any other Person who may not be liable by Law to pay such Rate or Assessment, now doth or hereafter shall inhabit, shall be paid by and recoverable from the Landlord or Owner of every such Messuage or Hereditament, who shall be liable and compellable to the Payment thereof; and the same shall be recovered from such Landlord or Owner in such and the same manner as the other Rates or Assessments made by virtue of this Act, or by virtue of any local Act or Acts of Parliament, for or towards the paving or repairing the Pavements of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, either exclusively or jointly with or for any other Objects or Purposes, may be recovered from any other Owner or Occupier of any Messuages or Hereditaments either by virtue of this Act or of any such local Act or Acts.

Rates of Pre-
mises let to Am-
bassadors, &c.
payable by
Landlords.

XXXII. And be it further enacted, That where any Messuages or Hereditaments, at the time of making any of the Rates or Assessments

Empty Houses,
how rateable.

ments directed to be made under or by virtue of this Act, or of any local Act or Acts of Parliament, for or towards the paving or repairing the Pavements of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, either exclusively or jointly with or for any other Objects or Purposes, shall be empty, untenanted or unoccupied, then and in every such case it shall and may be lawful to and for the Person or Persons entitled by any local Act or Acts of Parliament or by this Act to make such Rates or Assessments for such parochial or other District, to rate and assess such Messuages or Hereditaments respectively at One Half of such Rates or Assessments during the time only that such Messuages or Hereditaments shall be empty, untenanted or unoccupied; and also in case any such Premises, after the making of such Rates or Assessments, shall become empty, untenanted or unoccupied, One Half only of such Rate or Assessment shall be charged on such Premises respectively for and during so long time as the same shall continue empty, untenanted and unoccupied; and then and in any of the said cases, the said Rates or Assessments, and all Arrears due thereon, shall be paid by the Owner or Owners, or by the first or any other Tenant or Occupier thereof respectively; and in which last case every such Tenant or Occupier shall and may and is hereby authorized to deduct and detain the same out of his or their Rent or Rents respectively, and the Owner or Owners of such Messuages or Hereditaments is and are hereby required to allow such Deduction and Payment out of his or their respective Rent or Rents, and the said Tenant or Tenants, Occupier or Occupiers, shall be and is and are hereby acquitted and discharged of and from so much of his or their Rent or Rents as shall be the Amount of any such Rates or Assessments, and all Arrears due thereon so paid by him or them in respect of such Messuages or Hereditaments, during such Period as the same shall have been empty, untenanted and unoccupied, previous to his or their Tenancy or Occupation thereof.

By whom such Rates paid.

Rates may be recovered for small Houses let at small Rents, or to weekly or monthly Lodgers.

XXXIII. And be it further enacted, That as to and for any Messuages or other Hereditaments in any parochial or other District within the Jurisdiction of this Act, the yearly Value of any of which Messuages or Hereditaments shall not exceed Twenty Pounds, or which shall be let to weekly or monthly Tenants, or shall be let furnished or in Lodgings, or in separate Apartments, or at Rents which shall become payable and to be collected at any shorter Periods than quarterly, the Owner or Owners of all and every such Messuages or Hereditaments (for the Purposes of this Act, but not as to any Settlement which may be gained by any Person or Persons in respect of his, her or their renting or occupying such Messuages or Hereditaments, or any Part or Parts thereof,) shall be deemed and taken to be the Occupier and Occupiers of such Messuages or Hereditaments, and may be rated and assessed for and in respect of the same accordingly; and that the Person or Persons letting such Messuages or Hereditaments respectively, or claiming or receiving the Rents and Proceeds thereof, may be from time to time deemed and considered to be the Owner and Owners thereof; and that all and every such Owner and Owners from time to time and at all times hereafter may be rated and assessed to and by any Rates or Assessments made or to be made for or towards the Expence of paving or repairing the Pavements of the Streets or public Places in the

the parochial or other District within which such Messuages or Hereditaments may be situate, either exclusively or jointly with or for any other Objects or Purposes, either by virtue of any local Act or Acts of Parliament relating to such parochial or other District, or of this Act, as the Occupier or Occupiers of such Messuages or Hereditaments respectively, unless the Person or Persons making such Rates or Assessments by virtue of any such local Act or Acts, or of this Act, shall from time to time prefer and determine to rate the actual Occupier or Occupiers of such Messuages or Hereditaments respectively; and the Person or Persons so rated, whether the Owner or Owners, or the Occupier or Occupiers, shall from time to time pay or cause to be paid all and every such Rates or Assessments in respect of such Messuages or Hereditaments respectively; and upon Nonpayment thereof, such Rates or Assessments may be levied by the Distress and Sale of the Goods and Chattels of such Person or Persons respectively, wheresoever they shall be found, or of the Goods and Chattels of the Person or Persons inhabiting the same Messuages or Hereditaments respectively, and may be otherwise sued for or recovered in like manner in which such Rates or Assessments may be levied and recovered from any other Persons by virtue of such local Act or Acts of Parliament, or by virtue of this Act: Provided always, that no Owner or Owners, nor any Person or Persons, shall be charged with or liable to pay for and in respect of any increased Rent reserved or made payable to him or them for or on account of any Agreement made by such Owner or Owners, or Person or Persons, with the actual Occupier or Occupiers of such Messuages or Hereditaments, that such Owner or Owners or other Person or Persons would pay the several Rates or Assessments theretofore chargeable upon the Occupier or Occupiers of such Messuages or Hereditaments respectively: And provided also, that if the Owner or Owners of any Messuage or Hereditament, the yearly Value whereof shall not exceed Twenty Pounds, and which shall be let to One Tenant only at a Rent which shall become payable and be collected only by quarterly Payments, shall be rated and assessed as the Occupier or Occupiers of any such Messuage or Hereditament, then upon Request in Writing under the Hand or Hands of any such Owner or Owners, and a true and full Statement in Writing of the Name of the actual Tenant or Occupier of every such Messuage or Hereditament, and such other Information relating thereto as the Commissioners or Trustees or other Persons having the Control of the Pavements in any such parochial or other District respectively shall from time to time direct and require, and to their Satisfaction, the said Commissioners or Trustees or other Persons aforesaid shall compound with any such Owner or Owners of such Messuage or Hereditament for Payment of the said Rates or Assessments for and in respect of every such Messuage or Hereditament, at such reduced yearly Rental as such Commissioners, Trustees or other Persons shall think reasonable, not being more than Three Fourth Parts nor less than One Half of the Rack Rent or Annual Value of each of such Messuages or Hereditaments respectively, or shall remit to such Owner or Owners such Part of such Rate or Assessment as such Commissioners, Trustees or other Persons shall think reasonable, not being less than One Fourth Part nor more than One Half of such Rates or Assessments, to which such Owner or Owners shall be

By whom such Rates paid.

Proviso respecting Agreement for paying Rate between Owner and Occupier.

Proviso respecting Messuages not exceeding 20l. annual Value let to One Tenant, payable quarterly, as to compounding for Rate.

Commissioners
may compound
for Rates with
Owners of
Messuages, &c.
herein described.

rated or assessed in respect of each of such Messuages or Hereditaments respectively; and also, that it may be lawful for the said Commissioners or Trustees, or other Persons as aforesaid, if they shall think proper, to compound with any Owner or Owners of any Messuages or other Hereditaments in their parochial or other District, which shall be let to weekly or monthly Tenants, or which shall be let furnished or in Lodgings, or in separate Apartments, or at Rents which shall become payable or to be collected at any shorter Periods than quarterly, for Payment of the said Rates or Assessments for or in respect of such Messuages or Hereditaments at such reduced Yearly Rental as such Commissioners or Trustees or other Persons shall think reasonable, not being less than Two Third Parts of the Rack Rent or Annual Value of such Messuages or Hereditaments respectively, or to remit to the Owner or Owners of any such Messuages or Tenements respectively last mentioned such Part of such Rate or Assessment as such Commissioners, Trustees or other Persons shall think proper, not being more than One Third Part of the Rates or Assessments to which such Owner or Owners shall be rated or assessed in respect of each of such last mentioned Messuages or Hereditaments respectively, or otherwise to collect from such Owner or Owners the whole of such Rates or Assessments, as they shall think proper; and also that any such Commissioners, Trustees or other Persons as aforesaid, may vary, discontinue or renew either or any of such Compositions, as such Commissioners, Trustees and other Persons shall from time to time deem expedient.

Proviso for
Agreements be-
tween Landlords
and Tenants.

XXXIV. Provided always, and be it further enacted, That nothing in this Act contained shall be construed, deemed or taken to impeach, alter or make void any Agreement made between any Landlord and Tenant in any Lease now granted, or hereafter to be granted pursuant to any Contract or Agreement now existing; any thing in this Act contained to the contrary thereof notwithstanding.

Rates not paid
may be levied.

XXXV. And be it further enacted, That in case at any time or times hereafter any Owner or Owners, or Occupier or Occupiers of any Messuage or Hereditament, situate in any Street or Place in any parochial or other District within the Jurisdiction of this Act, for and in respect whereof he or they shall be rated or assessed to any Rate or Assessment made or to be made for and towards the Expences of paving or repairing the Pavement of the Streets or public Places in such parochial or other District, and either exclusively or jointly with or for any other Objects or Purposes, either by virtue of any local Act or Acts of Parliament, relating to such parochial or other District, or by virtue of this Act; or any other Person or Persons so rated and assessed, or liable to be rated and assessed, or to pay the Money so rated or assessed as aforesaid, shall refuse or neglect to pay the Money rated and assessed upon him or them respectively, or which he or they may be liable to pay by virtue of such local Act or Acts of Parliament or of this Act, and all Arrears now or hereafter due thereon, or upon any former Rate or Rates or Assessment or Assessments, it shall be lawful for any One of His Majesty's Justices of the Peace for the City, Borough or County wherein such parochial or other District shall be situate, and he is hereby authorized and directed, by Writing under his Hand, or in his Name under the Hand of any Person authorized by him to sign the same, on Complaint made by the Com-

Proceedings.

Commissioners, Trustees or other Persons having the Control of the Pavements of such parochial or other District, or any One or more of them, or any Officer or other Person appointed by them, to summon all and every Person and Persons who shall have refused and neglected as aforesaid, to appear, at a time and Place to be mentioned in such Summons, before such Justice, or before any Justice or Justices of the Peace for the same City, Borough or County who shall be then and there present; and it shall be lawful for any Person appointed to collect and receive such Rates or Assessments, or for any of the Constables, Headboroughs or Beadles of any such parochial or other District, or for any other Person, to serve all and every such Summons and Summonses upon all and every Person and Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his or their last or usual Place or Places of Abode, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments mentioned in such Summons, shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the time and Place mentioned in such Summons, or if he or they shall attend, and shall not shew good and sufficient Cause to such Justice or Justices as may be then and there present, that he or they is or are not chargeable with such Rate or Rates, Assessment or Assessments, then and in every such case every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and also the Costs and Charges of such Summons; and in all cases where such Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon the Return of such Summons, it shall be lawful for the Justice who shall have signed and issued such Summons or Summonses, or who shall have directed such Summons and Summonses to be signed and issued as aforesaid, or for any other Justice of the Peace for the same City, Borough or County, and he is hereby authorized and required, upon Oath made before him of the due Service of such Summons or Summonses by the Person who shall have served the same, to grant a Warrant under his Hand and Seal, authorizing or directing any such Person appointed to collect such Rate or Rates, Assessment or Assessments as aforesaid, or any Constable, Headborough or Beadle of the said parochial or other District, or any other Constable, Headborough or other Person, to levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the said Costs and Charges of the Summons (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the Costs, Charges and Expences of executing the same, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing, which shall be found either within the said parochial or other District, or elsewhere, and of which said Goods and Chattels he or they may either continue in Possession on the said Premises where the same shall be distrained, or they may be removed therefrom, as the Person or Persons making the Distress shall think proper; and if within Five Days next after any Distress shall be made pursuant to the Directions of this Act, the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, together with all the said Charges for the said Summons, and the said Charges for the said Warrant, and the Charges and Expences

Summons.

Costs of Summons.

Rate and Costs of Summons levied by Distress.

Expences of executing the same Warrant, and of making such Distress, and of keeping such Goods and Chattels, shall not be paid, then the said Person appointed to collect as aforesaid, or the Constable, Headborough, Beadle or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by one or more Appraiser or Appraisers, and to be sold either on the Premises where the same shall be distrained, or elsewhere, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the said Costs, Charges and Expences of the said Summons, Warrant, Distress, Removal or keeping Possession of such Goods and Chattels so distrained, and the reasonable Costs, Charges and Expences of appraising and selling the same, and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him or them; and in case no such Goods and Chattels can be found to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels, shall be locked up or secured, or shall be removed, so that such Person appointed to collect the said Rates or Assessments as aforesaid, or such Constable, Headborough, Beadle or other Person, cannot distrain the same, or in case, after such Distress and Appraisement or Sale as hereinbefore are directed, the Proceeds thereof shall not be sufficient to pay such Rates or Assessments, with the Arrears due thereon, and all the said Costs, Charges and Expences as aforesaid, then and in any of such cases, upon Information thereof given to any Justice of the Peace for the City, Borough or County within which such parochial or other District shall be situate, it shall be lawful to and for any such Justice of the Peace, and he is hereby authorized and required, to issue a Warrant under his Hand and Seal for the Apprehension of any such Person or Persons making Default in the Payment of such Rates or Assessments and the Arrears thereof, or of any Part thereof, and of such Costs, Charges and Expences, or any of them, and to commit such Person or Persons to the Common Gaol or House of Correction for the City, Borough or County within which such parochial or other District shall be situate, there to remain without Bail or Mainprize for any time not exceeding the Space of One Calendar Month, unless such Rates or Assessments and all Arrears thereof, and all such Costs, Charges and Expences, or so much thereof as shall remain unsatisfied by any such Distress or Distresses or otherwise, shall be sooner paid.

XXXVI. And be it further enacted, That in all cases where a Distress is authorized to be made by any local Act or Acts of Parliament relating to the paving of any parochial or other District within the Jurisdiction of this Act, either exclusively or jointly with or for any other Objects or Purposes, or by this Act, if any Constable or Headborough of any Parish or Place within which such parochial or other District shall be situate, or of any other Parish or Place where such Distress is to be made, upon being required by any Person appointed to collect any Rates or Assessments, or by any other Person (who shall have obtained a Warrant for such Distress from any Justice of the Peace), shall refuse or neglect to aid or assist in making a Distress and Sale pursuant to such Warrant, every such Constable or Headborough shall for every such Offence forfeit and pay the Sum of Five Pounds, to be recovered in the same manner in which

If no Goods found to be distrained, or Distress obstructed, or no sufficient Distress,

Proceedings.

Constables, &c. to assist in such Levy.

Penalty 5l.

which other Penalties and Forfeitures are hereinafter directed to be recovered by virtue of this Act.

XXXVII. And be it further enacted, That every Warrant of Distress for Nonpayment of any Rates or Assessments, authorized and directed to be issued by virtue of this Act, shall be in the Words or to the Effect following :

(To wit.)
 [Insert the City, Borough or County.] } TO the Collectors of the Paving Rates [or, of the paving and lighting, and watching and cleansing Rates, as the case may be] for the Parish or District of [describe the District according to the local Act], and to all Constables, Headboroughs, Beadles and Peace Officers for the [City, Borough or County aforesaid, as the case may be]: Whereas the under mentioned Person [or Persons, if more than One] now or late an Owner or Occupier [or Owners or Occupiers, if more than One] of a Messuage [or of Messuages, if more than One Person be included in the Warrant] or other Hereditaments within the said [insert the Name of the District] was and is, or were and are [as the case may be] rated and assessed, or is or are [as the case may be] liable to the Payment of the Sum or Sums of Money set at and opposite to his or their respective Name or Names [as the case may be] hereunder written, by virtue of a Rate or Rates duly made under and by virtue of a certain Act [or Acts] passed in the Year [or Years, as the case may be] of the Reign of

[set forth the Title of the Act or Acts under which the Rate or Rates were made]: And Whereas the said Person or Persons has or have [as the case may be] refused or neglected to pay the Sum or the several Sums of Money set at and opposite his or their Name or Names [as the case may be] hereunder written, due from him or them by virtue of such Rate or Rates [as the case may be], and the said several Sum and Sums of Money is or are [as the case may be] still remaining due and unpaid, as appeareth upon Oath to me, One of His Majesty's Justices of the Peace for the said [City, Borough or County, as the case may be]; and the said several Person or Persons [as the case may be] having been summoned to appear to answer the Premises, as also appeareth to me the said Justice upon Oath, and neither he or they nor either of them [as the case may be] having shewn any sufficient Cause why such Sum or Sums of Money [as the case may be] should not be paid by him or them respectively [as the case may be], as also appeareth to me upon Oath: Now these are therefore in His Majesty's Name to will and require you or either of you forthwith to levy the said Sum or several Sums of Money [as the case may be] due from the said Person or Persons [as the case may be] and hereunder set at and opposite to his or their Names respectively [as the case may be], and also the Two several Sums of [inserting the Amount of the Costs and Charges for the Summons and for the Warrant, or for either of them, as the case may be] for the Costs and Charges of the said Summons and of these Presents, by Distress and Sale of his or their respective Goods and Chattels [as the case may be], such Goods and Chattels being kept for the Space of Five Days before the same are sold, rendering to him or them respectively [as the case may be] the Overplus (if any) on Demand, and the reasonable Charges of such Distress, and of any Removal or keeping Possession

Form of Warrant of Distress.

‘ session, Appraisement or Sale thereof, being first deducted; and if
 ‘ no sufficient Distress can be had or taken, that then you certify the
 ‘ same to me, to the end such Proceedings may be had therein as
 ‘ to the Law doth appertain: And I do hereby strictly charge
 ‘ and command all and singular the Constables, Headboroughs and
 ‘ other His Majesty’s Peace Officers for the said [City, Borough or
 ‘ County, as the case may be] to be aiding and assisting in all Things
 ‘ relating to the Premises. Given under my Hand and Seal, this
 ‘ Day of _____ in the Year of our
 ‘ Lord

	£.	s.	d.
‘ A. B. - - - - -			
‘ C. D. - - - - -			
‘ E. F. (the Landlord for divided Premises)			
‘ G. H. - - - - -			

Rates may also be recovered by Actions as here-
 in mentioned.

XXXVIII. Provided always, and be it further enacted, That it shall be lawful at any time or times hereafter for the Commissioners or Trustees, or other Persons having the Control of the Pavements of any parochial or other District within the Jurisdiction of this Act (if they shall think it expedient), in the Name or Names of their Treasurer or Treasurers, Clerk or Clerks for the time being, or of any Person or Persons appointed by them to collect or receive any Rate or Rates, Assessment or Assessments, made or to be made for or towards the Charges of paving or repairing the Pavement of the Streets or public Places in any such parochial or other District, either exclusively or jointly with or for any other Objects or Purposes, to bring or cause to be brought any Action or Actions of Debt, or special Action on the Case, or other Action or Actions, in any of His Majesty’s Courts of Record at *Westminster*, or to proceed in any Court of Requests, or other Court whatever (for the Recovery of Debts above or under Five Pounds) within the Jurisdiction of which the said Messuages or Hereditaments in respect whereof such Rates or Assessments shall be made, or wherein the Person or Persons or either of them against whom such Action or Actions or other Proceedings may be brought shall reside, and against any Executors or Administrators of any Person or Persons deceased, or against any Messengers or Assignees, or Sheriffs or other Officers, or against any other Person or Persons liable to pay the Sum or Sums of Money for or in respect of or by virtue of any Rates or Assessments made for or towards the Expences of paving or repairing the Pavements of the Streets or public Places in any such parochial or other District, either exclusively or jointly with or for any other Objects or Purposes, by virtue of any local Act or Acts of Parliament relating to such parochial or other District, or by virtue of this Act, for the Recovery of the Sum or Sums of Money due from any such Person or Persons dying or becoming Bankrupt, or whose Goods, Chattels or Effects may be seized or taken in Execution or otherwise, or from any other Person or Persons liable to pay the same by virtue or in respect of any such Rates or Assessments; and that in any such Action or Actions or other Proceedings it shall be sufficient for the Plaintiff or Complainant to declare or allege, that the Person or Persons against whom such Action or Actions or other Proceedings

ings may be brought is indebted to such Plaintiff or Complainant in such Sum or Sums of Money as shall appear to be due by or on account of any such Rates or Assessments; and that it shall only be necessary for such Plaintiff or Complainant to produce any such Rate or Rates, Assessment or Assessments, and to prove that the Person or Persons against whom such Action or Actions or other Proceedings shall be brought, or who shall be deceased, or who hath become Bankrupt, or whose Goods, Chattels or Effects have been taken in Execution or otherwise, was or were the Person or Persons mentioned in such Rate or Assessment, or liable to the Payment thereof by virtue of any local Act or Acts of Parliament, or of this Act, to entitle such Plaintiff or Complainant to recover the whole of the Sum or Sums of Money for the Recovery whereof such Action or Actions or other Proceedings shall be brought against such Person or Persons, or against such Executors or Administrators, Messengers or Assignees, or Sheriffs or other Officers; and that if such Plaintiff or Complainant by any such Action or Actions or other Proceedings shall recover such Sum or Sums of Money so intended to be recovered thereby, or any Part thereof, he shall have the full Costs of such Actions or other Proceedings, to be levied in the manner in which all other Monies and Costs recovered in any Court or Courts wherein such Action or Actions or other Proceedings shall be brought, may be levied and obtained; and that in any such Action or Actions no Essoign, Protection or Wager of Law, nor more than One Imparance, shall be allowed.

Necessary Proof
for Plaintiff

XXXIX. And be it further enacted, That all and every the Rates or Assessments which shall be made for or towards the Expences of paving or repairing the Pavement of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, either exclusively or jointly with any other Objects or Purposes, and either by virtue of any local Act or Acts of Parliament relating to such parochial or other District, or by virtue of this Act, shall be paid by the Executors or Administrators of any Person or Persons who shall be charged in such Rates or Assessments with the Payment of any Sum or Sums of Money for or in respect of any Messuages or Hereditaments within any such parochial or other District, and who shall depart this Life without paying the same, out of the first Effects of the Person so dying, which shall come to their or any of their Hands, in preference to all other Debts (except Debts to the King's Majesty), and shall also be paid in like manner by any Messengers and Assignees acting under any Commission of Bankrupt, and every Sheriff or other Officer acting under any Writ or Writs issued out of any Court or Courts of Law or Equity, or any other Court or Courts, and who shall seize or take Possession of any Goods, Chattels or Effects of any Person or Persons so rated or assessed, and from whom any Sum or Sums of Money by virtue of any such Rates or Assessments shall then be due and unpaid; and that it shall and may be lawful to and for the Commissioners or Trustees, or other Persons having the Control of the Pavements of the parochial or other District wherein the Messuages or Hereditaments shall be situate for and in respect whereof such Rates or Assessments shall be due, and for any Person appointed by them to collect and receive such Rates or Assessments, to compel the Payment of all and every such Sum and Sums of Money by such Executors or Administrators,

Rates may be
recovered from
the Estates of
Persons who die
or become
insolvent,

in preference of
all other Debts,
except to the
Crown.

or

Proviso as to
charging Sheriff,
&c.

Rates may be
recovered from
Persons remov-
ing,

by Warrant
from Justice,

without Fee.

Rates collected
from Tenants of
divided Tene-
ments to be

or Messengers or Assignees, Sheriffs or other Officers, by Distress or by Action at Law, or by such other Means as are appointed by this Act for the Recovery of Rates or Assessments when unpaid by any Person or Persons whomsoever, and by such other legal Ways and Means as to them shall seem meet: Provided always, that nothing herein contained shall extend or be construed to extend so as to charge such Messenger or Assignee, or Sheriff or other Officer, with the Payment of any of such Rates or Assessments for more than One Year then last past, or of any larger Sum or Sums of Money than the Value of the Goods, Chattels or Effects which any such Messenger or Assignee, or Sheriff or other Officer, shall seize, or of which Possession shall be taken by him or them.

XL. And be it further enacted, That in case at any time or times hereafter any Person or Persons who hath or have been rated and assessed to any Rates or Assessments which shall be made by virtue of this Act, or by virtue of any local Act or Acts of Parliament, for and towards the Expences of paving and repairing the Pavements of any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, either exclusively or jointly with any other Objects or Purposes, shall quit his or their Messuages or Hereditaments within the said parochial or other District, for or in respect whereof he or they shall be rated or assessed, before he or they shall have paid any such Rates or Assessments, then and in every such case it shall be lawful for any Person or Persons appointed to collect or receive any such Rates or Assessments by the Commissioners or Trustees, or other Persons having the Control of the Pavements of such parochial or other District, or any One of them, (Oath being made by him or them that he or they doth or do suspect that such Person or Persons hath or have removed his, her or their Goods and Chattels,) by Warrant under the Hand and Seal of any of His Majesty's Justices of the Peace for the City, Borough or County where such parochial or other District shall be situate, and which Warrant such Justice or Justices is or are hereby authorized and required to grant, (and in case such Person or Persons shall have removed into any other County, City or Place, such Warrant being first backed and countersigned by some Magistrate of the County, City or Place to which such Person or Persons shall have removed, and which Warrant every such Magistrate is hereby empowered and directed, without Fee or Reward, to back or countersign,) to distrain and appraise and sell the Goods and Chattels of such Person or Persons who shall have so quitted the said Messuages or Hereditaments before he or they shall have paid such Rates or Assessments, for the Sum or Sums of Money due from any such Person or Persons by virtue of such Rates or Assessments, or any of them, or any Part thereof, and for all Costs, Charges and Expences occasioned by such Warrant, Distress, Appraisement, and Sale, in any County, City or Place to which such Person or Persons shall have removed, in such and the same manner as if the same Person or Persons had continued in the parochial or other District wherein the Messuages or Hereditaments shall be situate in respect whereof any such Rates or Assessments shall have been made.

XLI. And be it further enacted, That the Goods and Chattels of each and every Person and Persons renting and occupying any separate Part or Apartment of or in any Messuage or Hereditament, and

and the Goods and Chattels in every Messuage or Hereditament let ready furnished, although the Person or Persons occupying such Messuage or Hereditament, or separate Part or Apartment, be not rated or assessed under or by virtue of this Act, or of any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, shall be liable to be distrained and sold by virtue of any Warrant under the Hand and Seal of One of His Majesty's Justices of the Peace, which he is by this Act authorized and directed to grant, for any Rates or Assessments made by virtue of this Act, or of any local Act or Acts, for or towards the Expences of paving and repairing the Pavements of such parochial or other District, and either exclusively or jointly with any other Objects and Purposes, which have accrued or become due during the term of the Occupancy by any such Person or Persons of any such Messuage or Hereditament, or separate Part or Apartment thereof, and for the Costs and Charges and Expences of such Warrant, and of any Appraisement, Possession, Removal or Sale of such Goods and Chattels, or attendant thereupon; but no such Person or Persons shall be required or compellable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, than the Amount of the Rent actually due and payable by such Person or Persons to the Owner or Owners of such Messuage or Hereditament, or other Person or Persons rated or assessed as the Occupier or Occupiers of the Messuages or Hereditaments so entirely or partly occupied by such Person or Persons; and that each and every Person or Persons who shall pay any such Rates or Assessments as ought to have been paid by the Owner or Owners of any such Messuage or Hereditament, or by his or their Landlord or Landlords, or upon whose Goods or Chattels the same shall be levied in pursuance of this Act, shall and may deduct the same from and out of the Rent due and payable or to become due and payable to his or their Landlord or Landlords so letting out the same Messuage or Hereditament, or separate Part or Apartment, to him or them, (unless there shall be some Agreement to the contrary between the Landlord and Tenant); and the Receipt and Receipts for such Payment or Payments shall be a sufficient Discharge to every such Person or Persons for so much Money as he or they shall have so paid, or which shall have been so levied on his or their Goods and Chattels in pursuance of this Act, and shall be repaid by such Owner or Owners, or be allowed by such Landlord or Landlords of such Messuages or Hereditaments, in part or full Payment, as the case may be, for the Rent due or to become due to him or them from such Person or Persons as aforesaid, for or in respect of such Messuages or Hereditaments, or separate Parts or Apartments thereof respectively.

repaid by Landlords;

and may be deducted from Rent, unless Agreement to the contrary.

XLII. And be it further enacted, to prevent Disputes touching the Designation of Owner or Landlord or Proprietor of any Messuages or Hereditaments intended to be made liable to be rated and assessed by any Rates or Assessments made or to be made for or towards the Expences of paving or repairing the Pavements of any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, and either exclusively or jointly with any other Objects or Purposes, and either by virtue of this Act or of any local Act or Acts of Parliament, That the Person or Persons legally authorized and empowered to receive and collect, or receiving and collecting,

Persons receiving Rents to be deemed Owners,

unless real
Owner declared.

Rates may be
apportioned be-
tween incoming
and outgoing
Tenants.

Proportion may
be ascertained by
Commissioners,
&c.

collecting, or claiming to be entitled to receive and collect, the Rents of any Messuages or Hereditaments from the Tenants or actual Occupiers thereof, or any of them, may be deemed and taken to be the Owner or Owners, Landlord or Landlords, Proprietor or Proprietors of such Messuages or Hereditaments, and shall be liable to be rated and assessed, and shall be compellable to pay the Rates and Assessments, in respect of such Messuages or Hereditaments, in all cases in which either Owners or Landlords or Proprietors are made liable to be rated and assessed and to the Payment of Rates and Assessments by virtue of this Act, or of any such local Act or Acts, unless the real Owner or Owners, or Landlord or Landlords, or Proprietor or Proprietors thereof, shall be declared by himself or themselves to be the real Owner or Owners, Landlord or Landlords, or Proprietor or Proprietors thereof, or shall be distinctly and certainly known to their Satisfaction by the Commissioners or Trustees, or other Persons having the Control of the Pavements in any such parochial or other District.

XLIII. And be it further enacted, That in case any Person or Persons now or hereafter occupying any Messuage or other Hereditament in any parochial or other District within the Jurisdiction of this Act, shall remove out of or from or quit the Possession of any such Messuage or Hereditament, before any Rate or Assessment made or to be made for and towards the Expence of paving or repairing the Pavements in any such parochial or other District, and either exclusively or jointly with any other Objects or Purposes, charged on or in respect of any such Messuage or Hereditament by virtue of any local Act or Acts of Parliament relating to such parochial or other District, or of this Act, shall be paid and discharged; or if any Person shall enter into the Occupation of any such Messuage or Hereditament, out of or from which any other Person shall have so removed, before any such Rate or Assessment shall have been paid and discharged, or which, at the time of rating or assessing the same, shall be empty or unoccupied, then and in every such case, the Person so removing out of, and the Person entering into the Possession or Occupation of any such Messuage or Hereditament, shall be respectively liable to the Payment of every such Rate or Assessment, in proportion to the time that such Person or Persons possessed or occupied the same respectively, in like manner as if the Person so removing or quitting as aforesaid had remained in the Possession or Occupation of such Messuage or Hereditament, or the Person or Persons so entering into the Occupation thereof had been rated or assessed in respect thereof in any such Rate or Assessment at the time of the making thereof; and that the Amount of such Proportion (in case any Disputes should arise) may be ascertained and determined by the Commissioners or Trustees or other Persons having the Control of the Pavements of the parochial or other District in which such Messuage or other Hereditament may be situate; and that according to such Determination such Rates and Assessments shall be paid by each of such Persons in such Proportion, and may be levied and recovered from each of such Persons accordingly; but that the same shall be without Prejudice to any of the Provisions hereinbefore contained as to the Messuages or Hereditaments being empty and unoccupied, and as to the Rates or Assessments remaining charged on the Messuages or Hereditaments in respect whereof they shall

shall be made, or to any other of the Provisions hereinbefore contained.

XLIV. And be it further enacted, That it shall and may be lawful from time to time, and at all times hereafter, for the Commissioners or Trustees, or other Persons having the Control of the Pavements in any parochial or other District within the Jurisdiction of this Act, and they are hereby empowered, upon the Complaint or Request of any Person or Persons subject to the Payment of any Rate or Rates, Assessment or Assessments, made or to be made for or towards the Expences of paving or repairing the Pavements of any Streets or public Places within any such parochial or other District, and either exclusively or jointly with or for any other Objects or Purposes, and either by virtue of this Act or of any local Act or Acts of Parliament relating to any such parochial or other District, who shall think himself, herself or themselves aggrieved thereby, or incompetent to pay the same, to mitigate, reduce or lessen the same, as they in their Discretion shall think just and reasonable, and also to remit or excuse the Payment thereof for any Cause which they shall deem sufficient, or for or on account of the Poverty or Indigence of any Person or Persons liable to pay the same, so complaining or requesting the Remission or Reduction of any such Rates or Assessments.

Rates may be remitted by Commissioners, &c. on account of Poverty, &c.

XLV. And be it further enacted, That the Commissioners or Trustees, or other Persons having the Control of the Pavements of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, may from time to time appoint One or more Treasurer or Treasurers for receiving all the Monies to be raised and collected for and towards the Expences of paving or repairing the Pavements in such parochial or other District, either exclusively or jointly with or for any other Purposes or Objects, and either by virtue of this Act or of the respective local Act or Acts of Parliament relating to their respective parochial or other Districts, not being also the Clerk or Clerks to the said Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets or public Places in any such parochial or other District; and from time to time, as they shall think necessary, may remove such Treasurer or Treasurers, and appoint such other Person or Persons in his or their Stead, as they shall think proper; and such Treasurer and Treasurers is and are hereby directed to keep distinct Accounts of the Monies by him or them received and paid of, for or on account of such Commissioners, Trustees or other Persons having the Control of the Pavements, by whom he or they shall have been appointed, and from time to time to pay and discharge all such Sums of Money as the said Commissioners, Trustees or other Persons as aforesaid shall order and direct him or them thereout to pay; and the said Treasurer or Treasurers shall account, whenever thereunto required by the said Commissioners or Trustees, or other Persons by whom he or they shall have been appointed, for all the Monies by him or them received and paid of, for or on account of the said Commissioners or Trustees, or other Persons; and the said Treasurer or Treasurers shall pay all such Monies as upon the Balance of the said Accounts respectively shall remain in his or their Hands, to such Person or Persons as the said Commissioners or Trustees, or other Persons by whom he or they shall have been fo

Commissioners, &c. to appoint a Treasurer.

Duty of such Treasurer in respect of keeping Accounts, &c.

Refusing, &c. to
render Account,
&c.

Penalty.

A Commissioner,
&c. may be Treas-
urer.

Treasurers, if
appointed, to
give Security.

Collectors and
other Officers
may be also ap-
pointed by Com-
missioners, &c.

and Salaries, &c.

appointed, shall by Writing under their Hands authorize to receive the same, whenever he or they shall be required so to do; and if any such Treasurer or Treasurers shall at any time or times refuse or neglect to render any such Accounts, and make such Payments as aforesaid, then and in every such case every and any such Treasurer or Treasurers shall be liable to such Proceedings, and upon Conviction shall be liable to such Penalties and Punishments, as by this Act, or by any local Act or Acts of Parliament relating to such parochial or other District, by the Commissioners or Trustees or other Persons having the Control of the Pavements whereof he or they shall have been so appointed, are imposed or directed to be imposed on Collectors or other Officers neglecting or refusing to account at the times and in the manner thereby directed; and that any Person or Persons being so appointed a Treasurer as aforesaid, although he shall be a Commissioner or Trustee, or one of the Persons having the Control of the Pavements of such parochial or other District, shall not in consequence of such Appointment become disqualified or incapable to act as a Commissioner or Trustee, or in the Control of the Pavements for such parochial or other District; any Thing in this Act or in any local Act or Acts of Parliament to the contrary in anywise notwithstanding.

XLVI. And be it further enacted, That if the Commissioners or Trustees, or other Persons having the Control of the Pavements in any parochial or other District within the Jurisdiction of this Act, shall have appointed or shall hereafter appoint any Treasurer or Treasurers as aforesaid, then and in every such case such Commissioners or Trustees or other Persons shall and they are hereby required to take good and sufficient Security from such Treasurer or Treasurers, by the Bond or Bonds of Two or more sufficient Persons in a sufficient Penalty, and such further Security as they may deem necessary and shall approve, conditioned that such Treasurer or Treasurers shall duly account for and pay all Monies received by him or them pursuant to the Directions of this Act, or of the local Act or Acts of Parliament relating to such parochial or other District, by the Commissioners or Trustees or other Persons having the Control of the Pavements whereof he or they shall be or shall have been so appointed.

XLVII. And be it further enacted, That the Commissioners or Trustees, or other Persons having the Control of the Pavements of any parochial or other District within the Jurisdiction of this Act, may at any Meeting or Meetings appoint a Clerk or Clerks, and may appoint One or more Collectors of the Rates or Assessments, and an Inspector or Inspectors of the Pavement within their parochial or other District, and such other Officer or Officers for the Execution of this Act or of the local Act or Acts of Parliament relating to the paving of such parochial or other District, exclusively or jointly with any other Matters or Objects, as such Commissioners, Trustees or other Persons shall think proper, and may from time to time remove them or any of them, and appoint other Persons in his or their Stead, as they shall think it necessary or convenient; and by and out of the Monies to be raised by virtue of this Act, or of such local Act or Acts of Parliament, may and they are hereby empowered to appoint and pay such Salaries, Gratuities and Allowances to such Clerk or Clerks, Collectors, Inspectors and other Officers,

Officers, and to the Surveyor or Surveyors of the Pavements by this Act directed to be appointed, and to all other Persons by them the said Commissioners, Trustees or other Persons employed in the Execution of this Act, or of such local Act or Acts, as they shall think reasonable; and also shall take good and sufficient Security from every such Collectors, and may take such Security for the due Execution of their respective Offices by such other Officers and Persons as aforesaid, as they shall think proper; and that in case of the Appointment of any Collector or Collectors of the said Rates or Assessments, then all and every Person and Persons who is or are liable to pay any such Rates or Assessments, or any Sums of Money authorized to be raised and demanded by this Act, or by such local Act or Acts of Parliament, shall pay the same to such Collectors, or to the Persons who shall from time to time be so appointed to collect and receive the same, according to the true Meaning of this Act, or of such local Act or Acts of Parliament; and that each and every of such Collectors or other Person or Persons, weekly and every Week, or as often as they or any of them shall be thereunto required by the Commissioners or Trustees, or other Persons having the Control of the Pavements of such parochial or other District, by whom he or they shall have been so appointed, shall render and deliver unto them the said Commissioners or Trustees or other Persons, or to their Clerk or Clerks, or to any other Persons whom they shall direct, distinct, true and perfect Accounts in Writing, signed with their own Hands respectively, of all Monies from Week to Week and from time to time collected and received by them, and each and every of them respectively, of any Person or Persons whomsoever, for or on account of such Commissioners, Trustees or other Persons, by whom he or they shall have been so appointed; and that all other Officers and Persons so to be appointed as aforesaid, under their Hands, and at such time and times and in such manner as the said Commissioners or Trustees or other Persons by whom they shall have been appointed may direct, shall deliver to them, or to any other Persons whom they shall direct, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and also of all the Monies which shall have been by such Officers or Persons respectively received by virtue of such Appointment, or for or on account of such Commissioners or Trustees or other Persons by whom they shall severally have been appointed, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments; and that the said Collectors of the said Rates and Assessments shall weekly and every Week pay to the Treasurer or Treasurers appointed by the said Commissioners or Trustees, or other Persons for the time being, or to such Person or Persons as they shall direct, all Sum or Sums of Money by each of them respectively collected and received during the preceding Week, or oftener, if the said Commissioners or Trustees or other Persons shall so direct and require; and that all other Officers and Persons so to be appointed as aforesaid shall from time to time pay to such Treasurer or Treasurers, or such Person or Persons as the said Commissioners or Trustees or other Persons having the Control of the Pavements shall direct, all Monies which may be and remain in their or any of their respective Hands; and

and take Security.

Collectors to account to Commissioners, &c.

The like as to other Officers.

Collectors to pay to Treasurers, &c.

The like as to other Officers.

Collectors to
verify their Ac-
counts on Oath.

Collector or
other Officer not
rendering
Accounts, &c.

Commissioners,
&c. may bring
Action,

or may apply to
Justice of the
Peace.

Proceedings
thereon.

Collector proved
to have unduly
detained Mo-
ney, &c.

Proceedings for
the same, and
Costs by Distress.

that they the said Collectors for the time being, and each and every of them, if thereunto required by the said Commissioners or Trustees or other Persons by whom they shall have been appointed, shall verify the Truth of all Accounts and Statements so rendered and delivered by them from time to time respectively upon Oath, and which Oath any and every Commissioner or Trustee or other Person having the Control of the Pavements in any such parochial or other District, is hereby empowered to administer; and that if any Collector or other Officer or Person appointed as aforesaid, shall not render and deliver, signed with his own Hand, all and every such Statements and Accounts, or shall not verify the same upon Oath, when thereunto required as aforesaid, or shall not produce and deliver up the Receipts or Vouchers relating to all Monies received and paid by him, or shall not pay any Monies in his Hands to such Treasurer or Treasurers, or to such other Persons as the Commissioners or Trustees or other Persons by whom he shall have been appointed shall direct, or shall not deliver to such Commissioners or Trustees or other Persons by whom he shall have been appointed, or to any other Person or Persons whom they shall direct, all Books, Papers and Writings in his or their Custody or Power relating to the Execution of this Act or of any such local Act or Acts of Parliament as aforesaid, within Twenty four Hours after he shall have been required so to do by the said Commissioners or Trustees or other Persons by whom he shall have been appointed, then and in either of the cases aforesaid, such Commissioners or Trustees or other Persons by whom any such Collector or other Officer or Person shall have been appointed, may and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions against any such Collector, Officer or other Person so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Collector, Officer or Person respectively, or against the Person or Persons having become Securities for him; or such Commissioners or Trustees or other Persons, or their Clerk or Clerks, or any other Person whom they shall direct for that Purpose, may complain of any such Refusal or Neglect as aforesaid to any Justice of the Peace for the City, Borough, County or Place wherein such Collector or other Officer or Person so neglecting or refusing shall be and reside; and such Justice may and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause the Collector or other Officer or Person so refusing or neglecting, and against whom such Complaint shall be made, to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justice that any of the Monies that shall have been collected and received by any such Collector or other Officer or Person shall be in the Hands of such Collector or other Officer or Person, or that he shall not have rendered and delivered such true and perfect Account, signed as aforesaid, or shall have detained any Receipts or Vouchers, Books, Papers or Writings as aforesaid, then such Justice may and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause such Money, and all Costs, Charges and Expences incurred and to be incurred thereabouts, to be levied

levied by Distress and Sale of the Goods, Chattels and other Effects of such Collector or other Officer or Person respectively; and if no Goods or Chattels of such Collector or other Officer or Person can be found sufficient to answer and satisfy the said Money, and the said Costs, Charges and Expences of distraining, removing and selling the same Goods, Chattels and other Effects, and all other Costs, Charges and Expences to be incurred thereabouts, then and in either of the Cases aforesaid such Justice shall commit every such Offender to the Common Gaol or House of Correction for the City, Borough or County wherein such parochial or other District shall be situate, or wherein such Offender shall reside, without Bail or Mainprize, until he shall have rendered and delivered, signed as aforesaid, such true and perfect Account as aforesaid, and shall have delivered as aforesaid all Receipts and Vouchers relating thereto, and shall have paid all Monies received by him for and in respect of the said Rates and Assessments, or otherwise as aforesaid, remaining in his Hands, or shall have compounded for the Amount of such Monies due from him with the said Commissioners or Trustees, or other Persons by whom he shall have been appointed, to their Satisfaction, and shall have paid the Amount of such Composition in such manner as they shall approve (and which Composition they are hereby empowered to make and accept), or until he shall have delivered up all Books, Papers and Writings as aforesaid in his Custody or Power, or shall have given Satisfaction in respect thereof to the said Commissioners or Trustees, or other Persons by whom he shall have been appointed; and that in any such Action or Actions or other Proceedings against any such Collector, or against any Person or Persons who shall have become Securities for him, it shall not be necessary for the Commissioners or Trustees or other Persons by whom he shall have been appointed to prove the Receipts by him of every Sum of Money included in any Rate or Assessment which he shall have been appointed to collect, with the Amount whereof and with which they shall seek to charge him or them, and to recover from him or them by any such Action or Actions, or other Proceedings, but that it shall only be necessary for such Commissioners or Trustees or other Persons to prove the total Amount of the several Rates or Assessments which he shall have been appointed to collect, and that the full Amount thereof shall be deemed to be due from him, and from any Person or Persons having become Securities for him, and shall be recovered from and be paid by him or them accordingly, except only such Part or Parts thereof as he or they shall prove, by a credible Witness or Witnesses upon Oath, to have been paid by him the said Collector to such Treasurer or Treasurers as aforesaid, or to some other Person or Persons directed to receive the same by the Commissioners or Trustees or other Persons by whom he shall have been appointed as aforesaid, or that he hath not received and collected, from the Person or Persons charged with the Payment of any Sums of Money by the said Rates and Assessments which he shall have been appointed to collect, any of the Sums of Money charged by such Rates and Assessments: Provided always, that such Collector or other Officer or Person so committed as aforesaid shall not be detained and kept in Prison by virtue of such Warrant or for any longer Space of Time than Twelve Calendar Months: Provided also, that no Commissioners or Trustees or other Persons

If no Distress, &c. Party committed.

What Proof necessary by Commissioners, &c. in such Actions.

Length of Imprisonment.

Commissioners, &c. not liable for

Default of
Treasurer.

having the Control of the Pavements in any parochial or other District within the Jurisdiction of this Act, by whom any Treasurer or Treasurers, Collector or other Officer shall be appointed, shall be liable for or by reason of any Default of such Treasurer or Treasurers, Collector or other Officer so appointed; and that any Sum or Sums of Money which shall or may be received by any such Treasurer or Treasurers, Collector or other Officer, and which shall not be recovered from him or them, shall and may be made up by any future Rates or Assessments, to be made for or towards the Expences of paving or repairing the Pavements of the Streets or public Places within any such parochial or other District, either exclusively or jointly with or for or towards any other Objects or Purposes whatsoever.

Collectors un-
duly retaining
Monies,

XLVIII. And be it further enacted, That in case any Collector of the Rates or Assessments so appointed as aforesaid shall at any time retain and have in his Hand any Sum or Sums of Money, amounting together to the Sum of Twenty Pounds, collected and received by him by virtue of such Appointment for the Space of Seven Days, without paying over the same to the Treasurer or Treasurers for the time being to the Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, by whom he shall have been appointed, or to such other Person or Persons as they shall have from time to time appointed or directed to receive the same, then every such Collector shall for every such Retention or Offence forfeit and pay the Sum of Twenty Pounds, to be recovered in the same manner in which other Penalties and Forfeitures are hereinafter directed to be recovered by virtue of this Act.

Penalty 20l.

Proceedings
against Officers
or Composition
not to discharge
their Securities.

XLIX. Provided always, and be it further enacted, That no Prosecution or Commitment, Action or other Proceedings, of or against any Treasurer, Collector or other Officer appointed as aforesaid, by any Commissioners or Trustees or other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act as aforesaid, nor any Composition accepted by them from him, shall in any manner acquit, release or discharge any Surety or Security that shall or may have been taken by or given to or for the Commissioners or Trustees or other Persons by whom he shall have been appointed, for the due and faithful Execution of the Duties of any such Appointment as Treasurer, Collector or other Officer, or for the due and punctual Payment and Application of the Monies received by him in pursuance or by virtue of such Appointment, or for the proper Observance and Performance by him of the Duties enjoined on any such Treasurer, Collector or other Officer by virtue of this Act, or of any local Act or Acts of Parliament, nor shall acquit, release or discharge in any manner any Person or Persons who shall have become bound for him or on his Behalf to such Commissioners or Trustees or other Persons by whom he shall have been so appointed, except only, that in case any Composition shall be accepted as aforesaid, then such Person or Persons shall be discharged from the Payment of so much Money as shall be received by the said Commissioners or Trustees or other Persons by virtue thereof.

Exception.

Officers accept-
ing any unautho-
rized Fee,

L. And be it further enacted, That if any Person who shall be appointed to be a Treasurer, Surveyor, or Inspector of the Pavements,

ments, or Collector, or if any Person who shall be otherwise employed by the Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, in or for the Execution thereof, shall exact, take or accept any Fee or Reward whatsoever, other than such Salaries, Allowances and Rewards as are directed by this Act, or by any local Act or Acts of Parliament relating to such parochial or other District, or as shall be from time to time appointed, allowed and approved of by the said Commissioners or Trustees, or other Persons having the Control of the Pavements as aforesaid, for or on account of any thing done or to be done by virtue of such Office or Appointment, or shall in any way be concerned or interested in any Bargain or Contract made or to be made by or with the said Commissioners or Trustees or other Persons by whom he shall be so appointed, then he shall forfeit and shall pay the Sum of Twenty Pounds, to be recovered in the same manner in which other Penalties and Forfeitures are hereafter directed to be recovered by virtue of this Act; and if he shall in any way be concerned or interested in any Bargain or Contract made or to be made by or with the said Commissioners or Trustees or other Persons by whom he shall be so appointed, he shall also be disqualified and for ever incapable of continuing to serve or of being employed by such Commissioners or Trustees or other Persons by whom he shall have been so appointed, as well as forfeit and pay the Penalty aforesaid.

Penalty act.

LI. And be it further enacted, That in case any Treasurer or Treasurers, Collector or Collectors, Officers or other Persons, appointed by the Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places in any parochial or other District within the Jurisdiction of this Act, for the Collection and Receipt of the Monies to be collected and received by virtue of any Rates and Assessments which may be made for or towards the Expences of paving and keeping in Repair the Pavements of any Streets and public Places within such parochial or other District, either exclusively or jointly with or for or towards any other Objects or Purposes, shall happen to die or become Bankrupt before he or they shall have fully paid and satisfied all Monies received by him or them for or in respect of any such Rates or Assessments, or for or on account of the Commissioners or Trustees or other Persons by whom he or they shall have been appointed, then and in every such case, if such Treasurer or Treasurers, Collector or Collectors, Officer or Officers, or other Person or Persons, shall die, the Executor or Executors, Administrator or Administrators, Representative or Representatives, or other Person or Persons possessing the Estate and Effects of every such Treasurer or Treasurers, Collector or Collectors, Officer or Officers, or other Person or Persons appointed by the said Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places within such parochial or other District, or if he or they shall become Bankrupt, then the Assignee or Assignees of the Estate and Effects of such Bankrupt, shall, out of such Estate and Effects, pay to the said Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places within such parochial or other District as aforesaid, or to such Person or Persons as they shall from

Representatives of Officers deceased or becoming Bankrupt, to account,

in preference to
all other Debts,
except to the
Crown.

Executors, &c. on
Action, may
plead such Pay-
ment.

Executors, &c.
not paying
Monies due from
his Testator, &c.
Commissioners,
&c. may sue.

Costs.

time to time direct to receive the same, all such Sum and Sums of Money as shall have been collected or received by such Treasurer or Treasurers, Collector or Collectors, Officer or Officers, or other Person or Persons appointed by the said Commissioners or Trustees or other Persons as aforesaid, and which shall be due and owing from him or them to the said Commissioners or Trustees or other Persons as aforesaid by whom he or they shall have been so appointed, at the time of his or their Death, or at the time of the suing out any Commission of Bankruptcy against him or them, and not paid over, or so much thereof as the said Estate and Effects of such Treasurer or Treasurers, Collector or Collectors, Officer or Officers, or other Person or Persons appointed by the said Commissioners or Trustees or other Persons as aforesaid, who shall so die or become Bankrupt, will extend to pay, and in preference to any other Debt or Debts (except Debts due to the King's Majesty); and the Receipt or Receipts of the said Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places within such parochial or other District, or of any Person or Persons directed by them from time to time to receive the same, shall be a good Discharge or good Discharges for the Money therein expressed to be received; and that every Executor or Administrator, Assignee or Assignees, or other Persons possessing the Estate and Effects of any such Treasurer, Collector, Officer or other Person as aforesaid, may, to any Action or Suit commenced or brought against him or them, plead or give in Evidence the Authority of this Act for such Payment, and shall be allowed the same prior to any other Debt or Demand whatsoever (save and except only Debts due to the King's Majesty as aforesaid); and in case of Nonpayment of all and every such Sum or Sums of Money by any Executor or Administrator, Assignee or Assignees, or other Person as aforesaid, for the Space of Ten Days after the same shall have been demanded by or on the Behalf of the said Commissioners or Trustees or other Persons by whom such Treasurer, Collector, Officer or other Person dying or becoming Bankrupt had been appointed, it shall and may be lawful to and for the said Commissioners or Trustees, or other Persons having the Control of the Pavements within such parochial or other District, by whom any such Treasurer, Collector, Officer or other Person had been appointed, to commence one or more Action or Actions in any of His Majesty's Courts of Record at *Westminster* against such Executors or Administrators, Assignee or Assignees, or other Persons as aforesaid, for the Recovery of the same Sum or Sums of Money; and that in any such Action or Actions it shall only be necessary for the said Commissioners or Trustees or other Persons to prove the Amount of the Sum or Sums of Money due from such Treasurer, Collector, Officer or other Person, without proving what Monies, Estates or Effects of the Person or Persons so dying or becoming Bankrupt shall have been or might have been received by any of such Executors or Administrators, Assignee or Assignees; and that they shall by such Action or Actions recover the full Amount of all the Sum or Sums of Money due from such Treasurer, Collector, Officer or other Person at the time of his Decease, or of the issuing of the said Commission of Bankrupt, with the full Costs of such Action, to be taxed as between an Attorney and his

his Client, and in which Action no Effoign, Protection or Wager of Law, nor more than one Impar lance, shall be allowed.

LII. And be it further enacted, That it shall and may be lawful to and for the Commissioners or Trustees, or other Persons having the Control of the Pavements of the Streets and public Places in any parochial or other District within the Jurisdiction of this Act, from time to time to pave and keep in Repair, or cause to be paved and kept in Repair, or to enter into any Contract or Contracts for paving and keeping in Repair, all or any Part or Parts of the Carriageways or Footways of all or any of the Streets or public Places in their respective parochial or other Districts within the Jurisdiction of this Act; and also that all and every the Pavements, Stones, Posts and other Materials which now are or which may be hereafter placed in the Foot or Carriageways of any Streets or public Places within their respective parochial or other Districts, which shall have been or may from time to time be paved or repaired by the said Commissioners or Trustees, or other Persons having the Control of the Pavement in each of their respective parochial or other Districts, and all Things and Implements which shall be then laid down, or may be purchased, provided or made use of by them therein or thereabouts, shall be and the same are hereby vested in the respective Commissioners or Trustees, or other Persons having the Control of the Pavements of the Streets and public Places within each of their respective parochial or other Districts, and shall and may be laid and stated as their Property, according to the general Name or Title by which they are distinguished in the respective local Act or Acts of Parliament relating to their respective parochial or other Districts, under and by virtue whereof they are or shall be from time to time appointed to act, and not according to their individual Name or Names, in any Indictment, Information, or other Proceeding which may be preferred or filed, or taken against any Person or Persons for removing or taking away, stealing, detaining, spoiling, injuring or destroying the same Pavements or Materials, or Implements or Things, or any of them, or any Part or Parts thereof; and also that it shall and may be lawful for them from time to time to order all or any of the Stones and other Materials then being in any such Streets or public Places, as they may from time to time pave or repair, to be made use of in or towards the paving or repairing the Foot or Carriageway Pavements in any Streets or public Places within their respective parochial or other Districts; and also may from time to time purchase, or rent upon Lease or otherwise, any Premises which they may think necessary, for the Purpose of laying or depositing or otherwise disposing of all or any of their Stones or other Materials or Implements, for and until such time as they shall use the same; and also that they may from time to time sell and dispose of all or any Part of the old Pavements or other Materials or Implements possessed by or belonging to them, to such Person or Persons as shall be willing to purchase the same, they applying the Monies arising from time to time by any and every such Sales in aid of the Monies raised and to be raised within their respective parochial or other Districts for or towards the Expence of paving and repairing the Pavements therein; and also shall and may cause to be dug, carted, and carried out of or brought into any Streets or public Places within their respective parochial or other Districts, and shall and may purchase any such Gravel, Stones and

Commissioners, &c. may pave Streets within their Districts. Paving Materials being vested in them.

How such Property stated in Indictment, &c. for stealing, &c. the same Materials.

Commissioners, &c. may use Stones, &c.

and the same may be disposed of by them;

and Commis- sioners, &c. may purchase necessary Mate- rials and employ Workmen, &c.

and other Materials, Horses, Carts and Tools, and employ such Artificers, Workmen, Labourers, Carters and other Persons, and issue such Money on those Accounts, and do all and every such other Acts and Things as the said Commissioners or Trustees, or other Persons having the Control of the Pavements as aforesaid, may from time to time judge necessary or expedient for or towards or about the paving or repairing the Pavements of any Streets or public Places within their respective parochial or other Districts, or incidental thereto; and also that they or their respective Surveyor or Surveyors of the Pavements, or any Inspectors or other Officers by them appointed for the time being, shall and may from time to time cause the Ground of any Streets or public Places within their respective parochial or other Districts to be raised or lowered in such manner as they or he shall think necessary; and also that they or their respective Surveyors, Inspectors or other Officers for the time being, during the time of the paving or of the repairing the Pavements of any Streets or public Places within their respective parochial or other Districts, or of any Grates, Drains or Sewers therein, shall and may order the necessary Materials to be placed or deposited in any such Street or public Place, or in any adjoining Street or public Place; and may stop up the Way through or along any such Street or public Place, or any adjoining Street or public Place, for the Purposes aforesaid, for as long time as they shall from time to time think necessary; and also that they or their respective Surveyors, Inspectors or other Officers for the time being, shall or may from time to time direct and cause the Course of any Gutter or Channel, running in or through any Streets or public Places within their respective parochial or other Districts, to be turned or altered in such manner as they shall think proper, and to direct and cause the Grates already placed or hereafter to be placed over any Sewers (at their Charges) to be removed and replaced in such manner and at such Place and Places as they shall think proper; and also that they or their respective Surveyors, Inspectors or other Officers for the time being, may (at such their Charges) raise, sink or otherwise alter, or cause or direct to be raised, sunk or altered, any Pipes or Plugs, or the Situation or Position of any Pipes or Plugs of any Water or Gas Light Companies, or any of the Leaden or other Pipes which may be laid into or from any of the Mains or Pipes of any of the said Companies, when and as often and in such Places as they or their respective Surveyors, Inspectors or other Officers for the time being shall deem expedient, for the Purpose of the better paving or repairing or keeping in Repair the Pavement of the Streets or public Places within their respective parochial or other Districts, but with as little Detriment and Inconvenience to the said Companies, as in the Judgment of the said Surveyors, Inspectors or other Officers, the Circumstances will permit.

LIII. And be it further enacted, That no Person or Persons shall take or break up, or cause to be taken or broken up, any Pavement in any Street or public Place in any parochial or other District within the Jurisdiction of this Act, or make any Alteration therein, under any Pretence whatsoever, without the Consent of the Commissioners or Trustees or other Persons having the Control of the Pavements in such parochial or other District, or their Surveyor or Surveyors of the Pavements for the time being, first obtained and certified under the

Hand

and raise or
lower Streets,
&c.

and deposit Ma-
terials as may be
necessary;

and stop up
Streets during
Reparations;
and may alter
the Channels
therein;

and may raise or
lower Pipes, &c.

Pavements not
to be removed
without Permif-
sion of Commif-
sioners, &c.

Hand or Hands of their Clerk or Clerks, or Surveyor or Surveyors for the time being; and that all and every Person and Persons to whom such Consent shall be granted, shall be subject and liable to all the Provisions in this Act contained in respect to the Water and Gas Light Companies and the Commissioners of Sewers, as to the Reparation of the Pavements, and as to the Removal of all Rubbish and other Obstructions, and as to the Provision of Bars, Watchmen and other Securities, and to all Penalties by this Act imposed on the Breach of any of such Provisions respectively, and to such other Conditions and Regulations as the said Commissioners or Trustees, or other Persons consenting as aforesaid, shall stipulate and direct, and shall obey and perform the same and every of them; and that in case any Person or Persons (except Water and Gas Light Companies and the Commissioners of Sewers, and who are to conform to the particular Provisions of this Act relating to them,) shall take or break up, or cause to be taken or broken up, or shall wilfully damage any Pavement in any Streets or public Places, or shall make or cause to be made any Alteration therein, without such Consent as aforesaid, certified as aforesaid, then any and every such Person or Persons in every such case so offending, shall for each and every such Offence forfeit and pay a Sum not being less than Five Pounds nor exceeding Ten Pounds; and also for each and every Square Foot of such Pavement exceeding One Foot so taken or broken up or altered, or so wilfully damaged, shall forfeit and pay any Sum not being less than Five Pounds nor exceeding Ten Pounds, to be recovered in the same manner in which other Penalties and Forfeitures are hereinafter directed to be recovered by virtue of this Act.

and subject to Provisions of Act.

Removing Pavements, &c. without Consent,

Penalty.

LIV. And be it further enacted, That the Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places in any parochial or other Districts within the Jurisdiction of this Act, may from time to time and at all times hereafter inspect and survey all Streets or public Places, or other Parts of their respective parochial or other Districts, as may not have been theretofore paved or repaired by virtue of or under the respective local Act or Acts of Parliament for such parochial or other District, and whether the same shall have been or shall not have been theretofore paved by any other Person or Persons than such Commissioners or Trustees, or other Persons having the Control of the Pavements in any such parochial or other District, by virtue of such local Act or Acts of Parliament; and that as to any such Part or Parts as may have been already paved, in case it shall appear to the said Commissioners or Trustees or other Persons as aforesaid, that such Parts being then paved are not in sufficient Repair, it shall and may be lawful to and for the said Commissioners or Trustees or other Persons as aforesaid, or for their Surveyor of the Pavements for the time being, to cause a Notice or Notices under the Hand of a Surveyor of the Pavements in such parochial or other District to be given to or for the Owner or Owners, or for the Occupier or Occupiers of all or any Messuages, Houses, Lands or other Hereditaments adjoining to such Parts of the said Streets or public Places, or other Parts within their respective parochial or other Districts theretofore paved as are not in sufficient Repair, and by such Notice or Notices to require such Owner or Owners, Occupier or Occupiers, to pave or to repave, or to repair, (as such Commissioners or Trustees or other Persons

Commissioners may survey Pavements,

and give Notice to Owner or Occupier to pave, &c.

Persons as aforesaid, or their Surveyor of the Pavement as aforesaid, shall think expedient,) the Foot and Carriage Pavements abutting on the Messuages, Houses, Lands or other Hereditaments belonging to or occupied by him or them, across the Street or public Place wherein or on one Side whereof any such Messuages, Houses, Lands or other Hereditaments may be situated; and that such Notice or Notices may be given to or left for such Owner or Owners, or Occupier or Occupiers, or any or either of them, at his or their or any or either of their usual or last known Place or Places of Abode, or at or on or affixed against the Messuages, Houses, Lands or other Hereditaments, or some of them, or some Part thereof, belonging to or occupied by such Owners or Occupiers respectively, or at or on some Premises adjoining thereto; and that in case any such Owner or Occupier, within Seven Days after any such Notice shall be given or left as aforesaid, shall not well and effectually pave or repave or repair all such Foot and Carriageway Pavement pursuant thereto, to the Satisfaction of the said Commissioners or Trustees or other Persons as aforesaid, or of their said Surveyor for the time being, then it shall and may be lawful to and for the said Commissioners or Trustees or other Persons as aforesaid, or for their Surveyor, to direct such Pavement to be paved or repaved or repaired with such Materials and in such manner as they may direct, and by such Person or Persons as they or he may from time to time appoint, at the Expence of the Owner or Owners, Occupier or Occupiers, or any of them, who shall not have paved or repaved or repaired such Foot or Carriageway Pavements to the Satisfaction of the said Commissioners or Trustees, or other Persons having the Control of the Pavements as aforesaid, or of the Surveyor of Pavements as aforesaid; and that the Amount of the Charges and Expences incurred thereabouts shall be ascertained and determined by the said Surveyor of the Pavements in such parochial or other District, and shall be certified to such Owner or Owners, Occupier or Occupiers, who shall have neglected to pave or repave or repair according to such Notice as aforesaid, by a Note signed by such Surveyor of the Pavements by whom such Charges and Expences shall have been ascertained, and shall be given to or left for such Owner or Owners, Occupier or Occupiers, at the Place or Places and in the manner in which Notices to pave or to repave or to repair are hereinbefore directed to be given or left; and that the full Amount of such Charges and Expences, or such Portion thereof as the said Surveyor may apportion to each of such Owners or Occupiers in respect of the several Messuages, Houses, Lands or other Hereditaments as aforesaid belonging to or occupied by each of them respectively, and mentioned in such Notice or Certificate of the said Surveyor, shall be paid by such Owner or Owners, Occupier or Occupiers respectively, to or for whom such Notice or Certificate was so given or left as aforesaid, within Three Days after such Notice or Certificate shall have been given or left as aforesaid, to the said Surveyor of Pavements, or to such Person or Persons as he shall appoint, and whose Receipt or Receipts shall be a good and sufficient Discharge, or good and sufficient Discharges, for the Monies in such Receipt or Receipts acknowledged to have been by him or them received; and that in case any such Owner or Owners, Occupier or Occupiers, shall not pay the same accordingly within the time hereinbefore appointed, then and in every such case he or they shall forfeit and shall pay to the

Owner there-
upon not paving,
&c.

Commissioners,
&c. may proceed
at Expence of
Owner or Occu-
pier.

Amount, on
being ascertained
and certified to
Owner or Occu-
pier, to be paid
by him.

Penalty.

the said Commissioners or Trustees, or other Persons having the Control of the Pavements in any such parochial or other District, Double the Amount of the Charges and Expences so certified as aforesaid as the Amount to be paid by him or them; and that the same and every Part thereof shall and may be recovered in such and the same manner, and by such and the same Proceedings, or any of them, as are by this Act authorized and directed for the Recovery of any Monies from any Water or Gas Light Companies, or Commissioners of Sewers, or other Persons, for the Costs and Charges of repairing any Pavements by the Commissioners or Trustees, or other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other Districts within the Jurisdiction of this Act; but that in case the said Commissioners or Trustees or other Persons having the Control of the Pavements in any parochial or other District as aforesaid, shall determine that it will be more expedient that any Streets or public Places or other Parts within their respective parochial or other District, being paved and not in sufficient Repair, or that any other Streets or public Places, or other Parts within their respective parochial or other Districts, being thenceforth paved, should be repaired or should be paved and thereafter repaired and kept in Repair, by them the said Commissioners or Trustees or other Persons having the Control of the Pavements as aforesaid, then and in any and every such Case it shall and may be lawful for the said Commissioners or Trustees or other Persons as aforesaid, to repair or to pave the same or any Part thereof (as they may think expedient), and thereupon that all and every such Streets or public Places or Parts of their respective parochial or other Districts so paved or repaired, shall thenceforth be and be deemed to be within the particular Jurisdiction of such Commissioners, Trustees or other Persons; and that the Owners or the Occupiers of all Messuages and Hereditaments therein may be rated and assessed to the Rates and Assessments to be made by virtue of this Act, or of any local Act or Acts of Parliament, for and towards the Charges of paving and repairing the Pavements in any such parochial or other District, either exclusively or jointly with or for or towards any other Objects or Purposes; and that all Provisions in this Act and in any local Act or Acts of Parliament contained, relating to any Parts of any such parochial or other District as are already paved, shall apply and extend to all such other Parts of the said parochial or other District as may be so paved or repaired under and by virtue of this Act, or of the Provisions hereinbefore contained; and also, that in case there shall be in any Parish within the Jurisdiction of this Act any Streets or public Places which shall not have been included in the Jurisdiction of the Commissioners or Trustees or other Persons having a Control of the Pavements therein, by virtue of or under any local Act or Acts of Parliament, and which are not included in the Jurisdiction of any other Paving Commissioners or Trustees or other Persons, by Prescription or by any local Act or Acts of Parliament, and it shall appear to any such Commissioners or Trustees or other Persons to be expedient that such Streets or public Places should be included within their Jurisdiction, then it shall and may be lawful for any such Commissioners, Trustees or other Persons so to order and determine; and that thereafter all and every such Streets and public Places shall be from thenceforth included within the Jurisdiction of such Commissioners or Trustees or other Persons;

How recovered.

In what case of Commissioners paving Streets, &c. they are to be deemed within their particular Jurisdiction;

and Owners, &c. may be rated;

and may include other Streets and Places in the same Parishes, as herein mentioned, within their Jurisdiction;

and

and Power: of
Act, &c. to ex-
tend thereto.

Provide where
more than One
District in One
Parish under
Jurisdiction of
separate Com-
missioners.

Commissioners
of Sewers to
make and repair
Grates.

Neglecting so to
do on Notice,

Commissioners
of Pavement,
&c. may proceed.

and that all Powers and Authorities of such Commissioners or Trustees or other Persons as aforesaid, and of their Surveyors, Officers and Servants, and also the Powers and Provisions of the local Act or Acts of Parliament for such parochial or other District, and of this Act, shall apply and extend thereto, in such and the same manner as if such Streets or public Places, or any of them, had by virtue of the said local Act or Acts of Parliament or otherwise thenceforth formed Part of the parochial District within the Jurisdiction of the said Commissioners or Trustees or other Persons, and by such local Act or Acts of Parliament or otherwise had been originally and thenceforth included therein, any thing in any such local Act or Acts of Parliament or in this Act or otherwise to the contrary in anywise notwithstanding; but provided that there shall be more than One District, and under the Jurisdiction of separate Paving Commissioners or Trustees or other Persons, in any one Parish, then the Powers hereinbefore given to the Commissioners, Trustees or other Persons having the Control of the Pavements as aforesaid, shall and may be used and exercised only by the Commissioners or Trustees or other Persons having the Control of the Pavements in that particular District, within any such Parish, whose District shall be contiguous or nearest to any such Streets or public Places, or in case they shall refuse to include the same and to order and determine as aforesaid, then by the Commissioners or Trustees or other Persons having the Control of the Pavements in that particular District within any such Parish as doth contain the greatest Number of the Messuages and Hereditaments then being within any such Parish as aforesaid, and may and shall not be used or exercised or claimed by any other Commissioners or Trustees or other Persons whomsoever.

LV. And be it further enacted, That when and so often as at any time or times hereafter there shall be Occasion to make any new or additional Grate, or to repair or alter any Grate now placed or hereafter to be placed over any public Sewer in any Street or public Place in any parochial or other District within the Jurisdiction of this Act, the same shall be made, repaired, or altered by and at the Expence of the Commissioners of Sewers acting for such parochial or other District, or such Part thereof wherein any such Street or public Place may be situate, and shall be laid down in such Places and in such manner and form as shall be directed by the Commissioners or Trustees or other Persons having the Control of the Pavements in the Streets or public Places in such parochial or other District, or by their Surveyor of the Pavements for the time being; and the said Commissioners of Sewers shall also from time to time and at all times repair, cleanse and empty any and every public Sewer within their Jurisdiction, whenever they shall be required so to do by the Commissioners or Trustees or other Persons having the Control of the Pavements in any parochial or other District wherein any such public Sewer may be situated, at the like Expence of the said Commissioners of Sewers; and in case the said Commissioners of Sewers shall refuse or neglect to execute any of such Works for the Space of Two Days next after any such Notice in Writing given or left as is hereinbefore directed as to any other Works to be executed by them, then and in any and every such Case it shall be lawful for the said Commissioners or Trustees or other Persons having the Control of the Pavements as aforesaid, or any Three or more of them, to cause such Grate or Grates

Grates to be made, repaired, altered and laid down, and all or any such public Sewers to be repaired, cleaned and emptied, by such Person or Persons and in such manner as they may direct, employ and appoint, and to their Satisfaction; and the Costs and Charges thereof shall be certified to the said Commissioners of Sewers, and shall be reimbursed or paid by them in the manner and within the time hereinbefore directed as to the Charges of relaying Pavements, and shall and may be obtained and recovered of them in like manner, and by such and the same Proceedings, or any of them, as are hereinbefore directed or authorized as to the Recovery of any Charges and Expences of relaying Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act.

and may recover the Charges.

LVI. And be it further enacted, That the Commissioners or Trustees or other Persons having the Control of the Pavements in the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, at any time or times hereafter may make or cause to be made any new public Sewers or Drains to communicate with the said Streets or public Places within their respective parochial or other Districts or any of them, and with any other public Sewer under the Jurisdiction of any Commissioners of Sewers, and also any new Grate or Grates over such new Sewer or Sewers, Drain or Drains, but conformably to the Regulations of the said Commissioners of Sewers for the time being; and the Expences attending the making any such new Sewers or Drains or Grates over such new Sewers or Drains, shall be borne and paid by the said Commissioners or Trustees or other Persons, out of the Monies raised and to be raised for and towards the Charges of paving or repairing the Pavements within their respective parochial or other District, or out of such Monies as they the said Commissioners or Trustees, or other Persons as aforesaid, may contribute thereto; and that it shall and may be lawful to and for such Commissioners or Trustees or other Persons as aforesaid to contribute out of any Monies which they shall receive and possess by virtue of any Rates or Assessments, such Sum or Sums as they may think proper towards the Expences of or incidental to the making of any such new Sewers or Drains, or new Grates over such new Sewers or Drains, by the said Commissioners of Sewers, or by any other Persons; and that the same Sewers or Drains or Grates, when made and completed, shall be under the Care, Management and Direction of the Commissioners of Sewers, in like manner as other public and common Drains or Sewers; and the said Commissioners of Sewers shall thereafter cause such Sewers or Drains from time to time to be repaired, cleaned and emptied, and such Grate or Grates to be from time to time repaired, replaced or altered in the manner directed by any local Act or Acts of Parliament relating to such parochial or other District, or by this Act, as to any former or other Sewers or Drains or Grates; and the same Sewers or Drains or Grates shall be subject to all the Provisions relating to any Sewers or Drains or Grates contained in any local Act or Acts of Parliament for any such parochial or other District, or in this Act.

New Sewers and Grates may be also made and repaired by Commissioners &c. of Pavement.

How Expences paid.

To be under Commissioners of Sewers.

LVII. And be it further enacted, That whenever from time to time or at any time hereafter it shall appear to the Commissioners or Trustees, or other Persons having the Control of the Pavements of the Streets and public Places in any parochial or other District within the Jurisdiction of this Act, or to any Two or more of them, or to their

Private Drains also to be cleaned,

their Surveyor or Surveyors for the time being, or any of them; that any private Drain, Sewer, Cesspool, Gutter or Watercourse running beneath or above or communicating with any other Drain or Sewer beneath any of the Pavements of any of the Streets or public Places in any such parochial or other District doth require to be repaired, amended, altered, emptied or cleansed, it shall and may be lawful to and for the said Commissioners or Trustees, or other Persons having the Control of such Pavements as aforesaid, or any Two or more of them, or their Surveyor or Surveyors as aforesaid for the time being, or any of them, to give or cause to be given a Notice or Notices under their Hands, or under the Hand or Hands of such Surveyor or Surveyors of Pavements for the time being, to or for the Owner or Owners or for the Occupier or Occupiers of all or any Messuages, Houses, Lands or other Hereditaments to whom such Drain, Sewer, Cesspool, Gutter or Watercourse shall belong, or by whom the same shall be used or enjoyed, or from whose Messuages, Houses, Lands or Hereditaments any such Drain, Sewer, Gutter or Watercourse shall proceed or flow, or wherewith the same or any such Cesspool shall communicate, well and sufficiently to repair, amend, alter, empty or cleanse the same and every Part thereof; and in case any such Owner or Owners, Occupier or Occupiers, within Three Days after any such Notice shall be given or left as aforesaid, shall not well and effectually repair, amend, alter, empty or cleanse any such Drain or Sewer and every Part thereof, pursuant to such Notice, and to the Satisfaction of the said Commissioners or Trustees or other Persons as aforesaid, or of their Surveyor or Surveyors for the time being, then it shall and may be lawful to and for the said Commissioners or Trustees or other Persons as aforesaid, or for their Surveyor or Surveyors for the time being, to direct such Drain, Sewer, Cesspool, Gutter or Watercourse to be repaired, amended, altered, emptied or cleansed, with such Materials and in such manner as they or he may direct, and by such Person or Persons as they or he may from time to time appoint; and that the Amount of the Charges and Expences incurred thereabouts, and also of taking up, relaying or repairing any Pavements in any Streets or public Places which may for those Purposes or any of them be taken up, shall be ascertained and determined by such Surveyor or Surveyors of Pavements as aforesaid, and shall be certified by him or them to such Owner or Owners, Occupier or Occupiers, and shall be paid by him or them within the same time, and may be recovered with the same Penalties in case of Nonpayment, in such and the same manner and by such and the same Proceedings, as are by this Act authorized and directed for the ascertaining and determining, certifying and recovering, any Monies to become due and to be recovered from any Persons whomsoever, for the Costs and Charges of repairing or paving or repaving any Pavements of any Streets or public Places by the Commissioners or Trustees or other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act.

on Notice by
Commissioners,
&c. to Owner or
Occupier of
House, &c.

Owner, &c.
neglecting,

Commissioners,
&c. may proceed,

and may recover
Charges.

Posts may be
erected in
Streets, &c. for
the Preservation
of the Pavements
and Prevention
of Accidents.

LVIII. And be it further enacted, That the said Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places in any parochial or other District within the Jurisdiction of this Act, may cause Posts of Wood, Stone or Iron to be set up near or adjoining the Foot Pavements, in

in such Part or Parts of all or any of the Streets or public Places within their respective parochial or other Districts, as they shall judge necessary; and also shall and may set up Posts and Rails near or adjoining to any vacant Ground, or other exposed or dangerous Place, abutting upon or adjoining to any of the Streets or public Places in such parochial or other District, in case they shall think proper so to do, for preventing Accidents or Casualties; and if any Person or Persons shall wilfully or carelessly knock down, break, damage or injure such Posts or Rails, or any of them, every Person so offending shall for every such Offence forfeit and pay any Sum not being less than Forty Shillings nor exceeding Ten Pounds; and shall also make a full Satisfaction (to be ascertained by the Justice before whom such Offender or Offenders shall be convicted) to such Commissioners, Trustees or other Person or Persons having the Control of the Pavements in the parochial or other District within which the Offence shall be committed, for the Damage so done; and that such Penalty and Satisfaction shall be recovered in the same manner in which Penalties and Forfeitures are hereinafter directed to be recovered by virtue of this Act.

Damaging, &c. the same.

Penalty.

LIX. And be it further enacted, That it shall be lawful for the Commissioners, Trustees or any other Persons having the Control of the Pavements in the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, and who by any local Act or Acts of Parliament relating thereto are also authorized and empowered to direct the cleansing of the Streets or public Places within such parochial or other District, at any time or times hereafter to agree by private Contract or by public Auction, or by Tender or Proposal if they shall think fit, for any time not exceeding Three Years, with any Person or Persons to be the Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers of the Streets and public Places within the said parochial or other District; and such Person or Persons, on a certain Day in every Week, and oftener when thereunto required by any Three or more of the said Commissioners or Trustees or other Persons as aforesaid, or by the Surveyor of the Pavements of such parochial or other District, or any Inspector or other Officer or Person appointed by them or any of them, shall bring or cause to be brought convenient Carriages into all such Streets or public Places where such Carriages can be drawn near or pass unto, and at or before their Approach, by Bell, Horn, Clapper or otherwise, by a loud Noise or Cry, shall give Notice to the Inhabitants, and shall give the like Notice in every other Place into which the said Carriages cannot pass and abide; and such Scavengers, Rakers or Cleansers shall take and carry away or cause to be taken and carried away from the respective Houses and Premises of the Inhabitants or Occupiers, their Soil, Ashes, Cinders, Rubbish, Dust, Dirt and Filth, and all which the said Scavengers, Rakers or Cleansers shall carry away or cause to be carried away at their own Costs and Charges, upon Pain of forfeiting a Sum of Forty Shillings for every Neglect or Default, (except nevertheless all such Rubbish, Earth, Dust and Filth as shall be occasioned by building, repairing, amending or altering any House or Houses or any other Building or Buildings, or by cleansing or repairing any Drain or Sewer); and also that the said Rubbish, Earth, Dust or Soil thereby occasioned, and every Part thereof, within the Space of

Commissioners, &c. may appoint Scavengers.

Duty of such Scavenger in removing Dirt, &c.

Penalty 40s.

Owner or Occu-
 pier of Houses,
 &c. not remov-
 ing Dirt, &c.
 Penalty 5l.

Penalty.

Power to Com-
 missioners to ap-
 point different
 Persons to col-
 lect and to pos-
 sess, the Dirt, &c.

Persons, other
 than such Sea-
 vengers, remov-
 ing, &c. Dirt, &c.

Proceedings.

Twelve Hours after the same or any Part thereof shall be first left or placed in any Street or public Place, shall be carried away by or at the Charge of the Owner or Owners, Occupier or Occupiers of such Houses and Buildings, or by the Commissioners of such Sewers respectively as aforesaid; and that such Owners or Occupiers or Commissioners neglecting to remove the same and every Part thereof, or to cause the same to be removed, within the time above limited, shall forfeit and pay the Sum of Five Pounds for every Neglect to remove the same within the time above limited; and also, that if any Person or Persons shall refuse to permit such other Soil, Ashes, Cinders, Rubbish, Dust, Dirt or Filth to be taken away by the Scavengers, Rakers or Cleaners, or other Persons appointed by and agreeing with the said Commissioners or Trustees or other Persons as aforesaid, then every such Person or Persons so offending shall in like manner forfeit and shall pay the like Sum of Five Pounds: Provided always, that it shall and may be lawful to and for the said Commissioners, Trustees or other Persons having the Control as aforesaid, either to contract and agree with and to appoint the same Person or Persons or a different Person and other Persons to be the Scavengers, Rakers or Cleaners within their parochial or other District of the Streets or public Places therein, and to be the Persons to collect and carry away and possess and retain the Soil, Ashes, Cinders, Rubbish, Dust, Dirt and Filth from the Houses and Premises within their respective parochial or other Districts, as they shall deem most expedient; but that the Right and Benefit of such Soil, Ashes, Cinders, Rubbish, Dust, Dirt and Filth, shall belong exclusively to the Person or Persons who shall be from time to time by the said Commissioners or Trustees or other Persons as aforesaid appointed to collect and possess the same; any thing in any local Act or Acts of Parliament or in this Act to the contrary notwithstanding.

LX. And be it further enacted, That if any Person or Persons other than the Scavengers, Rakers or Cleaners of any parochial or other District, or the other Person or Persons employed or appointed by or contracting with the said Commissioners or Trustees, or other Persons as aforesaid, to collect and retain the Dust, Cinders or Ashes within their respective parochial or other District, or those employed by and under such Person or Persons, shall on any Pretence whatsoever go about to collect or gather, or shall ask for, receive or carry away any Dust, Cinders or Ashes, it shall and may be lawful for any Justice of the Peace for the City, Borough or County within which such parochial or other District may be situate, upon Complaint to him made, to grant a Warrant to bring before him such Offender or Offenders, and also for any Person or Persons who shall see any such Offence committed to seize, and also for any other Person or Persons to assist in seizing, the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made use of for carrying the same away; and by the Authority of this Act, and without any other Warrant, to convey him, her or them before such Justice of the Peace, or any Justice of the Peace for the said City, Borough or County; and such Justice shall and he is hereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, or any Witness or Witnesses who shall appear

appear to give Information or Evidence touching such Offence; and if the Party or Parties shall be convicted of going about to collect or gather, or of asking for, receiving or carrying away any Dust, Cinders or Ashes from any House or other Premises within any parochial or other District within the Jurisdiction of this Act, not being the Person or Persons employed or appointed by or contracting with the said Commissioners or Trustees, or other Persons having the Control of the Pavements within such parochial or other District, to collect and possess the Dust, Cinders and Ashes from the Houses and Premises therein, or not acting with or under his or their Authority, he, she or they shall respectively, for the First Offence, forfeit and pay the Sum of Ten Pounds; for the Second Offence, the Sum of Fifteen Pounds; and for the Third and every other subsequent Offence, the Sum of Twenty Pounds; and One Moiety of which respective Penalties shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend the Offender or Offenders, and the other Moiety shall be paid and shall belong to the Person or Persons so employed or appointed by or contracting with the said Commissioners or Trustees or other Persons as aforesaid; and if such Offender or Offenders shall not on Conviction pay the said Penalty or Penalties, such Justice is hereby required to direct such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows or other Carriages or Implements which shall have been so seized, to be appraised and sold; and after deducting out of the Monies to arise by such Sale the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Warrant, and of such Distress, Appraisalment and Sale, the Overplus thereof shall be returned upon Demand to the Party or Parties whose Horses and other Things shall be appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses, Asses, Cattle, Carts or other Things which shall be appraised and sold, shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges and Expences, then if such Offender or Offenders shall not upon the Conviction pay the said Penalty or Penalties, or such Part or Parts of the said Penalty or Penalties, Charges and Expences, which shall remain over and above the Produce of the Horses, Asses, Cattle, Carts and other Things so seized and sold, then such Justice is hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction for the City, Borough or County where such parochial or other District shall be situate, there to be kept to hard Labour for any time not exceeding Thirty Days, unless such Penalty or Penalties, and Charges and Expences, and every Part thereof, shall be sooner paid and satisfied.

LXI. And be it further enacted, That in case such Person or Persons so employed or appointed by or contracting with the said Commissioners or Trustees or other Persons for the Purposes aforesaid, shall neglect for the Space of Seven Days to bring or cause to be brought Carts or proper Carriages into all the Streets or public Places as aforesaid where such Carriages can pass, and to give Notice in manner aforesaid to the Inhabitants of their coming, for the Purpose of taking away such Dust, Dirt, Soil, Rubbish, Filth, Cinders and Ashes, and to give the like Notice in every Place into which the said Carts and Carriages cannot pass, or to take away and remove all such Dust, Dirt, Soil, Rubbish, Filth or Cinders or Ashes from

First Offence.
Second Offence.
Subsequent
Offence.
Penalty.

If Penalty not
paid,

Proceedings.

On the Neglect
of Scavengers to
remove Dust for
Seven Days, the
Dust may be re-
moved by any
other Person,

the Houses and Premises of all and every the Inhabitants of such Streets or public Places, or from such Part or Parts of such Houses or Premises where such Dust, Dirt, Soil, Rubbish, Filth, Cinders and Ashes shall be deposited, that then (after Twenty four Hours' Notice given to such Person or Persons so employed or appointed by or contracting with the said Commissioners or Trustees or other Persons for the Purposes aforesaid, or left for him or them at his or their usual House or Houses, Yard or other Premises, requiring him or them to bring or cause to be brought Carts or Carriages to take away their Dust, Dirt, Filth, Cinders or Ashes, and to take away and remove the same from their respective Houses and Premises,) it shall and may be lawful for such of the Inhabitants of such of the said Streets or public Places, who shall have given such Notice as aforesaid, to give away or to sell their Dust, Dirt, Filth, Cinders or Ashes to any Person or Persons whomsoever; and that such Person or Persons who shall take and carry away the said Dust, Dirt, Filth, Cinders or Ashes, shall not be subject or liable to any Penalty or Penalties for so doing upon every such Neglect; any thing in this Act or in any local Act or Acts of Parliament contained to the contrary thereof notwithstanding.

on Notice to
Scavenger.

Dirt not to be
swept into any
Common Sewer.

LXII. And be it further enacted, That no Scavenger, Raker or Cleanser, or any other Person, shall sweep, rake or place any of the Slop, Mud, Dirt, Dust, Rubbish, Ashes, Filth or Soil, found or being in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, or any other Slop, Mud, Dirt, Dust, Rubbish, Ashes, Filth, Soil or other Articles or Things, over any Grate or Grates placed above or communicating with any common or public Drain or Sewer, or into any common or public Drain or Sewer; and that any and every Scavenger, Raker or Cleanser, or any other Person or Persons, who shall so offend, shall for every such Offence forfeit and shall pay the Sum of Five Pounds, to be recovered in the same manner in which other Penalties and Forfeitures are hereinafter directed to be recovered by virtue of this Act.

Penalty 5l.

Footways to be
swept by Occu-
pier daily during
Frost and Snow.

LXIII. And be it further enacted, That every Occupier of any House, Tenement, Warehouse, Shop, Shed, Coach House, Stable, Chapel, Meeting House or other public or private Building in any Street or public Place in any parochial or other District within the Jurisdiction of this Act, during the Continuance of Frost, or after or during the Fall of Snow, from time to time, and at all times hereafter, shall once in every Day before the Hour of Ten of the Clock in the Forenoon of each Day, except *Sunday*, sweep and cleanse, or cause to be swept and cleansed, the Footway all along the front Side or back Walls of their respective Houses, Tenements, Warehouses, Shops, Sheds, Coach Houses, Stables, Chapels, Meeting Houses or other public or private Building; and that every Occupier who shall neglect so to do shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Ten Shillings, to be levied and recovered and applied in such and the same manner in which other Penalties are by this Act hereinafter directed to be recovered and applied; and also that the Owner or Owners of any House or other Tenement within the Jurisdiction of this Act, which may be let furnished, or in divided Apartments, shall be deemed and taken, for the Purpose of this Provision, to be the

Except Sunday.

Penalty.

the Occupier or Occupiers of every such House or other Tenement respectively.

LXIV. And be it further enacted, That if any Person or Persons shall, in any Street or public Place in any parochial or other District within the Jurisdiction of this Act, at any time or times hereafter, beat or dust any Carpet or Carpets; or shall drive any Carriage or Carriages, for the Purpose of breaking, exercising or trying Horses; or shall ride any Horse, Mare or Gelding for the Purpose of exercising, airing, trying, shewing or exposing such Horse, Mare or Gelding for Sale, (otherwise than by passing through such Streets or other public Places); or shall throw, cast or lay, or shall cause, permit or suffer to be thrown, cast or laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, Dung, Soil, Blood or other Filth or Annoyance, or any matter or thing, in or upon the Carriageway or Footway Pavement of any such Street or other public Place in any parochial or other District within the Jurisdiction of this Act; or shall kill, slaughter, scald, dress or cut up any Beast, Swine, Calf, Sheep, Lamb or other Cattle, in or so near to any of the said Streets or other public Places, as that any Blood or Filth shall run or flow upon or over, or be on any or either of such Pavements; or shall run, roll, drive, draw or place, or cause, permit or suffer to be run, rolled, driven, drawn or placed, upon any of the said Footway Pavements of any Street or public Place in any parochial or other District within the Jurisdiction of this Act, any Waggon, Cart, Dray, Sledge or other Carriage, or any Wheel, Wheelbarrow, Handbarrow or Truck, or any Hoghead, Cask or Barrel; or shall wilfully ride, lead or drive any Horse, Ass, Mule or other Beast upon any of the Footway Pavements aforesaid; then and in every such case it shall and may be lawful to and for any Justice of the Peace for the City, Borough or County wherein any such parochial or other District may be situate, and he is hereby required, upon Complaint to him made upon Oath or Affirmation of One or more credible Witness or Witnesses, to issue a Summons requiring such Offender or Offenders to appear before him, at such time and place as shall be in such Summons specified; or it shall and may be lawful to and for any Person or Persons whomsoever, who shall see any such Offence committed, if he or they shall think proper, to seize, and also for any other Person or Persons to assist in seizing, such Offender or Offenders by the Authority of this Act, and by such Authority, and without any other Authority or Warrant whatsoever, to convey such Offender or Offenders before some Justice of the Peace for the City, Borough or County wherein any such parochial or other District may be situate; and upon the Party or Parties appearing in pursuance of such Summons, or not appearing after having been so summoned, or being brought before such Justice when so seized or otherwise, he the said Justice shall proceed to examine upon Oath or Affirmation any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of any or either of the Offences aforesaid upon his or their own Confession, or upon the Oath or Affirmation of One or more credible Witness or Witnesses as aforesaid, then and in every such case the Person or Persons so convicted shall forfeit and pay a Sum not less than Forty Shillings nor exceeding Five Pounds for each and

Beating Carpets,
breaking Horses,
driving Barrows,
and Carriages on
Pavements, and
throwing Filth,
&c.

Proceedings.

Penalty.

every Offence; and that One Moiety of every such Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend such Offender or Offenders; and the other Moiety thereof shall be paid to the Treasurer or Treasurers of the Commissioners, Trustees or other Persons having the Control of the Pavements in the Streets or public Places in the parochial or other District wherein any such Offence or Offences shall have been committed.

Placing, &c.
Carriages, Stalls,
Baskets, Wares
and other Mat-
ters herein men-
tioned on the
Footway, &c.;

Exceptions;

or placing Tim-
ber, Bricks, &c.
Exception;

or hanging out
Meat, &c.;

or Garden Pots,
&c. ;
Exception;

and not removing
the same on
being required;

LXV. And be it further enacted, That if any Person or Persons at any time or times hereafter shall set or place, or cause or permit to be set or placed by any Servant or Person employed by him, her or them, or otherwise, any Stall Board, Chopping Block, Shew Board, on Hinges or otherwise, Basket, Wares, Merchandize, Casks or Goods of any Kind whatsoever; or shall hoop, place, wash or cleanse, or cause to be hooped, washed or cleansed, any Pipe, Barrel, Cask or Vessel, in or upon or over any Part of the Carriage or Footways in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act; or shall set out, lay or place, or cause or procure, permit or suffer to be set out, laid or placed, any Coach, Cart, Wain, Waggon, Dray, Wheelbarrow, Handbarrow, Sledge, Truck or other Carriage upon any of the said Carriage Ways, (except such Coaches, Chariots and Chairs as have been or shall be hereafter licensed by the Commissioners for regulating and licensing Hackney Coaches, Chariots and Chairs, and which stand for Hire according to the Statutes and Bye Laws made for those Purposes,) and also except for the necessary time of loading or unloading any Cart, Wain, Waggon, Dray, Sledge, Truck or other Carriage, or taking up or setting down any Fare, or waiting for Passengers when actually hired, or harnessing or unharnessing the Horses from any Coach, Cart, Wain, Waggon, Dray, Sledge, Truck or other Carriage; or if any Person or Persons shall set or place, or cause to be set or placed, in or upon or over any of the said Carriage or Footways, any Timber, Stones, Bricks, Lime or other Materials or Things for building whatsoever, (unless the same shall be inclosed, as in and by any local Act or Acts of Parliament, or by this Act, or some of them, may be directed,) or any other matters or things whatsoever; or shall hang out or expose, or cause or permit to be hung out or exposed, any Meat or Offal, or other matter or thing whatsoever, from any House or Houses or other Buildings or Premises belonging to or occupied by him, her or them, over any Part of either of such Pavements, or over any Area or Areas of any Houses or other Buildings or Premises, or shall place or put out, or cause or permit to be placed or put out, any Garden or other Pots, (except the same shall be perfectly secured from falling, to the Satisfaction of the Commissioners or Trustees or other Persons having the Control of the Pavements in any such parochial or other District, or of their Surveyor of the Pavements for the time being,) or any other matter or thing, from and on the Outside of the Front or any other Part of any House or Houses, or other Buildings or Premises, over or next unto any such Street or public Place; and shall not immediately remove all or any such matters or things, being thereunto required by any Surveyor or Surveyors of Pavements, or by any other Person or Persons employed or appointed by the Commissioners, Trustees or other Persons hav-
ing

ing the Control of the Pavements in any parochial or other District ; and whether the same shall have been so set or placed, exposed or put out by himself, herself or themselves personally, or by any of his, her or their Servants, or by any Person or Persons employed by him, her or them, and shall not continue and keep the same so removed ; or if any Person or Persons having, in pursuance of any such Requisition or Requisitions as aforesaid, removed or caused to be removed any such Stall Board, Shew Board, Chopping Block, Basket, Wares, Merchandize, Casks, Goods, Coach, Cart, Wain, Waggon, Dray, Wheelbarrow, Handbarrow, Sledge, Truck, Carriage, Timber, Stones, Bricks, Lime, Meat, Offal, Garden Pots or other matters or things, shall at any time thereafter again set, lay or place, expose or put out, or cause, procure, permit or suffer to be again set, laid or placed, exposed or put out, the same or any of them, or any other Stall Board, Shew Board, Chopping Block, Basket, Wares, Merchandize, Goods, Coach, Cart, Wain, Waggon, Dray, Wheelbarrow, Handbarrow, Sledge, Truck, Timber, Stones, Bricks, Lime, Meat, Offal, Garden Pots or other matters or things whatsoever, (save and except as aforesaid,) in or upon or over any of the Carriage or Footways of or next unto any Streets or public Places within the same parochial or other District as aforesaid ; then and in every such case it shall and may be lawful to and for any Justice of the Peace for the City, Borough or County wherein the said parochial or other District may be situate, and he is hereby required, upon Complaint to him made by any One or more credible Witness or Witnesses upon Oath, to issue a Summons requiring the Person or Persons accused of such Offence, or the Owner or Owners of the Goods, Materials, Meat, Offal, Garden Pots, matters or things, or of the Coaches, Carts, Waggon, Drays, Wheelbarrows, Handbarrows, Sledges, Trucks or other Carriages which shall be so set or placed, exposed or set out, or the Master or Masters of the Person or Persons, by whose Servants, or by the Person or Persons employed by whom, such Offence shall have been committed, to appear before him, or before any other Justice of the Peace for the same City, Borough or County, as shall be then or there present, at such time and Place as shall be in such Summons specified, and then and there to proceed to examine upon Oath or Affirmation any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence ; and if the Person or Persons so offending shall be convicted of any or either of the Offences aforesaid, upon his, her or their own Confession, or upon the Oath or Affirmation of One or more credible Witness or Witnesses as aforesaid, he, she or they who shall be so convicted, and the Owner or Owners of such Goods, Materials, Meat, Offal, Garden Pots, matters or things, or of the Coaches, Carts, Waggon, Drays, Wheelbarrows, Handbarrows, Sledges, Trucks or other Carriages which shall be so set or placed, exposed or set out as aforesaid, and the Master or Masters, Employer or Employers of the Person or Persons so offending, shall forfeit and pay for the First Offence the Sum of Forty Shillings, and for the Second and every subsequent Offence any Sum not exceeding Five Pounds ; and that such respective Penalties shall be paid to the Treasurer or Treasurers of the Commissioners, Trustees or other Persons having the Control of the Pavements in the Streets or public Places

or, having removed, replacing the same, &c.

Exception.

Proceedings.

First Offence.
Subsequent
Offence.
Penalty.

Places in the parochial or other District wherein any such Offence shall have been committed, or to such other Person or Persons as they shall direct and appoint; and also, that not only shall such Penalties become payable and to be recovered, but that it shall and may be lawful to and for any Person or Persons appointed or to be appointed by the said Commissioners or Trustees or other Persons as aforesaid for that Purpose, without any Warrant or other Authority than this Act, to seize any such Stall Board, Shew Board, Chopping Block, Basket, Wares, Merchandize, Casks, Goods, Coach, Cart, Wain, Waggon, Dray, Wheelbarrow, Handbarrow, Sledge, Truck or other Carriage, together with the Horse or Horses, Asses or Mules, if any shall be, thereunto belonging, with the Harness, Gear and Accoutrements thereof, or any such Timber or other Materials, or other matters or things aforesaid, or any of them; and in case any of the Wares, Goods and Merchandizes so seized shall be perishable, or shall be Articles of Food, then the same shall be immediately forfeited, and such Person or Persons who shall seize the same shall deliver the same or cause the same to be delivered to the Churchwardens or Overseers of the Poor, or some of them, or to the Master of any Workhouse situate in the said parochial or other District, or of the Parish whereunto such District shall belong; and the same shall and may be given and distributed by him or them unto one or among any one or more of the poor Inhabitants of the said parochial or other District, or of such Workhouse, to and for his or their Benefit; but otherwise such Person or Persons shall cause the Stall Board, Basket, Cask, Goods, Coach, Cart, Wain, Waggon, Dray, Wheelbarrow, Handbarrow, Sledge, Truck or other Carriage, Horse or Horses, Asses or Mules, or any Materials and Things so seized, to be removed to any Place appointed for the Reception thereof in any such parochial or other District, if any such there be, and otherwise to such Place or Places as he or they shall judge convenient, giving parole or written Notice of such Place or Places whereunto the same shall be removed, unto the Owner, Driver or other Person having any Interest in the Goods, Coach, Cart, Wain, Waggon, Dray, Wheelbarrow, Handbarrow, Sledge, Truck or other Carriage, Horses, Asses, Mules, Materials or other things so seized or removed, if he, she or they shall be then and there present; and the same shall be there kept and detained until such Owner, Driver or other Person interested therein as aforesaid shall cause to be paid the said Penalty, together with the Charges for taking or removing the same, and of keeping such Horse or Horses, Asses or Mules, if any; and in case the Goods, Carriage, Horses, Materials or other things so removed (not being perishable or Articles of Food) shall not be claimed, and the said Penalty and Charges be paid, within Five Days next after such Removal thereof, then and in every such case it shall and may be lawful to and for the said Commissioners or Trustees, or other Persons as aforesaid, or their Surveyor of the Pavements, or any other Person to be appointed by the said Commissioners or Trustees or other Persons as aforesaid, to order the same to be appraised and sold; and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof, if he or they shall have given such Notice as aforesaid, after deducting the said Penalty, and such Costs, Charges and Expences attending such seizing, removing, keeping, appraising and

And Stalls, &c.
may be seized.

Perishable
Seizures, how
disposed of.

Other Seizures,
how disposed of.

If Goods (not
perishable) not
claimed within
Five Days,
Proceedings.

and selling the same, as the said Commissioners or Trustees or other Persons as aforesaid, or any Surveyor of the Pavements in any parochial or other District, shall ascertain and allow.

LXVI. And be it further enacted, That in all cases where by this Act or by any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, it may be directed, required and provided, that any Person or Persons setting or placing any Stall Board, Chopping Block, Basket, Wares, Merchandize, Pipe, Barrel, Cask or Vessel, Goods, Timber, Stones, Bricks, Lime or any other materials, matters or things, or causing or procuring the same or any of them to be set or placed upon any of the Carriage or Foot Pavements or otherwise, contrary to the Regulations herein or in any such local Act or Acts contained, in any of the Streets or public Places within the Jurisdiction of this Act, or that any Person or Persons driving or placing any Coach, Cart, Wagon, Dray, Wheelbarrow, Handbarrow, Sledge, Truck or other Carriage in or upon or over any of the Foot Pavements in any Streets or Places within the Jurisdiction of this Act, or causing or procuring the same to be so driven or placed, shall have Notice and be required to remove the same previous to such Person or Persons being subject or liable to the Penalty or Penalties imposed by virtue of such local Act or Acts or of this Act, and to the Seizure, Forfeiture, Appropriation, Appraisement or Sale of any such Goods, Materials, matters and other things, Coaches, Carts, Waggons, Drays, Wheelbarrows, Handbarrows, Sledges, Trucks or other Carriages, in manner directed by such local Act or Acts or by this Act, then if any Person or Persons shall set or place any Goods, Materials, matters or other things, or shall set, place or drive any Coaches, Carts, Waggons, Drays, Wheelbarrows, Handbarrows, Sledges, Trucks or other Carriages upon or over the said Pavements, or any of them, or any Part thereof, at any time or times subsequent to his, her or their having received such Notice, or having been required to remove the same, or any other Goods, Materials, matters or things, or any other Coaches, Carts, Waggons, Drays, Wheelbarrows, Handbarrows, Sledges, Trucks or other Carriages from off the said Pavements or any of them, or shall cause or permit the same or any of them to be set or placed or driven by his or their Servants, or by any Person or Persons employed by him or them; in any and every such case it shall not be necessary or requisite that any Person or Persons, seeing such Offence or Offences committed again, should require the Removal of the said Goods, Materials, matters or things, or Coaches, Carts, Waggons, Drays, Wheelbarrows, Handbarrows, Sledges, Trucks or other Carriages; but the same or any of them, being so again set, placed or driven in, upon or over the said Pavements or any of them, or any Part thereof, contrary to the Directions of any such local Act or Acts of Parliament, or of this Act, shall and may be seized, forfeited, removed, applied, detained, appraised and sold, in manner herein provided as to any other Goods, Materials, matters or things, or Coaches, Carts, Waggons, Drays, Wheelbarrows, Handbarrows, Sledges, Trucks or other Carriages, which shall not be removed on a Requisition or Notice being given so to do as hereinbefore provided; and the Person or Persons so committing the said Offence or Offences, and the Owner or Owners

Placing Nuisances and Annoyances,

after Notice,

fresh Notice not necessary;

but Goods, &c. may be seized, and Offenders liable.

of

of the Goods, Materials, matters or other things, or Coaches, Carts, Waggons, Drays, Wheelbarrows, Handbarrows, Sledges, Trucks or other Carriages which shall be so placed or driven, and the Master or Masters, Employer or Employers of the Person or Persons so offending, shall be subject and liable to the same Penalty or Penalties, Forfeitures, Proceedings, Charges and Punishments, as if such Person or Persons offending had neglected or refused to remove the said Goods, Materials, matters or other things, or Coaches, Carts, Waggons, Drays, Wheelbarrows, Handbarrows, Sledges, Trucks, or other Carriages, when required so to do, under and by virtue of any local Act or Acts of Parliament, or of this Act; and although the said Notices or Requisitions shall not have been repeated or again given to the Person or Persons committing or directing or permitting such Offence or Offences, or any of them; any thing in this Act or in any local or other Act or Acts of Parliament to the contrary thereof in anywise notwithstanding.

Hog Styes and
other Nuisances

LXVII. And be it further enacted, That in case any Hog Stye, Slaughter House, Horse-boiling Establishment, or any other matter which in the Judgment of the Commissioners or Trustees, or other Persons having the Control of the Pavements in any parochial or other District within the Jurisdiction of this Act, is a Nuisance to the other Inhabitants of such parochial or other District or any of them, at any time or times hereafter shall be in any of the Streets, Lanes or public Places in any parochial or other District within the Jurisdiction of this Act, it shall be lawful for the said Commissioners or Trustees, or other Persons having the Control of the Pavements of the said Streets and public Places, upon Complaint thereof to them made by any Inhabitant, and after due Investigation of such Complaint, by Notice in Writing under the Hand or Hands of any of their Surveyor or Surveyors, or of their Clerk or Clerks for the time being, to order that every or any such Hog Stye, Necessary House, Slaughter House or other matter, being a Nuisance, shall be forthwith remedied or removed; and if the same shall not be remedied or removed within Seven Days after such Notice given to the Owner or Owners, Occupier or Occupiers of the Premises wherein such Nuisance or Nuisances shall be situate, or left for him, her or them, at his, her or their last or usual Place or Places of Abode, or on the said Premises, then every such Owner or Occupier so neglecting to remedy or remove such Nuisance pursuant to such Notice, and to the Satisfaction of the said Commissioners or Trustees or other Persons, or of their Surveyor or Surveyors of the Pavements for the time being, shall forfeit and pay the Sum of Ten Pounds for every such Neglect and Disobedience; and also it may be lawful to and for the said Commissioners or Trustees or other Persons to indict or cause to be indicted such Person or Persons so neglecting or disobeying any such Notice, at the then next or at any future General or Quarter Sessions or Adjourned Quarter Sessions of the Peace for the City, Borough or County wherein such parochial or other District may be situate, for such Nuisance, or for such Disobedience and Offence; and such Person or Persons being found guilty thereof, such Nuisance or Nuisances shall be removed, taken down and abated according to Law with regard to public or common Nuisances, or may be subject to such Punishment for a Misdemeanour, as the Justices assembled at

not removed on
Complaint,

Penalty rol.
and Commit-
tioners, &c. may
proceed by
Indictment.

Punishment.

at a General, Quarter or Adjourned Sessions for the said City, Borough or County, may direct.

LXVIII. And be it further enacted, That no Person or Persons whomsoever, at any time or times hereafter, shall breed, feed, or keep any kind or Species of Swine in any House, Building, Yard, Garden or other Hereditaments situate and being in or within Forty Yards of any Street or public Place in any parochial or other District within the Jurisdiction of this Act, nor shall suffer any Kind or Species of Swine belonging to him or them to stray or go about in any Street or public Place in any parochial or other District within the Jurisdiction of this Act; and that any Person or Persons who shall so offend shall forfeit and pay for every such Offence the Sum of Forty Shillings, and shall also forfeit the said Swine and every of them unto the Commissioners or Trustees or other Persons having the Control of the Pavements in any such parochial or other District; and that it shall and may be lawful for the said Commissioners or Trustees or other Persons, or their Surveyor or Surveyors, Inspector or Inspectors, or any other Officer or Person or Persons directed and appointed by them, and for any Constables and Headboroughs, at all times hereafter all such Swine to seize, take, drive and carry away, and sell for the best Price that can be reasonably had; and the Money thereby produced, after deducting all the Costs and Charges of and incidental to such Seizure, Removal and Sale, to pay to the Treasurer or Treasurers of the said Commissioners or Trustees or other Persons, or to such other Person or Persons as the said Commissioners or Trustees or other Persons as aforesaid shall from time to time direct and appoint.

Swine not to be kept, nor to wander in the Streets.

Penalty 40s. and Swine forfeited.

Such Swine seized, how disposed of.

LXIX. And be it further enacted, That if any Person or Persons at any time or times hereafter shall sift, screen or slack, or cause to be sifted, screened or slacked, any Lime in any Street or public Place in any parochial or other District within the Jurisdiction of this Act, or shall cause the same to be so done, without the Consent of the Commissioners or Trustees or other Persons having the Control of the Pavements in the Streets or public Places in such parochial or other District, or of their Surveyor or Surveyors of Pavements for the time being, and without also previously erecting an Hoard or Inclosure, with the Licence of the Surveyor or Surveyors of the Pavements in any such parochial or other District first obtained, as directed in any local Act or Acts of Parliament relating to any such parochial or other District, or in this Act, and which Hoard or Inclosure shall inclose all such Lime when and as it shall be sifted, screened or slacked; then he, she or they shall forfeit and pay for every such Offence a Sum not being less than Forty Shillings nor exceeding Five Pounds, to be recovered in the same manner in which other Penalties are hereafter directed to be recovered by virtue of this Act.

Slacking, &c. Lime in the Streets without Consent of Commissioners, and erecting Inclosures, &c.

Penalty.

LXX. And be it further enacted, That if at any time or times hereafter the Owner or Owners, Occupier or Occupiers, of any House, Building or Premises in any parochial or other District within the Jurisdiction of this Act, having any Iron or Wooden Rails or Bars over the Areas or Openings to any Kitchens or Cellars or other Part or Parts of his or their House, Building or Premises, beneath the Surface of the Foot Pavements of any Streets or public Places in any such parochial or other District, or having any

Entrances to Cellars and Coal Holes, Bars over Areas, &c. to be covered and secured.

any Doorway or Entrance into the Basement or Cellar Story thereof, shall not either keep the same, or the Walls of such Kitchens or Cellars, in sufficient and good Repair, or safely and securely guard and constantly keep the same securely guarded by a Rail or Rails, or cover the same over with a strong Flap or Trap Door, according to the nature of the case, and to the Satisfaction of the Commissioners or Trustees or other Persons having the Control of the Pavements in such parochial or other District, or of the Surveyor or Surveyors of the Pavements in any such parochial or other District for the time being, or of any Inspectors or other Officers or Persons appointed by the said Commissioners, Trustees or other Persons as aforesaid, or some of them, and so as to prevent Danger to Persons passing and repassing; or if any such Occupier or Occupiers do or shall leave open, or not sufficiently and substantially cover and keep covered and secured, to such Satisfaction as aforesaid, any Coal or other Hole, Funnel, Trap Door or Cellar Flap, belonging to or connected with his, her or their respective Houses, Buildings or Premises (save and except only during such reasonable time as any Coals, Wood, Casks or other things shall be putting down or taking out of any such Vault or Basement Story, or during such reasonable time as the Flap, Trap Door or Covering thereof shall be altering, repairing or amending); or if such Owner or Owners, Occupier or Occupiers, shall not repair, and from time to time keep in good and substantial Repair, to the Satisfaction of the said Commissioners or Trustees or other Persons, or of the said Surveyor or Surveyors, Inspectors or other Persons appointed by the said Commissioners or Trustees or other Persons as aforesaid, all and every or any such Iron or Wooden Rails, Guard Rails, Flaps, Trap Doors and other Covering; then and in every such case the Person or Persons neglecting so to do shall for every or any such Offence forfeit and pay any Sum not being less than Forty Shillings nor exceeding Five Pounds, to be recovered in such and the same manner in which other Penalties are hereafter directed to be recovered by virtue of this Act; and that in any or either of such cases of Neglect, it shall and may be also lawful to and for any Two or more of the said Commissioners or Trustees, or other Persons as aforesaid, and without the Authority of any public or general Meeting, or for their Surveyor or Surveyors of the Pavements for the time being, or for their Inspectors, or for any other Person by such Commissioners or Trustees or other Persons appointed as aforesaid, to cause all and every such Doorways, Entrances, Holes and Funnels to be well and securely covered over and guarded, and all Iron or Wooden Rails, or Guard Rails, Flaps, Trap Doors or Coverings, to be well and substantially repaired or renewed by such Person or Persons as they shall think proper to employ, and with such Materials and in such manner as they or he may direct; and that all the Costs, Charges and Expences attending the same be ascertained and certified by the Surveyor or Surveyors of the Pavements in any such parochial or other District, and shall be borne and paid by the Owner or Owners, Occupier or Occupiers, or other Person or Persons so neglecting to repair and make good the same in manner aforesaid; and that if such Costs, Charges and Expences shall not be so paid by such Person or Persons to the said Surveyor or Surveyors, or to such other Person or Persons as he or they shall or may appoint to receive the same, within Twenty four Hours after an Account

Owner or Occupier leaving the same open, &c.

Exception;

or not repairing, &c.

Penalty.

Commissioners, &c. may cause such Coal Holes, &c. to be secured.

Charges to be paid by the Owner or Occupier;

and, if not paid,

count of the Costs, Charges and Expences so ascertained and certified shall have been given to or left for such Person or Persons at or on such Houses, Buildings or Premises, then double the Amount of the Sum so certified shall become due and payable from such Person or Persons, over and above the other Penalties hereby imposed, and shall and may be recovered and levied in such and the same manner in which any other Penalties are hereinafter directed to be recovered, or in which any Monies may be recovered from any Water or Gas Light Companies, or any other Persons, for or on account of any Costs and Charges of relaying any Pavements, by virtue of any local Act or Acts of Parliament relating to such parochial or other District, or of this Act.

double the Amount certified to be paid above the Penalties.

LXXI. And be it further enacted, That if at any time or times hereafter any Person or Persons shall dig or make or cause to be dug or made any Hole, or leave or cause to be left any Hole before any vacant Ground, or before or behind or on the Side of any House or other Tenement or Building erected or being erected or about to be erected in and adjoining to any Street or public Place formed or to be formed or forming in any parochial or other District within the Jurisdiction of this Act, for the Purposes of making any Vault or Vaults, or the Foundation or Foundations to such Houses or other Buildings, or for any other Purpose whatsoever, and shall not forthwith inclose the same in a good and sufficient manner, to the Satisfaction of the Surveyor or Surveyors of the Pavements for the time being to the Commissioners or Trustees or other Persons having the Control of the Pavements in such parochial or other District, or shall keep up or cause to be kept up and continued any such Inclosure for any time which shall be longer than shall be absolutely necessary in the Opinion of the said Commissioners or Trustees or other Persons as aforesaid, or of their Surveyor or Surveyors of Pavements for the time being, or shall not, when thereunto required by such Surveyor or Surveyors, or either of them, well and sufficiently fence or inclose any such Hole or Holes, or Area or Areas, or Space or Spaces, opened or left open, and intended for an Area or Areas, Foundation or Foundations, or for any other Purpose whatsoever, in the Front of or behind or on the side of such vacant Ground, House or other Tenement or Building, in and adjoining to any such Street or public Place formed or to be formed or forming, within Six Hours after he or they shall be required so to do by the said Surveyor or Surveyors of Pavement, and in the manner and with such Materials as he or they shall direct, and to his or their Satisfaction, then and in every or any such case he or they so offending shall forfeit and pay for every such Offence, and for every such Refusal or Neglect, any Sum not being less than Forty Shillings nor exceeding Five Pounds, to be recovered in the same manner in which other Penalties are hereinafter directed to be recovered by virtue of this Act.

Holes made for Vaults, to be inclosed.

Penalty.

LXXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places in any parochial or other District within the Jurisdiction of this Act, and for their Surveyor or Surveyors of Pavements, from time to time and at all times hereafter, to regulate or remove, in such manner as he or they shall from time to time judge proper, all Signs, Sign

Signs and other Encroachments and Projections to be regulated by Commissioners, &c. of Pavements;

Sign Irons, Sign Posts and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Cellar Doors, Bow and other Windows projecting over any Part of either of the Footways or Carriage Ways of any of the said Streets or public Places, Window Shutters, Stumps, Shades, Rails, Pales, Palifades, Porches, Bulks, Shew Glasses and Shew Boards, Pools, Cesspools, Cisterns and Reservoirs for Water, and all other or any fixed or moveable Projections, on Hinges or otherwise, from the Fronts or Sides of any House or Houses or other Buildings, and now affixed or belonging to, or which shall be hereafter affixed or belonging to any House or Houses or other Buildings in or abutting upon or contiguous to any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, or to the Owner or Owners or Occupier or Occupiers of any such Houses or other Buildings, and which in the Judgment of the said Commissioners or Trustees or other Persons as aforesaid, or of their Surveyor or Surveyors of Pavements for the time being, then do or may obstruct the Circulation of Light and Air, or are inconvenient or incommodious to any Passengers along the Carriage or Footways of any of the said Streets or public Places of or within the Jurisdiction of this Act, or any Part thereof, or to any Inhabitants of such parochial or other District; and that the same, and all the Roofs, Cornices, Eaves and Penthouses of or belonging to such Houses or Buildings respectively, and all Water Pipes or Trunks affixed or belonging or to be affixed or belonging to any such Houses or other Buildings respectively, shall from time to time and at all times be regulated, removed, placed and altered by the Owner or Owners or Occupier or Occupiers of such Houses or other Buildings respectively, as in the Judgment of the Commissioners or Trustees or other Persons as aforesaid, or their Surveyor or Surveyors of the Pavements for the time being, shall be necessary or desirable for the public Convenience; and that in case any Person or Persons owning or occupying any House or Houses or other Buildings in or abutting upon or contiguous to any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, on being required by any Notice signed by any Three or more Commissioners or Trustees or other Persons having the Control of the Pavements in the parochial or other District within which the said House or Houses or Buildings may be situate, or by their Surveyor or Surveyors of Pavements for the time being, given to or left for such Person or Persons, or any of them, in or at or upon the said House or Houses or other Buildings or any of them, or at his or their usual or last known Place or Places of Abode, shall not from time to time and at all times immediately either entirely remove or alter, to the Satisfaction of the said Commissioners or Trustees or other Persons having the Control of the Pavements in any such parochial or other District, or of their Surveyor or Surveyors of the Pavements for the time being, any Signs, Sign Irons, Sign Posts and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Cellar Doors, Bow and other Windows, Window Shutters, Stumps, Shades, Sun Blinds, Awnings, Rails, Pales, Palifades, Porches, Bulks, Shew Glasses and Shew Boards, Pools, Cesspools, Cisterns and Reservoirs, or other Things then fastened or affixed, or belonging to or connected with any such House or Houses or other Buildings, and all other fixed or moveable Projections

and Owner or Occupier to alter or remove the same according to the Judgment of the Commissioners, &c. on Notice.

Neglecting so to do,

jections or things projecting from the Fronts or Sides of, or added or appendant or belonging to any House or Houses or other Buildings, or to the Owner or Owners or Occupier or Occupiers of any such House or Houses or other Buildings, over any Footways or Carriageways of any Streets or public Places within the Jurisdiction of this Act; or any Part, or any of them, and the Roofs, Cornices, Eaves and Penthouses, Waterpipes or Trunks, affixed or to be affixed, or belonging or to belong unto or connected with any of such Houses or Buildings respectively; then and in every such case any and every such Person or Persons refusing or neglecting immediately so to do, to the Satisfaction of the said Commissioners or Trustees or other Persons as aforesaid, or of their Surveyor or Surveyors of the Pavements for the time being, shall for every such Offence, and upon every such Refusal or Neglect, forfeit and pay a Sum not being less than Forty Shillings nor exceeding Five Pounds, and which may be recovered in the same manner in which other Penalties are hereinafter directed to be recovered by virtue of this Act.

Penalty.

LXXIII. And be it further enacted, That if any Person or Persons at any time or times hereafter shall drive or cause to be driven any Cart or other Carriage with any Soap Lees, Night Soil, Ammoniacal Liquor, Slop, Filth or Channel Mire or Dirt therein, through or in any of the Streets or other public Places in any parochial or other District within the Jurisdiction of this Act, without such Cart or other Carriage having a proper Covering or Boards, called Flash Boards, to prevent the same from slopping or spilling in any of the said Streets or other public Places; or shall at any time or times hereafter drive or cause to be driven any Cart or other Carriage with any Soap Lees, Night Soil or Ammoniacal Liquor therein, through or in any of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, between the Hours of Six of the Clock in the Morning and Eight of the Clock in the Evening of any Day; or shall fill any such covered Cart or other Carriage, so as to turn over or cast any Soap Lees, Night Soil, Ammoniacal Liquor, Slop, Mire or Channel Dirt or Filth, in or upon any of the said Streets or other public Places; it shall and may be lawful for any Person or Persons whomsoever to seize and apprehend and to assist in seizing and apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant or Authority, to convey him or them before some Justice of the Peace for the City, Borough or County wherein such parochial or other District shall be situate; and which Justice is hereby authorized and required to hear Evidence and determine upon such Offence; and every Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds, to be recovered in the same manner as other Penalties are hereinafter directed to be recovered by virtue of this Act: Provided always, that in case the Person or Persons so offending cannot be apprehended, then the Owner or Owners of such Cart or Carriage in which such Soap Lees, Night Soil, Ammoniacal Liquor, Slop, Filth, Mire or Channel Dirt shall be put or placed, and also the Employer or Employers of the Person or Persons so offending, shall be liable to and shall forfeit and pay such Penalty as aforesaid, to be recovered as aforesaid.

Slop, Soap Lees, &c. to be carried only in covered Carts.

Hours of driving and manner of filling.

Offender seized.

Penalty 5l.

In what case Owner, &c. to pay.

LXXIV. And

Hours of removing Night Soil, &c.

LXXIV. And be it further enacted, That if any Person or Persons at any time or times hereafter shall empty or begin to empty any Bog House or Bog Houses, or to take away any Night Soil from any House or Houses or Premises within the Streets or other public Places in any parochial or other District within the Jurisdiction of this Act, or shall come with Carts or Carriages for that Purpose (save and except between the Hours of Twelve of the Clock in the Night and Five of the Clock in the Morning from *Lady Day* to *Michaelmas* in every Year, and between Twelve of the Clock at Night and Six of the Clock in the Morning from *Michaelmas* to *Lady Day* in every Year); or if any Person or Persons shall put or cast or cause to be put or cast out of any Cart or Tub or otherwise any Night Soil in or near any of the Streets or other public Places in any parochial or other District within the Jurisdiction of this Act, it shall be lawful for any Constables, Headboroughs, Patrols, Beadles or Watchmen (and they are hereby strictly charged and required and directed so to do), or for any other Person or Persons whomsoever, without any Warrant or other Authority than this Act, to apprehend and carry any Person or Persons guilty of the said Offences, or either of them, to any Watch House of the parochial or other District wherein such Offence shall have been committed, or to any other Place of Confinement or Security, and from thence to convey him, her or them, as soon as conveniently may be, before some Justice of the Peace for the City, Borough or County wherein such parochial or other District shall be situate, who (upon Oath or Affirmation made of such Offence or Offences as aforesaid) shall commit every such Offender or Offenders to the House of Correction for the same City, Borough or County wherein such parochial or other District shall be situate as aforesaid, for any time not exceeding Thirty Days, to be computed from the Day of Commitment; and the Owner or Owners of any Carts, Carriages, Horses or Beasts employed in and about emptying or removing such Night Soil, or coming for that Purpose (save and except within the Hours hereby allowed), or the Employer or Employers of any Person or Persons who shall so put or cast out any such Night Soil, shall forfeit the Sum of Five Pounds for every such Offence; and any Person or Persons may seize such Carts or Carriages or the Horses or Beasts drawing the same, with the Gears, Harness and Accoutrements, and remove or take such Carts or Carriages, Horses or Beasts, to such Place in the said parochial or other District as may be appointed for such or similar Purposes, if any such there be, or otherwise to such Place or Places as the Surveyor or Surveyors of the Pavements of such parochial or other District shall order and direct, there to be detained until the Owner or Owners, Employer or Employers, shall pay the said Penalty, together with all Costs, Charges and Expences incurred in and about or relating to the Seizure, removing and keeping the said Carts or Carriages or Horses, or in any manner incidental thereto; and in case the same shall not be demanded, and the said Penalty and all such Costs, Charges and Expences, to be ascertained and determined by the Surveyor or Surveyors of the Pavements of the said parochial or other District for the time being, and within Five Days next after such Seizure, then it shall be lawful for such Surveyor or Surveyors to order the same to be appraised and sold, and the Money arising therefrom

Offender may be apprehended. Proceedings.

Offender may be committed to House of Correction.

Penalty 5l. on Owner, &c. and Carts, &c. seized. Proceedings thereon.

therefrom shall be applied in Payment of such Penalty and Costs, Charges and Expences; and after deducting the same, the Overplus, as so ascertained by the said Surveyor or Surveyors, may be paid to the Owner or Owners thereof, when he or they shall apply for the same; and also that One Moiety of such Penalty shall belong to and shall be paid to or among the Person or Persons giving Information of such Offences, or any of them, and apprehending the Offender or Offenders, and seizing, removing and detaining such Carts or Carriages, and Horses or Beasts, as hereinbefore is authorized and directed.

Penalty, how disposed of.

LXXV. And be it further enacted, That no Person or Persons whomsoever shall erect, place, set up or build, in any Street or other public Place in any parochial or other District within the Jurisdiction of this Act, at any time or times hereafter, any Hoard or Scaffolding, or place or erect any Posts, Bars, Rails, Boards or other thing, by way of Inclosure, for the Purpose of making Mortar or of depositing or sifting, screening or slacking any Brick, Stone, Lime, Sand or any other Materials for building or repairing any House or other Tenement or Erektion, or for other Works, or for any other Purpose, without Leave or Licence first had and obtained under the Hand or Hands of the Surveyor or Surveyors for the time being of the Pavements of such parochial or other District, who is and are hereby required to grant the same forthwith for the Purpose of making Mortar, and depositing or sifting, screening or slacking any Bricks, Stone, Lime, Sand or any other Materials for building or repairing any House or other Tenement or Erektion, specifying therein the Length of Time for which the same when so erected or set up may be continued, and giving such other Directions respecting the same as he or they may think necessary, on being paid by every Person so applying for such Licence the Sum of Two Shillings and Sixpence; and that if any Person or Persons shall erect, place, set up or build, or cause or permit to be erected, placed, set up or built any such Hoard or Scaffolding, or any Inclosure, Posts, Bars or Rails, or any other matter or thing for the Purposes aforesaid, or for any other Purpose, without the Leave or Licence, signed as aforesaid, of the said Surveyor or Surveyors of the Pavements so had and obtained, or shall erect, set up or build the same, or cause or permit the same to be set up or erected in any other manner, or to be continued for any longer time than shall be allowed or expressed in such Licence, then and in either of the said cases such Person or Persons or the Person or Persons by whom he or they shall or may be employed, shall forfeit and pay the Sum of Ten Shillings for every Day that the same shall have been and shall be set up and continued; and also that it shall and may be lawful for the said Commissioners or Trustees or other Persons having the Control of the Pavements of such parochial or other District, or for the said Surveyor or Surveyors of the Pavements for the time being, to cause the same to be pulled down and removed, and the same and all the Materials thereof, and of every Part thereof, to be kept and detained until such Person or Persons shall and do pay to the said Surveyor or Surveyors of the Pavements, or to the Person or Persons in whose Custody the same shall be, all the Penalties incurred by such Person or Persons, together with the Charges of pulling down, removing and keeping the same, to be ascertained and determined by the said Surveyor or

Hoards to be erected, but not without Licence of Surveyor.

What is to be specified in Licence.

Fee.
Erecting Hoard, &c. without Licence,

or unduly continuing.

Penalty.
Commissioners, &c. may cause Hoard, &c. to be removed.

Proceedings thereon.

Surveyors; and in case the same shall not be claimed, and the said Penalties and Charges aforesaid shall not be paid, within the Space of Five Days next after the pulling down and Removal thereof, then it shall and may be lawful to and for the said Commissioners or Trustees or other Persons as aforesaid, or for their Surveyor or Surveyors of the Pavements, to order or cause the same to be appraised and sold; and the Money arising therefrom, after deducting all the said Charges, shall be paid to the Treasurer or Treasurers of the said Commissioners or Trustees or other Persons as aforesaid, or to such other Person or Persons as they from time to time shall or may direct or appoint.

Commissioners may direct Streets to be distinguished, and Houses to be numbered; Exception.

LXXVI. And be it further enacted, That the said Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places in any parochial or other District within the Jurisdiction of this Act, may order and direct all and every the Houses and other Tenements or Buildings within all or any of the Streets and other public Places within their respective parochial or other District (if no other public Body shall possess and have exercised such Power) to be numbered with Figures placed or painted upon or over the Doors thereof, or such other Part of the said Houses, Tenements or other Buildings respectively, as they the said Commissioners or Trustees or other Persons as aforesaid, or their Surveyor or Surveyors of the Pavements for the time being, shall think proper; and may also order and direct to be engraved, painted or otherwise described on a conspicuous Part of any House, Tenement or other Building, at or near the End or Corner of each Street and other public Place, the Name by which such respective Street and public Place is usually or properly called or known; and if any Person or Persons shall wilfully destroy, injure, obliterate or deface any such Number, Figure, Name or Description, or any Part thereof, or cause or procure the same to be destroyed, injured, obliterated or defaced, and shall be convicted thereof by his or their own Confession, or by the Oath or Affirmation of any One or more credible Witnesses or Witnesses, before any Justice of the Peace for the City, Borough or County wherein such parochial or other District shall be situate, and which Oath or Affirmation such Justice is hereby empowered to administer, every such Person so offending for every such Offence shall forfeit and pay the Sum of Forty Shillings; and also, that when any Number, Figure, Name or Description shall be engraven, painted or otherwise described, placed or affixed as aforesaid on any House, Tenement or other Building within any parochial or other District within the Jurisdiction of this Act, and the same or any Part thereof shall be destroyed, injured, obliterated or defaced, the Owner or Owners, Occupier or Occupiers of any such House, Tenement or other Building where the Number, Figure, Name or other Description or any Part thereof shall have been so destroyed, injured, obliterated or defaced, upon Notice given to or left for him or them at such House, Tenement or Building, or at his or their last or most usual Place of Abode, signed by the Surveyor or Surveyors of the Pavements to the Commissioners or Trustees or other Persons having the Control of the Pavements in such parochial or other District, or by such other Person or Persons as the said Commissioners or Trustees or other Persons as aforesaid shall appoint, shall cause the same Number, Figure, Name or De-

Obliterating, &c. Number, &c.

Penalty. Names and Numbers to be restored,

on Notice to Owner or Occupier.

scription

scription to be in the same or like manner engraven, painted or described, placed or affixed on such House, Tenement and other Building, within Three Days after such Notice shall be given or left as aforesaid, at his or their own Charges; and in case he or they shall refuse or neglect so to do pursuant to such Notice, he or they shall forfeit and pay for every such Offence a Sum not being less than Ten Shillings nor exceeding Twenty Shillings for each and every Day after the Expiration of the said Term of Three Days, after such Notice shall be given or left, during which he or they shall so refuse or neglect; and that every such Penalty shall be recovered in the same manner as other Penalties are hereinafter directed to be recovered by virtue of this Act.

Penalty.

LXXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners or Trustees, or other Persons having the Control of the Pavements of any parochial or other District within the Jurisdiction of this Act, from time to time and at any time hereafter to cause all or any of the Streets and other public Places within their respective Jurisdiction to be watered, and to be so watered either by any Person or Persons employed by them, or by any other Persons engaging to execute the same by public Contract or private Agreement, for such Prices and for such time, and in such Manner and on such Terms, as they shall think proper and approve; and also may cause any Well or Wells to be dug or sunk, and any Pump or Pumps to be made and erected, in such Places (not being a Vault, Cellar or other Building, under any of the said Streets or other public Places), and also to cause any Pump or Pumps now standing, or which shall hereafter be erected for the Purposes of watering the same, from time to time be removed, altered or repaired; and may purchase and repair Carts and Horses and Pipes and other Implements, and may employ any Carters, Workmen and Servants, and may rent or erect any Stables or other Buildings necessary for the Purpose of keeping such Carts and Implements and Horses, and may do or cause to be done all other matters and things which they may deem necessary for that Purpose; and the Charges and Expences thereof shall be paid out of the Monies received for and towards the paving and repairing the Pavements of such parochial or other District, either exclusively or jointly with, for or towards any other Objects or Purposes, or out of any Monies to be raised and produced by the Rates or Assessments hereinafter authorized to be made for that Purpose; and that it may be lawful to and for the said Commissioners or Trustees, or other Persons as aforesaid, at any Meeting or Meetings, from time to time in each and every Year, to make and sign such further and additional Rates or Assessments upon all and every Person and Persons who do or shall inhabit, hold, occupy, be in Possession of or enjoy any Messuages, Tenements, Lands, Grounds, Coach Houses, Stables, Cellars, Vaults, Houses, Shops, Warehouses or other Buildings or Hereditaments whatsoever, within any such Street or public Place which shall be watered by virtue of this Act, as may, in the Opinion of the said Commissioners or Trustees, or other Persons as aforesaid present at such Meeting, be sufficient for defraying the Charges and Expences of sinking such Wells, and erecting and repairing such Pumps, and watering such Streets and public Places respectively, and all other Charges and

Streets may be watered by Direction of Commissioners, &c. of Pavements.

Wells and Pumps sunk and erected, &c.

and Carters, &c. employed.

Expences of watering Streets may be defrayed by special Rates;

to be paid to the
Collector of the
Paving Rates;

and accounted
for and enforced
in the same
manner as
Paving Rates.

But Rates not to
be made until
Three Fourths
of the Inhabi-
tants of any
Street request
the same to be
watered.

Courts, Alleys,
&c. may be
stopped up with
the Approbation
of Two or more
Justices, and
with the Consent

Expences relating or incidental thereto; so that in any one Year such further additional Rate or Assessment shall not exceed the Sum of Sixpence in the Pound upon or according to the full Annual Rents or Value of such Hereditaments respectively; and that every such Rate and Assessment shall specify the Period for which it is made, and shall be demanded and collected from the usual Quarter Day preceding the time of making and signing the same; and that all and every such Rates or Assessments, if so made and signed, shall be paid, by the Person and Persons liable to the Payment thereof, to the Collector or Collectors or other Person or Persons appointed or from time to time to be appointed to collect the Rates or Assessments made or to be made for or towards the Expences of paving and repairing the Pavements of the Streets and public Places within such parochial or other District, either exclusively or jointly with, for or towards any other Objects or Purposes; and also, that all such Rates or Assessments shall be recovered and levied of and from such Person or Persons, and shall be accounted for and paid over to such Person and Persons, in such and the like Form and Manner, with such Powers of Distress, and according to such Rules, Methods and Directions, as are mentioned and appointed in and by this Act, or by any local Act or Acts of Parliament relating to such parochial or other District, relating to collecting, receiving, recovering, levying, accounting for and applying the several Rates and Assessments made and to be made for and towards the Expences of paving or repairing the Pavement of any Streets or public Places within such parochial or other District, either exclusively or jointly with or for or towards any other Objects or Purposes as aforesaid.

LXXVIII. Provided always, and be it further enacted, That the said Commissioners or Trustees, or other Persons as aforesaid, may not rate or assess the Inhabitants or Occupiers of any Houses, Hereditaments or Premises, or other rateable Property within any Street or public Place in any parochial or other District within the Jurisdiction of this Act, with any such further or additional Rate or Assessment, unless a Majority of the Inhabitants or Occupiers of such Houses, Hereditaments and Premises, and other rateable Property (such Majority not being less than Three Fourths of such Inhabitants or Occupiers within such Streets or public Places), shall at the same or at some previous time have signified and expressed their Wish and Consent in Writing that such Street or public Place should be watered, and shall have signed their Names to such Writing, and delivered or caused the same to be delivered to the said Commissioners or Trustees, or such other Persons as aforesaid, or to their Clerk or Clerks for the time being.

LXXIX. And Whereas there are in certain parochial or other Districts within the Jurisdiction of this Act certain Courts, Alleys and Places which, without Inconvenience to the Public, might be discontinued and stopped up, and which, from their private and confined Situation, and by being Harbours or Receptacles for Filth and Rubbish, are noisome and offensive; Be it therefore further enacted, That if upon the View of any Two or more of His Majesty's Justices of the Peace for the City, Borough or County wherein such Court, Alley or Place may be situate, it shall to them appear that any such Court, Alley or Place is become unnecessary, and may, without Inconvenience to the Public, or to the Owners of Houses

Houses or Tenements adjoining thereto, be discontinued and stopped up, then and in such case it shall and may be lawful to and for such Justices, by and with the Consent of the Commissioners or Trustees, or other Persons having the Control of the Pavements of the Streets and public Places in such parochial or other District, testified by Writing under the Hand of the Clerk or Clerks to such Commissioners or Trustees, or other Persons as aforesaid for the time being, and by and with the Consent of the Owner and Owners of the Houses, Lands or Tenements adjoining to Four Parts in Five in the Length of any such Court, Alley or Place, testified by Writing under his, her or their Hand or Hands, at any Special Session to be holden for that Purpose, by Order under the Hands and Seals of such Justices, to discontinue and stop up any and every such Court, Alley or Place; and all such Courts, Alleys and Places, or such Proportion thereof as may adjoin to the Houses or Tenements of such Person who shall have so consented, shall be discontinued and stopped up accordingly, subject to Appeal, as hereinafter is mentioned: Provided always, that nothing herein contained shall extend or be construed to extend so as to authorize the discontinuing or stopping up any Court, Alley or Place, or any Part or Parts thereof, whereby or in consequence whereof any House, Tenement or Land shall be so inclosed (unless with such Consent as aforesaid) that the Owner or Owners thereof shall be prevented from passing freely to and repassing freely from such House, Tenement or Land.

of the Owners of contiguous Property, as herein mentioned;

but not to be stopped without such Consent.

LXXX. And be it further enacted, That for the Improvement of the Streets and public Places in the parochial or other Districts within the Jurisdiction of this Act, and for the public Advantage, it shall and may be lawful to and for the Commissioners or Trustees, or other Persons having the Control of the Pavements of any parochial or other District, from time to time and at all times hereafter to alter, widen, turn or extend any of the Streets or other public Places within any such parochial or other District (except Turnpike Roads), and to lengthen and continue or open the same from the Sides or Ends of any Streets or public Places within any parochial or other District, into any other Street or public Place within such or any other parochial or other District, and to raise, level, lower, drain, ballast, gravel or pave such new Part or Parts of any such Streets or public Places so altered, widened, extended, opened or lengthened as aforesaid; and that if any Houses, Walls, Buildings, Lands, Tenements and Hereditaments, or any Part thereof, shall be adjudged by the said Commissioners or Trustees or other Persons as aforesaid to project into, obstruct or prevent them from so altering, turning, widening, extending, lengthening, continuing or opening the said Streets or public Places within the said parochial or other District, and that the Possession, Occupation and Purchase of such Houses, Walls, Buildings, Lands, Tenements or Hereditaments will be necessary for that Purpose, it shall and may be lawful to and for the said Commissioners or Trustees or other Persons as aforesaid, and they shall have full Power and Authority, to treat, contract and agree, or to employ any Person or Persons to treat, contract and agree with the several Owner or Owners, Occupier or Occupiers of all such Houses, Walls, Buildings, Lands and Hereditaments, of whatsoever Nature, Tenure, Kind or Quality, for the Purposes aforesaid, and to pay for the same such Sum and Sums of Money

Streets may be widened and improved by Commissioners, &c.;

Exception;

who may purchase Houses, &c. obstructing

as shall be agreed upon by the said Commissioners or Trustees or other Persons as aforesaid, and the Owner or Owners, Occupier or Occupiers thereof, out of the Money to arise and be raised and to be received by them, either by virtue of any local Act or Acts of Parliament relating to such parochial or other District, or of this Act, and to pull down, use, sell or dispose of such Houses, Walls and Buildings, and the Materials thereof, and lay the Sites thereof, and also such other Lands, Tenements or Hereditaments, or so much thereof as they the said Commissioners or Trustees or other Persons as aforesaid shall think proper, into the said Streets or other public Places, and all such new Parts of such Streets or public Places; and the Owners and Occupiers of Houses and Buildings, Messuages and other Hereditaments therein and adjoining thereto, shall be subject and liable to all the Rates, Assessments, Powers, Provisions, Orders, Clauses and things to be made by virtue of or contained in any local Act or Acts of Parliament relating to such parochial or other District, or by virtue of or contained in this Act, in the same manner as the present Streets and public Places included in any such local Act or Acts, or within the Jurisdiction of this Act, and the Owners and Occupiers of Houses or Buildings and Messuages or other Hereditaments therein and adjoining thereto.

and Owners, &c.
of Houses, &c.
liable to Rates.

Corporate or
Collegiate Bodies
and incapacitated
Persons enabled
to sell for the
Purposes aforesaid.

LXXXI. And be it further enacted, That it shall and may be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, or others having a partial or qualified Interest or Estate in any Houses, Lands, Tenements or Hereditaments, Husbands, Females Covert, Guardians, Trustees and Feoffees in Trust for Charities or other Purposes, Committees, Executors or Administrators, and all other Persons whomsoever, not only on behalf of themselves and their respective Heirs, Executors, Administrators and Successors, but also on behalf of all Persons entitled in Reversion or Remainder expectant on an Estate Tail, and on behalf of all Persons entitled in Reversion or Remainder expectant on an Estate for Life, or other less Estate, or by way of executory Devise, in case such Persons shall be incapacitated or decline to treat, and on behalf of their respective Wives and Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Females Covert or others, and for all and every other Person or Persons whomsoever who are and shall be seized, possessed of or interested in any such Houses, Lands, Tenements or Hereditaments, to treat and agree with the said Commissioners or Trustees, or other Persons having the Control of the Pavements in the Streets or public Places in any parochial or other District within the Jurisdiction of this Act as aforesaid, for the absolute Sale thereof, and to sell and convey to the said Commissioners or Trustees, or other Persons as aforesaid, by Feoffment, Lease and Release, or Bargain and Sale, by Deed indented and inrolled in any of His Majesty's Courts of Record at Westminster, for such valuable Consideration as shall be *bonâ fide* agreed upon for such Houses, Lands, Tenements or Hereditaments as shall be adjudged necessary and convenient for the Purposes aforesaid; and that all Contracts, Agreements, Sales or Conveyances which shall be *bonâ fide* made for the Purpose aforesaid, shall be good and effectual in the Law to all Intents and Purposes; any thing to the contrary thereof in anywise notwithstanding.

All such Con-
tracts, &c. good.

LXXXII. And be it further enacted, That if any Body or Bodies

Bodies Politic, Corporate or Collegiate, or any other Person or Persons seized or possessed of or interested in any such Houses, Buildings, Lands, Tenements or Hereditaments as aforesaid, shall refuse to treat or agree, or shall not agree, or by reason of Absence or Disability cannot agree with the said Commissioners or Trustees or other Persons having the Control of the Pavements of any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they claim therein, to the Satisfaction of the said Commissioners or Trustees or other Persons as aforesaid, or of the Person or Persons so authorized by them, then and in every such case it shall be lawful for the said Commissioners or Trustees or other Persons as aforesaid, and they are hereby required, to issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff or Sheriffs or Bailiff or other proper Officer of the City, Borough or County wherein the Premises shall respectively lie or be, who is hereby authorized, directed and required accordingly to impanel, summon and return a competent Number of substantial and disinterested Persons qualified to serve on Juries, not less than Forty eight nor more than Seventy two; and out of such Persons so to be impanelled, summoned and returned, a Jury of Twelve Men shall be drawn by some indifferent Person to be by the said Commissioners or Trustees or other Persons as aforesaid appointed, in such manner as Juries for the Trial of Issues joined in His Majesty's Courts at *Westminster* are by an Act made in the Third Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better Regulation of Juries*, are directed to be drawn; which Persons so to be impanelled, summoned and returned as aforesaid, are hereby required to come and appear before the Justices of the Peace for the City, Borough or County wherein the Premises shall lie or be, at some Court of General or Quarter Sessions of the Peace to be holden in and for the same City, Borough or County, or at some Adjournment thereof, as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend such Court of General or Quarter Sessions from Day to Day until discharged by the said Court; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array; and the said Justices are hereby authorized and empowered, by Precept or Precepts, from time to time as Occasion shall require, to call before them all and every Person and Persons whomsoever who shall be thought proper and necessary to be examined as a Witness or Witnesses on his, her or their Oath or Oaths, touching or concerning the Premises; and the said Justices, if they think fit, shall and may, on the Application of either Party, likewise authorize the said Jury to view the Place or Places or Premises in question in such manner as they shall direct; and the said Justices shall have Power to adjourn such Court from Day to Day as Occasion shall require, and to command such Jury, Witnesses and Parties to attend until all such Affairs for which they were summoned shall be concluded; and the said Jury upon their Oaths (which Oaths, as also the Oaths of such Person or Persons

When Parties refuse or are unable to treat, &c. a Precept to be issued for impannelling a Jury,

who are to be drawn as 3 G. 2. c. 25. directs.

Jury to attend, &c.; may be challenged.

Justices, on the Application of either Party, may direct a View of the Premises.

Jury to assess the Value on Oath.

sons as shall be called upon to give Evidence, the said Justices are hereby empowered and required to administer) shall inquire of the Value of such Houses, Buildings, Lands, Tenements or Hereditaments, and of the proportionable Value of the respective Estates and Interests of all and every Person and Persons seized or possessed thereof, or interested therein, or of or in any Part or Parts thereof, and shall assess and award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Houses, Buildings, Lands, Tenements or Hereditaments, and of such respective Estates and Interests therein, and also for Good Will, Improvements or any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, either as Leaseholders or Tenants at Will, provided that such Good Will shall be estimated by what, in the Opinion of such Jury, the same would have been worth in case the Improvements intended by this Act had not been in Contemplation; and the said Justices shall and may give Judgment for such Sum or Sums of Money so to be assessed; which Verdict or Verdicts, and the Judgment and Judgments, Determination and Determinations thereupon, (Notice in Writing being given to the Person or Persons interested or claiming so to be, at least Fourteen Days before the Time of the Meeting of the said Justices as aforesaid and Jury, by leaving such Notice at the Dwelling House of such Person and Persons, or at his, her or their last usual Place or Places of Abode, or with some Tenant or Occupier of the Premises respectively intended to be valued,) shall be binding and conclusive to all Intents and Purposes whatsoever against all Bodies Politic, Corporate and Collegiate, and all and every Person and Persons claiming any Estate, Right, Title, Trust, Use or Interest in, to or out of such Houses, Buildings, Lands, Tenements or Hereditaments and Premises, in Possession, Reversion, Remainder or Expectancy, as well Infants and Issue unborn, Lunatics, Idiots and Females Covert, and Persons under any other legal Incapacity or Disability, as all other Cestuique Trusts, their, his and her Heirs, Successors, Executors and Administrators, and against all other Persons whomsoever; and the said Verdicts, Judgments and Determinations, and all other Proceedings of the said Justices and Juries so to be made, given and pronounced as aforesaid, shall be fairly written on Parchment, and signed by the Clerk of the Peace for the time being of the City, Borough or County wherein the Premises shall respectively lie or be; and in case it shall so happen that the Sum or Sums of Money so to be assessed and awarded in consequence of such Refusal to treat and agree as aforesaid, as the Value of such Houses, Buildings, Lands, Tenements or Hereditaments, or as such proportional Value as aforesaid, and as the Recompence and Satisfaction to be made for the Injury or Damage sustained as before mentioned respectively, shall not exceed the Sum or Sums of Money which the said Commissioners or Trustees, or other Persons as aforesaid, or any Person or Persons authorized by them, shall have previously offered to pay as and for such Value, Recompence and Satisfaction; then and in every such case all the reasonable Costs, Charges and Expences of causing and procuring such Value and Recompence to be assessed and awarded as aforesaid, and also assessing and awarding the same, shall be borne and paid by the Body or Bodies Politic, Corporate or Collegiate, or other Person

Verdict of the Jury, &c. to be final, previous Notice being given to the Parties interested.

If the Sum assessed shall not exceed the Sum offered,

the Costs of such Assessment, &c. to be paid by such Body Politic, &c.

son or Persons so seized or possessed of or interested in such Houses, Buildings, Lands, Tenements or Hereditaments, and so refusing to treat and agree as before mentioned respectively; and the said Commissioners or Trustees, or other Persons as aforesaid, are hereby authorized and empowered to deduct and retain the said Costs, Charges and Expences out of the Sum or Sums of Money so to be assised or awarded as aforesaid, or out of any Part thereof: Provided always, that in all cases where any Person or Persons shall by reason of Absence have been prevented from treating about such Recompence or Satisfaction as aforesaid, such Costs and Charges shall be borne and paid by the said Commissioners or Trustees, or other Persons as aforesaid, in manner aforesaid.

and the Commissioners, &c. may retain the same.

Proviso for Absentees as to Costs, &c.

LXXXIII. And be it further enacted, That the said Justices shall have Power from time to time to impose any reasonable Fine, not exceeding the Sum of Twenty Pounds, on such Sheriff or Bailiff, or his Deputy or Deputies, Bailiffs or Agents respectively, making Default in the Premises, and on any of the Persons who shall be summoned and returned on any such Jury or Juries, and shall not appear, without sufficient Excuse, or appearing shall refuse to be sworn on the said Jury or Juries, or being so sworn shall not give his or their Verdict; and also on any Person or Persons who shall be summoned to give Evidence touching any of the matters aforesaid, and shall not attend, or attending shall refuse to be sworn, or to affirm, or who shall refuse to give his, her or their Evidence, and on any Person or Persons who shall in any other manner wilfully neglect his, her or their Duty in the Premises, contrary to the true Intent and Meaning of this Act; and from time to time to levy such Fine or Fines, by Order of the said Justices, by Distress and Sale of the Offender's Goods and Chattels, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner or Owners; and that a Copy of the Order of the said Justices, signed by the Clerk of the Peace for the time being of the City, Borough or County wherein the Premises shall lie or be, as the case shall require, shall respectively be sufficient Authority to the Person or Persons therein to be appointed, and to every other Person acting or aiding and assisting therein, to make such Distress and Sale; and all such Fines shall be paid to the Treasurer or Treasurers of the Commissioners or Trustees, or other Persons as aforesaid having the Control of the Pavements in the parochial or other District wherein such Premises shall lie or be, or to such other Person or Persons as they may respectively from time to time appoint.

Justices empowered to impose Fines on Sheriff and Jury and Witnesses for Non Attendance.

Fine levied by Distress.

LXXXIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Buildings, Tenements or Hereditaments, or for any other matter, Right or Interest, of what nature or kind soever, purchased, taken or used by virtue of the Powers of this Act for the Purpose thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic or Person or Persons under any other Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the said Commissioners or Trustees, or other Persons having the Control

Application of Compensation where amounting to 200l.

of

of the Pavements of the Streets or public Places in the parochial or other Districts within the Jurisdiction of this Act, wherein such Lands, Buildings, Tenements or Hereditaments shall be or lie as aforesaid, together with the Name or Names of such Person or Persons as the said Commissioners or Trustees or other Persons as aforesaid, by Writing signed by them, shall direct and appoint, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Buildings, Tenements or Hereditaments, in the Purchase of Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid affecting the same Lands, Buildings, Tenements or Hereditaments, or affecting other Lands, Buildings, Tenements or Hereditaments standing settled therewith to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Buildings, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same manner as the Messuages, Lands, Buildings, Tenements and Hereditaments which shall be so purchased, taken or used as aforesaid, stood settled or limited, or such of them as at the time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from time to time be paid, by Order of the said Court, to the Person or Persons who would for the time being have been entitled to the Rents and Profits of the said Lands, Buildings, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation less than 200l. and exceeding 20l.

LXXXV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Buildings, Tenements or Hereditaments, or for any other matter, Right or Interest, of what nature or kind soever, purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such cases the same shall, at the Option of the Person or Persons for the time being entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privy of the said Accountant General of the

the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners or Trustees or other Persons as aforesaid (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any manner hereinbefore directed, so far as the case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

LXXXVI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such cases the same shall be applied to the Use of the Person or Persons who would for the time being have been entitled to the Rents and Profits of the Hereditaments and Premises so purchased, taken or used for the Purposes of this Act, in such manner as the said Commissioners or Trustees, or other Persons as aforesaid, shall think fit; or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

LXXXVII. And be it further enacted, That upon Payment of any Sum or Sums so agreed or awarded to the Party or Parties to whom the same shall be so awarded, or upon the Deposit of the same in the Bank of *England* in manner by this Act directed (as the case may be), the said Lands, Tenements and Hereditaments in respect whereof the same shall have been so paid or deposited as aforesaid, shall vest in the Commissioners or Trustees, or other Persons as aforesaid for the time being, in manner and for the Purposes aforesaid, who shall be deemed in Law to be in the actual Possession thereof to all Intents and Purposes whatsoever, freed and discharged from all former and other Estates, Rights, Titles, Interests, Claims and Demands whatsoever.

LXXXVIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements or Hereditaments, or of any Estate, Right or Interest in any Lands, Tenements or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements or Hereditaments at the time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear

Application where the Money is less than 20l.

On Payment of the Purchase Money Premises to vest in Commissioners, &c.

How far, where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Lands, &c. at the time of such Purchase, shall be deemed entitled thereto, according to such Possession.

appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

The Court of Chancery may order reasonable Expences of Purchases to be paid by the Commissioners, &c.

LXXXIX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements or Hereditaments to be purchased, or purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners or Trustees or other Persons as aforesaid, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

Tenants at Will, &c. to deliver Possession on Six Months' Notice.

XC. And be it further enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in Possession of any such Houses, Buildings, Lands, Tenements and Hereditaments, or any Part thereof, which shall be purchased by virtue of and for the Purposes of this Act, and who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year, or from Year to Year, shall deliver up the Possession of such Premises to the said Commissioners or Trustees, or other Persons as aforesaid having the Control of the Pavements in the Streets or public Places in the parochial or other Division within the Jurisdiction of this Act, wherein such Houses, Buildings, Lands, Tenements and Hereditaments, or to such Person or Persons as the said Commissioners or Trustees or other Persons as aforesaid shall appoint to take Possession of the same, upon having Six Calendar Months' Notice to quit such Possession from the said Commissioners or Trustees or other Persons as aforesaid, or from the Person or Persons so authorized by them; and such Person or Persons in Possession shall at the End of the said Six Calendar Months, whether such Notice be given with reference to the time or times of such Tenants holding or not, or so soon as he, she or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners or Trustees, or other Persons as aforesaid, or the Person or Persons authorized by the said Commissioners or Trustees or other Persons as aforesaid to take Possession thereof; and in case any such Tenant should be compelled to quit before the Expiration of his or her Term in any such Premises, then and in such case the said Commissioners or Trustees, or other Persons as aforesaid, shall and they are hereby required to make Satisfaction and Compensation for the Loss or Damage which he or she shall or may sustain thereby; and in case any Difference or Dispute shall arise as to the Amount of such Satisfaction or Compensation, the same shall or may be determined, settled and ascertained by a Jury, in such and the like manner as the Sum or Sums of Money to be paid for the Purchase of any Lands, Tenements or Hereditaments, is herein directed to be determined, settled and ascertained; and that in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid, it shall and may be lawful to and for the

Where Tenant obliged to quit before Expiration of Term, Commissioners, &c. to make Compensation, which may be ascertained by a Jury.

Refusing to give up Possession, Proceedings.

the said Commissioners or Trustees, or other Persons as aforesaid, to issue their Precept or Precepts to the Sheriff or Sheriffs, or Bailiff, or other proper Officer of the City, Borough or County wherein such parochial or other District shall be situate, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff or Sheriffs or Bailiff, and every other proper Officer, is hereby authorized and required to deliver such Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the issuing and Execution of such Precept or Precepts on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her or their Goods.

Costs.

XCI. And be it further enacted, That all and every Person and Persons who shall have any Mortgage or Mortgages on such Houses, Buildings, Lands, Tenements and Hereditaments, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months' Interest on the said Principal, by the said Commissioners or Trustees or other Persons having the Control of the Pavements in the Streets or public Places in such parochial or other District within the Jurisdiction of this Act, wherein the said Houses, Buildings, Lands, Tenements and Hereditaments shall lie or be as aforesaid, or by such Person or Persons as they shall appoint, immediately convey, assign and transfer such Mortgage or Mortgages to the said Commissioners or Trustees or other Persons as aforesaid, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Commissioners or Trustees or other Persons as aforesaid, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, that then at the End of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign and transfer his, her or their Interest in the Premises to the said Commissioners or Trustees or other Persons as aforesaid, or to such Person or Persons as shall be appointed in Trust for them; and in case the Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid on such Tender or Payment, that then all Interest on every such Mortgage shall from thenceforth cease and determine.

Mortgagees not in Possession, on Tender of Principal and Interest, and Six Months' Interest, to convey to Commissioners, &c.;

or on Six Months' Notice;

on Refusal, Interest on Mortgage to cease.

XCII. Provided always, and be it further enacted, That in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained as directed by this Act, then the said Commissioners or Trustees or other Persons as aforesaid shall not be liable to pay to the Mortgagee or Mortgagees more than such real Value of such Premises, so ascertained as aforesaid.

Mortgagees not to be paid more than the real Value of Premises.

XCIII. And be it further enacted, That the Conveyance of any such Estate or Interest of any Feme Covert to the said Commissioners or Trustees or other Persons as aforesaid for the time being, or any Five or more of them, or any Person or Persons in Trust for them, by Indenture or Indentures of Bargain and Sale, sealed and delivered by such Feme Covert in the Presence of and attested by Two credible

Bargains and Sales to have the Force of Fines and Recoveries.

credible Witnesses, and duly acknowledged, and to be enrolled in the High Court of Chancery within Six Calendar Months after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme Covert in the Premises as any Fine or Fines, Recovery or Recoveries, would or could do, if levied or suffered thereof in due Form of Law; and further, that all Bargains and Sales whatsoever to be made of any such Houses, Buildings, Lands, Tenements and Hereditaments, as shall be purchased by the Commissioners or Trustees or other Persons as aforesaid for the time being, by virtue and for the Purposes of this Act, and enrolled as aforesaid, shall have the like Force, Effect and Operation in Law, to all Intents and Purposes, as any Fine or Fines, Recovery or Recoveries whatsoever, would have had if levied or suffered by the Bargainer or Bargainers, or any Person or Persons seized of or entitled to any Estate or Interest in the Premises in Trust for such Bargainer or Bargainers, in any manner or Form whatsoever.

Upon Payment of Principal and Interest on Mortgage into the Bank, Premises to vest in the Commissioners, &c.

XCV. And be it further enacted, That upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like manner as is hereinbefore directed in cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand of the said Mortgagee or Mortgagees, and of all and every Person or Persons in Trust for him, her or them, shall vest in the said Commissioners or Trustees or other Persons as aforesaid, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

Monies to be paid or tendered before any Use made of the Premises.

XCV. And be it further enacted, That all Sums of Money, or other Consideration, Recompence or Satisfaction, to be paid or made pursuant to any such Agreement or Verdict as aforesaid, or in Discharge of any such Mortgage, shall be paid or tendered to the Party or Parties entitled to the same, or paid into the Bank of *England* as aforesaid, before the said Commissioners or Trustees or other Persons as aforesaid, or any Person or Persons authorized by them, shall proceed to pull down any House or Houses, or other Erections or Buildings comprised in or affected by such Agreement, Verdict or Mortgage respectively, or to use the Ground for any of the Purposes before mentioned in this Act.

Estates conveyed to Commissioners may be sold by them, the Persons of whom they were bought having the first Offer.

XCVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners or Trustees or other Persons as aforesaid, from time to time absolutely to sell and dispose of all or any of the Freehold or Leasehold Estates, Lands, Houses, Hereditaments and Premises which shall hereafter be conveyed to them in pursuance of this Act or otherwise; provided the said Freehold or Leasehold Estates, Lands, Houses, Hereditaments and Premises so purchased are first offered for Sale to the respective Person or Persons of or from whom the Premises respectively were purchased by or on behalf of the said Commissioners or Trustees or other Persons as aforesaid; and if such Person or Persons respectively shall not then and thereupon agree (except with respect to and on account of the Price thereof as hereinafter mentioned) or shall refuse (except with

Such Person not agreeing to purchase, (Exception)

respect to and on account of the Price thereof) to purchase the same respectively, an Affidavit shall be made and sworn before a Master in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the City, Borough or County wherein such parochial or other District shall be situate (who are hereby respectively empowered and directed to take the same), by some Person or Persons uninterested in the said Freehold or Leasehold Estates, Lands, Houses, Hereditaments or Premises, stating that such Offer was made by or on the behalf of the said Commissioners or Trustees or other Persons as aforesaid, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered; and that any such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom such Offer was made, as the case may be; and in case such Person or Persons shall be desirous of repurchasing the same, and he, she or they and the said Commissioners or Trustees or other Persons as aforesaid, shall differ and not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury, in the manner hereinbefore directed with respect to the disputed Value of Premises to be purchased by the said Commissioners or Trustees or other Persons as aforesaid in pursuance of this Act; and the Expence of hearing and determining such Differences shall be borne and paid in like manner as is hereinbefore directed with respect to such Purchase made by the said Commissioners or Trustees or other Persons as aforesaid (*mutatis mutandis*); and the Money to arise by the Sale or Sales which may be made by the said Commissioners or Trustees or other Persons as aforesaid, of such Freehold or Leasehold Estates, Lands, Houses, Hereditaments and Premises, shall be applied by the said Commissioners or Trustees or other Persons as aforesaid to the Purposes of the local Act or Acts of Parliament relating to the parochial or other Division over the Pavements whereof they shall possess a Control, or to the Purposes of this Act; but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of the Money paid by him or them for such Freehold or Leasehold Estates, Lands, Houses, Hereditaments and Premises.

Proceedings.

In what case
Price ascer-
tained by a Jury.Money arising
from Sales by
Commissioners,
how applied.

XCVII. And be it further enacted, That it shall and may be lawful from time to time and at all times hereafter to and for the said Commissioners or Trustees or other Persons having the Control of the Pavements of any parochial or other District within the Jurisdiction of this Act, or such Number of them as under or by virtue of their particular local Act or Acts of Parliament or of this Act shall be competent to act, to borrow and take up at Interest, on the Credit of the Rates and Assessments to be made by virtue of such local Act or Acts of Parliament or by virtue of this Act, any Sum or Sums of Money for or towards the Expence of paving or repairing the Pavements of the Streets or public Places within such respective parochial or other District, either exclusively or jointly with or towards any other Object or Purposes, which they shall from time to time deem necessary, exclusive of and in addition to any other Sum which the said Commissioners or Trustees or other Persons as aforesaid have been or may at the passing of this Act be empowered to borrow and take up at Interest under and by virtue of any local Act

Power to Com-
missioners, &c.
to borrow
Money;

or

or Acts of Parliament relating to such parochial or other District, to be applied for and towards the Charges and Expences which have been or may be hereafter incurred for or towards the better paving or repairing the Pavements of the Streets and public Places in such parochial or other District, and for the Purposes of this Act; and the said Commissioners or Trustees or other Persons as aforesaid are hereby fully authorized and empowered to assign over the said Rates and Assessments, or any Part thereof (and the Costs and Charges of assigning the same being paid out of the said Rates and Assessment), as a Security for any such Sum or Sums of Money to be borrowed with Interest, to such Person or Persons or their Trustee or Trustees, as shall advance the same, on Parchment, under the Hands of Five of the said Commissioners or Trustees or other Persons as aforesaid, by the following Words of Assignment, or by any other Words to the same Effect:

and may assign the Rates and Assessments as a Security.

Form of Assignment or Debenture.

‘ BY virtue of certain Powers and Authorities vested in us in and by a certain Act or certain Acts of Parliament, We, the undersigned, Five [here insert the Name or Title by which the Persons having the Control of the Pavements are correctly designated] in consideration of the Sum of _____ of lawful Money of Great Britain to us in hand paid by A. B., do assign unto the said A. B. his, her or their Executors, Administrators and Assigns, or Successors and Assigns, [as the case may be,] all and singular the Rates and Assessments to be raised, levied and collected in the said [parochial or other District, as the case may be,] made and to be made for or towards the paving or repairing the Pavements of the Streets or public Places within such [parochial or other District, as the case may be,] either exclusively or jointly with or for or towards any other Objects or Purposes [as the case may also be,] and all the Estate, Right, Title and Interest of the said [Commissioners or Trustees or other Persons, as the case may be,] and of their Successors, of, in and unto the same, to hold unto the said _____ his, her or their Executors, Administrators and Assigns [or Successors and Assigns], until the Sum of _____ together with Interest for the same after the Rate of _____ per Centum per Annum, shall be repaid. Witness our Hands.’

Persons taking such Assignments entitled to their Proportion of Rates.

And all and every Person or Persons, Body or Bodies Politic, Corporate or Collegiate, Aggregate or Sole, to whom such Appointment or Assignment shall be made, shall be equally entitled to their Proportion of the said Rates and Assessments, according to the respective Sums in such Assignment mentioned to be advanced, to secure the Repayment thereof with Interest as aforesaid, without any Preference by reason of Priority of Assignment, or on any other Account whatever; and the Money so borrowed as aforesaid shall be applied in and about the Purposes aforesaid, and for the Purposes of this Act, and in carrying the same, and the several Provisions, Powers and Authorities herein and therein contained, into full Execution.

How Money borrowed applied.

Commissioners, &c. empowered to grant Bonds to their Treasurer or Clerk.

XCVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners or Trustees, or other Persons as aforesaid, from time to time and at all times hereafter, and they are hereby authorized and empowered from time to time, to grant unto their respective Treasurer or Treasurers, or Clerk or Clerks

Clerks for the time being, any Bond or Bonds under the Hands of them the said Commissioners or Trustees or other Persons as aforesaid, or any Five or more of them, for the Sum of One hundred Pounds on each Bond, with Interest for the same after the Rate of Five Pounds *per Centum per Annum*, upon the Credit of the said Rates or Assessments; and that it shall and may be lawful from time to time to and for such Treasurer or Treasurers, or Clerk or Clerks for the time being, by and with the Direction of the said Commissioners or Trustees or other Persons as aforesaid, from time to time to make Sale and dispose at public Auction of all and every or any such Bond or Bonds so to be granted as aforesaid, unto any Person or Persons, for the best Price or Prices in Money that can be reasonably had or obtained for the same; and that all Monies which shall be from time to time received by any such Treasurer or Clerk for the time being from such Sale or Sales as aforesaid (after deducting thereout all Costs, Charges and Expences attendant thereon,) shall be applied by the said Commissioners or Trustees or other Persons as aforesaid to and for the Purposes aforesaid and of this Act, pursuant to the Provisions in that behalf herein contained.

Treasurer empowered to sell such Bonds by public Auction.

Monies arising from Sale, how to be applied.

Security transferable by Endorsement.

XCIX. And be it further enacted, That all and every Person and Persons, Body or Bodies Politic, Corporate or Collegiate, Aggregate or Sole, to whom such Assignment or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from time to time personally, or by Attorney thereunto lawfully authorized, assign or transfer his, her or their Right, Title, Interest or Benefit to the said Principal and Interest Money thereby secured, to any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, Aggregate or Sole, whatsoever, by endorsing on the Back of such Security, before One credible Witness, who shall subscribe his Name thereto, the following Words, or Words to the like Effect; (*videlicet*),

I DO transfer this Assignment, with all my Right and Title to the Principal Money thereby secured, and to all the Interest Money now due or hereafter to be due, unto C. D., his, her or their Executors, Administrators, Successors and Assigns. Dated this Day of

Form of Endorsement.

Witness, E. F.

A. B.

Which Transfer shall within Fourteen Days from the Date thereof be produced and notified to the Clerk or Clerks to the said Commissioners or Trustees or other Persons as aforesaid for the time being, who shall enter the same in a Book or Books to be kept for that Purpose; and after such Entry made, but not till then, every such Assignment shall entitle any such Assignee or Assignees, his, her or their Executors, Administrators, Successors and Assigns, to the Benefit thereof and Payment thereon; and such Assignee or Assignees may assign the same again, and so *toties quoties*; and that such Clerk or Clerks shall be entitled to receive the Sum of Ten Shillings and no more for the Entry of every such Assignment of every such Bond or Security; and it shall not be in the Power of any such Person or Persons who shall have made any such Assignment, to make void, release or discharge the same, or any Monies thereby due, or any Part thereof: Provided nevertheless, that the

Transfer notified to Clerk of Commissioners, &c. and entered.

Assignee may assign, &c.

Commissioners

may pay off such
Bonds, &c.

said Commissioners or Trustees or other Persons as aforesaid may at all times pay off and discharge all such Bonds or Assignments or any Part or Parts thereof, and also any Monies due on Securities given and granted under and by virtue of any particular local Act or Acts of Parliament relating to the Pavement of their respective parochial or other Districts, either exclusively or jointly with respect to any other Objects or Purposes, when and as they shall think proper, upon giving Notice to such Person or Persons entitled to the same, or his or their Assignee or Assignees, and upon giving Two Calendar Months' public Notice thereof in *The London Gazette*, and One more public Newspaper; and at the Expiration of the said Two Calendar Months after such Notice all Interest shall cease to be paid on the said Principal Monies to be secured by such Bonds or Assignments under this Act, or by any Securities granted under and by virtue of any such local Act or Acts of Parliament.

on Notice.

Interest on Mo-
nies borrowed to
be paid half
Yearly.

C. And be it further enacted, That the Interest of the Money which shall be borrowed on such Bonds or Mortgages or Assignments as aforesaid, from the time the said Money shall be advanced, shall be paid half Yearly by the respective Treasurer or Treasurers, or other Person or Persons deputed for that Purpose by the said Commissioners or Trustees or other Persons borrowing the same Monies, or by their Successors for the time being.

Money may be
borrowed on
Annuities.

'CI. And Whereas many Persons may prefer to advance such Money as may be necessary for the Purposes aforesaid for the Purchase of Annuities, to be secured upon and payable out of the said Rates and Assessments; Be it therefore further enacted, That it shall and may be lawful from time to time and at all times hereafter to and for any Person or Persons to contribute, advance and pay into the Hands of the said Commissioners or Trustees or other Persons as aforesaid, or to their respective Treasurer or Treasurers for the time being, or to such Person or Persons as they may appoint, any Sum or Sums of Money for the Purposes aforesaid, or of this Act, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of such Person or Persons, being of the Age of Thirty five Years and upwards, as shall be nominated by or on the behalf of such respective Contributors or Purchasers at the time of the Payment of their respective Purchase Monies; all which Annuities so to be purchased shall be payable and paid by the said respective Treasurer or Treasurers, or other Person or Persons deputed for that Purpose by the said Commissioners or Trustees or other Persons as aforesaid for the time being, out of the Monies to arise by or from the said Rates and Assessments, by half Yearly Payments, the first Payment to be made to the respective Contributors or Purchasers, or their Assigns, at the Expiration of Six Calendar Months after the Payment of their respective Purchase Monies, the Rate whereof shall be settled and adjusted by a public Sale of the said Annuities, by the said Commissioners or Trustees or other Persons as aforesaid, to the best Bidder for the same, or shall be such as the said Commissioners or Trustees or other Persons as aforesaid shall think reasonable, and at any General Meeting shall approve.

Annuities
chargeable on
the Rates.

CII. And be it further enacted, That all and every the Annuity or Annuities so to be purchased under or by virtue of this Act shall be and are hereby charged upon and shall be paid and payable from
time

time to time out of the Monies arising by the said Rates and Assessments to be made as aforesaid, and all and every the Contributors or Purchasers duly paying the Consideration or Purchase Money at the Rate aforesaid for any such Annuity or Annuities as aforesaid, or his, her or their respective Executors, Administrators or Assigns, shall have, receive and enjoy the respective Annuity or Annuities so to be purchased out of the said Rates or Assessments by this Act appointed for Payment thereof as aforesaid, during the natural Life or Lives of the Person or Persons to be nominated by each of such Purchasers as before mentioned; and that all and every such Purchaser and Purchasers, and their Executors, Administrators or Assigns, shall have good, sure, absolute and indefeasible Estates and Interests in the Annuity or Annuities so by him, her or them respectively to be purchased, according to the Tenor and true meaning of this Act.

CIII. And be it further enacted, That all and every the Annuity and Annuities to be purchased and secured under and by virtue of this Act shall be so granted by a Writing on Parchment, and shall be signed by Five of the said Commissioners or Trustees or other Persons as aforesaid, and shall be in the Words or to the Effect following; (that is to say,)

WE, whose Names are hereunto subscribed, being Five of the
 [here insert the Name or Title by which the Persons having
 the Control of the Pavements are correctly designated] in con-
 sideration of the Sum of _____ of lawful
 Money of Great Britain, to us in hand paid by A. B., do hereby
 grant unto the said A. B. an Annuity or Yearly Sum of _____
 to be paid out of the Rates or
 Assessments to be raised, levied and collected in the said [parochial or other District, as the case may be,] made and to be made
 for or towards the paving or repairing the Pavements of the Streets
 or public Places within such [parochial or other District, as the
 case may be,] either exclusively or jointly with or for or towards
 any other Objects or Purposes [as the case may be]; and which
 Annuity or yearly Sum of _____
 shall be paid to the said A. B. or his or her Assigns, during the
 Term of his or her natural Life [or, as the case may be,] to the
 said A. B., his Executors, Administrators and Assigns, upon
 the _____ Day of _____ and the
 _____ Day of _____ in every Year,
 by equal Half Yearly Payments, and up to the Day of the Death
 of the said A. B. [or, as the case may be]: In Witness whereof,
 we the said [Commissioners or Trustees or other Persons, as the
 case may be] have hereunto set our Hands the _____
 Day of _____ in the Year of our
 Lord One thousand eight hundred and _____

Form of Grant
of Annuity.

And also that all and every Person and Persons to whom any such Annuity or Annuities shall be so granted and secured as aforesaid, and his, her and their Executors, Administrators and Assigns, shall and may, by Endorsement on his, her or their respective Securities, assign or transfer his, her or their Right and Interest to and in the Annuities thereby respectively secured, in the Words or to the Effect following; (that is to say,)

Form of Trans-
fer of Grant of
Annuity.

‘ I DO hereby assign and transfer the within-written Security,
 ‘ and the Annuities [*or Annuity*] thereby granted or secured,
 ‘ unto Executors, Administrators or Assigns,
 ‘ [*as the case may be*]: Witness my Hand this
 ‘ Day of _____ in the Year of our Lord One
 ‘ thousand eight hundred and _____

Transfer notified
to Clerk of
Commissioners,
and entered.

Which Transfer shall, within Fourteen Days after the Date thereof, be produced and notified to the Clerk or Clerks to the said Commissioners or Trustees or other Persons as aforesaid for the time being, who shall enter the same in a Book or Books to be kept for that Purpose, and shall be entitled to receive for every such Entry the Sum of Ten Shillings and no more; and that after such Entry made, but not till then, every such Assignment shall entitle any such Assignee or Assignees, his, her or their Executors, Administrators, Successors and Assigns, to the Benefit thereof and to Payment thereon.

Annuities to be
granted only at
Public Meeting.

CIV. Provided always, That no Monies shall be obtained by any such Sale of Annuities, unless at or until after a Public Meeting of the said Commissioners or Trustees or other Persons as aforesaid, to be held for that Purpose, whereof Seven Days' Notice shall be given in Two or more public Newspapers printed and published within the Cities of *London or Westminster*.

No Annuity to
be paid or reco-
verable unless a
proper Certifi-
cate of Life of
Cestuique Vie
be produced.

CV. And be it further enacted, That no Annuity or Annuities to be granted and secured under this A&T shall be paid and recoverable, unless upon the Demand of each half Yearly Payment thereof the Person for whose Life the same shall have been so granted and secured shall personally appear before the respective Treasurer or Treasurers or Clerk or Clerks to the said Commissioners or Trustees or other Persons as aforesaid, or before some Person whom they shall depute for that Purpose, nor unless the Person or Persons entitled to receive such Annuity or Annuities shall then produce or cause to be produced the original Security or Securities for the same; or in case of his or her Nonappearance, the Person or Persons entitled to receive such Annuity, or his, her or their Attorney or Attornies duly authorized to receive the same, shall produce such Security or Securities and a Certificate to the said Treasurer or Treasurers, or Clerk or Clerks, or other Person as aforesaid, of the Life of such Cestuique Vie, signed by the officiating Minister of the Parish wherein he, she or they shall be residing, upon the Day when such Annuity became due, or such other Evidence as shall be satisfactory to the said Treasurer or Treasurers, Clerk or Clerks, or other Person as aforesaid, of the Existence of such Cestuique Vie, upon the Day when the said Annuity became due, if such Cestuique Vie shall be then in the United Kingdom of *Great Britain and Ireland*; and in case such Cestuique Vie shall not be within the said United Kingdom, then such other good and sufficient Proof of his or her living upon the Day when each half Yearly Payment of the said Annuity or Annuities shall respectively become due shall be produced to the said Treasurer or Treasurers, Clerk or Clerks, or other Person as aforesaid, as shall be satisfactory to him or them; and it shall not be necessary, in order to render valid the Grant of any such Annuity or Annuities, to enrol or register a Memorial thereof pursuant

Enrolment of
Memorial not
necessary.

suant to the Provisions contained in any Act or Acts of Parliament relating to Annuities, or to any other Act or Acts of Parliament whatsoever.

CVI. Provided always, and be it further enacted, That in case any Annuitant or Annuitants, Nominee or Nominees, to whom and for whose Lives any Annuity or Annuities may be granted from time to time under and by virtue of this Act, shall die, it shall and may be lawful for the said Commissioners or Trustees or other Persons as aforesaid from time to time and at all times hereafter to permit any Person or Persons to purchase of them the said Commissioners or Trustees, or other Persons as aforesaid, other and any Annuities upon the Life of such other Person or Persons upon such Terms and Conditions and payable in such manner as above mentioned; or in case the said Commissioners or Trustees or other Persons as aforesaid shall call in and pay off any Bonds, Assignments or Mortgages of the said Rates or Assessments, it shall and may be lawful for them to borrow on similar Bonds, Assignments and Securities, or by the Sale or Grant of Annuities, other Sum or Sums of Money from time to time for the Purposes aforesaid or of this Act.

If Annuitants die, other Annuities may be granted.

CVII. Provided always, and be it further enacted, That all Monies advanced and paid, and all Bonds, Assignments, Securities and Annuities given and granted under and by virtue of this Act, shall be and be deemed Personal Estate and Effects; and also that the said Commissioners or Trustees or other Persons as aforesaid for the time being, signing or executing such Bonds, Mortgages, Assignments or Grants, or any of them, or any other of the said Commissioners or Trustees or other Persons as aforesaid, or the Treasurer or Treasurers, or Clerk or Clerks, or any of them, or their or any of their Estates or Effects, shall in no wise be charged with or responsible, either at Law or in Equity, for the Payment of any of the Monies or Annuities thereby secured or granted, or mentioned and intended so to be, or any Part thereof.

Annuities to be deemed Personal Estate.

Commissioners, &c. shall not be personally liable.

CVIII. And be it further enacted, That the respective Clerk or Clerks to the said Commissioners or Trustees or other Persons as aforesaid for the time being, shall enter in a Book or Books, to be for that Purpose provided and kept by the said Commissioners or Trustees or other Persons as aforesaid, a Copy or Copies or an Extract or Extracts of or from all Securities given for Monies borrowed, and of and from the Grants of all Annuities granted by virtue or in pursuance of this Act; and also of all Assignments of such Securities for Monies borrowed, and of such Grants of Annuities so given or granted as aforesaid, expressing in Words at Length the Names, Surnames, Additions, Places of Abode and Descriptions of all such Persons who shall from time to time be entitled to such Securities and Annuities; and also the Name, Surname, Addition, Place of Abode and other Description of every Person for whose Life any Annuity or Annuities shall be granted, and the Days whereon the Interest of the said Securities and the said Annuities shall be payable; and which Book and Books the Person and Persons entitled to and possessed of such Securities or Annuities at all seasonable times may have free Liberty to inspect, or to make or take Extracts or Copies thereof or there-

Securities to be entered in a Book kept by Commissioners, &c.

Book may be inspected.

from, on the Payment of the Sum of Two Shillings and Sixpence to the said Clerk or Clerks for any and every such Inspection.

Commissioners
may meet, and
adjourn.

CIX. And be it further enacted, That it shall and may be lawful to and for the Commissioners or Trustees, or other Persons having the Control of the Pavements in the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, from time to time and at all times afterwards to assemble and meet together for the Execution of the local Act or Acts of Parliament whereby or by virtue whereof they may have been appointed, and of this Act, within their respective parochial or other District or elsewhere, and may adjourn such Meetings from time to time as they shall think proper; but that One such General Meeting shall be held at least Once in every Calendar Month, and that Five or more of such Commissioners or Trustees or other Persons shall attend at and be necessary to constitute every such General Meeting; and the Acts, Resolutions and Proceedings of the Majority present at such Meetings, shall be deemed and considered to be the Acts, Resolutions and Proceedings of such Meetings; and that such Commissioners or Trustees or other Persons as aforesaid may retain and employ and discharge and pay such Clerks, Surveyors, Inspectors and other Persons, as they from time to time shall deem expedient; and also shall and may deduct and allow to themselves and to each other, and to their Officers and Servants, all Expenses necessarily incurred in and about the Execution of any local Act or Acts of Parliament, or of this Act; and also shall and may from time to time purchase or rent upon Lease, for a Term or Terms of Years or otherwise, or may erect, furnish, alter or improve, any Houses, Offices and other Places which they may deem necessary or expedient for their Places of Meeting, or for the Transaction of their Official Business, or for the Deposit and safe Custody of their Books, Vouchers and Documents; and also may purchase or rent upon Lease or otherwise from time to time such Place or Places, to be called "The Green Yard," for such parochial or other District, for the Reception, Deposit and safe Custody of any Article seized and removed by virtue of any local Act or Acts of Parliament, or of this Act, within their respective parochial or other Districts, or of any Horses, Beasts, Cattle or any Animals or other things which may be found straying, or which shall be in or about any Streets or public Places within their respective parochial or other District, or which, according to any local Act or Acts of Parliament, or to this Act, or to the Common or Statute Law, may be impounded; and may appoint any Person or Persons to inhabit and take care of such Houses, Offices and other Places of Meeting, and to have the Custody and Care of such Books, Vouchers and Documents, and to take care of and superintend such Places of Deposit as aforesaid; and may appoint the Fees and Charges which shall be paid and payable, and which may be demanded on or for the Deposit and safe Custody of any such Articles so seized, or of any Horses, Beasts, Cattle, Animals or other things which shall be there impounded as aforesaid; and that the same Fees and Charges shall be so paid before any such Articles or things shall be given up or restored to any Persons whomsoever, or shall and may be deducted out of the Proceeds of any Appraisement or Sale of any such Articles and Things, and which

Commissioners,
&c. may retain
and discharge
Clerks, &c.;

may rent, &c.
Offices, &c.;

and a Place to
be called the
Green Yard;

may appoint
Persons to take
Care of Offices,
&c.;

and may appoint
Fees.

which may be effected thereof under and by virtue of any local Act or Acts of Parliament, or of this Act.

CX. And be it further enacted, That the Clerk or Clerks to the said Commissioners or Trustees, or other Persons having the Control of the Pavements in the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, shall, at least One Day previous to any General Meeting of the said Commissioners or Trustees or other Persons as aforesaid, cause a Notice to be left for every such Commissioner or Trustee or other Person at his Dwelling House or Office, or last or usual Place of Abode, in such parochial or other District, of every such General Meeting, and of the Place and Time when and where such General Meeting is intended to be held.

Notice of General Meetings to be given.

CXI. And be it further enacted, That in case Five Commissioners or Trustees or other Persons as aforesaid shall not attend at any such General Meeting within One Hour after the time appointed for such Meetings respectively, it shall and may be lawful to and for the Clerk or Clerks to such Commissioners or Trustees or other Persons as aforesaid to declare such General Meeting to be adjourned until a future time, within Seven Days after such Meeting was appointed to be or ought to have been held, and forthwith to cause Notice of such Adjournment to be left for every such Commissioner or Trustee or other Person having the Control of the Pavements in the Streets or public Places in such parochial or other District within the Jurisdiction of this Act, in manner hereinbefore mentioned and directed.

General Meetings may be adjourned, if an adequate Number do not attend.

CXII. And be it further enacted, That at each and every General Meeting of the said Commissioners or Trustees or other Persons having the Control of the Pavements as aforesaid, any One Commissioner or Trustee or other Person then present, who shall be denominated by the Majority of the Commissioners or Trustees or other Persons as aforesaid present at any such Meeting, shall preside at every such Meeting, and take the Chair as Chairman of such Meeting; and in case of an Equality of Votes on any Transaction, including the Vote of the Chairman, the Chairman at such Meeting shall have another or the casting Vote.

At General Meetings a Chairman to be appointed.

CXIII. And be it further enacted, That if any Five or more of the Commissioners or Trustees or other Persons having the Control of the Pavements in the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, shall on any Occasion think it necessary or expedient to call or convene a Special General Meeting of the said Commissioners or Trustees or other Persons, it shall and may be lawful for such Five or more Commissioners or Trustees or other Persons to direct their Clerk or Clerks for the time being to summon such Special General Meeting of the said Commissioners or Trustees or other Persons respectively, to be assembled at the usual Place of Meeting, and at such time as the said Five or more Commissioners or Trustees or other Persons as aforesaid shall direct, by a Notice specifying the particular Object of such Special General Meeting, and of which Special General Meeting Notice shall be accordingly given by the Clerk or Clerks in the manner hereinbefore directed to be given of any General Meeting.

Special General Meetings may be convened on Emergencies.

Proceedings at Meetings to be entered in Books, which shall be good Evidence.

CXIV. And be it further enacted, That all Acts, Orders and Proceedings of the said Commissioners, Trustees or other Persons as aforesaid at any of their Meetings, shall be entered in a Book or Books to be kept by their Clerk or Clerks for the time being for that Purpose, and shall be signed by such Clerk or Clerks; and that all such Orders and Proceedings shall then be deemed and taken to be original Acts, Orders and Proceedings; and such Book or Books shall and may be produced and read as Evidence of all such Acts, Orders and Proceedings, upon any Appeal or Trial or Information, or any Proceeding Civil or Criminal, and in any Court or Courts of Law or Equity whatsoever; and that it shall not be necessary upon any Appeal or Trial or Information or Proceeding, or upon any Occasion, to prove the Appointment of such Clerk or Clerks; and that within Ten Years after the Date of any such Acts, Orders and Proceedings, Proof of the Handwriting of such Clerk or Clerks shall alone be necessary to verify his or their Appointment, and the Accuracy of such Entries of such Acts, Orders and Proceedings; and that after the Expiration of Ten Years from the Date of any such Acts, Orders and Proceedings, no other Proof shall be necessary, or shall be required of his or their Appointment, or of the Accuracy of such Entries, than the Production of such Book or Books appearing to be signed by some Person or Persons as the Clerk or Clerks for the time being; and that any Proof of his or their Handwriting shall not be necessary, nor shall be required; and also that upon any Appeal or Trial or Information, or other Proceeding Civil or Criminal, and in any Court or Courts of Law or Equity, a Certificate from the Clerk or Clerks for the time being, signed by him or them, that any Person or Persons who hath or have acted or may act as Commissioners or Trustees, or other Persons having the Control of the Pavements in any parochial or other District, or as a Surveyor or Surveyors of Pavements, or in any other Office, was or were or is or are One or more of such Commissioners or Trustees or Persons having the Control of the Pavements in such parochial or other District, or was duly appointed to be and was a Surveyor or Surveyors of Pavements, or to such other Office wherein such Person or Persons shall or may have acted, or shall or may act or appear, shall be sufficient and conclusive Evidence of the Appointment and Authority of such Person or Persons, without any other Proof or Evidence whatsoever.

What Proof required of Appointment of Clerks, &c.

Bye Laws may be made by Commissioners;

CXV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places within the Jurisdiction of this Act, present at any General Meeting, from time to time and at all times hereafter to make such Bye Laws, Rules, Orders and Regulations for the better regulating their own Proceedings at any of their General or other Meetings, and of enforcing the good Conduct and Behaviour of the several Officers and Servants employed by the said Commissioners or Trustees or other Persons as aforesaid, in the Execution of any local Act or Acts of Parliament relating to such parochial or other District, or of this Act, and for the Application of the several Monies that may be levied, collected or received by virtue of such local Act or Acts of Parliament, or of this Act, to the Purposes thereof; and likewise from time to time to vary, alter, amend or repeal all

or any of such Bye Laws, Rules, Orders and Regulations, and to fix and appoint all such reasonable Fines and Penalties for the Breach or Nonperformance of any such Bye Laws, Rules, Orders or Regulations, or any Part thereof, as to them shall seem proper, so that no such Fine or Penalty shall exceed the Sum of Ten Pounds; and all such Bye Laws, Rules, Orders and Regulations when made, and all Alterations, Variations and Amendments thereof, shall be confirmed at another General Meeting, and being so confirmed shall be printed and be hung up or affixed at the several Places of Meeting of the said Commissioners or Trustees or other Persons as aforesaid; and all such Bye Laws, Rules, Orders or Regulations, when so made, confirmed, printed and affixed, shall be good and binding upon all Persons concerned; provided that the same be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England*, nor inconsistent with or repugnant to the Provisions and Directions in any local Act or Acts of Parliament for such parochial or other District, or in this Act contained; and that any Person or Persons thinking himself or themselves aggrieved thereby shall and may appeal against the same as hereinafter is provided; and that all Penalties thereby imposed, if incurred, shall and may be recovered in such manner as any Penalties imposed by this Act may be recovered by virtue of this Act: Provided always, that no such Bye Law, Rule or Regulation, when so made by the said Commissioners or Trustees, or other Persons as aforesaid, and confirmed, printed and affixed, shall be varied, altered, amended or repealed, save and except at some Meeting to be holden for that Purpose, of which Meeting and of the Purpose thereof Three Days' Notice at the least, with the Name of the Clerk or Clerks to the said Commissioners or Trustees or other Persons thereto, shall be left for each and every Commissioner, Trustee or other Person as aforesaid, in the manner directed as to other General Meetings by virtue of this Act.

CXVI. And be it further enacted, That the said Commissioners or Trustees or other Persons as aforesaid at any of their General Meetings shall and may and they are hereby authorized and empowered from time to time to contract or agree with any Person or Persons whomsoever for removing the Dust and Ashes, cleansing, paving and repairing the Pavement of and within their respective parochial or other District, and for doing and executing all or any of the Works which, under and by virtue of any local Act or Acts of Parliament relating thereto, or of this Act, the said Commissioners or Trustees or other Persons as aforesaid may direct to be done and executed; and also to purchase or provide, either by Contract or otherwise, from time to time, such Goods, Materials and things whatsoever, as they shall think proper for effectually executing the Powers and Provisions of such local Act or Acts of Parliament or of this Act, and shall pay or order the Payment of the Monies due or to become due upon any such Contracts, Agreements or Purchases, to the Person or Persons entitled to receive the same, by and out of all or any Monies which shall or may be paid to or received by them by virtue of any such local Act or Acts of Parliament or of this Act, for and towards the Expence of paving and repairing the Pavements of the Streets or public Places within their respective parochial or other Districts, either exclusively or jointly with or for or towards any

and appoint
Fines not ex-
ceeding 10l.
Bye Laws to be
confirmed.

Appeal.

How Penalties
thereby imposed,
recovered.

Proviso as to
altering, &c.
Bye-Laws.

Commissioners
may enter into
Contracts as
herein men-
tioned.

any other Objects or Purposes, or whereof they may be authorized and entitled to dispose.

Public Notice to be given of all Meetings for making Contracts.

CXVII. And be it further enacted, That previous to any Meeting of the Commissioners or Trustees, or other Persons as aforesaid, for the making of any such Contracts which they may deem expedient for the better Execution of this Act, Seven Days' Notice of such Meeting to make any such Contracts shall be given in Two or more of the public Newspapers published in *London* or *Westminster*, expressing the Nature and Objects of each of such Contracts, in order that any Person or Persons willing to contract may make Proposals for that Purpose, to be offered and presented to the said Commissioners or Trustees or other Persons as aforesaid, or to their Clerk or Clerks, at the Time and Place mentioned in such Notice; and also that the Particulars of all such Contracts or Agreements, and all Receipts and Payments by such Commissioners or Trustees or other Persons in the Execution of the said local Act or Acts of Parliament or of this Act, and also Minutes of their Proceedings at all and every of their General Meetings, shall be fairly entered by their Clerk or Clerks, or by his or their Direction, in a Book or Books to be provided for those Purposes, and to be carefully preserved.

Contracts, Accounts, &c. to be entered in Books.

Commissioners may sue or compound for Breaches of Contracts.

CXVIII. And be it further enacted, That in case any such Contract or Contracts, for any Purpose or Purposes whatsoever, shall have been heretofore or shall be hereafter entered into by any Commissioners or Trustees or other Persons as aforesaid acting in pursuance of any local Act or Acts of Parliament or of this Act, and the Person or Persons who may have entered or who shall hereafter enter into any such Contract or Contracts, shall be guilty of any Breach or Nonperformance of any such Contract or Contracts, it shall and may be lawful to and for the said Commissioners or Trustees or other Persons as aforesaid, at any of their General Meetings, in case they shall deem it proper and expedient, to declare such Contract or Contracts to be null and void, and such Contract or Contracts shall be from thenceforth null and void accordingly; or it shall and may be lawful to and for them to compound for such Sum or Sums of Money with the Person or Persons so having entered into or who shall hereafter enter into such Contract or Contracts, for such Breach or Nonperformance of such Contract or Contracts, and for all Costs, Charges and Expences which have been or shall be occasioned thereby, as to them the said Commissioners or Trustees or other Persons shall appear proper and expedient; or it shall and may be lawful to and for them the said Commissioners or Trustees or other Persons as aforesaid to sue for and to recover the full Penalty or Penalties contained and expressed in any such Contract or Contracts, or in any Bond or Bonds given and executed for the due Performance of such Contract or Contracts, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, in which Action or Actions no Essoign, Protection, Wager at Law, nor more than One Imparance, shall be allowed.

Accounts and Books may be examined, &c. by Persons entitled to Securities,

CXIX. And be it further enacted, That it shall be lawful for all and every the Persons possessing or entitled to any Bonds, Mortgages, Annuities or other Securities affecting or charged upon the said Rates or Assessments for any parochial or other District within the Jurisdiction of this Act, and all Persons rated to the Rates or Assessments to be made for or towards the Expences of paving or repairing

repairing the Pavement in any parochial or other District, either exclusively or jointly with or for or towards any other Objects or Purposes, either by virtue of any local Act or Acts of Parliament or of this Act, at all feasonable and convenient times to perufe and inspect and to make and take Extracts from all Rates or Rate Books, and all other Book or Books, Accounts, Vouchers, Papers and Writings whatsoever, which shall be kept under any such local Act or Acts of Parliament, or under this Act, in relation to the paving or repairing the Pavements of such parochial or other District, either exclusively or jointly with or for any other Objects or Purposes, in the Custody or Power of the said Commissioners or Trustees or other Persons having the Control of the Pavements for the time being; and also, that the Clerk or Clerks to the said Commissioners or Trustees or other Persons as aforesaid for the time being, or One of them, within Twenty Days after Demand made thereof in Writing, signed by any one of the Persons before mentioned, and delivered to or left for him or them at his or their usual or last Place of Abode, shall make and deliver or cause to be made and delivered a Copy or Copies of all and every such Book and Books, Accounts, Vouchers, Papers and Writings whatsoever, or of any Part or Parts thereof, whereof a Copy or Copies shall be so demanded, to the Person or Persons demanding the same, on his or their Application for the same, at any time after the Expiration of the said Term of Twenty Days, he or they paying for the same, at or before the Delivery thereof, at and after the Rate of Two Shillings and Sixpence for every Three hundred Words contained in such Copy or Copies so demanded and delivered as aforesaid, every Figure in such Copy or Copies being calculated as a Word; and in case any such Clerk shall at any time refuse or wilfully neglect to make and deliver or cause to be made and delivered such Copy or Copies of all and every such Book and Books, Accounts, Vouchers and Papers, and of every Part thereof respectively, to the Person or Persons demanding the same, on Application for the same, after Twenty Days from the Day of the Demand thereof as aforesaid, on Payment for the same as aforesaid, then every such Clerk shall for every Refusal or Neglect forfeit and pay the Sum of Twenty Pounds; One Moiety thereof to the Treasurer or Treasurers to the Commissioners, Trustees or other Persons as aforesaid for the time being, and the other Moiety to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

and Copies delivered to such Persons demanding.

Fee.

Clerk refusing &c. to deliver Copy.

Penalty 20l.

CXX. And be it further enacted, That the said Commissioners or Trustees or other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, may sue and be sued in the Name of their respective Clerk or Clerks for the time being; and that all Actions or Suits that the said Commissioners or Trustees, or other Persons having the Control of the Pavements in any Streets or public Places in any such parochial or other District, may at any time or times hereafter direct to be brought for the Recovery of any Penalty or Rates, or any other Sum or Sums of Money from time to time or at any time due or payable from

Actions may be brought and defended by Commissioners, &c. in the Name of the Clerk.

or

or by any Water or Gas Companies, or Commissioners of Sewers, or any other Person or Persons, due or payable by virtue of any local Act or Acts of Parliament relating to their respective parochial or other District, or of this Act, or for or in respect of any other matter or thing relating to such local Act or Acts of Parliament or to this Act, may be brought in the Name of such Clerk or Clerks respectively for the time being, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, in which no Essoign, Protection or Wager of Law, or more than One Imparance, shall be allowed, and in which Action or Actions it shall be sufficient for the Clerk or Clerks, as such Plaintiff or Plaintiffs, to declare that the Defendant or Defendants is or are indebted to him or them as such Clerk or Clerks in the Sum of Ten Shillings, (or such other Sum as the Clerk or Clerks shall suppose to be then due or forfeited,) for so much Money before then owing (forfeited or Fine set, as the case may be,) from or by the Defendant or Defendants to the said Clerk or Clerks by virtue of such local Act or Acts, or either of them, relating to his or their respective parochial or other District, or by virtue of this Act, (as the case may be, and mentioning the Titles of such Act or Acts respectively); and if the Plaintiff or Plaintiffs shall recover in any such Action or Actions, he or they shall have full Costs, to be levied and recovered as other Monies upon Judgments may now by Law be levied and recovered; and that no Action or Suit which may be brought, commenced or prosecuted by or against the said Commissioners or Trustees or other Persons having the Control as aforesaid, or any of them, by virtue or on account of such local Act or Acts of Parliament, or of this Act, in the Name of such their respective Clerk or Clerks, shall abate or be discontinued by the Death, Suspension or Removal of such Clerk or Clerks, or by any Act or Default of such Clerk or Clerks done or suffered without the Consent or Direction of the said Commissioners or Trustees or other Persons as aforesaid; but the Clerk or Clerks to the said Commissioners or Trustees or other Persons for the time being shall be always deemed Plaintiff or Defendant in every such Action or Suit (as the case may be), except in such Action or Actions as shall be prosecuted between the said Commissioners or Trustees or other Persons and their respective Clerk or Clerks for the time being; in which Action or Suit any One of the said Commissioners or Trustees or other Persons having the Control as aforesaid, shall or may be Plaintiff or Defendant (as the case may be): Provided always, that every such Clerk or Clerks or other Person in whose Name any Action or Suit shall be commenced, prosecuted or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of any such local Act or Acts towards the Expences of paving or repairing the Pavements of the Streets or public Places in any such parochial or other District, either exclusively or jointly with or for any other Objects or Purposes, or of this Act, all such Costs, Charges and Expences as he or they shall be put to or become charged or chargeable with by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants therein; but no such Clerk or other Person shall be personally answerable or liable for the Payment of the same or any Part of the same, unless such Action or Suit shall have been brought or

Action not discontinued, &c. by Death, &c. of Clerk.

Clerk to be reimbursed his Costs, &c.

In what case Clerk to be personally liable.

or commenced, or the Defence of such Action or Suit shall be commenced, without the Order or Direction of the said Commissioners or Trustees or other Persons, or shall be prosecuted, carried on and continued contrary to their Approbation and Consent.

CXXI. And be it further enacted, That in any Action, Prosecution, Information, Appeal, Cause, Suit, Hearing, Examination or Proceeding whatsoever, relating to or concerning the Execution of any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, or relating to or concerning any Rate or Assessment made or to be made upon any Person or Persons in respect of any Property in any such parochial or other District, or in anywise touching, concerning or relating to any such parochial or other District within the Jurisdiction of this Act, any Inhabitant or Owner or Occupier of Property in any Part of any such parochial or other District may be a competent Witness, and shall be admitted to give Evidence, notwithstanding he might be interested for and on behalf of such parochial or other District, or might or is or then or thereafter should be charged with or liable to pay any Rate or Assessment to be raised, levied and collected within any such parochial or other District by virtue of any local Act or Acts of Parliament or of this Act, or by any other Authority whatsoever.

Inhabitants may be Witnesses.

CXXII. And be it further enacted, That if any Person or Persons shall at any time or times hereafter in any manner whatsoever wilfully obstruct, hinder or molest any Commissioners or Trustees or any other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, or any Surveyor or Surveyors of Pavements, or any other Officer or Officers, Person or Persons whomsoever, who are or shall be appointed or employed to put in Execution this Act or any local Act or Acts of Parliament by the said Commissioners or Trustees or other Persons having the Control of the Pavements of the Streets and public Places in any such parochial or other District within the Jurisdiction of this Act, in the Performance or Execution of his or their Duty, then every Person or Persons so offending shall for the First Offence forfeit the Sum of Five Pounds, and for the Second Offence the Sum of Ten Pounds, and for the Third or any subsequent Offence the Sum of Twenty Pounds, to be recovered in the same manner in which other Penalties are hereinafter directed to be recovered by virtue of this Act.

Obstructing Commissioners and Surveyors in Performance of their Duty.

First Offence.
Second Offence.
Subsequent Offence.
Penalty.

CXXIII. And be it further enacted, That in all cases where One or more Justice or Justices of the Peace is or are or may be empowered by Law to proceed on the Complaint of the Commissioners or Trustees, or other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, or any of them, it shall and may be lawful for such Justice or Justices of the Peace, and he and they is and are hereby required, to proceed on the Complaint of any One of the said Commissioners or Trustees or other such Persons, or of their Surveyor or Surveyors of the Pavements, or of their Clerk or Clerks for the time being, or any of them, or of any Person or Persons whom they or any Two or more of them by Writing under their Hands shall appoint for that Purpose, in such and the like manner to all Intents and Purposes as if such Complaint had been

Justices to proceed on Complaint of Commissioners.

been made by such Commissioners or Trustees or other such Persons as aforesaid, or any or all of them.

Two Commis-
sioners may act
where no parti-
cular Number is
required by any
local Act or by
this Act.

CXXIV. And be it further enacted, That in every case wherein no particular Number of Commissioners or Trustees, or other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, are by any local Act or Acts of Parliament relating to such parochial or other District, or by this Act, stipulated and required to be necessary to perform any Act, matter or thing by such local Act or Acts of Parliament or by this Act required or directed to be done and performed, that all and every such Act, matter and thing may be legally and effectually done, executed and performed by any Two or more of such Commissioners or Trustees or other Persons having the Control for the time being of the Pavements in the Streets or public Places in the particular parochial or other District for which they are appointed or empowered to act; any thing in such local Act or Acts of Parliament or in this Act to the contrary notwithstanding.

Justices may act
although they are
Commissioners,
&c. or Inhabit-
ants of District.

CXXV. And be it further enacted, That any Justice of the Peace in and for any City, Borough or County within the Jurisdiction of this Act, shall and may do any Act or Deed relative to the Office of the Justice of the Peace directed by this Act or by any local Act or Acts of Parliament, relating to any parochial or other District therein or otherwise, notwithstanding he shall or may at the same time be a Commissioner or Trustee or other Person having the Control of the Pavements in the Streets and public Places in any parochial or other District within such City, Borough or County, and shall and may act in the Execution of this Act or of any local Act or Acts of Parliament, or at any Sessions, or upon any Summons, Appeal or other Proceeding whatsoever relating to any parochial or other District within the Jurisdiction of this Act, notwithstanding he shall then be an Inhabitant of any such parochial or other District within the Jurisdiction of this Act, or shall pay or may be then or thereafter liable to pay any Rates or Assessments charged or to be charged upon any Owners or Occupiers of Property in any parochial or other District within the Jurisdiction of this Act; any Law, Statute or Usage to the contrary notwithstanding.

Justices, with
Consent of Com-
missioners, &c.
may make
Allowance to
Informers out
of Penalties
which are to be
applied to
Purposes of the
Act.

CXXVI. And be it further enacted, That it shall be lawful for the Justice or Justices of the Peace before whom any Offender or Offenders shall be convicted of any Offence against this Act, or against any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, or against any Bye Law, Rule or Order made in pursuance of any such local Act or Acts or of this Act, and he and they are hereby required, by and with the Direction or Consent of the Commissioners or Trustees or other Persons having the Control of the Pavements in any such parochial or other District, or of their Clerk or Clerks, or Surveyor or Surveyors of the Pavements for the time being, or of any Person appointed by them or any of them, to allow and pay or to order the Allowance and Payment of such Part of any Fine, Penalty or Forfeiture which shall be imposed upon and shall be received of any such Offender or Offenders convicted before him or them of any such Offence as aforesaid (unless herein otherwise directed), not exceeding One Half Part thereof, as the said Commissioners or Trustees or other Persons as aforesaid, or their Clerk or Clerks, or Surveyor or Surveyors

Amount of
Allowance.

Surveyors of the Pavements as aforesaid, or any of them, shall direct or approve, unto the Informer or Informers against such Offender or Offenders, in such Shares and Proportions as to such Justice or Justices shall seem meet; and that the Remainder of such Fine, Penalty or Forfeiture (unless herein otherwise directed as aforesaid), shall be paid to and shall belong to the Treasurer or Treasurers for the time being to the Commissioners or Trustees or other Persons having the Control of the Pavements in the parochial or other District wherein any such Offence shall have been or shall appear to have been committed, or to such other Person or Persons or Company as the said Commissioners or Trustees or other Persons shall from time to time appoint to receive the same, and to be applied towards the Costs and Charges of such Commissioners or Trustees or other Persons, and of paving and repairing the Pavements within any such parochial or other District; any other Act, Usage or Custom to the contrary notwithstanding.

CXXVII. And be it further enacted, That in all Appeals, Hearing or other cases where the Commissioners or Trustees or other Persons having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, or any Justice or Justices of the Peace, is or are by any local Act or Acts of Parliament, or by this Act shall or may be authorized or required, or shall deem it necessary or expedient, to examine any Person or Persons on Oath or Affirmation, it shall be lawful for such Commissioners or Trustees or other Persons, or for such Justice or Justices of the Peace respectively, and they and he are and is hereby respectively authorized and required to administer an Oath or Affirmation to any such Person or Persons, and also may require the Production of any Deeds, Instruments or Papers in the Custody or Power of any Person or Persons appealing to them or him, which in their or his Judgment may be necessary to illustrate the Subject of any such Appeal; and that if any Person or Persons, being so sworn, or having solemnly affirmed, shall upon his, her or their Examination upon Oath or Affirmation before the said Commissioners or Trustees or other Persons, or before any Justice or Justices respectively, or any of them, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being thereof duly convicted, shall be and is or are hereby declared to be subject and liable to such Pains and Penalties to which by any Law then in being any Person or Persons would be subject and liable who should be convicted of wilful and corrupt Perjury.

Commissioners,
&c. or Justices,
may administer
Oath, &c.

and may require
the Production
of Deeds, &c.

Perjury.

CXXVIII. And be it further enacted, That it shall and may be lawful to and for any Justice or Justices of the Peace who is and are made competent, empowered or required to hear and determine any Complaint or Matter under or by virtue of any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, or under and by virtue of this Act, to issue a Summons under his or their Hand and Seal or Hands and Seals to any Person or Persons whomsoever to attend as a Witness or Witnesses, and to give Evidence upon Oath or solemn Affirmation before any such Justice of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence against any such local Act or Acts of Parliament, or against this Act, or against any Bye Law, Rule or Order made in pursuance

Justices may
compel the
Attendance of
Witnesses.

purfuanee thereof, whether on the Part of the Profecutors or Informers, or Commissioners or Trustees, or other Perfons having the Control of the Pavements in any fuch parochial or other Diftrict, or of the Perfon or Perfons complained of, and which Summons fuch Juftice or Juftices as aforefaid are hereby required to iffue, if thereunto required; and if fuch Perfon or Perfons fo fummoned as aforefaid, upon being paid or tendered fuch Sum for his or their Cofts and Charges, Trouble and Attendance, as the faid Juftice or Juftices fhall think reasonable, fhall refufe or neglect to appear at the time and Place to be for that Purpose appointed, without fuch Excufe for fuch his, her or their Refufal or Neglect as fhall be approved of by fuch Juftice or Juftices, or appearing fhall refufe to be examined on Oath or folemn Affirmation, or to give Evidence before fuch Juftice or Juftices, then and in every fuch cafe every fuch Perfon fhall forfeit for every fuch Offence any Sum not being lefs than Five Pounds, nor exceeding the Sum of Ten Pounds, to be alfo recovered in the manner hereinafter directed by virtue of this Aft.

Witneffes, on being paid and tendered their Cofts, not appearing,

Penalty.

Direction as to Service of Notices, Summonfes, &c.

CXXIX. And be it further enacted, That all Notices, Summonfes, Documents, Demands and Accounts, which are directed and required to be given by any local Aft or Afts of Parliament relating to any parochial or other Diftrict within the Jurifdiction of this Aft, or by this Aft, or which are or may be directed or required to be given by any Bye Law, Rule or Order to be made in purfuanee thereof, or of any of them, or which fhall or may be neceffary for carrying into Execution any of the Powers of any fuch local Aft or Afts or this Aft, or any or either of fuch Bye Laws, Rules or Orders, of which the manner of ferving the fame is not particularly directed by fuch local Aft or Afts or by this Aft, fhall be printed or written, or partly printed and partly written, and fhall or may be ferved, either by delivering the fame perfonally to the Perfon or Perfons, or one of them, to whom fuch Notices, Summonfes, Demands and Accounts refpectively are to be given, or by leaving the fame at his, her or their ufual or laft known Warehouse or Warehouses, Manufactory or Manufactories, Office or Offices, Counting Houfe or Counting Houfes, or with any of his or their Partners, Tenants, Clerks or Servants, at his or their laft or ufual known Place or Places of Abode, or at or upon any Tenements, Premifes or Hereditaments belonging to or occupied by any fuch Perfon or Perfons, or whereunto an fuch Notices, Summonfes, Documents, Demands or Accounts may relate.

Fines and Penalties, how to be recovered.

CXXX. And be it further enacted, That all Penalties, Forfeitures and Fines by any local Aft or Afts of Parliament relating to any parochial or other Diftrict within the Jurifdiction of this Aft, or by this Aft inflicted or impofed or authorized to be impofed (the manner of levying and recovering whereof is not in fuch Aft or Afts of Parliament or herein otherwife directed), upon Proof of the Offences refpectively, within Three Calendar Months after fuch Offences refpectively fhall have been or fhall be committed, before any One or more Juftices of the Peace for the City, Borough or County wherein the parochial or other Diftrict within the Jurifdiction of this Aft fhall be fuate wherein any fuch Offence fhall have been committed, or fhall be charged or fhall appear to have been committed, either by Confefion of the Party or Parties offending, or by
the

the Information of One or more Witness or Witnesses upon Oath or Affirmation, (which Oath and Affirmation such Justice or Justices of the Peace is and are hereby empowered and required to administer without Fee or Reward, and the Informer and Informers are hereby declared to be and is and are hereby rendered in any and every such case a competent Witness or competent Witnesses,) shall be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices, which Warrant or Warrants such Justice or Justices is and are hereby empowered and required to grant; and the Penalties and Forfeitures when recovered (rendering the Overplus, if any there be, after deducting all the Costs, Charges and Expences of any Summonses, Informations, Complaints, Hearings, Warrants, and of such Distress, and the Keeping, Appraisement or Sale thereof, or otherwise relating thereto, unto the Person or Persons whose Goods and Chattels shall be so distrained and sold,) shall be paid as hereinbefore directed to the Treasurer or Treasurers for the time being to the Commissioners or Trustees, or other Persons having the Control of the Pavements in any such parochial or other District, or to such Person or Persons or Company as they shall from time to time appoint as aforesaid to receive the same; and to be applied as hereinbefore is directed, and subject to the Powers of rewarding Informers hereinbefore contained; and in every such case where Distress is directed to be made, levied or taken by any such local Act or Acts of Parliament or by this Act, and sufficient Distress shall not be found, and such Penalties, Forfeitures and Fines, and Costs, Charges and Expences shall not be forthwith paid, it shall and may be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the City, Borough or County aforesaid, there to remain without Bail or Mainprize for any time not exceeding Six Calendar Months, unless such Penalties, Forfeitures or Fines, and all such Costs, Charges and Expences attending on or occasioned by any such Offence, or any Summonses, Informations, Complaints, Hearings, Warrants, or of such Distress, and the Keeping, Appraisement or Sale thereof, or otherwise relating thereto, shall be sooner paid and satisfied; and also that any one Justice of the Peace may and is hereby required to act in any and every case in which the Concurrence of Two Justices of the Peace shall not be expressly required by any such local Act or Acts of Parliament, or by this Act: Provided always, that no Penalty, Forfeiture or Fine inflicted or imposed or authorized to be imposed by virtue of this Act, shall become due or be incurred by any Persons whomsoever for any Offence or Offences under or against this Act, unless such Offences shall have been committed after the Expiration of One Calendar Month from the passing of this Act.

CXXXI. And be it further enacted, That all and every Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, or against this Act, shall and may cause the Conviction to

How and to whom Penalties paid.

Where Distress not found, &c.

Proceedings,

Form of Conviction.

be drawn up in the following Words, or any other Form of Words to the same Effect ; (that is to say,)

‘ **BE** it remembered, That on this _____ Day of _____, in the Year of our Lord _____, *A. B.* is duly convicted before _____ of His Majesty’s Justices of the Peace for the [City, Borough or County, *as the case may be,*] of having [*here state the Offence, as the case may be,*] contrary to the Form of a Statute [or of certain Statutes, *as the case may be,*] in that case made and provided : And I [*or we, as the case may be,*] do declare and adjudge that the said *A. B.* hath forfeited for his or her [*as the case may be,*] said Offence the Sum of _____ and also the Sum of _____ for the Cofts, Charges and Expences already incurred thereabouts. Given under my Hand [*or Hand and Seal, or our Hands, or our Hands and Seals, as the case may be,*] the Day and Year first above written.’

Distress not to be deemed unlawful for want of Form ;

CXXXII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, or by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceedings relating thereto ; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining ; but the Person or Persons aggrieved by such Irregularity may recover full Compensation for the special Damage incurred by an Action on the case : Provided always, that no Plaintiff or Plaintiffs shall recover in any such Action on the case, or in any Action commenced against any Person or Persons for any thing done in pursuance of any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, or in pursuance of this Act, unless such Action shall be commenced within Twenty eight Days after any alleged Irregularity, Trespass or wrongful Proceeding shall be done, nor unless Notice in Writing of such intended Action shall have been given to the Clerk or Clerks of the Commissioners or Trustees or other Persons having the Control of the Pavements in any such parochial or other District, or left at his or their last or usual Place or Places of Abode, Twenty one Days before such Action shall be commenced, signed by the Attorney for the intended Plaintiff or Plaintiffs, specifying the cause or causes of such Action ; nor shall any Plaintiff or Plaintiffs recover in such Action for Satisfaction for special Damage or otherwise, or for any such Irregularity, Trespass or other Proceedings, if Tender of sufficient Amends shall be made by or on the behalf of the Party or Parties who shall have committed or caused to be committed every or any such Irregularity, Trespass or wrongful Proceeding, before such Action shall be brought ; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any time before Issue be joined in such Action, to pay into such Court such Sum of Money as he, she or they shall think fit ; whereupon such Proceedings or Order and

and Plaintiff in Action for executing Act not to recover if adequate Amends have been tendered. Limitation of such Action. Notice, &c.

and Judgment shall be had, made or given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court; and that if the Plaintiff or Plaintiffs in any such Action or Actions shall be nonsuited, or suffer a Discontinuance of such Action, or if upon a Demurrer or Verdict or otherwise, Judgment shall be given for or shall be obtained by the Defendant or Defendants in any such Action, then and in every such case the Plaintiff or Plaintiffs shall be liable and subject to the Payment to the Defendant or Defendants of Treble Cofts; and the Defendant or Defendants shall have all and every such Remedies for recovering the same, as any Defendant may have by Law for the Recovery of Cofts in any other case.

Treble Cofts,

CXXXIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Conviction or Order of any Justice or Justices of the Peace acting in and for any City, Borough or County within the Jurisdiction of this Act, for any Offence committed against any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, or against this Act, it shall and may be lawful to and for such Person or Persons to appeal to the next General or Quarter Sessions of the Peace for such City, Borough or County, provided the same shall not be held within Seven Days after such Conviction or Order shall be made, and then to the General or Quarter Sessions of the Peace for such City, Borough or County then next succeeding; and also if any Person or Persons shall think himself, herself or themselves aggrieved by any Rate or Rates, Assessment or Assessments, made or to be made for or towards the Expenses of paving or repairing the Pavements of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, either exclusively or jointly with or for or towards any other Objects and Purposes, or by any Bye Law, Rule or Order made or to be made in pursuance of any such local Act or Acts of Parliament, or in pursuance and by virtue of this Act, or by any other matter or thing done or directed to be done in pursuance of such local Act or Acts of Parliament, or of this Act, then such Person or Persons shall apply for Relief to the Commissioners or Trustees or other Persons having the Control of the Pavements for such parochial or other District for which such Rate or Assessment shall then have been made, or by whom any such Bye Law, Rule or Order, or other matter or thing, shall have been made or done or directed to be done, at any Meeting to be held within Thirty Days next after the making of any such Rate or Rates, Assessment or Assessments, or next after any such matter or thing done and committed by or by an Order of the said Commissioners or Trustees or other Persons, by which such Person or Persons shall think himself, herself or themselves aggrieved; and the said Commissioners, Trustees or other Persons, are hereby authorized and empowered to give such Relief in the Premises as to them shall seem necessary; and if such Person or Persons shall not be satisfied with the Determination of such Commissioners, Trustees, or other Persons, or the said Commissioners, Trustees or other Persons, shall neglect within Thirty Days after such Application to determine or to give Notice of such Determination to the Person or Persons so applying for Relief, then and in either of such cases he, she or they may appeal to a Quarter or General Sessions of the Peace to be holden for

Appeal from Conviction of Justices,

to General or Quarter Sessions;

from Rate;

from Bye Law, &c.

to Commissioners, &c.

Relief,

Appeal from Commissioners, &c. to General or Quarter Sessions.

the City, Borough or County within such parochial or other District shall be situate, within Four Calendar Months next after such Application to the said Commissioners, Trustees or other Persons; but that in all and every such case of Appeal every such Appellant, unless he, she or they shall be Commissioners or Trustees or other Persons having the Control of the Pavements as aforesaid, or their Clerk or Clerks, or Surveyor or Surveyors of the Pavements for the time being, or some Person or Persons appointed by them, and whether such Appeal shall be against any Conviction or Order of any Justice or Justices of the Peace, or against any Rate or Assessment, or against any Bye Law, Rule, Order, matter or thing made or done or directed to be done by the said Commissioners or Trustees or other Persons, shall first give or cause to be given Fourteen Days' Notice at least in Writing of his, her or their Intention to bring such Appeal, and of the matter thereof, signed by every such Appellant, and specifying his, her or their true Residence and Trade or Profession, to the Clerk or Clerks to the said Commissioners, Trustees or other Persons having the Control of the Pavements as aforesaid, by delivering such Notice to him or them, or by leaving such Notice for him or them at his or their last or usual Place or Places of Abode, and within Three Days next after the Service of such Notice shall enter into a Recognizance before One of His Majesty's Justices of the Peace for the said City, Borough or County, with Two sufficient Sureties, in the Sum of Fifty Pounds, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such Quarter or General Sessions of the Peace for the said City, Borough or County; and the said Justices at such General or Quarter Sessions, upon due Proof of such Notice being given as aforesaid and such Recognizance being entered into, in such cases in which such Notice and Recognizance are hereby directed and required, shall hear and determine the Causes and Matters of such Appeal in a summary way, and award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and in all cases wherein the Appeal shall relate to the Provisions contained in this Act for compelling speedy and effectual Reparation of imperfect Pavement, the said Justices at such General or Quarter Sessions shall award full Costs to the Party in whose Favour they shall decide and determine, to be allowed as between Solicitor and Client, and to be settled by the Clerk of the Peace for such City, Borough or County for the time being; and the Determination of such Justices at their Quarter or General Sessions shall be final, binding and conclusive; and that the Recognizances of any Party disobeying, or refusing or neglecting to obey, any Order which may be made by such Justices, shall be forfeited, and that every such Party shall be guilty of a Misdemeanor; and that if any Costs awarded by them, when so settled by the said Clerk of the Peace, shall not be forthwith paid, then Double the Amount thereof may be recovered by an Action of Debt or on the case in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection or Wager of Law, or more than One Impar lance, shall be allowed; and that the Payment of any Rate or Assessment shall not be suspended or delayed in consequence of any such Notice of Appeal, or whilst such Appeal may depend, but that the same and every Part thereof shall

and

Notice of
Appeal.

Recognizance.

Costs.

And on Appeals
as to Pavements,
full Costs as be-
tween Solicitor
and Client.

Determination
of Sessions final.

Refusing to obey,
Misdemeanor.

If Costs not paid,
Action.

and may be demanded, collected and recovered in such and the same manner as if no such Notice of Appeal had been given.

CXXXIV. And be it further enacted, That all and every the Recognizance and Recognizances entered into by any Person or Persons relating to any Appeal as aforesaid, shall be delivered on Demand to the Clerk or Clerks for the time being to the Commissioners or Trustees or other Persons having the Control of the Pavements in any parochial or other District within the Jurisdiction of this Act, as to which such Appeal shall relate, by the Justice or Justices who shall have taken the same; and that the Commissioners or Trustees, or other Persons having the Control of the Pavements of such parochial or other District, shall and may sue for, recover and receive the Penalty and Penalties or Sum and Sums mentioned in any such Recognizance or Recognizances, either in such and the same manner as any Rate, Penalty or Fine may be sued for and recovered by virtue of any local Act or Acts of Parliament relating to any such parochial or other District, or by virtue of this Act, or by Action or Actions of Debt or on the case, or other Action or Actions in any of His Majesty's Courts of Record at *Westminster*, with full Costs of Suit; and that in any such Action or Actions no Essoign, Protection or Wager of Law, nor more than One Impar lance, shall be allowed.

Justices to deliver Recognizances to the Clerk to the Commissioners, &c. who may sue on the same.

CXXXV. And be it further enacted, That no Rate or Rates, Assessment or Assessments, nor any Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other matter or thing to be done or transacted in or about the Execution of any local Act or Acts of Parliament relating to any parochial or other District within the Jurisdiction of this Act, or in or about the Execution of this Act, or in pursuance or by virtue thereof, shall be vacated or quashed for want of Form; but that any Rate or Assessment, or any matters of Form in any Conviction, Order, Proceeding or other matter and thing, may be amended, as the Justices at any General or Quarter Sessions of the Peace for such City, Borough or County may order and direct; nor shall any Rate, Proceeding, Conviction, Order, matter or thing be removed or removable 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, Statute or Usage to the contrary notwithstanding.

Proceedings notwithstanding for want of Form;

nor removable by *Certiorari*, &c.

CXXXVI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in execution or pursuance of any local Act or Acts of Parliament relating, either exclusively or jointly with any other Objects or Purposes, to the Pavement of any parochial or other District within the Jurisdiction of this Act, until after Twenty one Days' Notice in Writing, signed by the Person or Persons intending to bring such Action or Suit, and specifying his or their real Residence, and his or their Trade or Profession, shall be thereof given to the Clerk or Clerks to the said Commissioners or Trustees, or other Persons having the Control of the Pavements in any parochial or other District within the Jurisdiction of this Act, wherein any Fact may be committed, or for which such Action or Suit may be brought; nor after sufficient Satisfaction shall be made or tendered, nor after Three Calendar Months next after the Fact may be committed for which such Action or Suit shall be so brought; and all such Actions or Suits shall be laid and tried in the County of *Middlesex* or City of *London*, and not

Notice and Limitation of Actions for things done in Execution of local Acts relating to Pavements, &c.

Tender of Satisfaction.

General Issue.

in any other County, City or Place; and that the Defendant or Defendants in such Action or Actions, Suit and Suits, and every of them, may plead the General Issue, and give any local Act or Acts of Parliament relating to any such parochial or other District, or this Act, and the special matter, in Evidence at any Trial or Trials which shall be had thereupon, and that the matter or thing for or on which such Action or Suit shall be brought was done in pursuance and by the Authority of any such local Act or Acts, or of this Act; and if the said matter or thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty one Days' Notice was given as before directed, or that sufficient Satisfaction was made or tendered or paid into Court as aforesaid, or if any such Action or Suit shall not be commenced within the time before for that Purpose limited, or shall be laid in any other County City or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and if a Verdict shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Suit shall become nonsuited, or suffer a Discontinuance of such Action or Suit, or if upon a Demurrer or Demurrers in such Action or Suit, or upon a Verdict or otherwise, Judgment shall be given for the Defendant or Defendants therein, then and in either of the cases aforesaid such Defendant or Defendants shall have Treble Cofts, and shall have such Remedies for recovering the same as any Defendant may have for the Recovery of Cofts in other cases by Law.

Treble Cofts.

The Powers conferred on Commissioners and Trustees to belong to Vestrymen, Committees, Courts and all other Persons having the Control of Pavements.

CXXXVII. Provided always, and be it further enacted, That all and every the Clauses, Provisions, Articles, matters and things in this Act contained, and applying or relating to any Commissioners or Trustees having the Control of the Pavements in any Streets or public Places in any parochial or other District within the Jurisdiction of this Act, shall also extend and apply to, and all the Powers, Privileges, Indemnities and Authorities hereby conferred upon them shall and may be exercised and enjoyed by all and every other Persons having the Control of the Pavements in the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, under and by virtue of any local Act or Acts of Parliament or otherwise, and howsoever such Persons having such Control may be designated, entitled and distinguished in and by such local Act or Acts of Parliament or otherwise, and whether they be so designated, entitled and distinguished as Vestrymen, Committees, Courts or otherwise; any thing contained in such local Act or Acts to the contrary notwithstanding; and that they and every of them shall and may have, exercise and enjoy all such Powers, Privileges, Indemnities and Authorities, in such and the same manner as if every such public Body and such Persons was or were distinctly and separately enumerated, nominated and set forth in this Act, and in every Clause, matter and Provision herein contained.

Local Paving Acts of Parliament not hereby repealed.

CXXXVIII. Provided also, and be it enacted, That neither any Act or Acts of Parliament relating either exclusively to the paving or repairing the Pavements of the Streets or public Places in any parochial or other District within the Jurisdiction of this Act, or relating thereto jointly with any other Object or Purpose, nor any Clause, matter or Provision therein contained, shall be hereby repealed; but that the Commissioners, Trustees or other Persons by any such local Act

Act or Acts of Parliament vested with the Control or Superintendence of the Pavement of the Streets and public Places in every such parochial or other District, shall retain and may exercise all and every the Powers and Authorities by all and every such local Act and Acts of Parliament conferred upon them or any of them; and that they may from time to time and at all times either act under and upon all or any of the Provisions, Clauses, Powers and Authorities of such Act or Acts of Parliament, or under any of the Provisions, Clauses, Powers and Authorities of this Act, as they from time to time, upon each Emergency or each particular Occasion, may think proper and deem most expedient; but subject nevertheless to all the Provisions contained in this Act as to the Appointment of Surveyors of the Pavement in every parochial or other District, and as to the means hereby provided for compelling the speedy and effectual Reparation of imperfect Pavement in all Streets and public Places within the Jurisdiction of this Act, and the Regulation and Improvement of such Streets, and Removal and Prevention of Nuisances and Obstructions, according to the Provisions of this Act.

CXXXIX. Provided also, and be it further enacted, That neither this Act, nor any Enactment, Clause, Provision, matter or thing herein contained, shall extend or be construed to extend to the Estate of The Most Honourable The Marquis *Camden*, situate and being in the Parish of *Saint Pancras* in the County of *Middlesex*, but that the same shall be completely and entirely exempted therefrom; any thing herein contained to the contrary thereof in anywise notwithstanding.

Proviso for Estate of Marquis Camden in Saint Pancras:

CXL. Provided also, and be it further enacted, That neither this Act, nor any Enactment, Clause, Provision, matter or thing herein contained, shall extend or be construed to extend to the Estate of the Right Honourable *John Sommers* Lord *Sommers*, situate and being in the Parish of *Saint Pancras* in the County of *Middlesex*, but that the same shall be completely and entirely exempted therefrom; any thing herein contained to the contrary thereof in anywise notwithstanding.

And for the Estate of Lord Sommers:

CXLI. Provided also, and be it further enacted and declared, That the several Powers and Authorities by this Act granted shall not extend or be construed to extend to enable any Person or Persons whomsoever to have any Control, Right, Power or Authority over the Sewers and other Works now under the Control and Direction of the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, or for the Limits extending from *East Moulsey* in *Surrey* to *Ravenbourne* in *Kent*; but that all such Powers, Rights and Authorities now vested in the said Commissioners, shall remain and continue in them solely and exclusively, and no others, in such and the same manner to all Intents and Purposes as if this Act had not been passed.

And for the Westminster and Surrey, &c. Commissioners of Sewers.

CXLII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the taking down or removing any Bar, Gate, Rail or other Fence fixed for preventing any Thoroughfare into or from any Square, Street or Way, without the Consent of the Owner of the Estate or Property upon which such Bars, Gates, Rails or other Fences, Squares, Streets or Ways, shall be situate.

Act not to authorize making any Thoroughfare, without Consent of Owner of Estate.

Proviso for
Parishes of
Islington and
Hackney.

CXLIII. Provided also, and be it further enacted, That neither this Act, nor any Enactment, Clause, Provision, matter or thing herein contained, shall extend or be construed to extend to the Parishes of *Saint Mary Islington*, or of *Saint John at Hackney*, in the County of *Middlesex*, although such Parishes are included in the Weekly Bills of Mortality, but that the said Parishes shall be completely and entirely exempted therefrom; any thing herein contained to the contrary thereof notwithstanding.

56 G. 3. c. 128.
§ 28, 29.

CXLIV. And Whereas by an Act passed in the Fifty sixth Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts made in the Fifty third Year of the Reign of His present Majesty, for opening a more convenient Communication from Mary le bone Park to Charing Cross, and for paving the Streets to be made in Mary le bone Park; and to enable His Majesty to grant small Portions of Land as Scites for public Buildings, or to be used as Cemeteries within the Bills of Mortality*; it was enacted, that it should be lawful for the Commissioners for executing that Act to authorize and permit the building or erecting and making of any Porticoes, Arcades and other covered Ways projecting from any Buildings or Houses which should or might be built on the Sides of the new Streets, Squares, Circusses, Ways, Courts, Passages or Places comprised within the Provisions of the said Act, extending over any Footways of the said Streets, Squares, Circusses, Ways, Courts, Passages or Places, under the Restrictions therein mentioned; and to permit the erecting or making, or continuing or suffering to remain, the Fronts of any Houses or Buildings in the said Streets, Squares, Circusses, Ways, Courts, Passages and Places, in such manner as that some Fronts might recede behind or advance before others, and with Bow Windows or other Projections, and with Virandas, Alcoves, Balconies, Pilasters, Columns and Shop Windows, or other Projections, under the Restrictions therein mentioned; Now therefore be it enacted, That nothing in this Act contained shall extend or be construed to extend to alter, abridge, repeal or affect any of the said Provisions in the said recited Act of the Fifty sixth Year of the Reign of His present Majesty contained, or to authorize or empower any Surveyor of Pavements, or other Person or Persons, to remove or alter, or to require the Removal or Alteration of any Porticoes, Arcades or other covered Ways, Bow Windows, Virandas, Alcoves, Balconies, Pilaster Columns, Architectural Ornaments or other Projections which have been heretofore or shall be hereafter authorized or permitted, by the Commissioners for the time being for executing the said recited Act, to be made in or to any Houses or other Erections which shall have been or shall or may be erected or built in any of the Streets, Squares, Circusses, Ways, Courts, Passages or Places comprised within the Provisions of the said recited Act of the Fifty sixth Year of the Reign of His present Majesty.

Proviso for the
said Act as
above recited.

56 G. 3. c. 128.
§ 79.

CXLV. And Whereas by the said last mentioned Act it was enacted, that such of the Houses, Buildings, Lands and Hereditaments, which were intended to be taken and used under the Provisions and for the Purposes of the first Act therein recited, as are situated in the Parish of *Saint Mary le bone*, and also the Houses and Buildings to be erected on the said Lands, should for ever thereafter, in making any Rates or Assessments for the paving, repairing, watch-

ing, lighting and cleaning the several Streets and other Places in the said Parish of *Saint Mary le bone*, be charged and assessed thereto, as being altogether and in the whole of the yearly Rent or Value of Six thousand and eighty four Pounds, and no more; and that the same should for ever thereafter be charged and assessed and rated at the said yearly Rent of Six thousand and eighty four Pounds, whether the Rents or Values of the same should be more or less; Be it therefore further enacted, That nothing herein contained shall be construed or extend to alter, repeal or annul the Provisions contained in the said recited Act of the Fifty sixth Year of the Reign of His present Majesty, with Relation thereto; but that all such Houses, Buildings, Lands and Hereditaments comprised within the Provisions of the said recited Act of the Fifty sixth Year of His present Majesty's Reign, as are situate within the said Parish of *Saint Mary le bone*, shall for all the Purposes of this Act be charged and assessed as being altogether and in the whole of the said yearly Rent or Value of Six thousand and eighty four Pounds, and no more; and that the said Sum of Six thousand and eighty four Pounds shall at all times hereafter, and for all the Purposes of this Act, be deemed and taken to be the annual Rent or Value of all such Houses, Buildings, Lands and Hereditaments; any thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

Houses, &c. within the Parish of Saint Mary le bone, within the said Act, to be rated at a specific Sum.

CXLVI. Provided also, and be it enacted, That nothing in this Act contained shall be construed to extend to the Collegiate Church of *Saint Peter Westminster*, which has a Pavement of its own to maintain, or to such Part or Parts of the immediate Close thereof, which have been hitherto exempt from Paving Rates; nor to give Power to the Commissioners or Trustees or other Persons having the Control of the Pavements of any parochial or other District under the Operation of this Act, to purchase or to pull down any Houses, Walls or Buildings, being Part of the said Collegiate Church, *Westminster School* and the Buildings thereto appertaining, situate within the ancient Close of the same Collegiate Church, or in *College Street, Dean Street, Smith Street* or *The Sanctuary*, and which are adjoining to *Dean's Yard*, or adjoining to any of the Houses contiguous to *Dean's Yard* and the Yards or Play Grounds belonging to the same Houses; any thing herein contained to the contrary thereof in anywise notwithstanding.

Proviso for the Collegiate Church of Westminster and Places contiguous thereto;

CXLVII. Provided also, and be it further enacted, That neither this Act, nor any Enactment, Clause, Provision, matter or thing herein contained, shall extend or be construed to extend to any Turnpike Road or Turnpike Roads or to any Part of any Turnpike Road or Turnpike Roads, whether the same shall be paved or unpaved, now being in any parochial or other District within the Jurisdiction of this Act, but that the same shall be completely and entirely exempted therefrom; any thing herein contained to the contrary thereof in anywise notwithstanding.

and for Turnpike Roads.

CXLVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Public Act.

Cap. xxx.

An Act to regulate the loading of Ships with Coals in the Port of *Newcastle upon Tyne.* (b) [16th June 1817.]

Cap.

Cap. xxxi.

An Act for fixing the Dues, Duties and Payments for all Goods, Wares and Merchandize, landed on or shipped from the Pier or Quay of the Town of *Penzance* in the County of *Cornwall*, and on all Ships and Vessels resorting to the said Pier or Quay, or to the Harbour of *Penzance*. [16th June 1817.]

Cap. xxxii.

13 G. 3. c. 28.
29 G. 3. c. 43.
41 G. 3. c. li.
(U. K.)
43 G. 3. c. lxxxvii.
50 G. 3. c. clxvii.

An Act for the further Improvement of the Town and Harbours of *Greenock*; for establishing and supporting a Harbour Police; and for the better regulating the Poor of the Three Parishes of *Greenock*. [16th June 1817.]

Cap. xxxiii.

52 G. 3. c. clxxii.
56 G. 3. c. lxxiv.

An Act for altering and amending an Act of the Fifty second Year of His present Majesty, for regulating the Police of the City of *Edinburgh* and the adjoining Districts, and for other Purposes relating thereto. [16th June 1817.]

Cap. xxxiv.

An Act for making the Hamlet of *Poplar* and *Blackwall*, in the County of *Middlesex*, a separate and distinct Parish; and for erecting a Parish Church therein, and other Purposes relating thereto. [16th June 1817.]

Cap. xxxv.

An Act for enlarging the Church Yard of the Parish of *Chrift Church* in the County of *Surrey*; and for other Purposes relating thereto. [16th June 1817.]

Cap. xxxvi.

An Act for enlarging the Church Yard, and providing additional Burying Ground, for the Parish of *Bradford*, in the West Riding of the County of *York*. [16th June 1817.]

Cap. xxxvii.

An Act for making and maintaining a Railway or Tram Road from *Bull's Head Lane*, in the Parish of *Mansfield*, in the County of *Nottingham*, to communicate with the *Cromford Canal* at *Pinxton Basin* in the Parish of *Pinxton*, in the County of *Derby*. [16th June 1817.]

Cap. xxxviii.

41 G. 3. c. 109.

An Act for inclosing Lands within the Parishes of *Norton* and *Heckingham*, in the County of *Norfolk*; and for draining certain Lands in the said Parish of *Norton*. [16th June 1817.]

Cap. xxxix.

An Act to amend an Act, passed in the Forty seventh Year of His present Majesty, for improving and rendering more commodious such Parts of the County and County of the City of *Dublin* as are situate on the South Side of the River *Anna Liffey*, and West of

of His Majesty's Castle of *Dublin*; and for the Appointment of an Inspector of the Presentments and other Accounts of the County of the City of *Dublin*. [16th June 1817.]

[31 G. 2. c. 19. 33 G. 2. c. 15. 7 G. 3. c. 7. 21 & 22 G. 3. c. 17. 23 & 24 G. 3. c. 31. 26 G. 3. c. 32. 27 G. 3. c. 43. 30 G. 3. c. 19. 36 G. 3. c. 54. 39 G. 3. c. 53. 40 G. 3. c. 61. *Irish Acts*; and 47 G. 3. *Seff. 2. (U. K.) c. lxxiv. extended to this Act, § 1.*]

II. Provided always, and be it enacted, That it shall not be lawful to and for the said Commissioners to take down, remove or make use of, for any of the Purposes of this Act, any Messuages, Houses or Buildings, other than and except such as are specified, mentioned and declared in the Schedule hereunto annexed.

Commissioners not to remove Buildings, except as in Schedule.

III. Provided also, and be it enacted, That it shall and may be lawful to and for the said Commissioners to take down, alter, remove and make use of any Messuage, House or other Building, and to cut into, through, across or over, and make use of the Lands and Grounds whereon the same shall be situate, for any of the Purposes of the said recited Acts and this Act, in any such Street, Lane, Way or Passage as aforesaid, notwithstanding the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, is or are not mentioned in the Schedule to this Act, in all cases where it shall appear to any Two or more of His Majesty's Justices of the Peace for the City and County of the City of *Dublin*, and be certified by them under their Hands, that the Name or Names of such Owner or Owners, Occupier or Occupiers, hath or have been omitted by Mistake in the said Schedule, or that instead of his, her or their Name or Names, the Name or Names of some other Person or Persons hath or have been by Mistake inserted therein; any thing herein contained to the contrary thereof in anywise notwithstanding.

Misnomers not to prevent Execution of Act.

IV. And be it further enacted, That the Members who serve in Parliament for the County of *Dublin* for the time being, shall be and become Commissioners for carrying the said recited Acts and this Act into Execution, in as full, ample and beneficial a manner, and with such and the like Powers and Authorities, and subject to such and the like Rules, Orders and Directions, as if they had been nominated or appointed by the said recited Acts or any of them.

Members for the County of Dublin to be Commissioners.

V. And be it further enacted, That all and every Suit and Suits at Law or in Equity, which are now carrying on and prosecuting against the said Commissioners, or defended by the said Commissioners in their own Names, shall and may from and after the passing of this Act be carried on, prosecuted and defended by the said Commissioners in the Name of their Clerk or Clerks, Secretary or Secretaries, or the Person or Persons appointed thereto for the time being; and that all Suit or Suits at Law or in Equity, touching or concerning any Contract or Contracts or Agreements heretofore made or entered into by the said Commissioners, shall be carried on, prosecuted and defended in the Name of such Clerk or Clerks, Secretary or Secretaries for the time being; and that all such Suits and Proceedings in any Court of Law or Equity, in the Name of such Clerk or Clerks, Secretary or Secretaries, shall be as good and effectual to all Intents and Purposes as if such Suits and Proceedings had been commenced, prosecuted and defended, or carried on, in the Name of the said Commissioners or

Suits may be prosecuted or defended in the Name of the Clerk, Secretary, &c.

or any of them; and in case any Bill or Petition shall be filed or exhibited in any Court of Equity against the said Commissioners for the time being, or any of them, or their Clerk or Clerks, Secretary or Secretaries for the time being, for or on account of any matter or thing by the said Commissioners, or any of them made or done in Execution of the Powers, Authorities, or Trusts heretofore or hereby vested in them the said Commissioners or any of them, shall not be obliged to answer such Bill or Petition; but that the Answer of such Clerk or Clerks, Secretary or Secretaries, to such Bill or Petition, shall be deemed and taken to be the Answer of the said Commissioners, and shall be binding upon them to all Intents and Purposes whatsoever; and in case such Clerk or Clerks, Secretary or Secretaries, shall happen to die, or be removed by the said Commissioners, while such Suit or Suits shall be depending, that then and in such case such Suit or Suits shall not abate by the Death or Removal of such Clerk or Clerks, Secretary or Secretaries, but shall be carried on and defended in the Name of the succeeding Clerk or Clerks, Secretary or Secretaries, or if more than one, in the Name of the Survivor, and shall stand to all Intents and Purposes in the same State and Condition as it was immediately before the Death or Removal of such former Clerk or Clerks, Secretary or Secretaries.

Suit not to abate by Death or Removal of Clerk or Secretary.

A Certificate by Clerk or Secretary of Orders or Proceedings of Commissioners, conclusive Evidence thereof.

Certificate of Appointment of Clerk, Evidence.

Clerk or Secretary reimbursed.

Premises situate partly in the County of Dublin and partly in the City, may be valued by one Jury.

VI. And be it enacted, That on all Indictments and Criminal Proceedings in all cases whatever, in all Courts of Law or Equity and before all Magistrates in the Kingdom of *Ireland*, a Certificate of any Order, Proceeding, Appointment or other Act of the said Commissioners, under the Hands and Seal of the Clerk or Clerks, Secretary or Secretaries of the said Commissioners for the time being, shall, without further Proof, be deemed and taken as conclusive Evidence that such Order, Proceeding, or other Acts as shall be thereby certified, is the Order, Proceeding, Appointment, or Act of the Commissioners for making wide and convenient Streets in the City of *Dublin*; and every such Certificate of the Appointment of their Clerk or Clerks, Secretary or Secretaries, shall be conclusive Evidence in like manner that the Person or Persons so named in such Appointment is the Clerk or Clerks, Secretary or Secretaries to the said Commissioners.

VII. Provided always, That every such Clerk or Clerks, Secretary or Secretaries, in whose Name any Actions or Suits shall be prosecuted or defended in pursuance of this Act, shall be fully reimbursed and paid, out of the Money which shall arise from any Rates or Assessments to be levied under this Act, all such Costs, Damages, and Expences as by the Event or in consequence of any such Action or Proceeding he or they shall pay, bear, expend or be put unto, or become chargeable with by reason of his or their being so made Plaintiff or Plaintiffs, or Defendant or Defendants, as aforesaid.

VIII. And be it enacted, That in all the cases where the said Commissioners or their Successors shall think it necessary to purchase any Grounds, Houses, Buildings, or Premises, Part whereof shall be situate in the County of *Dublin*, and other Part whereof shall be situate in the County of the City of *Dublin*, it shall and may be lawful to and for the said Commissioners or their Successors to cause such Premises, whether situate in the County or County of the City of *Dublin* aforesaid, to be valued by one and the same Jury, they

the said Commissioners or their Successors causing Six of the Jurors to be impannelled and sworn for such Valuation to be Men of the County of *Dublin*, and the other Six of such Juries to be Men of the County of the City of *Dublin*; and that all and every the Powers and Authorities vested in the said Commissioners by any former Acts, touching or concerning any Valuation or Valuations by a Jury, shall and may extend and be construed to extend to all Valuations to be made in pursuance of this Act.

IX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded. Public Act.

The SCHEDULE to which the Act refers.

Description of Premises.	Where situate.	Owners.	Occupiers.
A Dwelling House	No. 57, Fishamble Street	Joseph Smith, Esq. Representative of Patience Fuite	Thomas Perry. Judith M'Cann.
Two Dwelling Houses		Berkley Buckingham Smyth Stafford, a Minor	Charles O'Neil.
A Dwelling House and Warehouse	58 and 59, same Street	Thomas Murphy, Elizabeth White, Earl of Moira	William Osborne.
A Dwelling House and Premises	No. 17, Skinner Row	Abraham Mason	Martin Harney.
A Dwelling House		Ambrose Boxwell	Ambrose Boxwell.
A Dwelling House	18, same Street	Assignees of John Tudor	Terence O'Loughlin.
A Dwelling House	19, same Street	Ditto ditto	Edward Murphy.
A Dwelling House	20, same Street	Ditto ditto	Unoccupied.
A Dwelling House	21, same Street	John Hudson, the Assignees of John Tudor	Joseph Malone.
A Dwelling House	22, same Street	Assignees of John Tudor	Unoccupied.
A Dwelling House	23, same Street	Dean and Chapter of Christ Church	Unoccupied.
Three Dwelling Houses		24, 25, 26, same Street	George Harrison Richard Folds, Joseph Duckett
A Dwelling House	27, same Street	Robert Mulock, Sir Compton Domville, Bart.	John Wright.
A Dwelling House	28, same Street	Bernard Campsie, Jane Had-dock, the Dean and Chapter of Christ Church	Matthew Tom-min.
A Dwelling House	29, same Street	Thomas Gilchrist, Jane Had-dock, Dean and Chapter of Christ Church	Thomas Fair-brother.
A Dwelling House	30, same Street	Sir Compton Dumville, Bart.	Bridget Perry.
A Dwelling House	31, same Street	Hickman Blaney Molefsworth, Archdeacon King	George Friend.
A Dwelling House	32, same Street	John Hynes, Dean and Chapter of Christ Church	John Hynes.
A Dwelling House	33, same Street	Dean and Chapter of Christ Church	Unoccupied.
A Dwelling House	34, same Street	Ditto ditto	Unoccupied.
A Dwelling House	35, same Street	Ditto ditto	Unoccupied.
A Dwelling House	36, same Street	Ditto ditto	Unoccupied.
Three ruinous Houses	No. 1, 2, 3, Christ Church Yard	Ditto ditto	Unoccupied.
A Dwelling House		9, same Street	George Dowdall, the Dean and Chapter of Christ Church
A Dwelling House	10, same Street	Robert Williams, William Hall	John Riordan.
A Dwelling House	11, same Street	Robert Williams, William Hall	Unoccupied.

SCHEDULE—continued.

Description of Premises.	Where situate.	Owners.	Occupiers.
Two Dwelling Houses	No. 12 and 12½, same Street	William Hall	Charles O'Neil.
Two Dwelling Houses	13 and 14, same Street	Rev. John Gorges	Patrick Kirk.
A Dwelling House	15, same Street	Ditto ditto	Mary Petit.
A Dwelling House	16, same Street	Dean and Chapter of Christ Church	Jane Bell.
A Dwelling House	No. 47, Kevin Street	William Collins, Dean and Chapter of St. Patrick's Cathedral	David Driscoll.
A Dwelling House	48, same Street	Ditto ditto	Joseph O'Brien.
A Dwelling House	49, same Street	Ditto ditto	George Cluefs.
A Dwelling House	No. 7, St. Patrick's South Clofe	Vicars Choral of St. Patrick's Cathedral	William Collins.
A Dwelling House	6, same Street	Ditto ditto	Mr. Thomas Bourne.
A Dwelling House	5, same Street	Ditto ditto	William Maguire.
Four small Dwelling Houses	No. 1, 2, 3, 4, Mitre Alley	Thomas Mathews, Vicars Choral of St. Patrick's Cathedral	William Collins.
A Dwelling House	5, same	Vicars Choral of St. Patrick's Cathedral	Unoccupied.
A Dwelling House	No. 5½, same	Vicars Choral of St. Patrick's Cathedral	Unoccupied.
A Dwelling House	6, same	James Lyons, Vicars Choral of St. Patrick's Cathedral	Darby Brien.
A Dwelling House	7, same	Thomas Mathews, Vicars Choral of St. Patrick's Cathedral	Charles Smyth.
A Dwelling House	St. Patrick Street	Assignees of William Egan, a Bankrupt, Bridget Doyle, Richard Corballes, Archdeacon of Dublin	John Lynch.
A Yard	Same Street	Ditto ditto	Edward Kelly.
A Dwelling House	Same Street	Ditto ditto	Edward Downey.
A Dwelling House	57, same Street	Michael Frayne, Francis Hanna, Petty Canons of St. Patrick's Cathedral	Thomas Codd.
A Dwelling House	58, same Street	John Byrne, Francis Hanna, Petty Canons of St. Patrick's Cathedral	James Towers.
Two Dwelling Houses	59 and 60, same Street	Dean and Chapter of St. Patrick's Cathedral	Mary Gorman.
A Dwelling House and Warehouse	36, Bride Street	Edward Conflable, Petty Canons of Patrick's Cathedral	Wm. Robinson.
A Dwelling House	37, same Street	Ditto ditto	Unoccupied.
A Dwelling House	1, Cannon Street	Ditto ditto	Robert Tomkins.
A Dwelling House	2, same Street	Ditto ditto	James Towers.
A Dwelling House	3, same Street	Ditto ditto	James Towers.
Two Dwelling Houses	4 and 5, same Street	Ditto ditto	Alex. Copeland.
A Dwelling House	6, same Street	Ditto ditto	James Towers.
A Market House for the Sale of Corn	St. Thomas Street	Corporation of the City of Dublin	

Cap. xl.

An Act for continuing the Term and enlarging the Powers granted to the Principal Land Coal Meters for the City and Liberty of *Westminster*; and for extending the Limits of their Office to the Parish of *Saint Luke Chelsea*. [16th June 1817.]

WHEREAS an Act was passed in the Twenty sixth Year of the Reign of His present Majesty, intituled *An Act for explaining, amending and reducing into one Act of Parliament the several Acts passed for more effectually preventing the Frauds and Abuses committed in the Admeasurement of Coals within the City and Liberty of Westminster, and that Part of the Duchy of Lancaster adjoining thereto, and the several Parishes of Saint Giles in the Fields, Saint Mary le bone, and such Part of the Parish of Saint Andrew Holborn as lies in the County of Middlesex*: And Whereas another Act was passed in the Thirty sixth Year of the Reign of His present Majesty, intituled *An Act for further continuing and amending the several Acts passed for preventing the Frauds and Abuses committed in the Admeasurement of Coals within the City and Liberty of Westminster, and that Part of the Duchy of Lancaster adjoining thereto, and the several Parishes of Saint Giles in the Fields and Saint Mary le bone, and such Part of the Parish of Saint Andrew Holborn as lies in the County of Middlesex*: And Whereas as another Act was passed in the Forty second Year of the Reign of His present Majesty, intituled *An Act to remove Doubts as to certain Acts relating to the Admeasurement of Coals in the City and Liberty of Westminster and Parts adjacent; and to revive and continue an Act passed in the Twenty sixth Year of the Reign of His present Majesty, relating to the Admeasurement of Coals within the Limits aforesaid, and to indemnify all Persons who have acted in pursuance of any of the Provisions of the said Act*: And Whereas, by virtue of the first of the said recited Acts, an Office was established within the City and Liberty of *Westminster*, called by the Name of the Land Coal Meter's Office for the City and Liberty of *Westminster*, to be managed by such Two Persons as should be nominated and appointed by His Majesty, His Heirs or Successors; which Two Persons should be called by the Title of 'The Principal Land Coal Meters for the City and Liberty of *Westminster*;' and continued by the last of the said recited Acts until the Twenty fourth Day of *June* One thousand eight hundred and seventeen, and from thence until the End of the then next Session of Parliament: And Whereas, by Letters Patent under the Privy Seal of His present Majesty, respectively bearing Date the Third Day of *March* in the Thirty eighth Year of His Reign, and the Twenty third Day of *December*, in the Forty seventh Year of His Reign, His said Majesty granted to *John Baker* of *Northumberland Street, Westminster*, Gentleman, and *Alexander Tulloch* of *Saint Albans Street, Westminster*, Gentleman, the said Land Coal Meter's Office for the City and Liberty of *Westminster*, and nominated and appointed them the Principal Coal Meters for the City and Liberty of *Westminster*, during His Royal Will and Pleasure: And Whereas by an Act passed in the Forty seventh Year of the Reign of His present Majesty, intituled *An Act for repealing the several Acts for regulating*

26 G. 3. c. 108.

36 G. 3. c. 61.

42 G. 3. c. lxxxix.

47 G. 3. Sess. 2. c. lxxviii.

' *the Vend and Delivery of Coals within the Cities of London and*
 ' *Westminster, and Liberties thereof, and in certain Parts of the Coun-*
 ' *ties of Middlesex, Surrey, Kent and Essex, and for making better*
 ' *Provision for the same,* the several Acts of Parliament hereinbefore
 ' referred to were repealed; and other Provisions and Regulations
 ' were made for preventing Frauds and Abuses in the Admeasurement
 ' and Delivery of Coals within the Limits in the said Act
 ' mentioned; and by the said Act it was enacted, that the said *John*
 ' *Baker* and *Alexander Tulloch*, the Two Persons then last nominated
 ' and appointed by His said present Majesty, and then holding and
 ' exercising the Office of Principal Land Coal Meters for the City
 ' of *Westminster*, should remain and continue such Principal Land
 ' Coal Meters for the Purpose of admeasuring Coals within the
 ' City and Liberty of *Westminster*, and for that Part of the Duchy
 ' of *Lancaster* adjoining thereto, and for the several Parishes of *Saint*
 ' *Giles in the Fields*, *Saint Mary le bone*, and for such Part of the
 ' Parish of *Saint Andrew Holborn* as lies in the County of *Middle-*
 ' *sex*, and for other Purposes mentioned in the said Act, save and ex-
 ' cept he or they should die or be removed from such Office or
 ' Offices by His Majesty, His Heirs and Successors, which Removal
 ' His Majesty, His Heirs or Successors, are thereby empowered to
 ' make, until the Twenty fourth Day of *June* One thousand eight
 ' hundred and seventeen, and from thence to the End of the then
 ' next Session of Parliament: And Whereas the Regulations con-
 ' tained in the said recited Act have been found very beneficial
 ' to the Consumers of Coals within the Limits therein com-
 ' prised: And Whereas the Term for which the said *John Baker*
 ' and *Alexander Tulloch* were continued Principal Land Coal Meters
 ' as aforesaid hath nearly expired, and His Majesty has been gra-
 ' ciously pleased that the same should be renewed in Manner herein-
 ' after mentioned: And Whereas Doubts have arisen whether the
 ' said Principal Coal Meters have the Power of suspending or dis-
 ' missing the labouring Land Coal Meters appointed by them by
 ' virtue of the said recited Act; and it is therefore expedient that
 ' such Power should be expressly given to them: And Whereas by
 ' the said recited Act of the Forty seventh Year of the Reign of His
 ' present Majesty, and by an Act made in the Fifty sixth Year of
 ' the Reign of His present Majesty, intituled *An Act for preventing*
 ' *Frauds in the Admeasurement and Delivery of Coals within the*
 ' *several Parishes in the County of Middlesex lying between the*
 ' *Parish of Saint Luke Chelsea and the Mouth of the River Colne*
 ' *near Staines; and also between Limehouse Hole and the Mouth of*
 ' *the River Lee near Blackwall; and also within the several Parishes*
 ' *in the Counties of Middlesex and Essex, adjoining to both Banks of*
 ' *the River Lee and the Branches thereof between the River Thames*
 ' *and Edmonton*, Regulations have been made for preventing Frauds
 ' in the Admeasurement and Delivery of Coals in all the Places ad-
 ' joining the River *Thames* between the Mouth of the River *Lee*
 ' near *Blackwall* and the Mouth of the River *Colne* near *Staines*, ex-
 ' cepting only the said Parish of *Saint Luke Chelsea*: And Whereas,
 ' since the Establishment of the Land Coal Meter's Office for the
 ' City and Liberty of *Westminster*, the said Parish of *Saint Luke*
 ' *Chelsea* hath greatly increased in Population and Buildings, and
 ' the Houses and Streets therein adjoin to and communicate with
 ' certain

56 G. 3. c. cxi.

' certain Parts of the City and Liberty of *Westminster*: And
 ' Whereas the Provisions of the said Act of the Forty seventh Year
 ' of His present Majesty are liable to be greatly evaded by carrying
 ' Coals landed in the said Parish of *Saint Luke Chelsea* into the City
 ' and Liberty of *Westminster*; and it is apprehended that if the Re-
 ' gulations contained in the said recited Act of the Forty seventh
 ' Year of the Reign of His present Majesty were extended to the
 ' said Parish of *Saint Luke Chelsea*, they would be of great Benefit
 ' to the Inhabitants of the said Parish, and would prevent the Pro-
 ' visions of the said Act of the Forty seventh Year of the Reign
 ' of His present Majesty from being evaded: And Whereas, in conse-
 ' quence of the immediate Vicinity of the said Parish of *Saint Luke*
 ' *Chelsea* to the said City and Liberty of *Westminster*, the said Parish
 ' of *Saint Luke Chelsea* might with peculiar Convenience be com-
 ' prised within the Limits of the said Land Coal Meter's Office
 ' for the City and Liberty of *Westminster*:' 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 Con-
 sent 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 Land Coal
 Meter's Office for the City and Liberty of *Westminster* shall be
 deemed and taken to be the Principal Land Coal Meter's Office,
 not only for the said City and Liberty of *Westminster*, and for that
 Part of the Duchy of *Lancaster* adjoining thereto, and for the said
 several Parishes of *Saint Giles in the Fields*, *Saint Mary le Bone*, and
 such Part of the said Parish of *Saint Andrew Holborn* as lies in the
 County of *Middlesex*, but also for the said Parish of *Saint Luke*
Chelsea: Provided always, that in addition to the Land Coal Me-
 ter's Office already established under the said recited Acts in and for
 the City and Liberty of *Westminster*, there shall be an Office to be
 situated in the Parish of *Saint Luke Chelsea*, for the Accommodation
 of the Inhabitants thereof.

Land Coal
 Meter's Office
 for Westminster.
 &c. to be also the
 principal Office
 for Chelsea.

II. And be it further enacted, That from and after the passing
 of this Act, all the Regulations, Provisions, Powers, Authorities,
 Directions, Penalties, Forfeitures, Clauses, matters and things in
 the said recited Act of the Forty seventh Year of the Reign of His
 present Majesty contained concerning the City and Liberty of *West-*
minster and that Part of the Duchy of *Lancaster* adjoining thereto,
 and the said several Parishes of *Saint Giles in the Fields*, *Saint Mary*
le bone, and such Part of the Parish of *Saint Andrew Holborn* as
 lies in the County of *Middlesex*, or concerning the Land Coal Me-
 ter's Office for the said City and Liberty of *Westminster*, or the prin-
 cipal or labouring Coal Meters belonging to the same; or concerning
 the Admeasurement, Sale, or Delivery of Coals, or the Sums of
 Money to be paid for admeasuring Coals, or the storing or ware-
 housing of Coals, or any other Act, matter or thing whatsoever
 to be done under the Provisions of the said Act, within the same
 City and Liberty, Places and Parishes, shall extend and be con-
 strued to extend to the Parish of *Saint Luke Chelsea*, and shall
 operate and be in force, according to the true Intent and Meaning
 of this Act, as fully and effectually to all Intents and Purposes what-
 soever as if the said Parish of *Saint Luke Chelsea* had been originally
 included and specified in the said several recited Acts, and comprised

Regulations of
 47 G. 3. Sess. 2.
 c. lxxiii. extended
 to Chelsea.

within the Limits of the said Land Coal Meter's Office for the City and Liberty of *Westminster*, and as if the said Parish of *Saint Luke Chelsea* had been specified with the said several Parishes in the said last recited Act mentioned, in all Regulations, Provisions; Powers, Authorities, Directions, Penalties, Forfeitures, Clauses, matters and things in the said Act specified, and in all Forms directed to be used thereby, together with the Names of the said City and Liberty of *Westminster* and that Part of the Duchy of *Lancaster* adjoining thereto, and the several Parishes of *Saint Giles in the Fields*, *Saint Mary le bone*, and such Part of the Parish of *Saint Andrew Holborn* as lies in the County of *Middlesex*, when and so often as the same Names occur therein, and as if the Title of this Act were inserted in addition to the Title of the said recited Act, in all Forms directed to be used by the said Act, in which the Title of the said recited Act is directed to be inserted, and as if the same respectively were severally and separately reenacted in this Act, in relation to the said Parish.

John Baker and Alexander Tulloch to be Principal Land Coal Meters for Westminster, &c. and Chelsea (unless removed) for the further Term of 14 Years.

III. And be it further enacted, That the said *John Baker* and *Alexander Tulloch*, the Two Persons nominated by His said present Majesty, and now holding and exercising the Office of Principal Land Coal Meters for the City and Liberty of *Westminster*, shall remain and continue and are hereby appointed such Principal Land Coal Meters for the Purpose of admeasuring Coals within the City and Liberty of *Westminster*, and that Part of the Duchy of *Lancaster* adjoining thereto, and in the several Parishes of *Saint Giles in the Fields*, *Saint Mary le bone*, and such Part of the Parish of *Saint Andrew Holborn* as lies in the County of *Middlesex*, and also within the said Parish of *Saint Luke Chelsea*, and for other the Purposes in the said recited Act of the Forty seventh Year of the Reign of His present Majesty and this Act mentioned or referred to, (save and except they or either of them shall die or be removed from such Office or Offices, by His Majesty, His Heirs or Successors, which Removal His Majesty, His Heirs and Successors, is and are hereby empowered to make,) from the Expiration of the Term limited by the said recited Act of the Forty seventh Year of the Reign of His present Majesty, for and during the further Term of Fourteen Years, and from thence to the End of the then next Session of Parliament.

His Majesty to appoint Principal Land Coal Meters upon any Vacancy.

IV. And be it further enacted, That in case, and when and as often as the said *John Baker* and *Alexander Tulloch*, or either of them, or any other Principal Land Coal Meter to be from time to time appointed for the Purposes of the said recited Act of the Forty seventh Year of the Reign of His present Majesty, shall be removed from his Office, or the time limited for the Execution of such Office shall expire, or shall die, or become incapable of acting in the Execution of his Office, then it shall be lawful for His Majesty, His Heirs or Successors, to nominate and appoint the same, or any other Person or Persons, as the case may happen, to be Principal Land Coal Meter, in the Room or Stead of such Principal Land Coal Meter, who shall be so removed, or whose time limited for the Execution of his Office shall expire, or who shall die or become incapable of acting in the Execution of his Office, for any Term not exceeding Fourteen Years, and so *kolles quiritet*, as often as any such case shall happen.

V. And be it further enacted, That the Principal Land Coal Meters for the time being for the City and Liberty of *Westminster*, and that Part of the Duchy of *Lancaster* adjoining thereto, and the said several Parishes of *Saint Giles in the Fields* and *Saint Mary le bone*, and such Part of the Parish of *Saint Andrew Holborn* as lies in the County of *Middlesex*, and the said Parish of *Saint Luke Chelsea*, or either of them, may, from time to time, suspend or dismiss the Labouring Land Coal Meters appointed or to be appointed by virtue of the said recited Act of the Forty seventh Year of the Reign of His present Majesty or this Act, as and when they or he shall in their or his Discretion think fit.

Principal Land Coal Meters may suspend or dismiss labouring Meters.

VI. Provided always nevertheless, and be it further enacted, That from and after the passing of this Act it shall and may be lawful for the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, to make such Rules and Regulations, for better securing to the Public a just Quantity and Quality of Coals, as he or they shall deem proper; and also to suspend or dismiss any Principal Land Coal Meters, or Labouring Land Coal Meters, appointed or to be appointed by virtue of the said recited Act of the Forty seventh Year of the Reign of His present Majesty, or of this Act, as and when he or they shall in his or their Discretion think fit; and also, that it shall and may be lawful for such Lord High Treasurer or Commissioners, as the case may be, to appoint from time to time such or so many other fit and proper Persons as he or they may deem sufficient and necessary to perform and execute, or assist in performing and executing, the several Duties required to be performed and executed by the said recited Act of the Forty seventh Year of the Reign of His present Majesty, or by the Regulations of the said Lord High Treasurer or Commissioners, by the Principal Land Coal Meters, or Labouring Land Coal Meters, with such Salaries as shall be ordered and appointed by the said Lord High Treasurer or Commissioners, to be paid out of the Monies which shall be lawfully collected under the said recited Act, at the Office of the Principal Land Coal Meters for the City and Liberty of *Westminster*, and that Part of the Duchy of *Lancaster* adjoining thereto, and the several Parishes of *Saint Giles in the Fields*, *Saint Mary le bone*, and such Part of the Parish of *Saint Andrew Holborn* as lies in the County of *Middlesex*, and also for the said Parish of *Saint Luke Chelsea*; and that neither the said *John Baker* and *Alexander Tulloch*, or any other Principal Land Coal Meter to be appointed under or by virtue of this Act as aforesaid, shall have any Power or Authority to remove or dismiss any of the Persons so appointed by the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of the Commissioners appointed to execute that Office, unless expressly authorized so to do by such Lord High Treasurer or Commissioners.

Treasury may make Regulations, and remove, &c. Principal and other Meters, &c.

and appoint others, and also Salaries.

Principal Meter not to remove those appointed by Treasury, unless authorized so to do.

VII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such, by all Judges, Justices and others, without being specially pleaded.

Public Act,

Cap. xli.

An Act for lighting the City and Suburbs of *Glasgow* with Gas, and for other Purposes relating thereto. [16th June 1817.]

Cap. xlii.

An Act to repeal an Act made in the last Session of Parliament, for preventing Frauds in the Admeasurement and Delivery of Coals within the several Parishes lying contiguous to the Water Side in the County of *Kent*. [16th June 1817.]

56 G. 3. c. 78.

WHEREAS by an Act passed in the Fifty sixth Year of the Reign of His present Majesty, intituled *An Act for preventing Frauds in the Admeasurement and Delivery of Coals within the several Parishes lying contiguous to the Water Side in the County of Kent*, a certain Principal Land Coal Meter was appointed for executing the Provisions thereof, which said Principal Land Coal Meter was thereby directed and required, from time to time, to nominate and appoint a sufficient Number of labouring Land Coal Meters for the Admeasurement of Coals sold within the several Parishes of *Saint Paul* and *Saint Nicholas Deptford*, *Saint Abbege Greenwich*, *Saint Luke's Charlton next Woolwich*, *Saint Mary Woolwich*, *Plumstead*, *Eritb*, *Dartford*, *Stone*, *Swainscombe*, *Northfleet*, *Gravesend* and *Milton next Gravesend*, in the Town of *Gravesend*, and the Parish of *Denton*, lying contiguous to or adjoining the Water Side, in the said County of *Kent*; and certain Regulations were thereby made respecting the Vend and Delivery of Coals sold within the same respectively: And Whereas the Regulations of the aforesaid Act have not been found to be beneficial, but, on the contrary thereof, have been and are inconvenient and burthensome to the Inhabitants of the said Parishes, and ought to 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 the said Act shall be, and the same Act is hereby repealed, and declared to be null and void, to all Intents and Purposes whatsoever.

Recited Act
repealed.

Public Act.

II. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Cap. xliii.

An Act to continue and amend an Act made in the Forty second Year of His present Majesty, for repairing the Road from *Causeway Head* near *Stirling*, through the County of *Cloakmannan*, towards *Queen's Ferry*; and certain Roads branching out of the same. (c) [16th June 1817.]

42 G. 3. c. xevii.

Cap. xliv.

An Act for enlarging the Term and Powers of several Acts of His present Majesty, for repairing certain Roads leading from *Truro*, and

13 G. 3. c. 112.
22 G. 3. c. 89.

and other Roads communicating therewith, in the County of *Cornwall*; and for building and keeping in Repair a Bridge over the River there. (c) [16th June 1817.]

in part repealed,
§ 7.
42 G. 3. c. iv.

Cap. xlv.

An Act for making and keeping in Repair a Carriage Road from or near the Town of *Brough under Stainmore*, in the County of *Westmoreland*, to *Middleton Bridge*, in the Parish of *Romaldkirk*, in the North Riding of the County of *York*, with a Branch from or near *Chapel House* to *Eggleston Bridge*, in the same Parish. (a) [16th June 1817.]

Cap. xlvi.

An Act for continuing † and amending an Act of His present Majesty, for repairing the Road from *Stamford*, in the County of *Lincoln*, through *Oakham*, to the Great North Road, in the Parish of *Greetham*, in the County of *Rutland*: (a) [16th June 1817.]

35 G. 3. c. 152.

[Additional Trustees.]

† [No Term mentioned, vide § 1. 26.]

Cap. xlvii.

An Act for making and keeping in Repair a Carriage Road from the Township of *Manchester* to *Newton Chapel*, in the Township of *Newton*, with a Branch to the River *Medlock*, in the Township of *Droylsden*, in the County Palatine of *Lancaster*. (c) [16th June 1817.]

Cap. xlviii.

An Act for shutting up and discontinuing a certain Way or Passage called *Old Paris Garden Lane*, situate in the Parish of *Christ Church* in the County of *Surrey*, and for felling and disposing of the Ground and Soil thereof.

33 G. 3. c. 90.

[16th June 1817.]

Cap. xlix.

An Act to continue an Act, passed in the Parliament of *Ireland* in the Thirty-fifth Year of His present Majesty, for improving and repairing the Turnpike Road leading from *Dublin* to *Mullingar*, and for repealing the several Laws theretofore made relating to the said Road. [16th June 1817.]

35 G. 3. (1.)
c. 43. Term to
cease, and, to-
gether with this
Act, thenceforth
continued for
31 Years, &c.
45 G. 3. c. 43.
recited.

Cap. l.

An Act to continue the Term, and alter and enlarge the Powers, of an Act of His present Majesty, for keeping in Repair the Road leading from the Town of *Rochdale*, in the County Palatine of *Lancaster*, to the Town of *Burnley*, in the said County; and for making Two new Branches of Road to communicate therewith. (c) [16th June 1817.]

38 G. 3. c. li.

[Additional Trustees. Former Tolls to cease. New Tolls granted.]

Cap. li.

An Act for making and maintaining a Road from *Quebec* in the Parish of *Leeds*, in the West Riding of the County of *York*, to *Homefield Lane End* in the same Parish, with a Bridge or Bridges on the Line of such Road. (b.) [16th June 1817.]
[*Royal Family exempt.*]

Cap. lii.

36 G. 3. c. 132.
repealed as to
Turnpike Roads.

An Act for more effectually repairing the Road from the Bridge of *Dee*, southward, through the County of *Kincardine*, to *Stonehaven*, and from thence, by *Inverbervie* and by *Laurencekirk*, to the Lower and Upper Bridges over the River *North Esk*, and for making and repairing other Roads in the said County. (b)
[16th June 1817.]

Cap. liii.

An Act for settling the Right of Patronage or Presentation of or to a Chapel to be called *Stansted Chapel*, in the Parish of *Stoughton* in the County of *Suffex*. [20th June 1817.]

Cap. liv.

An Act for making and maintaining a Turnpike Road from the Town of *Crowland*, in the County of *Lincoln*, to the Town of *Eye*, in the County of *Northampton*. (a) [20th June 1817.]

Cap. lv.

13 G. 3. c. 98.
35 G. 3. c. 165.

An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for repairing the Road from *Wrotham Heath* to *Foots Cray*, and from *Wrotham Heath* to *Maidstone*, in the County of *Kent*; and the Road from the said Road into the Turnpike Road from *Mereworth* to *Hadlow* in the said County. (c) [20th June 1817.]

[*Additional Trustees.*]

Cap. lvi.

An Act for making and maintaining a Navigable Canal from the *Lothian Road*, near the City of *Edinburgh*, to join the *Forth* and *Clyde* Navigation near *Falkirk*, in the County of *Stirling*. [27th June 1817.]

Cap. lvii.

13 & 14 G. 3.
(1.) c. 46.
40 G. 3. (1.)
c. 37. recited.

An Act for giving further Powers to the President and Assistants of the Charitable Society of the Town of *Belfast*, in the County of *Antrim*, to supply the said Town with Water, and to improve their Estates. [27th June 1817.]

Cap. lviii.

An Act for building a Bridge across the River *Irwell*, from *Water Street* in the Township of *Salford*, to *Saint Mary's Gate* in the Township of *Manchester*, all in the County of *Lancaster*; and for making proper Avenues thereto. [27th June 1817.]

Cap.

Cap. lix.

An Act for granting further Powers for improving the Town of *Great Bolton*, in the County of *Lancaster*. [27th June 1817.] 32 G. 3. c. 71. recited.

Cap. lx.

An Act for granting an Equivalent for the Diminution of the Profits of the Office of Gauger of the City of *London*, and increasing the Payments to be made by Brokers. [27th June 1817.]

WHEREAS by Letters Patent, bearing Date the Twentieth Day of *June*, in the Eighteenth Year of the Reign of His Majesty King *Edward* the Fourth, in Consideration of the Sum of Seven thousand Pounds, Part of the Monies then owing by His said Majesty to the Mayor and Commonalty and Citizens of the City of *London*, His said Majesty did grant to the said Mayor and Commonalty and Citizens, and their Successors, (among other things therein mentioned,) the Office of Gauger within the City of *London*: And Whereas the said Grant was afterwards confirmed by certain other Letters Patent, respectively bearing Date the Eighteenth Day of *October*, in the Fourteenth Year of the Reign of King *Charles* the First, and the Twenty fourth Day of *June*, in the Sixteenth Year of the Reign of King *Charles* the Second; And Whereas until the Completion of the Docks authorized to be made by certain Acts of Parliament made and passed in the Thirty ninth Year of the Reign of His present Majesty, and the Thirty ninth and Fortieth Year of the Reign of His said present Majesty, which are respectively called the *West India Docks*, and the *London Docks*, the Gaugeable Liquors imported into *London* were accustomed to be landed within the said City, and the Gauger appointed as the Deputy of the Lord Mayor of the said City was accustomed to gauge such Liquors by virtue of the Grant contained in the aforesaid Letters Patent, and the said Mayor and Commonalty and Citizens received Profits and Revenues to a considerable Amount in respect thereof: And Whereas, upon the Alienation of the Office of Deputy Gauger by *Anthony Harrison* Esquire, (who succeeded his Father therein, and had held the Situation Twenty three Years and upwards,) in Favour of his Brother *Nicholas Bacon Harrison* Esquire, the said *Nicholas Bacon Harrison*, on the Eighteenth Day of *June* One thousand eight hundred and six, was duly appointed to the said Office of Deputy Gauger, under the yearly Rent of Seven hundred and fifty Pounds: And Whereas previous to the Appointment of the said *Nicholas Bacon Harrison*, the said Office of Gauger had been exercised for upwards of a Century all over the Port of *London*, and it was considered that he would have the Right of gauging in the said Docks; and in consequence of the *London Dock Company* having disputed that Right, the Question was tried in His Majesty's Court of King's Bench, in the Year One thousand eight hundred and seven, when such Right was confirmed by the Verdict of the Jury; but upon a new Trial at Bar in the said Court of King's Bench, in the Year One thousand eight hundred and nine, granted upon the Application of the said Dock Company, it was determined that the Right of gauging did not extend to the Scites of the said Docks: And

Letters Patent dated 20th June, 18 Ed. 4. granting the Office of Gauger in London, confirmed by Letters Patent, 18th Oct. 14 Car. 1. and 24th June, 16 Car. 2. 39 G. 3. c. lix. 39 & 40 G. 3. c. xlvii.

6 Ann. c. 16.

' Whereas the said Acts of Parliament require the greater Part of
 ' the Liquors imported into *London* to be landed in the said Docks,
 ' and in consequence thereof the said Deputy Gauger, and the said
 ' Mayor and Commonalty and Citizens, have sustained considerable
 ' Loss from the Diminution of the Profits of the said Office of
 ' Gauger within the said City of *London*: And Whereas the said
 ' *Nicholas Bacon Harrison* departed this Life on the Twenty third
 ' Day of *January* One thousand eight hundred and seventeen, and
 ' Letters of Administration with his Will annexed have been granted
 ' to *Charles Church* out of the Prerogative Court of the Archbishop
 ' of *Canterbury*: And Whereas it is just and expedient that some
 ' Compensation should be made to the said Administrator of the
 ' said *Nicholas Bacon Harrison*, and to the said Mayor and Com-
 ' monalty and Citizens for the Diminution of the Profits of the said
 ' Office: And Whereas by an Act made and passed in the Sixth Year
 ' of the Reign of Her Majesty *Queen Anne*, intituled *An Act for*
 ' *repealing the Act of the First Year of King James the First, intituled*
 ' *' An Act for the well garbling of Spices, and for granting an Equi-*
 ' *valent to the City of London, by admitting Brokers ;'* after reciting
 ' that the Office of Garbler was Part of the Revenues of the City
 ' of *London*, and was then let by Lease to *William Stewart*, under
 ' the Rent of Three hundred Pounds *per Annum*, the Profits of
 ' which Office and the Right of the said *William Stewart* to the
 ' same, by repealing the said Act, would be very much diminished ;
 ' it was enacted, that from and after the Determination of the then
 ' Session of Parliament, all Persons that should act as Brokers
 ' within the City of *London* and Liberties thereof, should from time
 ' to time be admitted so to do by the Court of Mayor and Aldermen
 ' of the said City for the time being, under such Restrictions and
 ' Limitations for their honest and good Behaviour as that Court
 ' should think fit and reasonable, and should upon such their Admission
 ' pay to the Chamberlain of the said City for the time being, for
 ' the Uses therein and hereinafter mentioned, the Sum of Forty
 ' Shillings; and should also yearly pay to the said Uses the Sum of
 ' Forty Shillings upon the Twenty ninth Day of *September* in every
 ' Year; all which Monies should in the first Place be applied for
 ' and towards the paying and satisfying to the said *William Stewart*
 ' the Sum of Nine hundred and sixty seven Pounds Ten Shillings,
 ' for a Compensation for his Interest in the said Office; and that
 ' from and after the full Payment of the said Sum of Nine hundred
 ' and sixty seven Pounds Ten Shillings to the said *William Stewart*,
 ' all the Monies arising by such Admissions and yearly Payments
 ' should go to and be enjoyed by the said Mayor and Commonalty
 ' and Citizens of the City of *London*; and it was further enacted,
 ' that if any Person or Persons, from and after the Determination of
 ' the said then present Sessions of Parliament, should take upon him
 ' to act as a Broker, or employ any other under him to act as such
 ' within the said City and Liberties, not being admitted as aforesaid,
 ' every such Person so offending should forfeit and pay to the Use
 ' of the said Mayor and Commonalty and Citizens of the said City,
 ' for every such Offence, the Sum of Twenty five Pounds, to be
 ' recovered in manner therein mentioned: And Whereas a Compensa-
 ' tion may be made to the said Administrator of the said *Nicholas*
 ' *Bacon Harrison*, and to the said Mayor and Commonalty and
 ' Citizens,

' Citizens, for the Loss sustained by them respectively in consequence
 ' of the Diminution of the Profits of the said Office of Gauger, by
 ' increasing the Sums of Money to be paid by Persons hereafter to
 ' be admitted to act as Brokers within the said City of London and
 ' Liberties thereof as aforesaid; and it is expedient that the Penalty
 ' imposed upon Persons who shall act as Brokers, not being duly
 ' admitted as aforesaid, should be increased: May it therefore please
 Your Majesty that it may be enacted; and be it enacted by The
 King's Most Excellent Majesty, by and with the Advice and Con-
 sent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 That all Persons that from and after the First Day of July next after
 the passing of this Act shall be admitted to act as Brokers within
 the City of London and Liberties thereof by the Court of Mayor and
 Aldermen of the said City for the Time being, in pursuance of the
 said recited Act of Parliament, shall upon such their Admission, over
 and above the Sum of Forty Shillings required to be paid by the said
 recited Act, pay to the Chamberlain of the said City for the time
 being the Sum of Three Pounds, and shall also yearly pay to the
 said Chamberlain, over and above the yearly Sum of Forty Shillings
 required to be paid by the said recited Act, the Sum of Three
 Pounds, on the Twenty ninth Day of September in every Year; all
 which Monies shall go to and be enjoyed by the said Mayor and
 Commonalty and Citizens of the City of London, subject to the Pay-
 ment of such Compensation to the Administrator of the said *Nicholas
 Bacon Harrison*, for the Loss sustained by him in the Diminution of
 the Profits of his said Office as aforesaid, either in a gross Sum of
 Money, or by annual Sums for any Number of Years, as shall be
 agreed upon between the said Mayor and Commonalty and Citizens,
 and the said Administrator of the said *Nicholas Bacon Harrison*.

Brokers admit-
 ted after July 1,
 to pay the ad-
 ditional Sums
 herein men-
 tioned.

II. And be it further enacted, That so much of the said recited
 Act as imposes a Penalty of Twenty five Pounds upon any Person
 who shall take upon him to act as a Broker, or employ any Person
 under him to act as such, not being admitted in pursuance of the
 said recited Act, shall be and the same is hereby repealed; and
 that from and after the passing of this Act, if any Person shall take
 upon him to act as a Broker, or employ, or cause, permit or suffer
 any Person or Persons to be employed with, under or for him to act
 as such within the said City and Liberties, not being admitted in
 pursuance of the said recited Act, every such Person so offending
 shall forfeit and pay to the Use of the Mayor and Commonalty and
 Citizens of the said City, for every such Offence, the Sum of One
 hundred Pounds, to be recovered by Action of Debt, in the Name
 of the Chamberlain of the said City, in any of His Majesty's Courts
 of Record, in which no Protection, Essoign or Wager of Law shall
 be allowed, or any more than One Imparlanee.

6 Ann. c. 16.
 § 5. repealed.

Brokers acting
 without Admis-
 sion.

Penalty.

III. And be it further enacted, That this Act shall be deemed
 and taken to be a Public Act, and shall be judicially taken Notice
 of as such by all Judges, Justices and others, without being specially
 pleaded.

Public Act.

Cap. lxi.

An Act to enable *Peltro William Tomkins* of *New Bond Street*, in the City of *Westminster*, Engraver to the Queen's Most Excellent Majesty, to dispose of his Collection of Paintings, Drawings and Engravings, together with several Copies of certain Books therein mentioned, and the Lease of the Premises called *The British Gallery of Pictures*, by way of Lottery. [27th June 1817.]

Cap. lxii.

An Act to amend Two Acts for maintaining and improving the *Commercial Docks* in the Parish of *Saint Mary Rotherhithe*, in the County of *Surrey*. [7th July 1817.]

50 G. 3. c. ccvii.

WHEREAS an Act was passed in the Fiftieth Year of the Reign of His present Majesty, intituled *An Act for maintaining and improving the Docks and Warehouses called The Commercial Docks, and for making and maintaining other Docks and Warehouses to communicate therewith, all in the Parish of Saint Mary Rotherhithe in the County of Surrey*: And Whereas by the said Act the several Persons therein named, with other Persons therein described, were created a Joint Stock Company, by the Name of 'The Commercial Dock Company,' for the Purpose of maintaining and improving a certain Dock formerly called *Greenland Dock*, and other Docks and Premises adjoining thereto, and making other Docks, Timber Ponds, Sluices, Outlets, and other Works, necessary for the Accommodation of Vessels laden with Timber and other Articles in the said Act mentioned: And Whereas by the said Act the said Company were authorized to raise and contribute among themselves for the Purposes set forth in the said Act, in addition to the Shares then already created or Sums then already subscribed for, a further Sum not exceeding the Sum of One hundred and thirty thousand Pounds; which additional Sum of One hundred and thirty thousand Pounds, together with the Sum of One hundred and thirty thousand Pounds then already subscribed for, it was thereby enacted should form One Joint Capital Stock of the said Company: And Whereas the whole of the original Subscriptions of One hundred and thirty thousand Pounds, and also the whole of the further Sum of One hundred and thirty thousand Pounds authorized to be raised by the said Act, have been raised and expended towards the Purposes of the said Act, in the Purchase of the said Docks and other Premises, and in making other Docks and Timber Ponds for the Reception and Discharge of Timber Ships, and the Admission and Storing of Timber, Deal, and other Wood Goods, and in making Warehouses and other Works, and rendering the Premises fit and proper for the warehousing and bonding of Timber and other Wood Goods, and affording Security to His Majesty's Revenue: And Whereas another Act was passed in the Fifty-first Year of the Reign of His present Majesty, intituled *An Act to amend and render more effectual an Act of His present Majesty, for maintaining and improving the Docks and Warehouses called The Commercial Docks, in the Parish of Saint Mary Rotherhithe in the County of Surrey, and for extending the Powers of the said Act*: And Whereas by the said last recited

51 G. 3. c. lxvi.

' Act the said Company were authorized to raise and contribute
 ' among themselves, for the Purpose of improving, completing and
 ' maintaining the Docks, Feeders, Aqueducts, Entrances, Ways,
 ' Roads, Bridges, Offices, Sluices, Wharfs, Warehouses and Works
 ' then already made or to be made in pursuance or by authority of
 ' the said Acts, the further Sum of One hundred and thirty thousand
 ' Pounds, by the Creation of Two thousand six hundred additional
 ' Shares of Fifty Pounds each; and which additional Sum of One
 ' hundred and thirty thousand Pounds allowed to be raised under the
 ' said last recited Act, upon Two thousand six hundred Shares, and
 ' the Shares then already subscribed for, making in the whole Three
 ' hundred and ninety thousand Pounds, it was thereby enacted,
 ' should make One Joint Capital Stock of the said Company: And
 ' Whereas the said Company have raised the Sum of Forty thousand
 ' Pounds, Part of the said Sum of One hundred and thirty thousand
 ' Pounds authorized to be raised as aforesaid, by the Creation of
 ' Eight hundred new Shares of Fifty Pounds each, and have expended
 ' the Monies so raised for the Purposes of the said Acts, and in
 ' rendering their Docks, Ponds, Works, and Premises more com-
 ' modious and useful for the Trade of the Port of *London*, and
 ' affording Security to His Majesty's Revenue in the warehousing and
 ' bonding of Timber, Deals and other Wood Goods; and the
 ' Company have also proceeded to raise a further Sum of Money by
 ' the Creation of Two hundred and seventy-five new Shares of Fifty
 ' Pounds each, on which they have made Calls amounting to Fifty
 ' Pounds *per Cent.* thereon, and are proceeding to get in the whole
 ' of the said last mentioned Calls under the Provisions of the said
 ' last recited Act: And Whereas it is expedient, in order to enable
 ' the said Company to raise the Remainder of the Money so authorized
 ' to be raised as aforesaid, and more effectually to carry the Purposes
 ' of the said Acts into Execution, that the Powers and Provisions of
 ' the said recited Acts should be amended and enlarged: May it
 ' therefore please Your Majesty that it may be enacted; and be it
 ' enacted by The King's Most Excellent Majesty, by and with the
 ' Advice and Consent of the Lords Spiritual and Temporal, and
 ' Commons, in this present Parliament assembled, and by the Authority
 ' of the same, That (in case the Majority of the Proprietors of the said
 ' Docks entitled to vote, and respectively present at any Two Meetings
 ' to be specially called for the Purpose, by Notice to be inserted in the
 ' *London Gazette*, and also in Three of the Daily Newspapers printed
 ' or published in *London*, Fourteen Days at the least previous to the
 ' First of such Meetings, and the Second of such Meetings to be held
 ' Ten Days at least after the First of such Meetings, shall deem it
 ' expedient and determine to borrow at Interest, or raise by granting
 ' Annuities, the Sum of Seventy six thousand two hundred and fifty
 ' Pounds, being so much of the said Sum of One hundred and thirty
 ' thousand Pounds authorized to be raised by the said recited Act of
 ' the Fifty first Year of the Reign of His present Majesty as the said
 ' Company have not already raised or proceeded to raise by the
 ' Creation of additional Shares in the manner thereby prescribed, or
 ' in case they shall deem it expedient and determine to raise Part only
 ' of the said Sum of Seventy six thousand two hundred and fifty
 ' Pounds by way of Augmentation of their Capital Stock, and to bor-
 ' row at Interest or raise as aforesaid the Remainder thereof,) it shall be
 ' lawful

Company em-
 powered to bor-
 row at Interest
 76,250*l.*

and secure by
Mortgage.

lawful for the said Company to borrow and raise the said Sum of Seventy six thousand two hundred and fifty Pounds, or any Sum or Sums of Money, Part or Parts of the said Sum of Seventy six thousand two hundred and fifty Pounds, and which may not be hereafter subscribed for in the manner prescribed by the said recited Act of the Fifty first Year of the Reign of His present Majesty, either by way of Mortgage of the Lands, Tenements, Docks, Hereditaments and Premises, and Real Estates of the said Company, or any Part thereof, together with or separately from the Rates and Charges which the said Company are by the said recited Acts or otherwise authorized or allowed to demand and take, or by Mortgage of such Rates and Charges separately from the said Estates, or by granting Annuities charged upon and to be payable out of the said Lands, Tenements, Docks, Hereditaments and Premises, and Real Estates, or any Part thereof, together with or separately from the said Rates and Charges, or to be charged upon and payable out of the said Rates and Charges only during the natural Life of the Purchaser or Purchasers of such Annuity or Annuities respectively, or during the Life or Lives of any Person or Persons to be nominated by and on the behalf of such Purchaser or Purchasers, which Annuity or Annuities shall be granted and made payable either with or without Benefit of Survivorship, and in such manner as the said Company shall think proper, subject to the Provisions of this Act.

II. And be it further enacted, That every such Mortgage so to be given as a Security for any Sum or Sums of Money so to be borrowed as aforesaid shall be in the following Form, or in any other Form of Words to the same Effect; *videlicet*,

Form of Mortgage.

‘ BY virtue of an Act passed in the Fifty seventh Year of the Reign of King George the Third, intituled *An Act* [here insert the Title of this Act], we, the ‘ Commercial Dock Company,’ in consideration of the Sum of _____ to us paid by _____ do mortgage unto the said _____ his, her or their Executors, Administrators and Assigns, [or Successors and Assigns, as the case may be,] all and singular the Lands, Tenements, Docks, Hereditaments and Premises of and belonging to the said Company, situate and being in the Parish of *Saint Mary Rotherhithe* in the County of *Surrey*, and also all and singular the Rates and Charges arising by virtue of Two Acts, one passed in the Fiftieth Year of the Reign of King George the Third, intituled *An Act for maintaining and improving the Docks and Warehouses called The Commercial Docks, and for making and maintaining other Docks and Warehouses to communicate therewith, all in the Parish of Saint Mary Rotherhithe in the County of Surrey*; and the other passed in the Fifty first Year of the Reign of King George the Third, intituled *An Act to amend and render more effectual an Act of His present Majesty, for maintaining and improving the Docks and Warehouses called The Commercial Docks, in the Parish of Saint Mary Rotherhithe in the County of Surrey, and for extending the Powers of the said Act, [in case the Mortgage is not intended to comprise both the Real Estate and Rates and Charges, or only a Part of the Real Estate, describe what is intended to be charged]* and all the Estate, Right, Title and Interest of the said Company in and to the same, to hold unto the said _____ his, her

her or their Executors, Administrators and Assigns, [or Successors or Assigns,] until the said Sum of together with Interest for the same after the Rate of *per Centum per Annum*, shall be repaid. Dated the Day of

And every such Mortgage, being executed by Three of the Directors of the said Company for the time being, shall be binding on the said Company, and be valid and effectual to all Intents and Purposes whatsoever; and all and every Person and Persons, Body or Bodies Politic, Corporate or Collegiate, Aggregate or Sole, to whom any Mortgage or Mortgages shall be made, shall be entitled to the full Benefit of such Mortgage or Mortgages respectively, with Preference according to the Order and Course of Priority of their respective Securities.

III. Provided always, and be it further enacted, That it shall be lawful to insert in any Mortgages to be made as aforesaid, if the Majority of the said Company, or the Proprietors present and entitled to vote at any Two such Meetings as aforesaid, shall think fit, an Agreement by which a Right shall be given to the respective Persons or Bodies Politic or Corporate, who shall advance and lend the said Money, or any Part thereof, to the Persons who for the time being shall be entitled thereto, to have an Option of having their several and respective Loans repaid in Money, or of being admitted to have such a Share of the Capital Stock of the said Company in lieu thereof, at such time or times, and upon and under such Terms, Provisions and Conditions in all Respects, (and with or without such Powers to the Directors for the time being, or any Three or more of them, with the Consent of the Person or Persons, Bodies Politic or Corporate, who shall so advance or lend Money on such Securities as aforesaid, or of their Executors, Administrators, Successors or Assigns, to vary or alter such Terms, Provisions and Conditions,) as shall be determined upon by the Majority of such Proprietors present at such Two Meetings as aforesaid; and the Insertion of any such Agreement in any such Mortgages or Securities as aforesaid, signed by any Three or more of the Directors of the said Company for the time being, shall be conclusive Evidence for the Benefit and Security of the Person or Persons, Bodies Politic or Corporate, who shall advance Money upon such Securities, and his, her and their Executors, Administrators, Successors or Assigns, that such Agreement was inserted with such Consent as is above required, and shall be binding and conclusive on the said Company.

Proviso may be inserted in Mortgages to receive the Money or a Share in the Joint Stock.

IV. And be it further enacted, That any Grant of any such Annuity as aforesaid shall be made in the Words following, or in Words to the like Effect; (that is to say),

BY virtue of an Act passed in the Fifty seventh Year of the Reign of King George the Third, intituled *An Act* [here insert the Title of this Act] We, The Commercial Dock Company, in consideration of the Sum of to us paid by do grant unto the said his, her or their Executors, Administrators and Assigns, [or Successors and Assigns, as the case may be,] an Annuity of to be charged upon, and to be paid to the said his, her or their Executors,

Form of Grant of Annuity.

' Executors, Administrators or Assigns, [or Successors or Assigns]
 ' [in case it is not intended to comprise all the Lands, &c. then describe
 ' only the Parcels intended to be comprised, and if the Rates and
 ' Charges are not intended to be comprised, then omit the Description]
 ' out of the Lands, Tenements, Hereditaments and Premises, and
 ' Real Estates of and belonging to the said Company, and on and
 ' out of the Rates and Charges arising by virtue of Two Acts, One
 ' passed in the Fiftieth Year of the Reign of King George the Third,
 ' intituled *An Act for maintaining and improving the Docks and*
 ' *Warehouses called The Commercial Docks, and for making and*
 ' *maintaining other Docks and Warehouses to communicate therewith,*
 ' *all in the Parish of Saint Mary Rotherhithe in the County of*
 ' *Surrey*; and the other passed in the Fifty first Year of the Reign
 ' of King George the Third, intituled *An Act to amend and render*
 ' *more effectual an Act of His present Majesty, for maintaining and*
 ' *improving the Docks and Warehouses called The Commercial*
 ' *Docks, in the Parish of Saint Mary Rotherhithe in the County*
 ' *of Surrey, and for extending the Powers of the said Act,* an
 ' Annuity of _____ to be payable to the said
 ' _____ his, her or their Executors, Administrators
 ' or Assigns, [or Successors or Assigns, as the case may be,] during
 ' the Life of _____ or the Lives of
 ' _____ [if more than One] and the Life of the Survivor
 ' of them [as the case may be], and a proportionable Part of the
 ' said Annuity to be paid up to the Day of the Decease of
 ' _____ or to the Day of the Decease of the
 ' Survivor of _____ [as the case may be].
 ' Dated the _____ Day of _____ One
 ' thousand eight hundred and _____

How to be
executed.

And every such Grant of Annuity, being executed by Three of the
 Directors of the said Company for the time being, the Chairman or
 Deputy Chairman of the Court of Directors of the said Company
 for the time being, being One of such Three Directors, shall be
 binding on the said Company, and be valid and effectual to all Intents
 and Purposes whatsoever; and the Purchasers of such Annuities
 respectively shall be entitled thereto, and to the full Benefit thereof
 respectively, with Preference according to the Order and Course of
 Priority of their respective Securities for such Annuities respectively:
 And in case the Money authorized to be raised as aforesaid shall be
 raised partly by Mortgage and partly by Annuity, in such case the
 Mortgagees and Annuitants respectively shall be entitled to the full
 Benefit of their respective Securities and Assurances, with Preference
 according to the Order and Course of Priority of the Mortgages and
 Annuities respectively.

Mortgages and
Annuities to
have Preference
according to
their Priorities.

Regulations as
to granting
Annuities.

V. And for preventing any improvident Grants of Annuities
 under this Act, be it further enacted, That no Annuities shall
 be granted by virtue of this Act for any single Life, at any
 higher Rate than the following; (that is to say,) when the Age
 of the Annuitant, or Person for whose Life the Annuity shall be
 granted, shall not exceed Thirty five Years, the Annuity to be granted
 shall not exceed the Rate of Eight Pounds Three Shillings for each
 One hundred Pounds of the Consideration Money paid for the
 Purchase thereof; when the Age of such Person shall not exceed
 Forty Years, the Annuity to be granted shall not exceed the Rate
 of

Grant, and the future Payments thereon, and to all Benefit and Advantage arising therefrom; and for the Entry of every original Mortgage or Grant, and of every such Assignment and Transfer, the said Clerk shall be paid, by the Party to whom such Mortgage or Grant or Transfer shall be made, the Sum of Five Shillings and no more.

Interest and Annuities to be paid Half Yearly.

IX. And be it further enacted, That the Interest of the Money which shall be borrowed on Mortgage as aforesaid, and the several Annuities so to be granted as aforesaid, shall be paid Half Yearly to the several Parties entitled thereto, in Preference to any Dividend or Distribution among the Members of the said Company, and shall be duly provided for and set apart before such Dividend or Distribution shall be made or declared.

Notice to be given of paying off Mortgages.

X. Provided always, and be it further enacted, That no Sum or Sums of Money so lent and advanced on Mortgage shall be paid off and discharged (save and except with the Consent of the Person or Persons entitled to receive such Sum or Sums of Money) unless Six Calendar Months' previous Notice in the *London Gazette* shall have been given by the said Company of their Intention to pay off and discharge the same; and that at the Expiration of the said Six Calendar Months, all Interest shall cease to be paid on the Principal Sums relative to which such Notice shall have been given, unless the said Principal Sums shall not have been paid off by Default of the said Company.

In case any of the Sums advanced shall be paid off, the Company may again borrow the Money.

XI. And be it further enacted, That in case all or any of the Sums of Money which shall or may be advanced on Loan to the said Company on such Mortgages as aforesaid, shall at any time afterwards be paid off and discharged by the said Company, that then and in every such case it shall be lawful for the said Company, with such Consent of Two Courts of Proprietors, to be specially called for such Purpose as hereinbefore mentioned, again to borrow or raise on Mortgage, as is hereinbefore mentioned, any Sum or Sums of Money, not exceeding in the whole, with the Amount of the Monies then outstanding and unpaid on such Mortgages as aforesaid, and the Money which may have been raised by Grants of Annuities, the said Sum of Seventy six thousand two hundred and fifty Pounds, and so *toties quoties*.

51 G. 3. c. lxvi.
§ 2.

XII. And Whereas the said recited Act of the Fifty first Year of the Reign of His present Majesty contains a Provision for regulating the time when the Persons who shall subscribe for the said new Shares or any of them shall be entitled to a rateable Share or Proportion of the Profits of the said Company, and also for regulating the Payment of Interest in the meantime: And Whereas Doubts have been entertained as to the Meaning and Construction of such Provisions; Be it therefore enacted, That so much of the said recited Act of the Fifty first Year of the Reign of His present Majesty as enacts, that the several Persons who shall subscribe for the Two thousand six hundred new Shares hereby authorized to be raised or created, or any of them, shall not be entitled to any rateable Share or Proportion of the Profits of the said Company until after the Expiration of One Year, to be computed from the Day on which the said Two thousand six hundred new Shares shall be created, and that in the meantime the several Persons who shall subscribe for new Shares as aforesaid shall be entitled to receive, and the Company shall pay to him or them respectively, Interest on the several Sums to be paid by them

them or him in respect of such new Shares, at and after the Rate of Five Pounds *per Centum per Annum*, from the time or times on or at which such Sum or Sums of Money shall be by them or him paid, shall, as to all or any Shares hereafter to be raised or created, be and the same is hereby repealed.

repealed as to future Shares.

XIII. And be it further enacted, That in case the said Company shall be desirous to raise, and shall hereafter raise any Part of the Money which they are authorized to raise as aforesaid, and which now remains unraised, by the Creation of new Shares, that then and in such case it shall be lawful for such Two several General Courts of Proprietors of the said Company as in the said last recited Act are mentioned. to determine and direct the time or times when or from which all or any such new Shares hereafter to be created as aforesaid shall be entitled to a rateable Share or Proportion of the Profits of the said Company, and to make all such Rules and Regulations respecting the same, and for Payment of Interest in the meantime, as to them shall seem expedient; and it shall also be lawful for such Two several General Courts of Proprietors of the said Company to make, or to authorize the Directors of the said Company for the time being to make, such Allowance or Allowances, Deduction or Deductions to the Person or Persons who shall subscribe for all or any of the new Shares as aforesaid, for or in respect of Payment of the Monies to be paid for such new Shares as aforesaid before the time or times when the Instalments or Calls would become due and payable, to such Extent, or within such Limits, and with and under such Rules and Regulations, or without any such, as to the said Courts of Proprietors shall seem expedient.

Company empowered to fix time when new Shares shall be entitled to Profits.

XIV. And Whereas by the said recited Act of the Fiftieth Year of the Reign of His present Majesty, the said Company are authorized to sell any Lands, Buildings and Hereditaments which they might purchase under the Provisions of the said Act, and which might not be necessary to be made use of for the Purposes of the said Act; but Doubts may be entertained whether the said Company are by the said Act empowered to sell any of the Lands, Buildings or Hereditaments belonging to or purchased by or for the Use of the said Company previously to the passing of the said Act, or purchased under the Provisions of the said Act of the Fifty first Year of the Reign of His present Majesty, and which may not be necessary for the Purposes aforesaid; Be it therefore further enacted, That it shall be lawful for the said Company to sell and dispose of any Part or Parts not wanted for the Purposes of the said recited Acts or of this Act, not only of such Lands, Buildings or Hereditaments as have been purchased in pursuance of the said recited Act of the Fiftieth Year of the Reign of His present Majesty, but also of any Lands which at the time of the passing of the said Act belonged to or had been purchased by or for the Use of the said Company, or which have been purchased in pursuance of the Provisions of the said Act of the Fifty first Year of the Reign of His present Majesty; and all and every the Powers, Clauses and Provisions contained in the said Act of the Fiftieth Year of the Reign of His present Majesty, for enabling the said Company to sell Lands, Buildings and Hereditaments not wanted for the Purposes of the said Act, and relative to such Sale, shall, so far as the case will apply, extend to such Lands, Buildings and Hereditaments

Company may sell Lands not wanted for the Purposes of the Act.

When Pieces of Land are to be sold, the first Offer to be made to the original Proprietors.

as belonged to or had been purchased by or for the Use of the said Company previous to or at the Time of the passing of the said Act of the Fiftieth Year of the Reign of His present Majesty, and which have been purchased in pursuance of the Provisions of the said Act of the Fifty first Year of the Reign of His present Majesty : Provided always, that the said Company before they shall sell and dispose of any of the Lands, Buildings or Hereditaments which have been purchased in pursuance of the said recited Acts or either of them, and not wanted for the Purposes of the said recited Acts or of this Act as aforesaid, shall first offer the same for Sale to the Person or Persons of whom the same shall have been purchased ; and if such Person or Persons shall then and thereupon refuse, or shall not agree (except with respect to or on account of the Price thereof) to purchase the same, an Affidavit to be made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County of *Surrey* (who are hereby respectively empowered to take such Affidavit), by some Person or Persons no way interested in the said Lands, Buildings or Hereditaments, stating that such Offer was made by or on the behalf of the said Company, and that such Offer was then and thereupon refused, or was not agreed to by the Person or Persons to whom the same was made, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was refused, or not agreed to by the Person or Persons to whom such Offer was made (as the case may be) ; and in such † case such Person or Persons shall be desirous of purchasing such Lands, Buildings and Hereditaments, and he, she or they, and the said Company shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury, in manner in the said recited Act of the Fiftieth Year of the Reign of His present Majesty directed with respect to disputed Value of Premises to be taken and purchased in pursuance of the said Act ; and the Money to arise by Sale or Sales of such Lands, Buildings and Hereditaments shall be applied by the said Company to the Purposes of the said recited Acts and of this Act ; but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money ; provided nevertheless, that as to such of the Lands, Buildings, and Hereditaments which belonged to or were the Property of the said Company before or at the time of the passing of the said Act of the Fiftieth Year of the Reign of His present Majesty, or such as have not been purchased by the said Company under the Provisions of the said recited Acts or either of them, it shall not be necessary or requisite for the said Company to offer the same Lands, Buildings or Hereditaments to Sale to the Person or Persons respectively of or from whom they have or shall or may have purchased the same respectively.

† *Sic.*

Difference respecting Price to be settled by a Jury.

Purchaser not answerable for Application of Purchase Money.

How Deed shall be executed.

XV. And be it further enacted, That whenever any Ordinary or Extraordinary General Court or Meeting of the said Company, or of the Proprietors thereof, shall have resolved to sell any Lands, Buildings or Hereditaments belonging to the said Company, it shall be lawful for any Three of the Directors of the said Company for the time being (the Chairman or Deputy Chairman of the Court of Directors for the time being being One of such Three Directors) to

to execute such Deeds and Assurances as shall be requisite to effect such Sales; and the Execution by such Three Directors as aforesaid of such Deeds and Assurances shall be full and conclusive Evidence to and for the Purchaser or Purchasers, that the Hereditaments sold to him or them are not wanted for the Purposes of the said recited Acts or either of them, and of the Consent of the said Company, or of such Ordinary or Extraordinary Court or Meeting of the said Company, or of the Proprietors, to such Sale or Sales; and such Deeds and Assurances so executed as aforesaid shall be valid and effectual to all Intents and Purposes whatsoever, as fully as if the said Directors were absolute Owners of the Hereditaments intended to be conveyed.

Such Execution conclusive Evidence of Lands not being wanted, &c.

XVI. And for better regulating the Entry of any Memorial of any Transfer or Sale of a Share or Shares in the said Stock of the said Company, be it further enacted, That no Memorial of any Transfer or Sale of any Share or Shares of and in the Stock of the said Company shall be made and entered, until the Clerk of the said Company shall have endorsed on the Certificate or Certificates, or Deed of Transfer to the Seller, as by the said last recited Act are directed to be produced to the Clerk of the said Company for the time being as therein mentioned, a Memorandum or Declaration, signed by such Clerk, of the Transfer and Sale of any Share or Shares of and in the Stock of the said Company.

Regulations respecting Memorials of Transfers, &c.

XVII. And be it further enacted, That the Tonnage or Admeasurement of all Ships and Vessels required to be registered by any Act or Acts of Parliament of the United Kingdom of Great Britain and Ireland, or of either of such Kingdoms, and trading or coming to or departing from the Port of London, and liable to the Payment of any of the Rates and Charges of or for Tonnage allowed to be taken under the said recited Acts, or either of them, shall be ascertained according to the certified Tonnage in the Ship's Register; and the Master or other Person having the Command of any such Ship or Vessel is hereby required to produce such Certificate of Registry at the Time of Payment of the said Rates and Charges, to the Person or Persons who shall be authorized to collect and receive the same by the Directors of the said Company or a Quorum of them; and in case of any Dispute in respect of the Tonnage of any Ship or Vessel not required to be registered, or of any Foreign Ship or Vessel, then the Tonnage of any such Ship or Vessel shall be ascertained in the manner and according to the Directions of an Act passed in the Twenty sixth Year of His present Majesty, intituled *An Act for the Encouragement of Shipping and Navigation*.

To ascertain the Tonnage or Admeasurement of Ships coming into the Docks.

26 G. 3. c. 60.
§ 14.

XVIII. And be it further enacted, That for more easily collecting the said Rates and Charges, the Collector and Collectors thereof, and such other Person and Persons as the said Directors shall from time to time duly appoint in this behalf, shall at proper and seasonable times have at the Custom House free Access to and Inspection of the respective Registers and Papers of all and every Ship and Ships resorting to the Port of London, on or after their Entry or Clearance at the Custom House, without any Fee or Reward for such Access and Inspection.

Collectors, &c. to have Access to Registers of Ships, &c. at the Custom House.

XIX. And be it further enacted, That if the Collector or Collectors of any of the said Rates and Charges, or such other Person

Power to measure, &c. Ships and Vessels

where Tonnage cannot be agreed upon.

or Persons as the said Directors shall duly nominate and appoint in that behalf, and the Master or other Person having the Charge or Command of any such Foreign Ship or Vessel, cannot agree about and ascertain the Tonnage of such Ship or Vessel, then and in every such case it shall be lawful for the said Collector or Collectors, or Person or Persons appointed as aforesaid, from time to time, and at all convenient and reasonable times, to stop, detain, enter into, weigh, measure and gauge the same; and in case the same shall upon such weighing, measuring or gauging, appear to be of greater Tonnage than shall be then set forth and contained in the Account which shall have been given thereof, then the Master or Person giving in such Account shall pay the Costs and Charges of such weighing, measuring or gauging; all which said Costs and Charges, upon Refusal of Payment thereof on Demand, shall and may be recovered and levied by such Ways and Means, and in such manner, as the said Rates and Charges are hereby appointed to be recovered and levied; but if any such Ship or Vessel shall be found to be of the same or of less Tonnage than the same shall by such Account appear to be of, then the said Collector or Collectors, or such other Person or Persons respectively, shall pay the Costs and Charges of such weighing, measuring or gauging, and shall also pay such further Damages as shall appear to any One or more Justice or Justices of the Peace acting in and for the County of *Surrey*, on Oath of any credible Witness, to have arisen from such Detention; and in Default of immediate Payment thereof by the Collector or Collectors, it shall be lawful for any such Justice or Justices to issue his or their Warrant or Warrants, authorizing any Person or Persons to levy the Amount of such Costs, Charges and Damages, by Distress and Sale of the Goods and Chattels of such Collector or Collectors, or of the said Company; and if any Surplus Money shall remain after Payment of such Costs, Charges and Damages, and the reasonable Costs and Charges of such Distress and Sale, (to be ascertained, in case of Dispute, by any such Justice or Justices,) such Surplus Money shall be returned on Demand to the Party or Parties on whom such Distress shall be so made; and if any Master, Commander or other Officer of any Ship or Vessel, or any other Person or Persons whomsoever, shall obstruct or hinder any Person or Persons so employed from weighing, measuring or gauging any Ship or Vessel in pursuance of this Act, every such Master, Commander or other Person shall for every such Offence forfeit any Sum not exceeding Twenty Pounds, over and above the said Rates and Charges.

Costs of measuring, &c.

Obstructing such Measurement, &c.

Penalty.

Further Provision to prevent Accidents by Fire.

XX. And be it further enacted, That for further preventing the Hazard and Danger of Fire within the said Docks, and on board Ships and other Vessels therein, no Person whatsoever shall from and after the passing of this Act, at any time after the Hour of Four in the Evening, or before the Hour of Seven in the Morning, between the Twenty ninth Day of *September* and the Twenty sixth Day of *March* in every Year, or after the Hour of Seven in the Evening, or before the Hour of Five in the Morning, between the Twenty fifth Day of *March* and the Thirtieth Day of *September* in every Year, smoke any Tobacco, or other Material used for smoking, either within the said Docks, or on board any Ship or vessel in or within the said Docks, upon pain of forfeiting for

for every such Offence any Sum not exceeding Ten Pounds, to be recovered and applied as any Penalty not exceeding that Amount may be recovered and applied under the said recited Acts or either of them.

XXI. And be it further enacted, That in all cases under any Commission or Commissions of Bankrupt awarded or to be awarded against any Person or Persons who is or are or shall be indebted to the said Company, or against whom the said Company shall or may have any Claims or Demands, it shall and may be lawful to and for any Person or Persons in the Employ of the said Company, who shall from time to time be in that behalf nominated and appointed by Writing under the Hand of the Treasurer of the said Company for the time being to appear, and he and they is and are hereby authorized and empowered to appear and act on behalf of the said Company in respect of any such Debt, Claim or Demand, before the Commissioners under any Commission of Bankrupt, either personally, or by his or their Affidavit to be duly sworn and exhibited in the usual manner, in order to prove and establish any such Debt, Claim or Demand under such Commission; and every such Person or Persons so to be nominated and appointed shall in all such cases be admitted and allowed to make Proof or tender a Claim under any such Commission of Bankruptcy, on behalf and for the Benefit of the said Company, in respect of the Debt or Debts, or other Demands of the said Company against such Bankrupt or Bankrupts, in like manner as any other Person or Persons, being a Creditor or Creditors of such Bankrupt or Bankrupts in his or their own Right, might or could do in respect of his or their Debt or Debts; and any Person or Persons to be nominated or appointed in manner aforesaid, shall have full Power and Authority to appear on behalf of the said Company at any Meeting of the Creditors of any such Bankrupt or Bankrupts, and to vote thereat in respect of any Debt or Debts which shall be admitted and allowed to be proved on behalf of the said Company under any such Commission of Bankrupt as aforesaid, in like manner as any other Creditor or Creditors of such Bankrupt or Bankrupts could or might do in respect of the Debt or Debts by him or them proved under such Commission or Commissions of Bankrupt.

How Debts to be proved in case of Bankruptcy of Debtors to the Company.

XXII. And Whereas by the said Act of the Fiftieth Year of the Reign of His present Majesty it was enacted, that not less than Five of the Directors of the said Company should be a Quorum capable of acting, and thereby empowered to act at the ordinary Meetings of the said Directors: And Whereas it would facilitate the Dispatch of Business if a less Number of Directors were required to constitute a Quorum; Be it therefore further enacted, That so much of the said Act of the Fiftieth Year of the Reign of His present Majesty, as constitutes not less than Five of the said Directors a Quorum capable of acting at the ordinary Meetings of the said Directors, shall be and the same is hereby repealed.

50 G. 3. c. ccvii. § 19.

repealed.

XXIII. And be it further enacted, That from and after the passing of this Act, Three of the said Directors shall be a Quorum capable of acting, and are hereby empowered to act at the ordinary Meetings of the said Directors.

Three of the Directors to be a Quorum.

Powers of former Acts extended to this Act.

XXIV. And be it further enacted, That all Powers, Provisions, Penalties, Forfeitures, Clauses, matters and things contained in the said recited Act of the Fiftieth Year of the Reign of His present Majesty, (so far as the same are not by the said recited Act of the Fifty-first Year of the Reign of His present Majesty or by this Act altered, varied or repealed,) and all the Powers, Provisions, Penalties, Forfeitures, Clauses, matters and things contained in the said recited Act of the Fifty-first Year of the Reign of His present Majesty, (so far as the same are not hereby altered, varied or repealed,) shall extend to this Act, and the several matters and things herein contained, and shall and may be exercised, applied, used and put in force as effectually for the Purposes of this Act as if the same were herein repeated and reenacted.

Regulating the Payment of Costs of ascertaining Damages, &c.

XXV. And Whereas it is expedient that Provision should be made for the Payment of reasonable Costs, Charges and Expences in cases in which Claims may be made for any Damage which may arise or happen to the Lands, Tenements or Hereditaments of any Person from the making the new Docks, Basins, Ponds, Sluices, Entrances and other Works authorized by the said recited Acts to be made; Be it therefore enacted, That from and after the passing of this Act, in case the said Company, and any Person or Persons to whose Lands, Tenements or Hereditaments any Damage shall arise or happen, cannot agree upon the Compensation or Satisfaction to be made for such Damage, and a Jury shall be summoned as directed in the said recited Act of the Fiftieth Year of the Reign of His present Majesty to ascertain the Amount of such Damage, then and in such case, if the Sum awarded by the Jury shall exceed the Sum which shall previously have been offered or tendered by or on behalf of the said Company, such Person or Persons shall be entitled to and have his, her or their reasonable Costs and Charges to be paid by the said Company; and if the Sum awarded by the Jury shall not exceed the Sum which shall have been previously offered or tendered by or on behalf of the said Company, then the said Company shall be entitled to and have reasonable Costs and Charges to be paid by the Person or Persons to whom the Compensation shall be awarded, in the like manner as in cases of Satisfaction awarded by a Jury for the Purchase of Houses, Buildings, Lands, Tenements or Hereditaments under the Provisions of the said recited Acts; any thing therein contained to the contrary notwithstanding.

Jury as by 50 G. 3. c. ccvii. § 43.

Expences of Act, how to be paid.

XXVI. And be it further enacted, That the said Directors shall pay and discharge all the Costs and Charges of obtaining and passing this Act with and out of any of the Monies already subscribed or hereafter to be subscribed or borrowed by or for the Use of the said Company, or with and out of the other Monies received or to be received by them or on account of the said Company.

Public Act.

XXVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Cap. lxxiii.

An Act for making and maintaining a Navigable Canal from the River *Arun* to *Chichester* Harbour, and from thence to *Langstone* and

and *Portsmouth* Harbours, with a Cut or Branch from *Hunston* Common, to or near the City of *Exichester*; and for improving the Navigation of the Harbour of *Langstone*, and Channels of *Langstone* and *Thorney*.
[7th July 1817.]

Cap. lxiv.

An Act to amend and enlarge the Powers of Two Acts of His present Majesty, for improving the Navigation of the River *Hull* and *Frodingham Beck*, and extending the same to the Town of *Great Driffeld*, in the County of *York*.
7 G. 3. c. 97.
41 G. 3. c. cxxxiv.
[7th July 1817.]

Cap. lxv.

An Act for enlarging the Market Place and regulating the Market in the Town of *Taunton*, in the County of *Somerset*, and for improving the said Town; and for amending an Act of His present Majesty relative thereto.
9 G. 3. c. 44.
[7th July 1817.]

Cap. lxvi.

An Act to amend and continue an Act of the Thirty sixth Year of His present Majesty, for improving certain Roads in and through the Forest of *Dean*, in the County of *Gloucesters*, and several other Roads therein mentioned. (c)
36 G. 3. c. 131.
[7th July 1817.]

[One half additional Toll on Sundays, commencing from Twelve o'Clock on Saturday Night to Twelve o'Clock on Sunday Night.—55 G. 3. c. 119. extended to this Act. § 9.]

Cap. lxvii.

An Act for continuing † and amending Two Acts of His present Majesty, for repairing several Roads leading from the Town of *Taunton*, in the County of *Somerset*. (a)
18 G. 3. c. 97.
39 G. 3. c. xxxviii.
[7th July 1817.]

[Additional Tolls.—18 G. 3. c. 97. as to Surveyors getting Materials repaired. § 23.]

† [No Term mentioned, vide § 1. 41. of this Act.—18 G. 3. c. 97. is before in Part repealed by 39 G. 3. c. xxxviii. and by 39 & 40 G. 3. c. lxi.]

Cap. lxviii.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Cambridge*, to the Old North Road near *Arrington Bridge*, in the County of *Cambridge*. (c)
37 G. 3. c. 179.
repealed as to Justices settling Disputes about Tolls, and the Charges of keeping Distresses.
[7th July 1817.]

[Additional Trustees. Former Tolls to cease. New Tolls granted.]
§ 11.

Cap. lxix.

An Act for amending and rendering more effectual an Act of His present Majesty, for draining Lands in *South Holland*; and for continuing † and amending another Act of His present Majesty, for maintaining and repairing a certain Bank, and the Road thereon, from *Spalding High Bridge* to *Brother House*, all in the County of *Lincoln*.
33 G. 3. c. 109.
35 G. 3. c. 166.
[10th July 1817.]

† [No Term mentioned, vide § 69. 94. of this Act.]

Cap. lxx.

An Act for improving the Harbour of *Blakeney*, within the Port of *Blakeney and Clay*, in the County of *Norfolk*.

[10th July 1817.]

Cap. lxxi.

11 & 12 W. 3.
c. 23.

An Act for amending and rendering more effectual an Act of His late Majesty King *William the Third*, for making the River *Lark*, alias *Burn*, navigable.

[10th July 1817.]

[*New Commissioners. — Power to take new Tolls in lieu of former Tolls.*]

Cap. lxxii.

An Act for rebuilding the Church and improving the Church Yard of the Parish of *Saint Paul Shadwell*, in the County of *Middlesex*.

[10th July 1817.]

Cap. lxxiii.

22 G. 3. c. 35.
23 G. 3. c. 32.

An Act for raising Money, by Annuities or otherwise, for the Purpose of erecting a Workhouse for the Use of the Poor of the Parish of *St. John of Wapping*, in the County of *Middlesex*.

[10th July 1817.]

Cap. lxxiv.

35 G. 3. c. 156.

An Act for more effectually repairing the Road from the *Neath* Turnpike Road; at or near *Abernant*; through *Merthyr Tidwill*, in the County of *Glamorgan*, to join the Turnpike Road within the *Abergavenny* District, near *Rhyd y Blew House*, in the County of *Monmouth*. (a)

[10th July 1817.]

[*Additional Trustees. One half Toll additional on Sundays, computing from Twelve o' Clock on Saturday Night to Twelve o' Clock on Sunday Night.*]

Cap. lxxv.

36 G. 3. c. 148.
repealed as to
getting Mate-
rials. § 17.

An Act to continue and amend an Act passed in the Thirty-sixth Year of His present Majesty, for altering the Road from *Macclesfield* to *Congleton*, in the County of *Chester*. (c)

[10th July 1817.]

[*Additional Trustees. Former Tolls repealed. New Tolls granted.*]

Cap. lxxvi.

An Act to empower the Commissioners of the *Royal Naval Asylum* to make use of any Part of the Accumulation of the Interest of the Monies which were given by the Committee for managing the *Patriotic Fund* to the said Commissioners, for the Purposes of the said Asylum.

[11th July 1817.]

WHEREAS at a General Meeting of the Committee for managing the *Patriotic Fund*, held at *Lloyd's Coffee House*, in the City of *London*, it was resolved, that the Sum of Forty thousand

' thousand Pounds should be paid to the Commissioners of the *Royal*
 ' *Naval Asylum*, out of the Contributions made on the Day of
 ' Thanksgiving, on their undertaking, by a Resolution of their Board,
 ' to maintain and educate such Children of either Sex as should be
 ' recommended by the Committee for managing the said *Patriotic*
 ' *Fund*, and was within the Rules of the said *Royal Asylum*: And
 ' Whereas in the Month of *August* One thousand eight hundred and
 ' six, Sixty-one thousand Pounds, Consolidated Three Pounds *per*
 ' *Centum* Bank Annuities, were transferred by the Committee of the
 ' said *Patriotic Fund* to *Samuel Thornton* and *John Julius Angerstein*,
 ' acting for the Commissioners of the said *Royal Naval Asylum*:
 ' And Whereas the Interest upon the said Capital Sum has been
 ' permitted to accumulate: And Whereas the Commissioners for the
 ' Management of the said *Royal Naval Asylum* have, by a Resolution
 ' of their Board, undertaken to maintain and educate such Children
 ' of either Sex as may be recommended by the Committee for
 ' managing the said *Patriotic Fund*, and are within the Rules of that
 ' Institution: And Whereas doubts are entertained whether the said
 ' Commissioners can make use of any Part of the Accumulation of
 ' the Interest of the said Capital Sum so transferred to the said
 ' *Samuel Thornton* and *John Julius Angerstein*, in Trust as aforesaid,
 ' for the Purposes of the said Charity, without the Authority of
 ' Parliament; Be it therefore enacted, by The King's Most Excel-
 ' lent Majesty, by and with the Advice and Consent of the Lords
 ' Spiritual and Temporal, and Commons, in this present Parliament
 ' assembled, and by the Authority of the same, That from and after
 ' the passing of this Act it shall and may be lawful for the Commis-
 ' sioners of the said *Royal Naval Asylum*, for the time being, to make
 ' use of the said Accumulation, or such Part thereof as shall be
 ' thought necessary for the carrying on the benevolent Purposes of the
 ' said Institution.

Commissioners
 of Naval Asylum
 may make use of
 Money given
 from the Patri-
 otic Fund.

Public Act.

II. And be it further enacted, That this Act shall be deemed and
 taken to be a public Act, and shall be judicially taken Notice of as
 such by all Judges, Justices and others, without being specially
 pleaded.

PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,
AND WHEREOF THE PRINTED COPIES MAY BE GIVEN IN
EVIDENCE.

N. B. To each of these Acts is annexed a Clause in the Form following :

“ And be it further enacted, That this Act shall be printed by the several Printers to The King's Most Excellent Majesty, duly authorized to print the Statutes of the United Kingdom, and that a Copy thereof, so printed by any of them, shall be admitted as Evidence thereof by all Judges, Justices and others.”

Cap. 1.

AN Act for inclosing Lands in the Parish of *Drayton*, in the County of *Somerset*. [17th March 1817.]

Cap. 2.

An Act for inclosing Lands in the Parish of *Eriswell*, in the County of *Suffolk*. [29th March 1817.]

Cap. 3.

An Act for inclosing Lands within the Manor of *Emley*, in the County of *York*. [23d May 1817.]
“ Allotment to Rector in lieu of Small Tithes, § 28.

Cap. 4.

41 G. 3. c. 109. An Act for inclosing Lands in the Parish of *Coston* otherwise *Coston Hackett* in the County of *Worcester*. [23d May 1817.]

Cap. 5.

2 G. 3. c. 128. An Act for repealing certain Parts of an Act of His present Majesty, for inclosing Lands in the Manor of *Aspatria*, and in the several Parishes of *Aspatria*, *Brumfield* and *Allballows*, in the County of *Cumberland*, and for amending the said Act. [23d May 1817.]

“ Lands in *Blennerhasset* exempted from Tithes, § 4.

Cap. 6.

An Act for inclosing Lands in the Parish of *Orleton* in the County of *Hereford*. [23d May 1817.]

Cap. 7.

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[20th June 1817.]

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[27th June 1817.]

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[27th June 1817.]

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