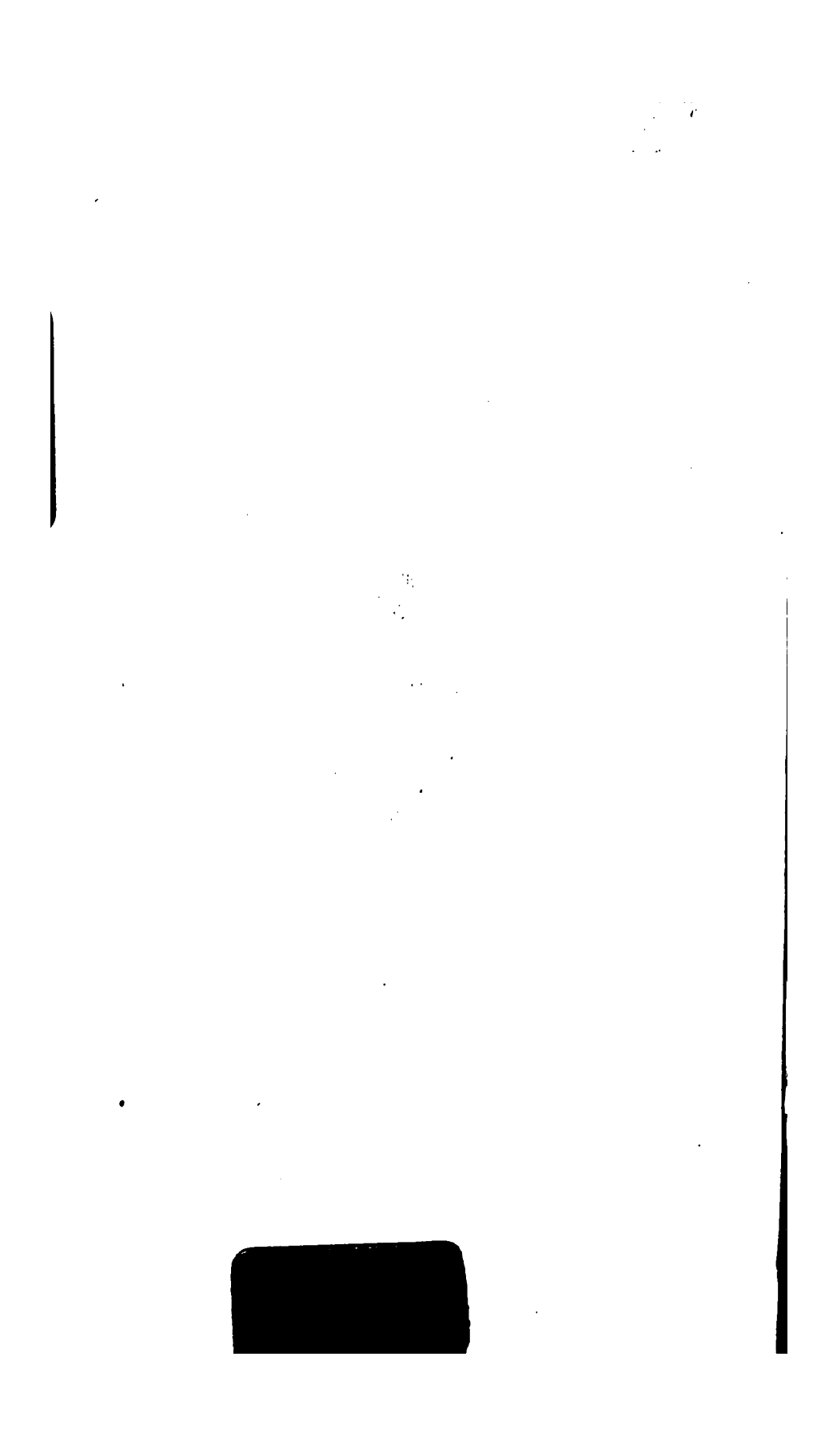






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THE
S T A T U T E S
OF
THE UNITED KINGDOM
OF
GREAT BRITAIN AND IRELAND
4 GEORGE IV. 1823.

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T A B L E

Containing the TITLES of all

THE STATUTES,

Passed in the FOURTH Session of the SEVENTH Parliament

OF

The United Kingdom of *Great Britain* and *Ireland*;

4 GEORGE IV.

PUBLICK GENERAL ACTS.

1. **A**N 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 twenty four; 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 twenty four; and to allow Persons to make and file such Affidavits, although the Persons whom they served shall have neglected to take out their Annual Certificates. Page 1
2. An Act to amend an Act of the last Session of Parliament, for regulating the Trade between His Majesty's Possessions in *America* and the *West Indies* and other Parts of the World. 2
3. An Act for continuing to His Majesty for One Year certain Duties on Sugar, Tobacco and Snuff, Foreign Spirits and Sweets, 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 twenty three. 3
4. An Act for raising the Sum of Twenty Millions by Exchequer Bills for the Service of the Year One thousand eight hundred and twenty three. 4
5. An Act to render valid certain Marriages. *Ibid.*
6. An Act for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and twenty three. 5
7. An Act to regulate the Appointment and Swearing into Office of the Chancellor of the Exchequer of *Ireland*. *Ibid.*
8. An

8. An Act to continue until the Twenty fifth Day of *July One* thousand eight hundred and twenty four, and from thence to the End of the then next Session of Parliament, an Act made in the Fifty fourth Year of His late Majesty, for rendering the Payment of Creditors more equal and expeditious in *Scotland*.
Page 7
9. An Act to repeal the Rates, Duties and Taxes payable in respect of Male Servants, Horses, Carriages and Dogs in *Ireland*.
Ibid.
10. An Act to rectify a Mistake in an Act, intituled *An Act for making and maintaining certain Roads and Bridges in the Counties of Lanark and Dumbarton*, in so far as relates to the Application of certain Exchequer Bills therein mentioned. 10
11. An Act for repealing certain of the Duties of Assessed Taxes; for reducing certain other of the said Duties; and for relieving Persons who have compounded for the same. 13
12. An Act for the regulating of His Majesty's Royal Marine Forces while on Shore. 20
13. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. 26
14. An Act to continue for Five 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 the Reign of His late Majesty King *George the Third*, for the preventing improper Persons from having Arms in *Ireland*. 39
15. An Act to continue for Five Years, and from thence until the End of the then next Session of Parliament, and to amend the Laws relating to Yeomanry Corps, in *Ireland*.
Ibid.
16. An Act to explain so much of the General Turnpike Act, as relates to the Toll payable on Carriages laden with Lime for the Improvement of Land. 43
17. An Act to repeal certain Provisions of an Act passed in the Third Year of His present Majesty, intituled *An Act to amend certain Provisions of the Twenty sixth of George the Second, for the better preventing of clandestine Marriages*. 44
18. An Act concerning the Disposition of certain Property of His Majesty, His Heirs and Successors. 45
19. An Act for further regulating the Reduction of the National Debt. 46
20. An Act for fixing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers. 51
21. An Act for granting and applying certain Sums of Money for the Service of the Year One thousand eight hundred and twenty three.
Ibid.
22. An Act to confirm an Agreement entered into by the Trustees under an Act of the last Session of Parliament, for apportioning the Burthen occasioned by the Military and Naval Pensions, and Civil Superannuations, with the Governor and Company of the Bank of *England*. 53
23. An Act to consolidate the several Boards of Customs, and also the several Boards of Excise, of *Great Britain and Ireland*. 58
24. An Act to make more effectual Provision for permitting Goods imported to be secured in Warehouses, or other Places, without Payment of Duty on the first Entry thereof. 63
25. An

- First Fruits of Ecclesiastical Benefices, and for the Improvement of Church Lands, in *Ireland*. Page 794
87. An Act to amend and render more effectual the Provisions of an Act, made in the Fiftieth Year of His late Majesty's Reign, for preventing the administering and taking unlawful Oaths in *Ireland*. 810
88. An Act for regulating Vessels carrying Passengers between *Great Britain and Ireland*. 814
89. An Act to limit and regulate the Expence of certain Proceedings in the Courts of Justice in *Ireland* in the Particulars therein mentioned. 819
90. An Act to regulate the Linen and Hempen Manufactures of *Ireland*. 820
91. An Act to relieve His Majesty's Subjects from all Doubt concerning the Validity of certain Marriages solemnized abroad. 828
92. An Act for extending the Annuity granted to Earl *Saint Vincent* to the present Viscount *Saint Vincent*, and the next Person to whom the Title of Viscount *Saint Vincent* shall descend. 829
93. An Act to divide the County of *Cork*, for the Purpose of holding additional General Sessions therein. 830
94. An Act to grant certain Duties of Excise upon Spirits distilled from Corn or Grain in *Scotland and Ireland*, and upon Licences for Stills for making such Spirits; and to provide for the better collecting and securing such Duties, and for the warehousing of such Spirits without Payment of Duty. 833
95. An Act to explain and amend an Act, passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of *Great Britain* called *England*. 883
96. An Act to provide, until the First Day of *July* One thousand eight hundred and twenty seven, and until the End of the next Session of Parliament, for the better Administration of Justice in *New South Wales and Van Diemen's Land*, and for the more effectual Government thereof; and for other Purposes relating thereto. 924
97. An Act for the Regulation of the Court of the Commissaries of *Edinburgh*; and for altering and regulating the Jurisdiction of Inferior Commissaries in *Scotland*. 945
98. An Act for the better granting of Confirmations in *Scotland*. 951
99. An Act to provide for the establishing of Compositions for Tithes in *Ireland* for a limited Time. 952
100. An Act for raising the Sum of Fourteen millions seven hundred thousand Pounds by Exchequer Bills; for applying a certain Sum of Money for the Service of the Year One thousand eight hundred and twenty three; and for further appropriating the Supplies granted in this Session of Parliament. 988

- Trade and Manufactures, and the Support of Commercial Credit, in *Ireland*. Page 183
43. An Act to regulate the Amount of Presentments by Grand Juries, for Payment of the Public Officers of the several Counties in *Ireland*. 187
44. An Act to repeal the Duties and Drawbacks on Barilla imported into the United Kingdom, and to grant other Duties and Drawbacks in lieu thereof. 191
45. An Act for allowing Persons to compound for their Assessed Taxes for the Remainder of the Periods of Composition limited by former Acts; and for giving Relief in certain Cases therein mentioned. 192
46. An Act for repealing the Capital Punishments inflicted by several Acts of the Sixth and Twenty seventh Years of King *George* the Second, and of the Third, Fourth and Twenty second Years of King *George* the Third; and for providing other Punishments in lieu thereof, and in lieu of the Punishment of Frame breaking under an Act of the Twenty-eighth Year of the same Reign. 200
47. An Act for authorizing the Employment at Labour, in the Colonies, of Male Convicts under Sentence of Transportation. 203
48. An Act for enabling Courts to abstain from pronouncing Sentence of Death in certain Capital Felonies. 206
49. An Act for regulating Turnpike Roads in that Part of *Great Britain* called *Scotland*. 207
50. An Act for the rebuilding of *London* Bridge, and for improving and making suitable Approaches thereto. 247
51. An Act to encourage the Consumption of Beer; and to amend the Laws for securing the Excise Duties thereon. 307
52. An Act to alter and amend the Law relating to the Interment of the Remains of any Person found *Felo de se*. 320
53. An Act for extending the Benefit of Clergy to several Larcenies therein mentioned. *Ibid.*
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55. An Act to consolidate and amend the several Acts now in force, so far as the same relate to the Election and Return of Members to serve in Parliament, for Counties of Cities and Counties of Towns in *Ireland*. 326
56. An Act for maintaining in Repair the Military and Parliamentary Roads and Bridges in the *Highlands* of *Scotland*, and also certain Ferry Piers and Shipping Quays erected by the Commissioners for *Highland* Roads and Bridges. 360
57. An Act to defer the Commencement of the Duties and Drawbacks on Barilla, under an Act of this present Session of Parliament. 379
58. An Act to continue, until the First Day of *August* One thousand eight hundred and twenty four, an Act made in the

the last Session of Parliament, for suppressing Insurrections and preventing Disturbances of the Public Peace in *Ireland*.

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59. An Act to defray the Charge of the Pay, Clothing and contingent and other Expences of the Disembodied Militia in *Great Britain and Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Quartermasters, Surgeons, Assistant Surgeons, Surgeons' Mates and Serjeant Majors of Militia, until the Twenty fifth Day of *March* One thousand eight hundred and twenty four. *Ibid.*
60. An Act for granting to His Majesty a Sum of Money to be raised by Lotteries. 393
61. An Act for the better Administration of Justice in the Court of Chancery in *Ireland*. 394
62. An Act to repeal the Duties upon Horses let to hire for the Purpose of travelling in *Great Britain*, and to grant other Duties in lieu thereof; and to provide for letting the same to farm. 443
63. An Act to authorize the Advance of Money by the Commissioners under several Acts for the Issue of Exchequer Bills for Public Works, for the building, rebuilding, enlarging or repairing of Gaols in *England*. 475
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65. An Act to extend Two Acts of His late Majesty, for Distribution of Prize Money, to all Cases of Capture that have been made by Foreign Ships or Land Forces in Conjunction with His Majesty's Ships or Land Forces. 518
66. An Act to authorize, in certain Cases, the Reduction of the Duties payable in *Ireland*, and the Alteration of the Duties and Drawbacks on the Importation and Exportation of Goods between *Great Britain and Ireland*. 519
67. An Act to declare valid certain Marriages that have been solemnized at *St. Petersburg* since the Abolition of the *British* Factory there. 520
68. An Act for rectifying Mistakes in the Names of the Land Tax Commissioners, and for appointing additional Commissioners, and indemnifying such Persons as have acted without due Authority in Execution of the Acts therein recited. 521
69. An Act to repeal certain Duties of Customs in *Great Britain*, and to grant other Duties in lieu thereof; to grant certain Bounties on Salted Provisions and Silk Manufactures exported; and to make more effectual Regulations for collecting the Duties of Customs. 524
70. An Act for the better Administration of Justice in the Equity Side of the Court of Exchequer in *Ireland*. 556
71. An Act for defraying the Charge of Retiring Pay, Pensions and other Expences of that Nature, of His Majesty's Forces serving in *India*; for establishing the Pensions of the Bishop, Archdeacons and Judges; for regulating Ordinations; and for establishing a Court of Judicature at *Bombay*. 584
72. An Act to repeal the several Duties and Drawbacks of Customs chargeable and allowable in *Ireland*, on the Importation

- and Exportation of certain Foreign and Colonial Goods, Wares and Merchandize, and to grant other Duties and Drawbacks in lieu thereof, equal to the Duties and Drawbacks chargeable and allowable thereon in *Great Britain*. Page 592
73. An Act to facilitate the Recovery of Damages for Malicious Injuries to Property in *Ireland*. 702
74. An Act for vesting in Commissioners the Bridges now building over the *Menai Straits* and the *River Conway*, and the Harbours of *Howth* and *Holyhead*, and the Road from *Dublin* to *Howth*; and for the further Improvement of the Road from *London* to *Holyhead*. 703
75. An Act for enabling His Majesty to inclose Part of *Kew Green*, and for dividing and extinguishing Rights of Common over certain Lands in the Parish of *Kew*, in the County of *Surrey*. 709
76. An Act for amending the Laws respecting the Solemnization of Marriages in *England*. 719
77. An Act to authorize His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Vessels; and to exempt certain Foreign Vessels from Pilotage. 728
78. An Act to grant additional Stamp Duties on certain Proceedings in the Court of Chancery and in the Equity Side of the Court of Exchequer in *Ireland*. 730
79. An Act for building additional Places of Worship in the Highlands and Islands of *Scotland*. 736
80. An Act to consolidate and amend the several Laws now in force with respect to Trade from and to Places within the Limits of the Charter of the *East India Company*, and to make further Provisions with respect to such Trade; and to amend an Act of the present Session of Parliament, for the registering of Vessels, so far as it relates to Vessels registered in *India*. 741
81. An Act to consolidate and amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India Company*; and to authorize Soldiers and Sailors in the *East Indies* to send and receive Letters at a reduced Rate of Postage. 755
82. An Act to authorize for One Year, and from thence to the End of the then next Session of Parliament, the temporary Removal of Convicts from the General Penitentiary. 782
83. An Act for the better Protection of the Property of Merchants and others, who may hereafter enter into Contracts or Agreements in relation to Goods, Wares or Merchandizes intrusted to Factors or Agents. 783
84. An Act to repeal the Laws for regulating Vessels carrying Passengers from the United Kingdom to Foreign Parts, and to make other Provisions in lieu thereof. 785
85. An Act for empowering Commissioners, to be appointed by His Majesty, to enquire into the Forms of Process in the Courts of Law in *Scotland*, and the Course of Appeals from the Court of Sessions to the House of Lords. 792
86. An Act to amend the Laws for collecting Church Rates, and Money advanced by the Trustees and Commissioners of the

- First Fruits of Ecclesiastical Benefices, and for the Improvement of Church Lands, in *Ireland*. Page 794
87. An Act to amend and render more effectual the Provisions of an Act, made in the Fiftieth Year of His late Majesty's Reign, for preventing the administering and taking unlawful Oaths in *Ireland*. 810
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The TITLES of the STATUTES,

LOCAL AND PERSONAL ACTS,

DECLARED PUBLICK,

AND TO BE JUDICIALLY NOTICED.

- i. AN Act for building a Bridge over the River *Severn*, at or near the *Haw Passage*, in the County of *Gloucester*, and for making convenient Roads thereto. *Page 1004*
- ii. An Act for building a Bridge over the River *Severn*, at or near to the *Mythe Hill*, within the Parish and near to the Town of *Tewkesbury* in the County of *Gloucester*, to the opposite Side of the said River, in the Parish of *Bushley* in the County of *Worcester*; and for making convenient Roads and Avenues to communicate with such Bridge, within the Counties of *Gloucester* and *Worcester*. *Ibid.*
- iii. An Act for lighting, cleansing, watching and otherwise improving the Town and Borough of *Darlington*, in the County of *Durham*. *Ibid.*
- iv. An Act to amend and enlarge the Powers and Provisions of an Act of His late Majesty King *George* the Third, for the Improvement of *Portman Square*, within the Parish of *Saint Mary-le-bone*, in the County of *Middlesex*. 1005
- v. An Act for lighting with Gas the Town and Borough of *Plymouth* and Places adjacent, in the County of *Devon*. *Ibid.*
- vi. An Act for more effectually amending, improving and keeping in Repair several Roads in the Counties of *Cornwall* and *Devon*, leading to the Borough of *Saltash* in the County of *Cornwall*. *Ibid.*
- vii. An Act to rectify a Mistake in an Act passed in the Third Year of the Reign of His present Majesty, for more effectually improving the Roads leading from the East Side of *Lincoln Heath* to the City of *Peterborough*, and several other Roads therein mentioned, in the Counties of *Northampton* and *Lincoln*; and for making a new Branch of Road to communicate with the said Roads, from *Bourn* to *Spalding*, in the said County of *Lincoln*. *Ibid.*
- viii. An Act for repairing and amending the Road from the City of *Peterborough* through *Oundle* and *Thrapston* to *Wellingborough* in the County of *Northampton*, and several other Roads near or adjoining thereto. *Ibid.*
- ix. An Act for building a Bridge and making a Causeway from *Langstone* in the Parish of *Havant* in the County of *Southampton*, to *Hayling Island* in the Parish of *Hayling North* in the said County, at or near a certain House there called *The Ferry House*; and for forming and making proper Roads, Approaches or Avenues thereto. *Ibid.*
- x. An Act for erecting a Bridge over the Water of *Lary*, from *Pomphlet Point*, to or near to *Great Prince Rock* in the County of *Devon*. *Ibid.*
- xi. An Act for erecting and maintaining a new Court Room, Record Rooms and other Offices for the County of *Forfar*. *Ibid.*
- xii. An

- xii. An Act for more effectually making, repairing and improving the Roads from *Union Point* near *Uckfield* to the *Sea Houses* in *Eastbourne*, and from *Horsebridge* to *Cross in Hand*, all in the County of *Sussex*. Page 1006
- xiii. An Act for more effectually repairing the Road from *Preston* to *Garstang* in the County of *Lancaster*. Ibid.
- xiv. An Act for making and maintaining a Turnpike Road from *Stroud* to *Bisley* in the County of *Gloucester*. Ibid.
- xv. An Act for repairing and improving the Roads from the Town of *Stockbridge* to the City of *Winchester*, and from the said City of *Winchester* to the Top of *Stephen's Castle Down*, near the Town of *Bishop's Waltham* in the County of *Southampton*, and from the said City of *Winchester* through *Otterborne* to *Bar Gate* in the Town and County of the Town of *Southampton*, and certain Roads adjoining thereto. Ibid.
- xvi. An Act for making and maintaining a Turnpike Road from and out of the Road leading from *Quebec* in *Leeds* to *Homefield Lane End* in *Wortley*, to communicate with the Road leading from *Huddersfield* to *Birstall*, at *Smithie's Lane*, in the West Riding of the County of *York*. Ibid.
- xvii. An Act for more effectually making and repairing the Roads between *Newton Abbott* and *Brisham*, *Kingswear* and *Dartmouth*, *Shaldon* and *Torquay*, and several other Roads communicating therewith, in the County of *Devon*. Ibid.
- xviii. An Act to enable the *Edinburgh* and *Glasgow* Union Canal Company to borrow a further Sum of Money. Ibid.
- xix. An Act for the Improvement, more effectual Security and Maintenance of the Harbour of *Bridport* in the County of *Dorset*. Ibid.
- xx. An Act for amending an Act of the Third Year of His present Majesty, for continuing and altering Six former Acts of Their late Majesties King *George* the Second and King *George* the Third, for enlarging the Piers and Harbour of *Scarborough* in the County of *York*. Ibid.
- xxi. An Act for appointing Select Vestrymen, Governors and Directors of the Poor of the Parish of *Saint Matthew Bethnal Green* in the County of *Middlesex*; and for altering and amending Two Acts passed in the Thirteenth and Fifty third Years of His late Majesty King *George* the Third, relating to the same. 1007
- xxii. An Act for more effectually repairing the Road leading from the *Bolton* and *Blackburn* Road in *Sharpley*, to the *Blackburn* and *Preston* Road in *Hoghton*, in the County of *Lancaster*, called the *Sharpley* and *Hoghton* Turnpike Road. Ibid.
- xxiii. An Act for more effectually amending, improving and keeping in Repair the Road between the Towns of *Cockermouth* and *Workington* in the County of *Cumberland*. Ibid.
- xxiv. An Act for more effectually repairing and improving the Road from the Town of *Garstang* to the Town of *Lancaster*, and from thence to a Place called *Heiring Syke*, and the Road from the Guide Post in the Township of *Slyne with Hest to Hest Bank*, all in the County Palatine of *Lancaster*. Ibid.
- xxv. An Act for more effectually amending, widening and keeping in Repair several Roads in and near to the Town of *Tenbury*,
in

- in the Counties of *Salop, Worcester and Hereford*, and the Roads leading from the *Knowle Gate* to the Turnpike Road on the *Clee Hill*, and from *Kyre Mill* to the Turnpike Road leading from *Bromyard* to *Tenbury*. Page 1007
- xxvi. An Act for conuining the Term and Powers of an Act passed in the Forty-second Year of the Reign of His late Majesty King *George* the Third, for repealing an Act for repairing the Highways and Bridges in the County of *Wigtown*, and for other Purposes in the said Act mentioned. *Ibid.*
- xxvii. An Act for amending the Road from *Offington Corner* in the Parishes of *Broadwater* and *West Tarring*, or one of them, in the County of *Sussex*, by *Findon, Washington Hill Rock* and *Ashington Common*, to *Dial Post*, and from thence by *Nep Castle* to the *Steining* Turnpike Road at *West Grinsted Park* in the said County; and for making a new Branch of Road to communicate therewith. 1008
- xxviii. An Act for more effectually repairing the Road leading from the Turnpike Road near the West End of the Town of *Chesterfield* to *Matlock Bridge*; and also the Road leading out of the said Road over *Darley Bridge* to *Cross Green*; and also the Road leading out of the last mentioned Road to the Turnpike Road near *Rowesley Bridge*, all in the County of *Derby*. *Ibid.*
- xxix. An Act for amending the Road from the *Devizes* Turnpike Road, at or near *Somerham Brook*, through *Melksham*, to the *Horse and Jockey* in the Parish of *Box* in the County of *Wilts*, and certain other Roads leading out of the said Road, all in the said County. *Ibid.*
- xxx. An Act for improving the Roads from *Darlaston Bridge*, through *Newcastle under Lyme*, to *Butt Lane* and *Linley Lane*, and from the *Black Lion* to *Shelton Wharf*, all in the County of *Stafford*. *Ibid.*
- xxxi. An Act for repairing and improving the Road from *Otley* to *Skipton* in the County of *York*. *Ibid.*
- xxxii. An Act for altering and enlarging the Powers of Two Acts of the Ninth and Nineteenth Years of His late Majesty King *George* the Third, for building and completing a Bridge at *Worcester* over the River *Severn*, and for opening convenient Avenues thereto. *Ibid.*
- xxxiii. An Act to enable the *Stockton and Darlington* Railway Company to vary and alter the Line of their Railway, and also the Line or Lines of some of the Branches therefrom, and to make an additional Branch therefrom, and for altering and enlarging the Powers of the Act passed for making and maintaining the said Railway. 1009
- xxxiv. An Act to alter and amend Two several Acts passed in the Twenty eighth and Thirtieth Years of His Majesty King *George* the Second, for the Purpose of enabling the Churchwardsens, Overseers and Inhabitants of the Parish of *Saint Saviour* in the Borough of *Southwark* in the County of *Surrey*, to hold a Market within the said Parish. *Ibid.*
- xxxv. An Act for paving, lighting, watching, cleansing and improving the Town of *Knaresbrough* in the West Riding of the County of *York*, and that Part of the Township of *Scriven with Tenter-*

- Tentergate* which adjoins the said Town, and is called *Tentergate*. Page 1009
- xxxvi. An Act for lighting with Gas the Town of *Rochdale*, and the Neighbourhood thereof, within the Parish of *Rochdale* in the County Palatine of *Lancaster*. *Ibid.*
- xxxvii. An Act for lighting with Gas the Town of *Belfast*, and the Suburbs thereof. *Ibid.*
- xxxviii. An Act for establishing an additional Company for lighting the City and Suburbs of *Dublin* with Gas. *Ibid.*
- xxxix. An Act for lighting with Oil Gas the Town of *Liverpool* and certain Places adjacent thereto. *Ibid.*
- xl. An Act for lighting with Gas the public Streets, Lanes, Passages and Places, and the Houses, Warehouses and other Buildings, within the King's Town and Parish of *Maidstone* in the County of *Kent*. *Ibid.*
- xli. An Act for more effectually repairing the Road from *Alfreton* in the County of *Derby* to the Town of *Derby*. *Ibid.*
- xl.ii. An Act for making and maintaining a Turnpike Road from *Horsham* in the County of *Sussex*, by *Bewbush*, to the Town of *Crawley* in the said County. 1010
- xl.iii. An Act for making and maintaining a Turnpike Road from the Turnpike Road between the Town of *Mold* in the County of *Flint* and the Town of *Wrexham* in the County of *Denbigh*, to the Turnpike Road between the Town of *Ruthin* in the said County of *Denbigh* and the Town of *Wrexham* aforesaid, and also Two several Branches of Road therefrom. *Ibid.*
- xl.iiii. An Act for making and maintaining a Turnpike Road from *East Teignmouth*, through *Dawlish*, *Starcross* and *Kenton*, to communicate with the *Exeter* Turnpike Road in the Parish of *Exminster*, all in the County of *Devon*. *Ibid.*
- xl.v. An Act for more effectually amending the Road from *Wrexham* in the County of *Denbigh*, to *Barnhill* in the County of *Chester*; and for making and keeping in Repair the Road branching out of the said Road at *Pwll-g-rhwyd* to the Borough of *Holt* in the said County of *Denbigh*. *Ibid.*
- xl.vi. An Act for more effectually repairing the Road leading from the *Botley* Turnpike Road on *Curdrige Common* in the Parish of *Bishops Waltham*, to the *Gosport* Turnpike Road at or near *Filmer Hill* in the Parish of *Westmeon*, with a Branch from the said Road on *Corhampton Down* to the Village of *Corhampton*, all in the County of *Southampton*. *Ibid.*
- xl.vii. An Act for repairing and improving divers Roads in the Counties of *Stafford* and *Salop*, comprised in Three Districts, called the *Eccleshall*, *Newport* and *Watling Street* District, the *Newcastle* and *Eccleshall* District, and the *Hilton* and *Honnington* District. *Ibid.*
- xl.viii. An Act for more effectually repairing, widening and improving the Roads from the West End of *Toller Lane* near *Bradford* through *Haworth* to *Blue Bell* near *Colne*, and from the *Two Laws* to *Kighley*, in the Counties of *York* and *Lancaster*. *Ibid.*
- xl.ix. An Act for more effectually repairing and improving the *Yorkshire* District of the Road from *Keighley*, in the West Riding of the County of *York*, to *Kirkby in Kendal*, in the County

County of *Westmoreland*, and for making several Diversions therefrom, within the said West Riding of the County of *York*.

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- i. An Act for repairing the Road from *Sage Cross* in the Town of *Melton Mowbray* in the County of *Leicester* to the Town of *Grantham* in the County of *Lincoln*. *Ibid.*
- ii. An Act for improving and maintaining in Repair divers Roads in the County of *Stafford*, leading from *Newcastle under Lyme* to *Blyth Marsh*, from *Cliff Bank* to *Snape Marsh*, from *Lower Lane* to *Hem Heath*, and from *Shelton* to *Newcastle under Lyme*. *Ibid.*
- iii. An Act for more effectually making, repairing and improving certain Roads, leading to and from *Liskeard* and certain other Roads therein mentioned, in the Counties of *Cornwall* and *Devon*. *Ibid.*
- iiii. An Act for making, amending, widening and keeping in Repair, certain Roads passing through or near the Town of *Uminster* in the County of *Somerset*. *Ibid.*
- lv. An Act for making and maintaining a Turnpike Road from *Wibsey Low Moor* near *Bradford*, through *Brighouse*, to *Huddersfield*, with Three Diversions or Branches from such Road, in the West Riding of the County of *York*. *Ibid.*
- lvi. An Act for more effectually amending the Roads from the *Little Bridge* over the End of the Drain next *Wisbeach River*, lying between *Roper's Fields* and the *Bell Inn* in *Wisbeach*, in the Isle of *Ely*, to the West End of *Long Bridge* in *South Lynn*, in the Borough of *King's Lynn*, in the County of *Norfolk*; and for amending, improving and keeping in Repair certain other Roads therein mentioned, in the said County of *Norfolk*. *Ibid.*
- lvii. An Act for continuing the Term and Powers of an Act of His late Majesty's Reign, for repairing the Road from the North End of *Bridgford Lane*, in the County of *Nottingham*, to the *Bowling Green* at *Kettering*, in the County of *Northampton*. 1012
- lviii. An Act for more effectually repairing the Road from the City of *Canterbury* to the *Dover* Turnpike Road, in the Parish of *Barham* in the County of *Kent*; and for lighting, watering and watching Part of the said Road, leading into the said City of *Canterbury*. *Ibid.*
- lix. An Act for making and maintaining a Turnpike Road from *Holehouse* or *Riding* near *Greenfield* in *Saddleworth*, to join the *Stayley* Turnpike Road, and also to join the *Halifax* and *Sheffield* Turnpike Road, all in the West Riding of the County of *York*. *Ibid.*
- lx. An Act for more effectually amending and keeping in Repair the Roads from the Town of *Uttoxeter* to the Town of *Newcastle under Lyme*, in the County of *Stafford*, so far as relates to the *Uttoxeter* District of the said Roads; and for making certain new Pieces of Road to communicate therewith, all in the said County of *Stafford*. *Ibid.*
- lxi. An Act for repairing and amending the Road from *Castle Street* at the End of the Town of *Hinckley* in the County of *Leicester*, *Ibid.*

- Leicester*, to the End of the Town of *Lutterworth* in the same County. Page 1012
- lxi. An Act for repairing and amending the Road from the Town of *Market Harborough* in the County of *Leicester* to the City of *Coventry*. *Ibid.*
- lxii. An Act for more effectually repairing the Roads from *Dyed Way* to *Somerton*, and from *Gawbridge* to *Tintinhull Fords*, and from a Stream of Water called *Ford* to *Cartgate* in *Martock*, and other Roads therein mentioned, in the County of *Somerset*. 1013
- lxiii. An Act for repairing and widening the Road from *Rugby*, in the County of *Warwick*, to the Turnpike Road from *Lutterworth* to *Market Harborough*, in the Counties of *Leicester* and *Northampton*. *Ibid.*
- lxiv. An Act for more effectually repairing and improving the Road from the South End of *Sparrows Herne* on *Bushey Heath*, through the Market Towns of *Watford*, *Berkhamsted* *Saint Peter* and *Tring*, in the County of *Hertford*, by *Pettifer's Elms*, to the Turnpike Road at *Walton*, near *Aylesbury*, in the County of *Buckingham*. *Ibid.*
- lxv. An Act for more effectually repairing the Roads from *Staplecross* to *Hornscross*, and from *Hornscross* to the Turnpike Road near *Brickwall House* in the Parish of *Northiam*, and from *Hornscross* to the Turnpike Road near the Windmill in the Parish of *Beckley*, and from *Staplecross* to *Bodiam Bridge* and to the Turnpike Road at *Silver Hill*, all in the County of *Sussex*. *Ibid.*
- lxvi. An Act for repairing and maintaining the Roads from *Barnsley Common* to *Grange Moor* and *White Cross*, and from the Guide Post in *Barugh* over *Barugh Brook* into the Township of *Cawthorne*, all in the County of *York*. *Ibid.*
- lxvii. An Act for more effectually amending, repairing and keeping in repair, the Road from the Toll Gate in the Parish of *Kettering* through *Wellingborough*, in the County of *Northampton*, and through *Olney* over *Sherrington Bridge*, to *Newport Pagnell*, in the County of *Buckingham*. *Ibid.*
- lxviii. An Act for raising a further Sum of Money for carrying into Execution an Act passed in the Fifty seventh Year of His late Majesty King *George* the Third, intituled *An Act for rebuilding the Church and improving the Churchyard of the Parish of Saint Paul Shadwell in the County of Middlesex*; and for amending the said Act. 1014
- lxix. An Act for better supplying the City of *Worcester*, and the Liberties thereof with Water; and for more effectually paving, lighting, watching and otherwise improving the said City. *Ibid.*
- lxx. An Act for lighting and watching the Parish and Town of *Greenwich* in the County of *Kent*, and removing and preventing Nuisances therein. *Ibid.*
- lxxi. An Act for regulating the Police of the Barony of *Gorbals* in the County of *Lanark*; paving, cleansing and lighting the Streets; erecting a Bridewell, and other Purposes relating thereto. *Ibid.*
- lxxii. An Act for lighting the Town and Burgh of *Raisley*, and Suburbs

- Suburbs and Places adjacent, with Gas, and for other Purposes relating thereto. Page 1014
- lxxiii. An Act for lighting with Gas the Town of *Woolwich* in the County of *Kent*. *Ibid.*
- lxxiv. An Act for lighting with Gas the City of *York*, and the Suburbs and Vicinity thereof. *Ibid.*
- lxxv. An Act for lighting, watching and cleansing the *Grange Road*, and other Parts of the Parish of *Saint Mary Magdalen, Bermondsey*, in the County of *Surrey*. *Ibid.*
- lxxvi. An Act for explaining, amending and rendering more effectual an Act of His late Majesty, for draining certain Commons and Fens lying between the Rivers *Glen and Welland*, in the County of *Lincoln*, and for increasing the Rates thereby authorized, and imposing additional Rates for more effectually draining the said Lands. *Ibid.*
- lxxvii. An Act for more effectually repairing the *Wadsley and Langset* Turnpike Road, and extending the same in Two Lines to join the *Huddersfield* and *Woodhead* Turnpike Road, in the Townships of *Upperthong* and *Honley*, in the West Riding of the County of *York*. 1015
- lxxviii. An Act for continuing the Term and altering and enlarging the Powers of Three Acts, passed in the First, Twenty first and Forty second Years of the Reign of His late Majesty, for amending and widening the Road leading from the Town of *Falmouth* in the County of *Cornwall*, through the Towns of *Penryn, Helston* and *Marazion*, and from thence to and over *Marazion* River and Bridge, and Two hundred Feet to the Westward of the said River and Bridge. *Ibid.*
- lxxix. An Act for better and more effectually improving and keeping in Repair the Road leading from the Town of *Kingston-upon-Thames* in the County of *Surrey*, to a Place called *Sheetbridge*, near *Petersfield* in the County of *Southampton*. *Ibid.*
- lxxx. An Act for making and maintaining a Road from *Norwich* to *Fakenham* in the County of *Norfolk*. *Ibid.*
- lxxxi. An Act for amending and keeping in Repair the Roads from *Dover* to *Barham Downs*, and from *Dover* to the Town of *Folkestone*, and from thence through the Parish of *Folkestone* to *Sandgate* in the County of *Kent*. *Ibid.*
- lxxxii. An Act for improving and keeping in Repair the Road from *Tarporley*, in the County Palatine of *Chester*, to the South East End of *Acton Forge*, near *Weverham*, in the same County. *Ibid.*
- lxxxiii. An Act for amending and maintaining the Roads from the North Gate of the City of *Winchester*, over *Worthy Cow Down*, through *Whitchurch* and other Places, to *Newtown* River, and from *Worthy Cow Down* aforesaid through *Wherwell* to *Andover*, in the County of *Southampton*. 1016
- lxxxiv. An Act for more effectually repairing, amending and improving certain Roads in the several Parishes of *Saint Mary Magdalen, Bermondsey*, and *Saint Mary* at *Rotherhithe*, in the County of *Surrey*, and *Saint Paul, Deptford*, and *Saint Nicholas, Deptford*, in the County of *Kent*. *Ibid.*
- lxxxv. An Act for more effectually repairing the Road from the South

South End of *Brown's Lane* in the Parish of *Great Slaughton* in the County of *Huntingdon*, to the *Bedford Turnpike Road* in the Parish of *Lavendon* in the County of *Buckingham*.

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lxxxvi. An Act for repairing, widening and maintaining the Road leading from *Horsham* in the County of *Sussex*, through *Dorking* and *Leatherhead*, to *Epsom* in the County of *Surrey*, and from *Capel* to *Stone Street*, at *Ockley* in the said County of *Surrey*. *Ibid.*

lxxxvii. An Act to enable the Company of Proprietors of the Navigation from the *Trent* to the *Mersey* to make an additional Tunnel through *Harecastle Hill* in the County of *Stafford*, and an additional Reservoir in *Knyppersley Valley* in the said County; and to amend and enlarge the Powers of the several Acts for making and maintaining the said Navigation, and the several Canals connected therewith. *Ibid.*

lxxxviii. An Act to amend an Act of the last Session of Parliament, for erecting and maintaining Ferries across the River *Tay* in the Counties of *Fife* and *Forfar*. *Ibid.*

lxxxix. An Act to repeal an Act passed in the Fifty fourth Year of His late Majesty, for building a new Church within the Town and Parish of *Liverpool* in the County Palatine of *Lancaster*; to vest the said Church and the Ground thereunto belonging in the Mayor, Bailiffs and Burgeases of the Town of *Liverpool*; to authorize the Purchase of Land in the said Town to be appropriated to the Use of Public Cemeteries; and to restrict the Burial of Corpses in the present Cemeteries of the Parish Church and Parochial Chapel there. *Ibid.*

xc. An Act for paving, lighting, cleansing, watching and improving the Township of *Halifax*, and for supplying the same with Water. 1017

xc. An Act for repairing, maintaining and improving the Highways and other Public Places in the Parish of *Saint Mary Magdalen, Bermondsey*, in the County of *Surrey*. *Ibid.*

xcii. An Act for improving, paving, lighting, cleansing and watching the Town of *Mansfield* in the County of *Nottingham*. *Ibid.*

xciii. An Act for better supplying with Water the Town of *Skipton* in the West Riding of the County of *York*. *Ibid.*

xciv. An Act for the Erection of a Bridge across the River *Shannon*, and of a Floating Dock to accommodate Sharp Vessels frequenting the Port of *Limerick*. *Ibid.*

xcv. An Act to alter, amend and enlarge the Powers of an Act of His present Majesty's Reign, intituled *An Act to establish an additional Company for lighting certain Parts of the Metropolis and Parts adjacent with Gas*. *Ibid.*

xcvi. An Act to establish a Company for lighting with Gas the Town of *Northampton*. *Ibid.*

xcvii. An Act to amend and explain the Powers of an Act of His late Majesty, for lighting with Gas the Town of *Brighthelmston*, and to raise a further Sum of Money for carrying the Purposes of the said Act into Execution. *Ibid.*

xcviii. An Act for lighting with Gas the several Parishes of *Saint Botolph, Aldgate*, and *Saint Paul, Shadwell*, and certain Parts of the Parishes of *Saint George in the East*, otherwise *Saint George, Middle-*

Middlesex, and Saint John of Wapping, and of the Hamlets of Mile end Old Town and Ratcliff, in the County of Middlesex.

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- xcix. An Act to enable the Company of Proprietors of the *Dublin Gas Works* to raise more Money for the further lighting the City and Suburbs of *Dublin* with Gas. *Ibid.*
- c. An Act for lighting the Town of *Mansfield* in the County of *Nottingham* with Gas. *Ibid.*
- ci. An Act to establish a Company for lighting the Borough of *Stamford* in the County of *Lincoln*, and *Saint Martin Stamford Baron* in the County of *Northampton*, with Gas. *Ibid.*
- cii. An Act for lighting with Oil Gas the City of *Bristol* and the Parish of *Clifton* in the County of *Gloucester*, and certain Parishes adjacent thereto. *Ibid.*
- ciii. An Act to amend and render more effectual an Act passed in the Forty seventh Year of the Reign of His late Majesty King *George the Third*, for repealing several Acts therein mentioned, for draining certain Fen Lands in the Isle of *Ely* and Counties of *Suffolk* and *Norfolk*, near *Mildenhall River*, so far as relates to the Lands in the First District therein described, and for making better Provision for draining and preserving the said Lands. *Ibid.*
- civ. An Act for amending and improving the Roads leading to the Town of *Oakhampton* in the County of *Devon*. *Ibid.*
- cv. An Act for amending, improving, and keeping in repair the Road leading from the Turnpike Road in the Horse Fair in the Town of *Banbury* in the County of *Oxford*, through *Swalcliffe* in the said County of *Oxford*, and through *Brailes* in the County of *Warwick*, to the Bridge crossing the River *Stour* in the Parish of *Barcheston* in the said County of *Warwick*. *Ibid.*
- cvi. An Act for more effectually repairing and improving the Roads leading from *Whitechapel Church* in the County of *Middlesex*, unto *Passingford Bridge*, and through and to the End of the several Parishes or Places of *Shenfield* and *Woodford* in the County of *Essex*, and for other Purposes relating thereto. 1019
- cvi. An Act for amending the Road leading from the New Wall on the Parade in *Castleton* in the Parish of *Rochdale*, through *Middleton*, to the Meer Stone in *Great Heaton*, and to the Town of *Manchester*, all in the County Palatine of *Lancaster*; and for diverting certain Parts of the said Road. *Ibid.*
- cvi. An Act for more effectually repairing the Road leading from *Beaconsfield* in the County of *Buckingham* to *Stoken Church* in the County of *Oxford*. *Ibid.*
- cix. An Act for more effectually making and maintaining the Road from *Modbury*, through the Town of *Plympton*, to the North End of *Lincotta Lane*, and from *Modbury* to within Four hundred Yards of the Bridge over the *Lary*, and also a Road from *Addistone Hill*, in the Parish of *Holbeten*, to the *Totness Road* at *Lady Down*, in the Parish of *Ugborough*, in the County of *Devon*. *Ibid.*
- cx. An Act for repairing and improving the Road leading from *Skipton* in the County of *York* to *Colne* in the County of *Lancaster*. *Ibid.*
- cx. An

- cx. An Act for more effectually repairing the Road from *Wansford Bridge* in the County of *Northampton* to *Stamford*, and from *Stamford* to *Bourn* in the County of *Lincoln*. Page 1019
- cxii. An Act for repairing certain Roads from *Redrow* to *Peat-hill* in the County of *Stirling*. *Ibid.*
- cxiii. An Act for more effectually improving and keeping in Repair the Pier and Harbour of *Minchhead* in the County of *Somerset*. 1020
- cxiv. An Act for altering and amending Two Acts, passed in the Eleventh and Thirty third Years of His late Majesty King *George* the Third, for consolidating, extending and rendering more effectual the Powers granted by several Acts of Parliament, for making, enlarging, amending and cleansing the Vaults, Drains and Sewers within the City of *London* and Liberties thereof; and for paving, cleansing and lighting the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages and Places, and preventing and removing Obstructions and Annoyances within the same. *Ibid.*
- cxv. An Act to alter, amend and enlarge the Powers of the several Acts passed for more effectually supplying with Water the Inhabitants of the Town of *Manchester* and *Salford*, in the Parish of *Manchester*, in the County Palatine of *Lancaster*. 1049
- cxvi. An Act to amend several Acts for erecting a Bridge over the River *Thames*, from the City of *London*, to the opposite Bank, in the Parish of *Saint Saviour* in the County of *Surrey*. *Ibid.*
- cxvii. An Act for building a Church or Chapel of Ease in the Hamlet of *Far Town* and Parish of *Huddersfield* in the West Riding of the County of *York*. *Ibid.*
- cxviii. An Act for extinguishing Tithes, and Customary Payments in lieu of Tithes, and all Demands for *Eastor* Offerings, within the *London* or City Liberty of *Saint Andrew, Holborn*, in the City of *London*, and for making Compensation in lieu thereof. *Ibid.*
- cxix. An Act to enlarge the Powers of the Gas Light and Coke Company, and to amend several Acts passed in the Reign of His late Majesty relating to the said Company. *Ibid.*
- cxx. An Act for repairing the Roads from *Ozdown Gate* in *Popham Lane* to the City of *Winchester*, and from the said City through *Hursley* to *Chandler's Ford*, and from *Hursley* aforesaid to the Turnpike Road at *Romsey*, and from the Hundred at *Romsey*, through *Chilworth*, to the River at *Swathling* in the County of *Southampton*, and from the said Turnpike Road at *Romsey*, through *Ringwood*, in the said County, to *Longham Bridge* and *Wimborne Minster*, in the County of *Dorset*. 1050
- cxxi. An Act for more effectually repairing the Roads leading from a Place called the *Welsh Harp* in the Township of *Stonnall* in the County of *Stafford*, to *Stone Bridge*, and from *Castle Bromwich* to *Birmingham*, in the County of *Warwick*. *Ibid.*
- cxxii. An Act for repairing the Roads from the Borough of *Tamworth* in the Counties of *Stafford* and *Warwick*, to the Town of *Ashby de la Zouch* in the County of *Leicester*, and from *Harrington Bridge* (heretofore *Sawley Ferry*) in the said County

The TITLES of the STATUTES,

County of *Leicester*, to a Turnpike Gate at or near the End of *Swarcliffe Lane* leading to *Ashby de la Zouch* aforesaid.

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- cxxiii. An Act to enlarge the Powers of and render more effectual certain Acts of the Twenty-second and Thirty-second Years of the Reign of His Majesty King *George* the Second, and the Forty sixth Year of the Reign of His late Majesty King *George* the Third, for the more easy and speedy Recovery of Small Debts within the Town and Borough of *Southwark*, and the several Parishes and Places in the said Acts mentioned, and to regulate the Fees payable to the Court thereby established. *Ibid.*
- cxxiv. An Act to allow further Time for the Completion of the Docks, and other Works belonging to the *London Dock Company*. *Ibid.*
- cxxv. An Act for altering the Time for holding General Annual Meetings for licensing Alehouses within the County of *Middlesex*, and for authorizing the Justices of the Peace for the said County to remunerate High Constables. 1052
- cxxvi. An Act for the better Government of the City of *Limerick*, and the due Appropriation of the Public Revenues thereof. 1057

PRIVATE ACTS,

PRINTED BY THE KING'S PRINTER,

AND WHEREOF THE PRINTED COPIES MAY BE GIVEN
IN EVIDENCE.

1. AN Act for inclosing certain Lands in the Parish of *Croydon* in the County of *Surrey*. *Page* 1055
2. An Act for vesting the settled Estates of *Thomas Molyneux Seel* Esquire, in the County of *Lancaster*, in Trustees to be sold, and for laying out the Monies to arise by such Sales in the Purchase of a more convenient and compact Estate, to be settled to the same Uses. *Ibid.*
3. An Act for inclosing Lands in the Township or Quarter of *Oulton*, in the Parish of *Wigton* in the County of *Cumberland*. *Ibid.*
4. An Act for dividing, inclosing and improving a certain Moor or Open Pasture called *Hawdon Field*, otherwise *Brown Moor*, in the Parish of *Warden* in the County of *Northumberland*. *Ibid.*
5. An Act to amend an Act, made in the Forty second Year of the Reign of His late Majesty King *George* the Third, for dividing, allotting, inclosing and appropriating the Commons, Waste Grounds and Mosses, within the Manor or Township of *Egton with Newland*, in the Parish of *Ulverston* in the County Palatine of *Lancaster*. 1059
6. An

6. An Act for inclosing Lands in the Parish of *North Burton*, otherwise *Cherry Burton*, in the East Riding of the County of *York*. Page 1059
7. An Act for inclosing Lands in the Parish of *Ryton* in the County of *Durham*. *Ibid.*
8. An Act for inclosing Lands in the Parishes of *Thame* and *Sydenham* in the County of *Oxford*. *Ibid.*
9. An Act for inclosing Lands within the Townships or Divisions of *Whitwell* and *Selside*, *Skelsmergh* and *Crook*, in the Parish of *Kirkby in Kendal*, in the County of *Westmorland*. *Ibid.*
10. An Act for settling and securing Parts and Portions of the Lands and Barony of *Invermay* in the County of *Perth*, to and in favour of *Alexander Hepburn Belshes* Esquire, and the Series of Heirs entitled to take by certain Deeds of Entail made by *Barbara Hepburn* and others, and *Sir Patrick Hepburn Murray*, and under the Conditions and Limitations contained therein; and for vesting in lieu thereof the Barony and Estate of *Blackcastle*, in the Counties of *Haddington* and *Berwick*, in the said *Alexander Hepburn Belshes*, and his Heirs and Assigns, in Fee Simple. *Ibid.*
11. An Act for effecting an Exchange between the Provost and Scholars of the *King's College of Blessed Mary and Saint Nicholas of Cambridge*, and the Master or Keeper, Fellows and Scholars of the College or Hall commonly called *Clare Hall* in the University of *Cambridge*. 1060
12. An Act to amend and enlarge the Powers and Provisions of an Act of His late Majesty King *George* the Third, for inclosing and improving *Beam Heath* in the Township of *Alvaston*, in the Parish of *Nantwich* in the County Palatine of *Chester*. *Ibid.*
13. An Act to enable the Reverend *Richard Buck* Clerk and *Margaret* his Wife, and the Survivor of them, to grant Leases of a Moiety of the Coal Mines within the Estates devised by the Will of *John Hull* deceased, in the County of *Lancaster*. *Ibid.*
14. An Act for exchanging an Estate in the County of *Wilts*, whereof *John Biddulph* Esquire and *Augusta* his Wife, and *Philip Jones* Esquire and *Sarah* his Wife, have joint Power of Disposition, for Estates in the Counties of *Warwick* and *Worcester*, settled by the Will of *Sarah Richards*, in trust for the same Parties and their Children. *Ibid.*
15. An Act for effectuating an Exchange of an Estate in the Parish of *Stone* in the County of *Stafford* (to which *Ann Unett*, an Infant, is entitled in Tail), for an Estate of greater Value, belonging to *John Wilkes Unett* and *Elizabeth* his Wife, and *Lettice Unett*. *Ibid.*
16. An Act for confirming certain Exchanges made by *Sir George Thomas* Baronet, deceased, and *George White Thomas* Esquire, deceased, of Estates at *Yapton*, *Walberton*, *Madehurst*, *Bilsham* and *Climping*, in the County of *Sussex*. *Ibid.*
17. An Act for effecting an Exchange between the Right Honourable *Henry Hall* Viscount *Gage*, and the Dean and Chapter of the Cathedral Church of the Holy Trinity of *Chichester*, of Estates in the County of *Sussex*. 1061
18. An

18. An Act for enabling the President, Vice Presidents, Treasurer and Members of the Philanthropic Society to purchase from the Corporation and other Persons entitled thereto the Lands and Hereditaments in the Parish of *Saint George the Martyr, Southwark*, in the County of *Surrey*, upon which they have erected a Chapel, Buildings and other Works, and such other Land adjoining thereto as may be required for the Purposes of their Charity. Page 1061
19. An Act to empower the Judges of the Court of Session to take an Account of the Debts and Burdens affecting and that may be made to affect the entailed Estate of *Wemyss* in the Counties of *Fife* and *Perth*; and to sell the said Estate, or such Part thereof as shall be sufficient to discharge the said Debts and Burdens. Ibid.
20. An Act for vesting in Trustees an Estate in the Parish of *Chieveley* in the County of *Berks*, devised in strict Settlement by the Will of *William Capell* Esquire, deceased, and afterwards contracted to be sold by him, in order to effectuate the Sale thereof agreeably to such Contract. Ibid.
21. An Act for exchanging certain Parts of the Estates devised by the Will of the late Sir *William Guise* Baronet, in strict Settlement, for certain other Estates in the County of *Gloucester*; and for vesting other Parts of the said Estates in Trustees, to be sold for paying off Incumbrances, and for other Purposes. Ibid.
22. An Act for authorizing the Investment of Monies belonging to the Infant Sons of Sir *Samuel Romilly* deceased, in the Purchase of certain Parts of his Daughter's Share of his Real Estate, to be conveyed to Trustees upon certain Trusts. Ibid.
23. An Act for inclosing Lands within the Manor of *Congerston*, otherwise *Congeston*, in the County of *Leicester*. Ibid.
24. An Act for vesting Part of the Estates devised by the Will of *Thomas Viscount Wentworth* in Trustees, upon Trust to sell the same to the Right Honourable *Richard William Penn* Earl *Howe*, and to apply the Money arising from the Sale thereof in the Purchase of other Estates in the Counties of *Leicester* and *Warwick*, or one of them, to be settled to the subsisting Uses of the said Will. 1062
25. An Act to amend an Act passed in the Fifty eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for vesting certain Pieces or Parcels of Land and other Hereditaments belonging to Sidney Sussex College, in the University of Cambridge, in Trustees for Sale, with Powers to lease on Fines; and for applying the Purchase Monies, and Monies to arise from Fines, in Manner therein mentioned.* Ibid.
26. An Act to enable the Trustees of the Will of the late Sir *William East* Baronet, deceased, and Tenants under the See of *Canterbury*, to join in Grants of Building and Repairing Leases with the Archbishop of *Canterbury* for the Time being, of Lands in *Lambeth Marsh* held under the said See. Ibid.
27. An Act for empowering the Judges of the Court of Session in *Scotland* to sell certain Parts of the *Dominium directum* or Superiority of the entailed Estate of *Park* in the County of *Banff*, presently belonging to *Thomas Gordon* Esquire of *Park*, and

to apply the Price to be obtained for the same in the Payment of the Debts affecting the said Estate. Page 1062

28. An Act for changing the Site of the Hospital at *Sheffield* in the County of *York*, founded by the Right Honourable *Gilbert Earl of Sutherland*; and for the better regulation of the Affairs of that Charity. *Ibid.*

29. An Act for vesting Part of the Estates devised by the Will of *Edward Mynors* Esquire, situate in the Counties of *Stafford* and *Leicester*, in Trustees, upon Trust to sell the same; and for laying out the Monies arising from such Sales in the Purchase of more convenient Estates, to be settled to the same Uses. *Ibid.*

PRIVATE ACTS,

NOT PRINTED.

30. AN Act for inclosing Lands in the Manor and Township of *Baslow* and Hamlets of *Bubnell*, *Curbar* and *Froggatt*, all in the said Manor of *Baslow*, and in the Parish of *Bakewell* in the County of *Derby*.

[*Allotment to the Curate of Baslow for the Time being for Glebe Land, § 19. Allotment to the Vicar of Bakewell, in lieu of small Tithes, § 20. Glebe and Tythe Allotments to be ring fenced, § 21. Power of Vicar to Grant Leases, § 22. Proviso for Leases becoming void before Expiration of Term. Vicar may grant new Leases, &c. § 23.*]

31. An Act for inclosing Lands in the Townships of *Hoff* and *Hoff Row*, and *Drybeck*, in the Manor of *Drybeck*, *Hoff Row* and *Netherhoff*, in the Parish of *Saint Lawrence*, *Appleby*, in the County of *Westmoreland*.

[*Allotment to the Vicar in lieu of Tithes upon the Common of the ancient inclosed Lands in Hoff and Hoff Row, § 23. Vicar's Allotments to be ring fenced, § 24. Vicar empowered to erect Buildings, and charge his Allotments with Expences, § 26. Vicar with Consent of the Bishop of Diocese and Patron of Living may lease Allotments for Twenty one Years upon the Conditions herein mentioned, § 27. Allotments to be Freehold, § 31. Where not sufficient Land upon Commons, &c. in Hoff and Hoff Row remaining after Allotments herein mentioned for Tithes, other Freehold Land to be purchased. Tithes of Drybeck not to be exonerated, § 36. When Tithes made to cease, § 36.*]

32. An Act to dissolve the Marriage of *James Allardyce* Esquire with *Dorothy Allardyce* his now Wife, and to enable him to marry again; and for other Purposes.

33. An Act for naturalizing *Augustus Frederick William Hoffmann*.

34. An Act for confirming an Agreement between *Sir John Pa-kington* Baronet, and the Trustees of the Estates devised by the Will of the Right Honourable *Henry Coventry* Esquire, deceased, for charitable Purposes.

35. An

35. An Act for inclosing Lands in the Parish of *Abthorpe* in the County of *Northampton*.
 [Owners of ancient inclosed Lands may with Consent of Proprietors of Tithes assign Lands in lieu of such Tithes. How Expences of ring fencing Allotments exonerated from Tithe defrayed, &c. No Commutation of Great Tithes, &c. when the same are in a Tenant for Life only without Consent of Lessor. Nor for Vicarial Tithes, &c. without Consent of Bishop and Patron, § 18. Vicar may lease his Allotment for Twenty one Years, with Consent of Bishop and Patron § 19. Leases at Rack Rent of Lands allotted, &c. How and in what Manner vacated. Proviso for Lands, under Lease. Proviso for Lease to Vicar of *Abthorpe*, § 22.]
36. An Act for naturalizing *Philip Frederick Tinne*.
37. An Act for naturalizing *Andreas Christian Boode*, and his Two infant Children *Phebe Boode* and *John Christian Boode*.
38. An Act to dissolve the Marriage of *Robert Henry Cunliffe* Esquire with *Louisa* his now Wife, and to enable him to marry again.
39. An Act for naturalizing *Henry Robert Ferguson*.
40. An Act for naturalizing *Francis Allegati*.
41. An Act for rendering valid and effectual the Powers of Sale and Exchange, and for the Appointment of new Trustees, in the Settlements made of Estates belonging to *Richard Benyon de Beauvoir* Esquire, pursuant to the Will of *Richard Benyon* Esquire, his late Father, deceased.
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THE
STATUTES AT LARGE.

Anno Regni GEORGII IV. Britanniarum Regis,
Quarto.

‘ **A**T the Parliament begun and holden at *Westminster*, the
‘ Twenty first Day of *April*, Anno Domini 1820, in the First
‘ Year of the Reign of our Sovereign Lord GEORGE the Fourth,
‘ by the Grace of God, of the United Kingdom of *Great Britain*
‘ and *Ireland*, King, Defender of the Faith; and from thence con-
‘ tinued, by several Prorogations, to the Fourth Day of *February*
‘ 1823, being the Fourth Session of the Seventh Parliament of
‘ the United Kingdom of *Great Britain* and *Ireland*.

C A P. I.

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 twenty four; 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 twenty four; and to allow Persons to make and file such Affidavits, although the persons whom they served shall have neglected to take out their Annual Certificates. [27th February 1823.]

[This Act is the same as 3 G. 4. c. 12. except as to Dates, and the Section here retained.]

‘ VIII. AND Whereas many Persons who may have paid the
‘ proper Stamp Duties, either before or within Six Months after
‘ the Execution of the Contracts in Writing entered into by them
‘ to serve as Clerks to Attornies or Solicitors, Scriveners or
‘ Notaries Public in *Great Britain*, have omitted to cause Affi-
‘ davits to be made, and afterwards to be filed in the proper Office,
‘ of the actual Execution of such Contracts, and have also
‘ omitted to cause such Contracts and the Indentures thereof to
‘ be enrolled within the Time in which the same ought to have
‘ been done; and many Solicitors, Attornies, Notaries Public and
‘ others, may have omitted to take out annual Certificates, or to
‘ enter the same in the proper Office, and many Infants and others
‘ may thereby incur certain Disabilities: For preventing thereof,
‘ and relieving such Persons, be it enacted, That every Person who
‘ shall,
‘ 4 Geo. IV. B

Persons paying
the Duties

either before or within Six Months after Execution of Indentures to serve as Clerks to Attornies, &c. who shall have neglected to cause Affidavits thereof to be filed and enrolled within the Time required, indemnified on causing the same to be done on or before 1st Day of Hilary Term 1824.

shall, either before or within Six Months after the Execution of such Contract or Indenture, have paid the proper Stamp Duty in that Behalf, and who at the passing of this Act shall have neglected or omitted to cause any such Affidavit or Affidavits as aforesaid to be made and filed, or such Contract or Indenture to be enrolled, and who, on or before the first Day of *Hilary* Term One thousand eight hundred and twenty four, shall cause such Contract or Indenture to be enrolled with the proper Officer in that Behalf, and One or more Affidavit or Affidavits to be made, and afterwards to be filed in such Manner as the same ought to have been made and filed, in due Time, shall be and is hereby indemnified, freed and discharged from and against all Penalties, Forfeitures, Incapacities and Disabilities, in or by any Act or Acts of Parliament mentioned and incurred or to be incurred for or by reason of such Neglect or Omission; and every such Affidavit and Affidavits so to be made, and which shall be duly filed on or before the First Day of *Hilary* Term One thousand eight hundred and twenty four, shall be as effectual to all Intents and Purposes as if the same had been made and filed within the respective Times the same ought, by the Laws now in being for that Purpose, to have been made and filed; and that the respective Officer or Officers who ought to receive, file, enter or register such Contract or Indenture, or Affidavit or Affidavits, shall not refuse to receive, file, enter or register the same, by reason that the Attorney, Solicitor or Notary Public, to whom such Infant or other Person shall have been articulated or have contracted to serve, shall have neglected to take out his annual Certificate, or to register the same, but such Officer or Officers are hereby directed and empowered to receive, file, enter or register the same, notwithstanding such Omission; and that every Person who shall have regularly served any Attorney or Attornies, Solicitor or Solicitors, Notary Public or Notaries Public, for the Term of Years required by Law, shall not be prevented or disqualified from being admitted an Attorney, Solicitor or Notary Public, by reason of any Omission of the Person or Persons to whom he served for the same Term, or for any Part thereof, having so neglected to take out his annual Certificate, or to register the same; provided that such Person is otherwise entitled to be created and admitted to such Office by the Laws now in force relating thereto.

Persons having neglected to take out annual Certificate not prevented from being admitted after serving their Term.

C A P. II.

An Act to amend an Act of the last Session of Parliament, for regulating the Trade between His Majesty's Possessions in *America* and the *West Indies* and other Parts of the World. [7th March 1823.]

§ G. 4. c. 45.

WHEREAS by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to regulate the Trade between His Majesty's Possessions in America and the West Indies and other Parts of the World*; and by Schedule B. annexed thereto a Duty of Seven Pounds Ten Shillings is payable for every One hundred Pounds of the true and real Value of Brandy imported into His Majesty's Colonies, Plantations

'ations or Islands, in *America* or the *West Indies*, from Ports in *Europe* or *Africa*: And Whereas it is expedient to make Alteration in respect of the said Duty; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said Duty shall be and the same is hereby repealed, and that in lieu and instead thereof there shall be raised, levied, collected and paid a Duty of Customs of One Shilling for every Gallon of Foreign Brandy imported into *Canada*, *Nova Scotia*, *New Brunswick* or *Newfoundland*, from any Foreign Port in *Europe* or *Africa*, or from *Gibraltar*, *Malta* or the Dependencies thereof, from *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, in addition to any Duties which may be chargeable upon the same under and by virtue of any Colonial Act; which said Duty of One Shilling for every Gallon shall be raised, levied, collected and paid, in like Manner and subject to the like Rules, Ways, Means and Methods, and under such Penalties and Forfeitures as the former Duty hereby repealed.

Instead of 7½ per Cent. on the Value of Brandy imported into the Colonies, &c. a Duty of 1s. per Gallon to be paid on the Importation thereof into certain Places.

C A P. III.

An Act for continuing to His Majesty for One Year certain Duties on Sugar, Tobacco and Snuff, Foreign Spirits and Sweets, 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 twenty three. [7th March 1823.]

[This Act is the same as 3 G. 4. c. 6. except as to Dates, and the Section here retained.]

VIII. AND be it further enacted, That for the better assessing, ordering, levying and collecting of the several Sums of Money so as last aforesaid limited and appointed to be raised and paid in the aforesaid Part of *Great Britain* called *England*, *Wales* and *Berwick upon Tweed*, in respect of Personal Estates, and in respect of Offices or Employments of Profit, and Annuities, Pensions, Stipends and other yearly Payments, and for the more effectual putting this Act in Execution in reference to the same, all and every the Person and Persons who, in and by an Act of Parliament made and passed in the Second Year of the Reign of His present Majesty, intituled *An Act for appointing Commissioners for carrying into Execution an Act of this Session of Parliament for granting to His Majesty a Duty on Pensions and Offices in England, and an Act made in the Thirty eighth Year of His late Majesty, for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and ninety eight*; and by one other Act made and passed in the Third Year of the Reign of His present Majesty, intituled *An Act for rectifying Mistakes in the Names of the Land Tax Commissioners, and for appointing additional Commissioners, and indemnifying such Persons as have acted*

Commissioners of Land Tax appointed by 1 & 2 G. 3. c. 123. and 3 G. 4. c. 14. to put this Act in Execution.

acted without due Authority in Execution of the Acts therein recited were named and appointed Commissioners for putting in Execution the said Act within the several Counties, Ridings, Cities, Boroughs, Cinque Ports, Towns, Divisions and Places of England, Wales and Town of Berwick upon Tweed, duly qualifying themselves according to the said Act passed in the Thirty eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and ninety eight*, in that Behalf, shall together with such other Persons as shall be named by any Act or Acts which shall be passed in this Session of Parliament, be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and for all and every the Parishes, Constablewicks, Divisions, Allotments and Places situate within the same Counties, Ridings, Cities, Boroughs, Cinque Ports, Towns, Divisions and Places respectively.

[*Mistakes in Names of Land Tax Commissioners rectified, c. 68. post.*]

C A P. IV.

An Act for raising the Sum of Twenty Millions by Exchequer Bills, for the Service of the Year One thousand eight hundred and twenty three. [7th March 1823.]

“ Treasury may raise 20,000,000*l.* by Exchequer Bills in like Manner as is prescribed by 48 G. 3. c. 1. — § 1. The clauses, &c. in recited Acts extended to this Act. § 2. Treasury to apply the Money raised. § 3. Exchequer Bills to be payable out of the Supplies for the next Session. § 4. Exchequer Bills to bear an Interest not exceeding 3½ per Cent. per Diem. § 5. Exchequer Bills to be current at the Exchequer after April 5, 1824. — § 6. Bank of England may advance 12,000,000*l.* on the Credit of this Act, notwithstanding the Act 5 & 6 W. & M. c. 20. — § 7.

C A P. V.

An Act to render valid certain Marriages. [7th March 1823.]

3 G. 4. c. 75.
§ 14.

‘ WHEREAS by an Act passed in the Third Year of the
‘ Reign of His present Majesty King George the Fourth,
‘ intituled *An Act to amend certain Provisions of the Twenty sixth*
‘ *of George the Second, for the better preventing of clandestine*
‘ *Marriages*, it is amongst other Things enacted, that no Person
‘ shall, from and after the passing of this Act, be deemed author-
‘ ized by Law to grant any Licence for the Solemnization of
‘ any Marriage, except the Archbishops of *Canterbury* and *York*,
‘ according to the Rights now vested in them, and except the
‘ several other Bishops within their respective Dioceses, for the
‘ Marriage of Persons, One of whom shall be resident at the Time
‘ within the Diocese of the Bishop in whose Name such Licence
‘ shall be granted: And Whereas, notwithstanding such Enact-
‘ ment, divers Licences for Marriage have, through Error, been
‘ granted since the passing of the said Act by or in the Name of
‘ Bodies

‘ Bodies Corporate or Persons, their Officers or Surrogates, other than the said Archbishops and Bishops, which Bodies Corporate or Persons, their Officers or Surrogates, before the passing of the said Act, were or were deemed to be authorized by Law to grant such Licences; and divers Persons have been married by virtue or in consequence of Licences so granted, the Validity of which Marriages is affected by the Enactment aforesaid: And Whereas it is expedient to remedy the same:’ Be it enacted by the King’s most Excellent Majesty, by and with the Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Marriages and Marriage solemnized by virtue or in consequence of a Licence granted after the passing of the said Act of the Third Year of His present Majesty, and before the passing of this Act, by or in the Name of a Body Corporate or Person, his or their Officer or Surrogate, other than the Archbishops of *Canterbury* and *York*, according to the Rights vested in them respectively, or the several other Bishops within their respective Dioceses, which Body Corporate or Person, his or their Officers and Surrogates, before the passing of the said Act, were or were deemed to be authorized by Law to grant such Licences, shall be as good and valid Marriages to all Intents and Purposes whatsoever, as the same would have been if the said Enactment restraining the Power and Authority of granting such Licences had not been made.

Marriages solemnized by virtue of Licences duly granted after passing of recited Act, and before the passing of this Act, declared valid.

II. And be it further enacted, That such Bodies Corporate and Persons as aforesaid, their Officers and Surrogates, who have granted such Licences as aforesaid since the passing of the said Act, and their Officers and others concerned therein, and such Ministers as have acted under the Authority of the same, shall not be or be held to be liable to any Pains or Penalties, or Censures respectively, for or on account of the granting or acting under the same.

Persons granting such Licences not liable to Penalties.

C A P. VI.

An Act for applying certain Monies therein mentioned for the Service of the Year One thousand eight hundred and twenty three.

[19th March 1823.]

[3,000,000*l.* Remainder of the Grant for 1822, applied towards the Supply for 1823.]

C A P. VII.

An Act to regulate the Appointment and Swearing into Office of the Chancellor of the Exchequer of *Ireland*.

[19th March 1823.]

‘ WHEREAS an Act was passed in the Fifty sixth Year of the Reign of His Majesty King *George* the Third, intitled *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 for carrying into effect the Provisions of the said Act it is expedient that the Chancellor of the Exchequer of *Great Britain*

56 G.3. c.98.

Chancellor of the Exchequer of G. B. to be also appointed to the same Office for Ireland.

Oaths, &c. to qualify to be taken in England;

and Persons thereupon entitled to the Office.

Certificate of taking such Oaths, &c. to be enrolled in the proper Offices in Ireland.

Seat in Parliament not to be vacated by such Appointment.

' *Britain* should be also appointed to be Chancellor of the Exchequer of *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 passing of this Act, the Person who for the Time being shall hold the Office of Chancellor of the Exchequer of *Great Britain* shall always from time to time be appointed to be Chancellor of the Exchequer of *Ireland*; and that whenever at any Time after the passing of this Act the Person holding the Office of Chancellor of the Exchequer of *Great Britain* shall be so appointed to be Chancellor of the Exchequer of *Ireland*, or whenever the same Person shall at any Time be appointed or shall be Chancellor of the Exchequer of *Great Britain* and also Chancellor of the Exchequer of *Ireland*, then and in every such Case it shall and may be lawful to and for such Person so appointed to take all and every Oath and Oaths, and to subscribe all and every Declarations and Declaration required by Law or Usage to be taken and subscribed respectively by him, in order to qualify or enable him to hold and enjoy the said Office of Chancellor of the Exchequer of *Ireland*, before the same Court or Courts, or Person or Persons in *England*, before whom he shall or may or could or might take and subscribe the necessary Oaths and Declarations as Chancellor of the Exchequer of *Great Britain*; and every such Court and Person is and are hereby authorized, empowered and required to administer and receive such Oaths and Declarations respectively, and the same shall be good, valid and effectual in Law; and the Person so appointed to be Chancellor of the Exchequer of *Ireland* shall thereupon be entitled to hold, exercise and enjoy the said Office of Chancellor of the Exchequer of *Ireland*, as fully and effectually to all Intents and Purposes as if he had taken the said Oath or Oaths and subscribed the said Declaration or Declarations in *Ireland*, and in Manner required by any Law, Usage or Custom in force in *Ireland* immediately before the passing of this Act; any thing in any Act or Acts, or any Law, Usage or Custom in force in *Ireland* before the passing of this Act, to the contrary thereof in any wise notwithstanding.

II. Provided always, and be it enacted, That a Certificate or Certificates of the taking of such Oaths and the signing of such Declarations respectively by such Person on his being appointed to the Office of Chancellor of the Exchequer of *Ireland*, signed by the proper Officer or Officers and attested by a Notary in the usual Form, shall, within Six Calendar Months after such the taking and signing thereof respectively, be enrolled in the Rolls Office of the Court of Chancery of *Ireland*, and also in the proper Office of the Court of Exchequer in *Ireland*.

III. And be it further enacted, That if any Person holding the Office of Chancellor of the Exchequer of *Great Britain* shall at any Time be appointed to be Chancellor of the Exchequer of *Ireland*, then and whenever it shall so happen, the said Person so appointed shall not by such his Appointment to the said Office of Chancellor of the Exchequer of *Ireland*, or by his Acceptance thereof,

thereof, vacate his Seat as a Member of the Commons House of Parliament, if he shall then be a Member thereof.

C A P. VIII.

An Act to continue until the Twenty fifth Day of *July* One thousand eight hundred and twenty four, and from thence to the End of the then next Session of Parliament, an Act made in the Fifty fourth Year of His late Majesty, for rendering the Payment of Creditors more equal and expeditious in *Scotland*.
[19th *March* 1823.]

WHEREAS an Act was passed in the Fifty fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for rendering the Payment of Creditors more equal and expeditious in Scotland*; which Act was to continue for Seven Years from the Twenty fifth Day of *July* One thousand eight hundred and fourteen, and from thence to the End of the then next Session of Parliament, and which Act was continued, by an Act passed in the last Session of Parliament, to the Twenty fifth Day of *January* last, and from thence to the End of the then next Session of Parliament: And Whereas it is expedient that the said Act should be continued for a further Term; 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 Fifty fourth Year of the Reign of His late Majesty, for rendering the Payment of Creditors more equal and expeditious in *Scotland*, shall be and the same is hereby further continued until the Twenty-fifth Day of *July* One thousand eight hundred and twenty four, and from thence to the End of the then next Session of Parliament.

54 G. 3. c. 137.

further continued.

II. And be it further enacted, That this Act and the said recited Act may be altered, varied 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. IX.

An Act to repeal the Rates, Duties and Taxes payable in respect of Male Servants, Horses, Carriages and Dogs in *Ireland*.
[19th *March* 1823.]

WHEREAS by an Act made in the Fifty eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to grant certain Rates, Duties and Taxes in Ireland, in respect of Fire Hearths and Windows, Male Servants, Horses, Carriages and Dogs, in lieu of former Rates, Duties and Taxes thereon; and to provide for the Payment thereof to the Collectors of Excise, and for the more effectual accounting for the same*; it was amongst other Things enacted, that there should be levied, raised, collected, paid and satisfied to His Majesty, His Heirs and Successors, upon and in respect of the several Male Servants or other Male Persons, Horses, Mares, Geldings, Carriages and Dogs, in the several Schedules marked C. D. E.

58 G. 3. c. 54.

§ 2.

3 G. 4. c. 54.

Duties granted
by 58 G. 3.
c. 54. on Serv-
ants, Horses,
Carriages and
Dogs, in Ire-
land, repealed.

Arrears, &c.
excepted.

So much of
58 G. 3. c. 54.

‘ F. G. H. and I. respectively, to the said Act annexed, the
‘ several Amounts, Sums of Money, Rates, Duties and Taxes as
‘ they are respectively described and set forth in the said respect-
‘ ive Schedules; and that the said several Schedules, and all and
‘ every the Rules, Regulations, Exceptions, Exemptions and
‘ Abatements therein respectively specified and contained, should
‘ be deemed and taken to be a Part of the said Act, to all
‘ Intents and Purposes whatsoever: And Whereas an Act was
‘ passed in the last Session of Parliament, intituled *An Act to*
‘ *repeal the Rates, Duties and Taxes payable in respect of Fire*
‘ *Hearths and Windows in Ireland, and to exempt certain Persons*
‘ *from the Tax on Dogs*; and it is expedient that the said Rates,
‘ Duties and Taxes in respect of Male Servants, Horses, Car-
‘ riages and Dogs, should also be repealed in manner hereinafter
‘ mentioned:’ Be it therefore enacted by the King’s most Ex-
‘ cellent Majesty, by and with the Advice and Consent of the
‘ Lords Spiritual and Temporal, and Commons, in this present Par-
‘ liament assembled, and by the Authority of the same, That from
‘ the Fifth Day of *January* One thousand eight hundred and
‘ twenty three, the several Rates, Duties and Taxes in respect
‘ of Male Servants or other Male Persons, and in respect of
‘ Horses, Mares and Geldings, and in respect of Carriages, and
‘ in respect of Dogs, granted in and by the said hereinbefore
‘ recited Act of the Fifty eighth Year of His late Majesty’s Reign,
‘ and by the said Schedules marked C. D. E. F. G. H. and I. to
‘ the said Act annexed; and all Regulations and Directions relating
‘ to the said Rates, Duties and Taxes in respect of Male Servants
‘ or other Male Persons, and in respect of Horses, Mares and Gel-
‘ dings, and in respect of Carriages, and in respect of Dogs, con-
‘ tained in or made by the said recited Act, and the said Schedules
‘ C. D. E. F. G. H. and I. to the said Act annexed, shall cease and
‘ determine, and shall be no longer paid or payable, and shall be
‘ and the same are hereby repealed; except so far as the said Act
‘ repeals any former Act or Acts; and except also so far as the
‘ said recited Act concerns or relates to the charging, recovering,
‘ levying, paying, allowing, repaying or accounting for any of the
‘ said Rates, Duties and Taxes hereby repealed, or any Arrears
‘ or Instalments thereof, due and incurred or payable for or in
‘ respect of any Term or Time previous to the said Fifth Day of
‘ *January* One thousand eight hundred and twenty three; and also
‘ except so far as may concern or relate to the prosecuting, suing
‘ for and recovering of any Fine, Penalty or Forfeiture for any
‘ Offence against the said Act, and which shall have been or shall
‘ be committed at any Time before or after the passing of this Act,
‘ in respect of or relating to any of the said Rates, Duties and
‘ Taxes hereby repealed, which shall have been or shall be due or
‘ incurred for or in respect of any Term or Time previous to the
‘ said Fifth Day of *January* One thousand eight hundred and
‘ twenty three; and all Suits or Proceedings for such Offences shall
‘ and may be proceeded on to Judgment and Execution, to all In-
‘ tents and Purposes as if this Act had not been made, so far as
‘ relates to the said Rates, Duties and Taxes.

II. And be it further enacted, That from the said Fifth Day
of *January* One thousand eight hundred and twenty three, so
much

much and such Parts of the said Act of the Fifty eighth Year of His late Majesty's Reign, and of the several Acts hereafter mentioned, as relates or relate to the Rates, Duties and Taxes payable in Ireland in respect of Male Servants or other Male Persons, and in respect of Horses, Mares and Geldings, and Carriages and Dogs, shall be repealed, that is to say, an Act made in the Fifty ninth Year of the Reign of His said late Majesty King George the Third, intituled *An Act to give Relief in certain Cases of Assessment of Taxes in Great Britain, and to Persons compounding for their Assessed Taxes in Ireland, from an annual Assessment, for Three Years, from the Sixth Day of January One thousand eight hundred and twenty*; and also an Act made in the Session of Parliament holden in the First and Second Years of the Reign of His present Majesty, intituled *An Act to continue several Acts for the Relief of Persons compounding for Assessed Taxes, from an annual Assessment, for a further Term, and to amend the Acts relating to Assessments and Compositions of Assessed Taxes*; and also an Act made in the last Session of Parliament, intituled *An Act to repeal the Rates, Duties and Taxes payable in respect of Fire Hearths and Windows in Ireland, and to exempt certain Persons from the Tax on Dogs*; and also an Act made in the Fifty first Year of the Reign of His late Majesty King George the Third, intituled *An Act for granting Exemptions in certain Cases from the Payment of the Duties charged in respect of Servants, Carriages, Horses and Dogs kept in Great Britain and Ireland respectively*; and also an Act made in the First Year of the Reign of His present Majesty, intituled *An Act to extend the Period allowed to Persons compounding for their Assessed Taxes, and to give further Relief in certain Cases therein mentioned*; and also an Act made in the Fifty fourth Year of the Reign of His said late Majesty, intituled *An Act to amend several Acts relating to the Revenues, Matters and Things under the Management of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes, in Ireland*; and so much and such Parts only of the said recited Act of the Fifty eighth Year of His late Majesty's Reign, and of the several other recited Acts, as in any way relate to the said several Duties by this Act repealed, are hereby repealed accordingly, and from the said Fifth Day of January One thousand eight hundred and twenty three shall cease and determine; except so far as the said Acts or any of them repeal any former Act or Acts; and except so far as the said recited Acts, or any or either of them, concern or relate to the charging, recovering, levying or paying, allowing, repaying or accounting for any of the said Rates, Duties or Taxes in respect of Male Servants or other Male Persons, and in respect of Horses, Mares and Geldings, and Carriages and Dogs, or any of them, or any Composition or Assessment in respect of the said Duties or any of them, or any Arrears or Instalments thereof, due or incurred and payable for or in respect of any Time or Term previous to the said Fifth Day of January One thousand eight hundred and twenty three; and also except so far as may concern or relate to the prosecuting, suing for and recovering of any Fine, Penalty or Forfeiture for any Offence against the said Acts, or any or either of them, which shall have been or shall be com-

and of the following Acts as relates to the said Duties, repealed, viz. 59 G.S. c.118.

1 & 2 G.4. c.113.

3 G.4 c.54.

51 G.S. c.72.

1 G.4. c.73.

54 G.S. c.120.

except as to repeals and recovering Arrears;

and as to Prosecutions for Penalties.

committed at any Time before or after the passing of this Act, for or in respect of or relating to any of the said Rates, Duties and Taxes in respect of Male Servants or other Male Persons, or in respect of Horses, Mares and Geldings, or Carriages or Dogs, or any Composition or Assessment relating to the same, as shall have been or shall be due or incurred and payable under the said Acts, or either of them, for or in respect of any Time or Term previous to the said Fifth Day of *January* One thousand eight hundred and twenty three; and all Suits and Proceedings for such Offences shall and may be proceeded on to Judgment and Execution to all Intents and Purposes as if the said Acts had not been repealed by this present Act.

Assessments
and Composi-
tions for said
Duties for
1823, void.

III. And be it further enacted, That any and every Assessment, Charge and Composition of or for the Rates, Duties and Taxes in respect of Male Servants or other Male Persons, or in respect of Horses, Mares and Geldings, or of Carriages or Dogs, or any of them, which have been or shall or may be made in *Ireland*, and also any and every Act, Matter and Thing which have been or shall or may be done or performed by any Officer or other Person appointed by or acting under the Orders or Directions of the Commissioners of Inland Excise and Taxes in *Ireland*, in relation to the said Rates, Duties and Taxes hereby repealed, or any Composition for the same in respect of or relating to the Charging, Assessment or Payment of the said Rates, Duties and Taxes hereby repealed, or any of them, or any Part thereof, for the Year One thousand eight hundred and twenty three, or for any Period of Time subsequent to the Fifth Day of *January* One thousand eight hundred and twenty three, pursuant to the Regulations and Provisions of the said several recited Acts, or any of them, shall be and the same is and are hereby declared to be and become invalid and of no Effect, and shall not be put in Force or carried into Effect, but shall cease and determine, as if the said recited Acts had been repealed by any Act passed before the said Fifth Day of *January* One thousand eight hundred and twenty three; any thing in the said recited Acts or any of them to the contrary in anywise notwithstanding.

C A P. X.

An Act to rectify a Mistake in an Act, intituled *An Act for making and maintaining certain Roads and Bridges in the Counties of Lanark and Dumbarton*, in so far as relates to the Application of certain Exchequer Bills therein mentioned. [19th March 1823.]

1 G. 4. c. lxxiv.

57 G. 3. c. 94.

‘ WHEREAS by an Act passed in the First Year of the Reign
‘ of His present Majesty, intituled *An Act for making and*
‘ *maintaining certain Roads and Bridges in the Counties of Lanark*
‘ *and Dumbarton*, the Commissioners for the Issue of Exchequer
‘ Bills under Two several Acts of the Fifty seventh Year of the
‘ Reign of His late Majesty, intituled *An Act to authorise 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 Employ-*
‘ *ment*

ment of the Poor in Great Britain, in Manner therein mentioned,
and 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, were authorized and required to
advance to the Commissioners of Highland Roads and Bridges,
appointed by an Act of the Forty third Year of His late Ma-
jesty, intituled An Act for granting to His Majesty the Sum of 43 G. 3. c. 80.
Twenty thousand Pounds, to be issued and applied towards
making Roads and Bridges in the Highlands of Scotland; and
for enabling the Proprietors of Lands in Scotland to charge
their Estates in Scotland with a Proportion of the Expence of
making and keeping in Repair Roads and Bridges in the High-
lands of Scotland; any Sum not exceeding Fifty one thousand
four hundred and seventy five Pounds, to be applied to the
making of certain Roads and Bridges in the aforesaid Counties
of Lanark and Dumbarton, in the Manner by the said first recited
Act directed: And Whereas by the first recited Act, intituled An 1 G. 4. c. lxxxiv.
Act for making and maintaining certain Roads and Bridges in the
Counties of Lanark and Dumbarton, it is enacted, that such
Sums of Money which shall have been expended within Four-
teen Months before the passing of this Act, upon the Expen-
diture thereof being authenticated and vouched to the Satis-
faction of the said Commissioners of Highland Roads and Bridges
to have been properly made, shall be held and taken to be a
Payment or Payments, pro tanto, of the One Third Part of the
estimated Expence of making the said Roads required to be
advanced by the said Trustees or other Persons for the Purposes
of this Act; and upon the whole of such One Third Part being
completed or made up by the Advance or Deposit of the said
Trustees or otherwise, to the Satisfaction of the said last men-
tioned Commissioners, such Commissioners may and shall ad-
vance and apply, towards the making or completing such Parts
or Portions of the said Roads, for or on account of which such
Sums shall have been advanced by the said Trustees and
others, the other Two Third Parts of the estimated Expence of
making the same; and further, that the Trustees of any District
of the said Roads in which any Sums of Money shall have been
advanced and expended as aforesaid, or in which such Trustees
or any other Person shall have undertaken or subscribed for
One Third Part of the Expence of making any Portion of the
Roads of such District, or their Committees aforesaid, shall
(after such Road or any Part thereof, made and completed as
aforesaid, shall have been delivered over or given in charge by
the said last mentioned Commissioners to such Trustees,) have
the Superintendence and Management of such Districts and
Portions of such Roads, and of the Tolls arising thereon; and
such Tolls shall always be applied by them as follows; namely,
in the First Place, towards the Annual Maintenance and Repair
of the Roads of such District, and the Expence of collecting
the said Tolls and putting this Act into Execution; and in the
Second Place, the Net Residue or Surplus of the said Tolls
shall be appropriated to the Payment, pari passu, of the Interest
falling due upon the said Two Third Parts of the estimated Ex-
pence

' pence of making the said Roads in such District to be advanced
 ' by the said Commissioners for the Issue of Exchequer Bills,
 ' and of the One Third Part of such estimated Expence to be
 ' advanced by the said Trustees or other Persons Creditors for
 ' such Third Part; and further, that if, by reason of the said
 ' Trustees or other Persons not advancing to the said Commis-
 ' sioners of Highland Roads and Bridges, or depositing as afore-
 ' said the One Third Part of the estimated Expence of finishing
 ' any Part or Portion of the said Roads as aforesaid, any Part of
 ' the Monies arising by the said Exchequer Bills to be received
 ' by such Commissioners of Highland Roads and Bridges shall
 ' remain for a Time exceeding Seven Years unappropriated and
 ' unapplied to the making or completing of the said Roads, such
 ' Money shall be, by the said Commissioners of Highland Roads
 ' and Bridges, repaid to the said Commissioners for the Issue of
 ' Exchequer Bills; whereby it appears to have been the true
 ' Intent and Meaning of the said Act, that for every Sum to be
 ' deposited or advanced in the Manner therein mentioned by the
 ' Trustees thereby appointed, equal to One Third Part of the
 ' estimated Expence of completing any Portion or Division of the
 ' said Roads thereby authorized to be made, the said Commis-
 ' sioners of Highland Roads and Bridges should apply towards the
 ' making or completing such Portion or Division of the said Roads
 ' a Sum equal to Two Third Parts of the said estimated Expence;
 ' but in directing the Application of such Monies the said last
 ' mentioned Commissioners were, by a Mistake or Error in the
 ' Clause to that Effect, directed to apply a Sum equal to Two
 ' Thirds of the Amount so deposited, whereby the Intention of
 ' the Act would be utterly defeated, inasmuch as no more than
 ' One Third Part and Two Thirds of such Third Part of the
 ' estimated Expence would be provided for (that is, Five Parts in
 ' Nine), instead of One Third and Two Thirds, that is, the whole
 ' of such estimated Expence; and it is expedient and necessary
 ' that such Mistake or Error should be explained and rectified.'

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 true Intent and
 Meaning of so much of the said first mentioned Act as is above
 specially recited and referred to, is and shall be and be held to
 have been, that when and as often as the said Trustees thereby
 appointed should or may produce to the said Commissioners of
 Highland Roads and Bridges, or their Agent or other Person
 authorized by them, an Estimate, made and signed and authen-
 ticated by the Surveyor or Engineer employed or to be employed
 by the said last mentioned Commissioners, of the Expence of
 completing any Portion of the said Roads thereby authorized to
 be made, and also deposit in the Bank there mentioned, in the
 Name of the said Commissioners, a Sum equal to One Third Part
 of the estimated Expence of such Portion or Division of the said
 Roads, or applicable to the general Expence to be incurred in
 carrying the said Act into Execution, the said last mentioned
 Commissioners should and shall from time to time draw and apply,
 towards the making or completing such Portion of the said Roads

for

When Trustees
 should produce
 an Estimate of
 the Expence of
 completing the
 Roads, and de-
 posit in the
 Bank One
 Third of such
 Expence, the
 Commissioners
 of Highland
 Roads and
 Bridges may
 apply that De-
 posit, and also
 the other Two
 Thirds of the
 Expence.

for or on account of which such Deposit was or may be made, the Sum so deposited, and also a Sum equal to Two Third Parts of the Amount of such estimated Expence as aforesaid; any thing in the said first recited Act inconsistent herewith or to the contrary notwithstanding.

II. And be it further enacted, That the said first recited Act, and all and every the Clauses, Provisions, Conditions, Exceptions, Powers, Authorities, Articles, Rules, Penalties, Forfeitures, Matters and Things therein contained, shall remain in full Force and Effect, except in so far as the said Act is by this Act explained or rectified. Proviso for
1 G. 4. c. lxxxiv.

C A P. XI.

An Act for repealing certain of the Duties of Assessed Taxes; for reducing certain other of the said Duties; and for relieving Persons who have compounded for the same.

[19th March 1823.]

WHEREAS by an Act passed in the Forty eighth Year of the Reign of His late Majesty King George the Third, 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 Whereas a Duty of Six Shillings was also granted to His Majesty by the said Act, as set forth in the Schedule thereto annexed, marked C. No. 2, in respect of Gardeners, or Persons employed to work in any Garden under any Person chargeable to the Duties, mentioned in the Schedule to the said Act marked C. No. 1, and for every Gardener employed in any Garden where the constant Labour of one Person should not be necessary: And Whereas by another Act, passed in the Fiftieth Year of the Reign of His said late Majesty, intituled *An Act for altering the Amount of certain Duties of Assessed Taxes, granted by an Act passed in the Forty eighth Year of His present Majesty's Reign; and for granting to His Majesty certain other Duties of Assessed Taxes on the Articles therein mentioned*, a Duty of Six Shillings was also granted to His Majesty for every Gardener who should have contracted for the keeping of any Garden, where the constant Labour of one Person should not be necessary: And Whereas by another Act passed in the Fifty second Year of the Reign of His said late Majesty, intituled *An Act for granting to His Majesty certain new and additional Duties of Assessed Taxes, and for consolidating the same with the former Duties of Assessed Taxes*, a new and additional Duty of Four Shillings was granted to His Majesty upon each and every of the said Persons so employed as Gardeners, and as also described and set forth in the Schedule to the said last mentioned Act annexed, marked C. No. 2: And Whereas certain other Duties of Six Shillings and Four

See c. 45. § 7.
and 10. post.
48 G. 3. c. 55.
Schedule C.
No. 2.
50 G. 3. c. 104.
52 G. 3. c. 93.
Schedule C.
No. 2.

48 G.3. c.55.
Schedule D.
No.4.
50G.3. c.104.
52G.3. c.93.
48G.3. c.55.
Schedule F.
No.2.
52G.3. c.93.

56G.3. c.66.
§ 2.

1 & 2G.4.
c.110. § 5.

From April 5,
1823, in Eng-
land and Wales,
and from May
24, 1823, in

Four Shillings respectively were also granted to His Majesty by the said Acts passed in the Forty eighth and Fifty second Years aforesaid, as set forth in the said respective Schedules thereof, marked C. No. 3, in respect of Male Servants and Male Persons *bonâ fide* retained for the Purposes of Husbandry, Manufacture, or Trade, by which the Master or Mistress described and chargeable with the Duties as therein mentioned should gain a Livelihood, at any Time employed in any Domestic Capacity, or in any of the Capacities in Schedule C. No. 1. of the said Acts last mentioned, or as a Groom, Stable Boy, or Helper in the Stables, in Manner in the said Schedule C. No. 3. also described: And Whereas by the said Acts passed in the Forty eighth and Fiftieth Years aforesaid, certain Duties of One Pound Six Shillings and Sixpence were granted to His Majesty for every Carriage called a Taxed Cart, constructed, built, and used in the Manner in the said Acts particularly described, and certain additional Duties of Two Shillings and Sixpence in respect of such Taxed Carts were also granted to His Majesty by the said Acts passed in the Fifty second Year aforesaid: And Whereas by the said Acts passed in the Forty eighth and Fifty second Years aforesaid, certain Duties of Two Shillings and Ten Pence, and of Two Pence respectively, set forth in the Schedules to the said Acts annexed, marked F. No. 2, were granted to His Majesty in respect of Husbandry, Horses, Mares, Geldings or Mules, kept by the Occupiers of small Farms or Estates in the said Schedule described, such Occupiers making also a Livelihood therefrom, and a Profit by any Trade or employment as therein also described: And Whereas by another Act passed in the Fifty sixth Year of the Reign of His said late Majesty, intituled *An Act for reducing the Duties payable on Horses used for the Purposes therein mentioned, for Two Years, and for repealing the Acts granting Allowances in respect of Children*, a Duty of Three Shillings was granted to His Majesty for a Period therein limited, in respect of any Horse, Mare, or Gelding kept by any Occupier of a Farm under Fifty Pounds *per Annum*, and making a Livelihood principally thereby, and a Profit by any Trade or Employment in the Manner in the said Act described; and such last mentioned Duty was made perpetual by a subsequent Act passed in the First and Second Years of the Reign of His present Majesty King George the Fourth, intituled *An Act for repealing the Duties on Husbandry Horses, and to make perpetual several Acts for reducing the Duties on certain Horses and Mules*: And Whereas it is expedient finally to determine certain of the said Duties on Windows or Lights, now payable in respect of Shops or Warehouses being Part of Dwelling Houses occupied by Persons in Trade, and the Whole of the said other Duties hereinbefore described: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of April One thousand eight hundred and twenty three, in that part of Great Britain called England, Wales and the Town of Berwick upon Tweed; and from and after

after the Twenty fourth Day of *May* One thousand eight hundred and twenty three, in that Part of *Great Britain* called *Scotland*, for and in respect of and upon all Assessments to be made for any Year commencing from the respective Days and Year last aforesaid, so much of the said Duties on Windows or Lights in Shops or Warehouses being Parts of Dwelling Houses chargeable by the said first mentioned Act, in respect of any Number not exceeding Three such Windows or Lights in any Shop or Warehouse in the Front or Fronts, and on the Ground or Basement Story of every Dwelling House occupied by any Person or Persons in Trade, who shall expose to sale or sell any Goods, Wares, or Merchandizes in any such Shop or Warehouse; and also the Whole of the said Duties on Gardeners, and on Servants in Husbandry or Trade, and on Taxed Carts, and on Horses, Mares, Geldings or Mules, hereinbefore respectively and particularly enumerated and described, and all Assessments thereon for and in respect of any Year commencing from and after the respective Days aforesaid, shall severally cease and determine.

[*The Repeal of the Duties of 3s., 2s. 10d., and 2s., extended to Horses under Thirteen Hands. See Cap. 45. § 10. post.*]

‘ II. And Whereas it is also expedient to reduce such of the several Duties of Assessed Taxes granted to His Majesty on Windows or Lights, and on Male Servants, Male Persons, Carriages and Horses respectively hereinafter described, as are not wholly repealed by this Act; Be it further enacted, That from and after the said Fifth Day of *April* One thousand eight hundred and twenty three, in that Part of *Great Britain* called *England, Wales* and the Town of *Berwick upon Tweed*; and from and after the Twenty fourth Day of *May* One thousand eight hundred and twenty three, in that Part of *Great Britain* called *Scotland*, on all Assessments to be made for any Year commencing from the respective Days last aforesaid, One Moiety and equal Half Part of each and every of the Duties on Windows or Lights set forth in the said Schedule marked A. of the said Act, passed in the Forty eighth Year of the Reign of His said late Majesty; and also One Moiety and equal Half Part of each and every of the several Duties on Male Servants and Male Persons respectively set forth in the respective Schedules marked C. No. 1, No. 3, and No. 4, of the said Acts, passed in the Forty eighth and Fifty second Years of the Reign of His said late Majesty; and also One Moiety and equal Half Part of each and every of the Duties on Carriages with Four Wheels, and of each and every of the Duties on Carriages with Two Wheels, respectively set forth in the respective Schedules marked D. No. 1, No. 2, No. 3, and No. 4, of the said Acts, passed in the Forty eighth and Fifty second Years aforesaid; and also of the Duties on Carriages granted by Schedule D. No. 2, of the Act passed in the Fiftieth Year of His said late Majesty’s Reign, and also by another Act passed in the Fifty eighth Year of His said late Majesty’s Reign, intituled *An Act for charging certain Duties on Four Wheel Carriages, constructed and drawn in the Manner therein stated*; and also One Moiety and equal Half Part of the Duties made payable on all Horses, Mares, Geldings or Mules respectively set forth in the respective Schedules of the said

Scotland, the several Duties herein mentioned repealed.

One Moiety of the Duties on Windows;
48 G.S. c.55. Schedule A;

on Male Servants and Persons;

on Carriages;

50 G.S. c.104.
58 G.S. c.17;

and on Horses, to cease.

said

59 G. 3. c. 13. said Acts, passed in the Forty eighth and Fifty second Years aforesaid, marked Schedule E. No. 1, Schedule E. No. 2, Schedule E. No. 3, and Schedule F. No. 1; also One Moiety and equal Half Part of the Duties on Horses, Mares, Geldings or Mules, described in and granted by an Act passed in the Fifty ninth Year of His said late Majesty's Reign, intituled *An Act to continue Two Acts of the Fifty sixth and Fifty eighth Years of His present Majesty, for reducing the Duties payable on Horses used for the Purposes therein mentioned, to the Fifth Day of April One thousand eight hundred and twenty one; and to reduce the Duties chargeable under certain Acts of the Forty eighth and Fifty second Years of His present Majesty, in respect of certain Horses Mares, Geldings and Mules; and which Duties so reduced were made perpetual by the said Act, passed in the First and Second Years of the Reign of His said present Majesty, shall respectively cease and determine, and be no longer paid or payable: Provided nevertheless, that the Duties hereby reduced, and to be hereafter assessed and payable, shall not include any Fraction of One Penny.*

1 & 2 G. 4. c. 110.
Reduced
Duties not to
include any
Fraction of
One Penny.

1 & 2 G. 4.
c. 113. 3 G. 4.
c. 50.

Commissioners
to deduct so
much of Duties
compounded
for, as are re-
pealed, and to
cause reduced
Amount to be
inserted in As-
sessments of
Composition.

Contracts in
force for re-
covering Re-
duced Instal-
ments.

‘ III. And Whereas under and by virtue of Two several Acts, the One whereof passed in the First and Second Year, and the other thereof passed in the Third Year of the Reign of His present Majesty, divers Persons have compounded for their Assessed Taxes in *Great Britain*, under Contracts of Composition, which were made to continue in force on the said Duties of Windows or Lights and on Inhabited Houses for the Term of Six Years, and on the other Duties of Assessed Taxes allowed to be compounded for under the said Acts for the Term of Five Years respectively, from the Fifth Day of April One thousand eight hundred and twenty two; and it is expedient to relieve the Persons who have so compounded in respect of the said Duties, as well those wholly as those in part repealed, as of the additional Duties payable under the said Acts on the Amount of the Duties compounded for, which are so wholly or in part repealed, upon all Instalments payable on Contracts after the Period herein mentioned;’ Be it further enacted, That it shall and may be lawful for the respective Commissioners acting in the Execution of the said Acts and of this Act, in their respective Districts, and they are hereby authorized and required, to remit and deduct so much and such Parts of the Duties compounded for and included in any such Contract as are repealed by this Act, and also so much of the additional Duty granted by the said Acts, and payable by any such Contract on the Amount of any Duty, or any Portion of the Duties so repealed, and to cause such reduced Amounts to be inserted in the Assessments of Composition, and in the several Duplicates thereof, to be delivered and returned by the said Commissioners under the said Acts in their respective Districts, after the said Fifth Day of April One thousand eight hundred and twenty three, and during the Periods of such respective Compositions; and every such Contract shall be of the same Force and Effect for the Recovery and enforcing Payment of the reduced Instalments under the Provisions of the said Acts, and of this Act, to commence from the Fifth Day of April One thousand eight hundred

and twenty three, to all Intents as if the full Amount of the Instalments compounded for continued payable on such Contracts.

IV. And be it further enacted, That nothing herein contained shall be construed to revive, set up or substitute any higher or other Duty of Assessed Taxes granted by any of the said Acts in lieu of the Duties hereby repealed, on all and every the Person and Persons respectively in the said Acts described, who before the passing of this Act were by the said recited Acts authorized and empowered, on Payment of the Duties hereby repealed, to employ any Male Servant or Person in the Capacities first hereinbefore enumerated, or to keep or use any Carriage hereinbefore described as a Taxed Cart, or any Horse, Mare, Gelding or Mule hereinbefore also described, on Payment of the Duties hereby respectively repealed; but that all and every such Person or Persons who at any Time within the Year ending on the Fifth Day of April One thousand eight hundred and twenty three, in England and Wales, or the Twenty fourth Day of May One thousand eight hundred and twenty three in Scotland, have kept, retained or employed, or who shall or may from and after the passing of this Act, retain or employ any such Male Servants and Persons respectively, and keep and use any such Carriage of the Description of a Taxed Cart, and any Horse, Mare, Gelding or Mule respectively, in the Manner and according to the Schedules, Rules and Provisions prescribed by the said Acts granting the said Duties hereby repealed, shall and is hereby declared to be free of any other or higher Duty or Assessment chargeable under the said Acts relating to the Assessed Taxes, for and in respect of the said Male Servants, Persons, Carriages and Horses respectively, for any Year or Years commencing from and after the respective Days last aforesaid; and all and every the Schedules, Rules and Provisions of the said Acts, for regulating and charging the said Duties hereby repealed, shall remain and continue in full Force and Effect for protecting all and every such Persons heretofore chargeable with such Duties so repealed by this Act, from any other or higher Duty in lieu of the Duties so repealed, so far as such Servants, Carriages and Horses respectively shall have been or shall be kept, employed and used in the Manner and for the Purposes in and by the said Schedules, Rules and Provisions last aforesaid respectively prescribed and allowed: Provided nevertheless, that so much of the Provisions contained in any of the said Acts which require the Words "A Taxed Cart," and the Owner's Christian and Surname, and Place of Abode, and also the Name and Place of Abode of the Maker thereof, and the full Value thereof, or the actual Price or Consideration paid or given for the same, to be marked or painted on a Black Ground in White Letters, on the Outside of the Back Pannel, or Back Part of any Carriage, shall, from and after the passing of this Act, be and are hereby declared to be discontinued and repealed; but every such Carriage last aforesaid shall in every other respect (except as herein varied), be built and constructed according to the Regulations of the said Acts, and the Rules therein contained; and it shall be lawful for any Person or Persons keeping and using any Horse, Mare, Gelding or Mule, *bonâ fide* for the Purposes of Husbandry, to use any such Horse, Mare, Gelding or Mule in drawing

No other Duties to be substituted in respect of the Use or Employment of occasional Servants, Taxed Carts, and Horses, heretofore chargeable with the Duties repealed.

48 G. 3. c. 55.
Schedule D.
50 G. 3. c. 104.
§ 5. 52 G. 3.
c. 93. Sc. D.
in part repealed.

any Carriage of the Description of a Taxed Cart, the Duty whereon is repealed by this Act, and kept by any such Person respectively for his, her or their own Use, free of any Duty chargeable under the said Acts in respect of any such Horse, Mare, Gelding or Mule, in and by any Assessment to be made for any Year commencing from and after the said Fifth Day of *April* One thousand eight hundred and twenty three.

Exemptions to Shopmen under 15 Years, extended to Shopmen under 18 Years of Age.

V. And be it further enacted, That the Powers and Provisions contained in an Act passed in the Fifty ninth Year of the Reign of His said late Majesty, for giving Relief from the Duties charged on Shopmen by the said Acts to every Male Person wholly maintained and lodged in the House of his Employer or Employers, such Persons respectively being under the Age of Fifteen Years, shall, upon every Assessment made or to be made after the Fifth Day of *April* One thousand eight hundred and twenty three, be extended to all and every such Male Person described in the said Act, being respectively under the Age of Eighteen Years: Provided always, that the Causes of every Exemption in respect of any such Male Person shall be truly returned and stated in the Manner directed by the said Act, and the several other Acts in force before the passing of this Act.

Proviso.

Persons having compounded for a Two Wheel Carriage may substitute a Four Wheel Carriage in the Composition, paying the Difference of Duty, and other Duties herein mentioned.

VI. And be it further enacted, That in case any Person who, having compounded under the said recited Acts in respect of a Carriage with Two Wheels, shall be desirous, during the Year commencing on the Fifth Day of *April* One thousand eight hundred and twenty three, of discontinuing to keep the same, and of substituting a Carriage with Four Wheels in lieu thereof, it shall be lawful for him, her or them so to do, on giving Notice of such his or her Intention to the Surveyor of the said Duties acting for the District in which such Person shall reside, within Six Calendar Months after the passing of this Act, on Payment of the Difference of Duty so compounded for on a Two Wheeled Carriage, and reduced by this Act, and the Duty chargeable by the said Act, and also reduced by this Act, on a Four Wheeled Carriage, together with the Duty of Five Pounds *per Centum* on such Difference, to be endorsed by Certificate on every such Contract of Composition by any Two of the Commissioners acting in the Execution of the same Acts in the District in which such Contract shall have been entered into, and to be made payable from and after the Fifth Day of *April* One thousand eight hundred and twenty three, by Half Yearly Instalments, during the Continuance of the said Contract; and which additional Payments shall be enforced in like Manner as if they were originally inserted in every such Contract; and any Person seeking the Benefit of this Provision shall and may, during the Continuance of his or her said Composition, keep and use any Four Wheeled Carriage free of Duty. [*Persons so compounding to have the Privileges of Persons originally compounding for a Four Wheel Carriage, &c. See Cap. 45. § 7. post.*]

Additional Payments enforced.

Copies of Tax Office Cases determined by the Judges to be annually laid before Parliament.

VII. Provided always, and be it further enacted, That Copies of all Cases which shall after the passing of this Act be stated and signed by any Commissioners acting in the Execution of the said Acts and of this Act, at the Instance and Request of any Assessor, Inspector, Surveyor or Person appealing under the Powers in the

the said Acts contained, and which shall be determined by any One or more of the Justices of the Courts of King's Bench or Common Pleas, or of the Barons of the Court of Exchequer for the time being at *Westminster*, in *England*, *Wales* or *Berwick upon Tweed*, or by any One or more of the Lords of the Court of Sessions or Barons of the Court of Exchequer in *Scotland*, shall, together with a Copy or Copies of the said Judge's or Judges' Opinion and Determination thereto subscribed, duly certified by the Solicitors for the Affairs of Taxes for *England* and *Scotland* respectively, be annually laid before Parliament within Twenty one Days after the Meeting thereof.

VIII. And Whereas by the said Act passed in the Forty eighth Year of the Reign of His said late Majesty, under the said Schedule thereto marked A., there is charged for the Windows in every Dwelling House in *England* and *Wales*, and *Berwick upon Tweed*, having not more than Six Windows or Lights therein, a Duty of Six Shillings and Sixpence, and for every such Dwelling House in *Scotland* a like Duty of Four Shillings and Sixpence (such Houses respectively not being worth the Rent of Five Pounds by the Year), and which Duties are reduced by the Provisions of this Act; and it is expedient to exempt the Occupiers of such Houses in certain Cases from the said reduced Duties; Be it further enacted, That upon any Assessment of the said Duties to be made upon the Occupier of any such Dwelling House, for any Year commencing from or after the Fifth Day of April One thousand eight hundred and twenty three, it shall be lawful for the respective Commissioners acting in the Execution of the said Acts and of this Act, in their respective Districts, to grant Relief to any such Occupier having Three Children born in lawful Wedlock, and wholly maintained by him or her, and at his or her Expence, and to strike out the Charge on any such Occupier on the Proof by the Rules and in the Manner authorized and required by the said recited Acts in Cases of Exemption from the said Duties by reason of Poverty.

48 G.S. c.55.

Sch. A.

Exemption from reduced Duties to Occupiers having Three Children and wholly maintained by them.

IX. And be it further enacted, That the several and respective Persons, who for the time being shall be Commissioners for putting in Execution the Acts relating to the Assessed Taxes, shall be Commissioners for putting in execution this Act, and the Powers herein referred to or contained, in all and every the respective Counties, Ridings, Divisions, Shires and Stewartries, Cities, Boroughs, Cinque Ports, Towns and Places in *Great Britain*; and the several Assessors, Collectors, Inspectors General, Inspectors and Surveyors, for the time being, appointed or to be appointed to put into Execution the said Acts, shall respectively be Assessors, Collectors, Inspectors General, Inspectors and Surveyors to put into Execution this Act, within the Limits of their respective Divisions, Districts and Places to which they are or shall be appointed; and the said Commissioners and others before mentioned are hereby empowered and required to do and perform all Things necessary for putting this Act in Execution, in the like and in as full and ample a Manner as they or any of them are or is authorized to put in Execution the said Acts; and all and every the Powers and Authorities, Methods, Rules, Directions, Penalties, Forfeitures,

Powers granted to Commissioners and Officers under former Acts to extend to this Act.

Forfeitures, Clauses, Matters and Things contained in any of the said Acts, and applying to the said several Duties by the said Acts granted (except where such Provisions are varied or other Provisions are substituted by this Act), shall, in assessing, charging, collecting, levying and accounting for the said Duties and Monies respectively, be severally and respectively duly observed, practised and put in Execution throughout *Great Britain*, in relation to all and every of the Duties reduced and in part repealed under the Provisions of this Act, as fully and effectually, to all Intents and Purposes, as if the said reduced Duties remaining unrepealed and in force were specially granted and particularized in and by this Act, and as if the same Powers, Authorities, Methods, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things, were particularly repeated and re-enacted in the Body of this Act, and applied to all and every such reduced Duties and Monies aforesaid, as Part of the Provisions of this Act: Provided always, that nothing herein contained shall alter or affect any of the Provisions of the said recited Acts for assessing, charging, raising, levying, and collecting any Assessment of the said Duties made or to be made for any Year or Years commencing previous to the Fifth Day of *April* One thousand eight hundred and twenty three, any thing in this Act contained to the contrary notwithstanding.

Proviso for former Provisions for assessing previous Duties.

Act may be altered, &c. this Session.

X. 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. XII.

An Act for the regulating of His Majesty's Royal Marine Forces while on Shore. [24th *March* 1823.]

[*This Act is the same and the Schedules are also the same as 3 G. 4. c. 11. except as to Dates, and the Sections that are here retained.*]

Courts Martial may sentence Offenders to Imprisonment, &c.

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

Gaolers refusing to receive Offenders. Penalty 100l.

the Sum of One hundred Pounds, to be recovered by Action of Debt or Information for the Use of His Majesty.

XIX. Provided also, and it is hereby declared and enacted, That it shall and may be lawful for the Lord High Admiral of the said United Kingdom, or the Commissioners for executing the Office of Lord High Admiral aforesaid, for the time being, in case he or they shall deem it expedient so to do, by any Order in Writing to be made for that Purpose, under the Hand of the said Lord High Admiral, or of Two or more of the Commissioners aforesaid, and the Seal of the Office of Admiralty, to change the Place of Confinement to be expressed in any Sentence upon any Non-commissioned Officer or Private Marine, either previous to the Commitment of such Non-commissioned Officer or Private Marine under any such Sentence, or at any Time afterwards during the Period of Confinement mentioned in such Sentence, and so from time to time as often as the said Lord High Admiral or the said Commissioners shall deem it requisite; and that the Gaoler or Keeper of the Prison, Gaol or House of Correction, in which such Non-commissioned Officer or Private Marine shall happen to be, shall immediately on the Notification of such Order to him, remove and convey, or cause to be removed and conveyed, such Non-commissioned Officer or Private Marine to the Gaol, Prison or House of Correction mentioned in the said Order so to be made as aforesaid, (for the Charges of which Removal and Conveyance he shall be allowed a Sum not exceeding One Shilling per Mile); and every Gaoler or Keeper of such last mentioned Gaol or House of Correction shall thereupon, and upon being furnished with a Copy of the Sentence of Confinement, and of such Order of Removal, (such Copies respectively to be attested by the Secretary of the Admiralty for the time being,) receive into his Custody, and shall confine pursuant to such Sentence, such Non-commissioned Officer or Private Marine, under the like Penalty and Forfeiture of One hundred Pounds, in case of Refusal or Neglect, as is hereinbefore provided; such Penalty or Forfeiture in any of such Cases to be recovered in any of His Majesty's Courts of Record at Westminster or Dublin, or in the Court of Exchequer or Court of Session at Edinburgh.

Admiralty may change the Place of Confinement of such Offenders.

Gaoler to be allowed not exceeding 1s. per Mile for Charges of Removal.

And to confine Offender. Penalty 100l.

XX. And be it further enacted, That every Non-commissioned Officer or Private Marine, who shall be sentenced by any General Divisional or Detachment Court Martial to be imprisoned, shall forfeit all Right of any Pay from the Day of his Commitment during the Time of such Imprisonment; and also that, during the Continuance of any such Imprisonment, the Gaoler or Keeper of such Prison or House of Correction shall receive the Sum of Sixpence per Diem out of the Subsistence of such Non-commissioned Officer or Private Marine, during the Time that such Non-commissioned Officer or Private Marine shall continue in Custody; which said Sum the Lords Commissioners of the Admiralty are hereby authorized and required to cause to be paid by the Paymaster of Royal Marines to the said Gaoler or Keeper aforesaid, upon receiving an Application in Writing to their Secretary, signed by any Justice of the Peace for the County or Riding in which such Gaol, Prison or House of Correction shall be locally situate, together with a Copy of the Order under which the said Non-

Pay to be forfeited during Imprisonment.

Gaoler to receive 6d. per Day for Subsistence of Prisoner.

Proviso for
Payment of
Arrears.

commissioned Officer or Private Marine was confined: Provided always, that it shall be lawful for the Lords Commissioners of the Admiralty for the time being, if they should think fit, to order the Issue and Payment of any Arrears of Pay, or of the Surplus of such Pay, or any Portion thereof, or of any Arrears thereof, to or on account of such Non-commissioned Officer or Private Marine, during or after the Expiration of the Period of his Imprisonment in any Gaol, House of Correction or Place of Military Confinement.

Like Allow-
ance in Places
of Military
Confinement.

XXI. Provided always, and be it enacted, That in case such Imprisonment shall be in any Place of Military Confinement, and not in a Common Gaol or House of Correction, then the like Allowance of Sixpence *per* Day for Subsistence shall be made by the Paymaster General of Royal Marines, to the Non-commissioned Officer or Private Marine so imprisoned, in lieu of all Pay or other Allowances.

Rates of Car-
riage.

XLIV. And be it further enacted, That the Sums to be paid into the Hands of such Constable or Petty Constable in *England, Wales and Berwick upon Tweed*, shall be according to the following Rates; that is to say, the Sum of One Shilling for every Mile any Waggon with Four or more Horses, or any Wain with Six Oxen, or Four Oxen with Two Horses, shall travel; and the Sum of Nine Pence for every Mile any Cart with Four Horses, or carrying not less than Fifteen hundred Weight, shall travel; and the Sum of Sixpence for every Mile any Waggon with narrow Wheels, or any Cart or other Carriage with less than Four Horses, and not carrying Fifteen hundred Weight, shall travel; or any further Sum not exceeding Four Pence for every Mile any Waggon with Four or more Horses, or any Wain with Six Oxen, or with Four Oxen and Two Horses, shall travel; and not exceeding Three Pence for every Mile any Cart with Four Horses, or carrying not less than Fifteen hundred Weight, shall travel; and not exceeding Two Pence for every Mile any Cart or other Carriage with less than Four Horses, and not carrying Fifteen hundred Weight, shall travel; according as the same shall be fixed and ordered by the Justices of the Peace for any County or District, assembled at any General Sessions of the Peace for such County or District, the said Justices having regard to the Price of Hay and Oats at the Time of fixing such additional Rates: Provided always, that in Cases where the Day's March shall exceed Fifteen Miles, such further Compensation shall be made and paid in like Manner to the Owners of the said Carriages for the Excess beyond the said Fifteen Miles, as shall be deemed reasonable by the Magistrates who granted the Warrant for impressing them, not exceeding the usual Rate and Hire of such Carriages: Provided always, that every Order of the Justices assembled at any General Sessions of the Peace, fixing a further Sum to be paid for the Hire of Carriages as aforesaid, in addition to the customary Rates of One Shilling and Nine Pence and Sixpence *per* Mile respectively, shall specify the Period for which the same shall be in force, and which shall not in any Case exceed Ten Days beyond the General Sessions of the Peace for such County or District next ensuing the Date of such Order; and a Copy of every such Order, signed by the Chairman or presiding Magistrate, and

Proviso for
further Com-
pensation.

Order of Ses-
sions for further
Sums to specify
the Time.

and One other Justice of the Peace or Magistrate at the Quarter Sessions at which the same shall be made, shall within Three Days after the making thereof be transmitted to the Secretary of the Admiralty; and no such Order shall be valid or effectual unless a Copy thereof be so signed and transmitted as aforesaid: Provided also, that in every Case of any further Sum being allowed as aforesaid for the Hire of any Carriage, the Justice of the Peace granting or signing such Warrant shall insert in his own Hand the Amount of such further Sum for each Description of Carriage, as so authorized by the Justices at the Quarter Sessions as aforesaid, and the Date of the Order of the said Justices; and such Warrant shall be given to the Officer or Non-commissioned Officer commanding the Regiment, Corps, Company, Detachment or Party requiring such Carriages, as his Voucher for the Payment of such further Sum; and no further Sum shall be demanded, but such as shall be so inserted by the Justice in the Warrant.

Justice to insert the Amount.

LV. And for the better Encouragement of any Person or Persons to secure or apprehend such Deserter, be it further enacted, That in the Case of every Deserter apprehended in *Great Britain or Ireland*, the Secretary of the Admiralty, upon receiving from the Justice of the Peace or other Civil Magistrate by whom the Deserter shall have been committed, a Report stating the Name or Names of the Person or Persons by whom the Deserter was apprehended and secured, which Report such Magistrate is hereby required to give, shall transmit to such Magistrate an Order upon the Paymaster of the Royal Marines for the Payment of the Sum of Twenty Shillings, to the Person or Persons so reported by the Magistrate: Provided always, that this Reward shall only be given in Cases in which the Secretary of the Admiralty shall be satisfied that such Person or Persons is or are justly entitled to the same, according to the true Intent and Meaning of this Act.

Reward for taking up Deserters.

LVI. And be it further enacted, That any Person who shall voluntarily surrender or deliver himself up as a Deserter from His Majesty's Royal Marine Forces, or who, upon being apprehended for Desertion or any other Offence, shall, in the Presence of the Magistrate, confess himself to be a Deserter from such Forces, shall be deemed to have been duly enlisted, and to be a Marine, and shall be liable to serve, whether such Person shall have been ever actually enlisted as a Marine or not; and if the Person so confessing himself to be a Deserter shall be serving at the Time in the Royal Marine Forces, he shall be deemed to be and shall be dealt with as a Deserter.

Proviso.

Persons confessing themselves Deserters, to be deemed duly enlisted.

LX. And Whereas it has been judged expedient, for the Prevention of Desertion, to establish Outlying Parties in the Vicinity of the respective Divisions, for the Purpose of intercepting such Men as may straggle or attempt to desert from Head Quarters, and it is fit that Encouragement should be given to the Persons composing such Parties to be diligent and active in their Duty in this Behalf; Be it therefore enacted, That, for and in respect of every Non-commissioned Officer or Private Marine so straggling or attempting to desert, who may be apprehended at a greater Distance from Head Quarters than is allowed by the Articles of War, the Party or Parties by whom he shall be apprehended shall be entitled to a Reward of Ten Shillings, to be

Reward for apprehending Marines attempting to desert.

Stopped out of
Pay.

paid upon the Delivery up of every such Marine; which Sum of Ten Shillings shall be charged against and stopped and retained out of the Pay and Subsistence of every such Non-commissioned Officer and Private Marine, in like manner as the Reward or Sum of Two Pounds is hereinafter directed to be charged against, stopped and retained out of the Pay and Subsistence of every Deserter; any thing herein contained to the contrary in any wise notwithstanding.

Persuading
Marines to
desert.

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

Penalty 100l.

Clause for Re-
lief of Persons
hastily enlisting
themselves.

LXXVI. Provided nevertheless, and it is hereby declared, That from and after the Twenty fifth Day of *March* One thousand eight hundred and twenty three, when and as often as any Person or Persons shall be enlisted as a Marine or Marines in His Majesty's Service, he and they shall, within Four Days, but not sooner than Twenty four Hours, after such enlisting respectively, be carried or go with some Officer, Non-commissioned Officer or Marine belonging to the Recruiting Party by which he shall be enlisted, or with the Person employed on the Recruiting Service with whom he shall have enlisted, before some Justice of the Peace of any County, Riding, City or Place, or Chief Magistrate of any City or Town Corporate, residing in or being next to or in the Vicinity of the Place where such Person or Persons shall have been enlisted, and not being an Officer of Royal Marines, and before such Justice or Chief Magistrate he or they shall be at Liberty to declare his or their Dissent to such Enlisting; and upon such Declaration, and returning the Enlisting Money, and also each Person so dissenting paying the Sum of Twenty Shillings for the Charges expended or laid out upon him, together with such full Rate allowed by Law for the Subsistence or Diet and Small Beer furnished to such Recruit subsequent to the Period of his having been enlisted, such Person or Persons so enlisted shall be forthwith discharged and set at liberty in the Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of Twenty four Hours after so declaring his or their Dissent, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be enlisted, as if he or they had given his or their Assent thereto
before

before the said Justice or Chief Magistrate; and if such Person or Persons shall declare his or their having voluntarily enlisted himself or themselves, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand that such Person or Persons is or are duly enlisted, setting forth the Place of the Birth, Age and Calling of him or them respectively (if known), and that the Second and Third Sections of the Articles of War, for the better Government of His Majesty's Royal Marine Forces while on Shore, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the Twelfth Section of the said Articles of War, and also the Oath mentioned in the Schedule to this Act annexed marked (A.); and if any such Person or Persons so to be certified as duly entered shall refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer from whom he has received such Money as aforesaid to detain or confine such Person or Persons until he or they shall take the Oath before required; and every Officer of Royal Marines that shall act contrary hereto, or offend herein, upon Proof thereof upon Oath made by Two Witnesses before a General Court Martial to be thereupon called, shall for such Offence be forthwith cashiered and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in His Majesty's Service: Provided always, that every Non-commissioned Officer or Private Marine who shall enlist any Recruit shall, at the Time of such enlisting, enquire the Christian and Surname and Place of Abode of such Recruit, and either take the same down in Writing, or give the same to the Non-commissioned Officer commanding the Recruiting Party, to be so taken down: Provided also, that it shall be lawful for any Justice of the Peace to discharge any Person who shall have hastily enlisted, and who shall apply to him to declare his Dissent within such Four Days as aforesaid, upon Payment of the Sum of Money required to be paid by any Recruit declaring his Dissent under this Act, notwithstanding no Officer, Non-commissioned Officer or Private Marine belonging to the Recruiting Party, shall be with the Recruit, if it shall appear to such Magistrate, upon the Examination of such Recruit, or of any other Person, that the Recruiting Party have left the Place where such Recruit was enlisted, or that such Recruit could not procure any Non-commissioned Officer belonging to such Party to go with such Recruit before the Justice of the Peace; and the Sum paid by such Recruit upon his Discharge shall be kept by the Justice of the Peace, and paid when demanded to any Person belonging to the Recruiting Party entitled thereto demanding the same: Provided always, that in every Case wherein any Person shall have received Enlisting Money, and shall have absconded, or have absented himself from the Party as aforesaid, so that it shall not be possible immediately to apprehend him, and bring him before a Magistrate, the Officer or Non-commissioned Officer commanding the Party shall produce to the Magistrate before whom the Recruit would regularly have been brought for Attestation, a Certificate of the Name and Place of Residence of such Person, and the Magistrate to whom the Certificate shall be produced

Non-commissioned Officer &c. to enquire Name, &c. of Recruit.

Proviso respecting Persons having received Enlisting Money absenting themselves.

duced shall, after satisfying himself that the Person who absconded cannot be found and apprehended, transmit a Duplicate thereof to the Lords of the Admiralty or their Secretaries in order that in the Event of such Person being afterwards apprehended and reported as a Deserter, the Fact of his having received Enlisting Money, and having absconded, may be ascertained before he be finally adjudged to be a Deserter as having duly enlisted.

Persons making false Representations in taking the Oath marked (A.), and obtaining Bounty, shall be deemed guilty of obtaining Money under false Pretences.
30 G. 2. c. 24.

LXXX. And be it further enacted, That any Person who shall knowingly, wilfully and designedly make any false Representation of any Particular contained in the Form of Oath marked (A.) the Schedule annexed to this Act, before the Justice of the Peace at the Time of his Attestation, for the Purpose of obtaining, or shall thereupon obtain any Enlisting Money, or any Bounty, or Part of a Bounty, for enlisting into His Majesty's Royal Marine or any other Money, shall be deemed guilty of obtaining Money under false Pretences, within the true Intent and Meaning of the Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Second, intituled *An Act for the more effectual Punishment of Persons who shall attain or attempt to attain Possession of Goods or Money by false or untrue Pretences; for preventing the unlawful pawning of Goods; for the easy Redemption of Goods pawned; and for preventing Gaming in Public Houses by Journeymen, Labourers, Servants and Apprentices*; and that the Production of such Oath and Proof of the Justice's Handwriting thereto, shall, in any Prosecution to be instituted against the enlisting Person or Recruit therein named, be sufficient Evidence of such Person having represented the several Particulars contained in such Oath at the Time of his being attested; and in case such Person shall be an Apprentice, or shall belong to the Militia, he shall, immediately after the Expiration of his Apprenticeship or other sooner Determination of it, or at the Expiration of the Period of his Service in the Militia, whether he shall have been convicted and punished or not, be deemed duly enlisted, and be liable from thenceforth to serve as a Marine; and if, on the Expiration or other sooner Determination of his Apprenticeship, he shall not deliver himself up to some Officer, at the Head Quarters of One of the Divisions of His Majesty's Royal Marine Forces, or to some Royal Marine Officer authorized to receive Recruits, he shall be liable to be apprehended and dealt with as a Deserter from His Majesty's said Royal Marine Forces.

C A P. XIII.

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

[24th March 1823.]

[This Act is the same, and all the Schedules are also the same as 3 G. 4. c. 13. except as to Dates, and the Sections that are here retained.]

See Cap. 20. post.

‘ WHEREAS the raising or keeping a Standing Army within the United Kingdom of Great Britain and Ireland in Time of Peace, unless it be with the Consent of Parliament, is against Law: And Whereas it is judged necessary by His Majesty, and this

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 Seventy two thousand one hundred and forty effective Officers and Men, exclusive of the Officers and Men belonging to the Regiments employed in the Territorial Possessions of the East India Company, but including the Officers and Men of the Troops and Companies recruiting for those Regiments, and the Officers and Men of the Embodied Veterans: And Whereas no Man can be fore-judged 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 beforementioned Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny or stir up Sedition, or shall desert His Majesty's Service, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law will allow; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Person who is or shall be commissioned or in Pay as an Officer, or who is or shall be listed or in Pay as a Non-commissioned Officer or Soldier, shall at any Time during the Continuance of this Act begin, excite, cause or join in any Mutiny or Sedition in His Majesty's Land or Marine Forces, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny, shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post or Guard committed to his Charge, or which he shall be commanded to defend; or shall compel the Governor or Commanding Officer of any Garrison, Fortress or Post, to deliver up to the Enemy, or to abandon the same; or shall speak Words, or use any other Means to induce such Governor or Commanding Officer, or others, to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post or Guard committed to their respective Charge, or which he or they shall be commanded to defend; or shall leave his Post before relieved; or shall be found sleeping on his Post; or shall hold Correspondence with, or give Advice or Intelligence to any Rebel or Enemy of His Majesty, either by Letters, Messages, Signs or Tokens in any Manner or Way whatsoever; or shall treat or enter into any Terms with such Rebel or Enemy, without His Majesty's Licence or Licence of the General or Chief Commander; or shall strike or use any Violence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his superior Officer; or shall desert His Majesty's Service; all 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

Number of Forces, 72,140.

Every Officer or Private Man, during the Continuance of this Act, who shall mutiny or desert, &c.;

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

or shall strike or disobey his superior Officer, shall suffer Death or such Punishment as a Court Martial may inflict.

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.

Soldiers enlisted in any other Regiment, &c. to be deemed Deserters.

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

Officers and Soldiers imprisoned upon a Charge of a Criminal Offence, to receive no Pay during their Confinement; but if acquitted entitled to Arrears at Return to Corps, and if convicted to forfeit Pay during Term of Confinement.

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 the Return to his Corps be entitled to receive all Arrears of Pay which were growing due during the Time of his Confinement; but if he shall be convicted, he shall forfeit all Right to any Pay from the Day of his Commitment during the Time of his Confinement, as well under the original Commitment as under any Commitment consequent upon such Conviction, and until the Day of his Return to the Regiment, Troop, 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, 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 to be proper; and the Order of the Secretary at War, for the Payment of such Pay or Arrears, shall be a sufficient Discharge for such Payment.

General or other Courts Martial may sentence Non-commissioned Officers or Soldiers to Imprisonment in any House of Correction, or Gaol, &c.

XXV. Provided always, and be it further enacted, That it shall be lawful for any General or other Court Martial to sentence any Non-commissioned Officer or Soldier to Imprisonment with or without Hard Labour, as the Court shall think fit, in any House of Correction, Common Gaol or Public Prison, or in any other Place which such Court may deem fit and convenient for that Purpose; and all Gaolers and Keepers of such Houses of Correction or Prisons shall receive into their Custody, and keep in Confinement for such Time as they shall be respectively required so to do, or until discharged, any Non-commissioned Officer or Soldier who may have been sentenced to Imprisonment by any General or other Court Martial, and shall provide a proper Place for the Confinement of any such Non-commissioned Officer or Soldier, according to the Sentence of such Court, during the Period of his Imprisonment, upon receiving an Order in Writing from the Commanding Officer of the District within which such

General

General Court Martial shall have been held, or from the Commanding Officer of any Regiment or Corps to which such Non-commissioned Officer or Soldier so tried by any Regimental Court Martial as aforesaid shall belong; and every such Gaoler or Keeper of any such House of Correction shall, upon receiving an Order in Writing from any such Commanding Officer as aforesaid, deliver any such Non-commissioned Officer or Soldier to any Person, on producing such Order, although the Period for which he was originally sent to such Gaol or House of Correction shall not have expired; and every Gaoler and Keeper of a House of Correction or Prison, who shall refuse to receive and to confine any such Non-commissioned Officer or Soldier in manner as aforesaid, shall forfeit for every such Offence the Sum of One hundred Pounds, to be recovered by Action of Debt or Information for the Use of His Majesty.

Gaolers refusing to receive them.

Penalty 100*l*.

XXVI. And be it further enacted, That every Non-commissioned Officer or Soldier sentenced to Imprisonment by any General or other Court Martial shall forfeit all Right to any Pay from the Day of his Commitment during the Time of such Imprisonment; and also, that during the Continuance of any Imprisonment in any Gaol or House of Correction, the Gaoler or Keeper of such Prison or House of Correction in *Great Britain*, and in *Ireland* the Inspector under whose immediate Inspection such House of Correction, Gaol or Prison shall be, shall receive and apply in the Maintenance of such Non-commissioned Officer or Soldier the Sum of Sixpence *per Diem* out of the Subsistence of such Non-commissioned Officer or Soldier during the Time that such Non-commissioned Officer or Soldier shall continue in Custody; which said Sum the Secretary at War is hereby authorized and required to cause to be paid to the said Gaoler or Keeper, or Inspector respectively as aforesaid, upon receiving an Application in Writing signed by any Justice of the Peace for the County or Riding in which such Gaol, Prison or House of Correction shall be locally situate, together with a Copy of the Order under which the said Non-commissioned Officer or Soldier was confined: Provided always, that it shall be lawful for the Secretary at War, if he should think fit, to order the Issue and Payment of any Arrears of Pay, or of the Surplus of such Pay, or any Portion thereof, or of any Arrears thereof, to or on account of such Non-commissioned Officer or Soldier, during or after the Expiration of the Period of his Imprisonment in any Gaol, House of Correction or Place of Military Confinement.

Such Non-commissioned Officers and Soldiers to forfeit their Pay.

Allowance to Gaolers, &c.

Proviso for Payment of Arrears of Pay:

XLIX. And Whereas by an Act passed in *Ireland* in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act to prevent the Disorders that may happen by the Marching of Soldiers and providing Carriages for the Baggage of Soldiers on their March*, it was amongst other Things enacted and declared, that no Officer, Soldier or Trooper in the Army, nor the Servant of any Officer, nor any Attendant on the Train of Artillery, nor any Yeoman of the Guard of Battle Axes, nor any Officer commanding the said Yeoman, nor any Servant of any such Officer, should at any Time thereafter have, receive or be allowed any Quarters in any Part of *Ireland*, save only during such Time as he or they should be and remain in some Seaport Town in order

Stat. 6 Ann. (1.)

to

Regulations
for quartering
Soldiers in
Ireland.

‘ to be transported, or during such Time as there should be any
‘ Commotion in any Part of *Ireland*, by reason of which Emergency
‘ the Army or any considerable Part thereof should be commanded
‘ to march from any Part of *Ireland* to another, or during such
‘ Time or Times as he or they should be on their March as afore-
‘ said : And Whereas the Barracks of *Ireland* are not at present
‘ sufficient to lodge all the Forces upon its Military Establishment :
‘ And Whereas it may be necessary to station Part of the Troops
‘ in Places where there are not Barracks or not sufficient Bar-
‘ racks to hold them ; Be it enacted, and it is hereby declared
and agreed, That it shall and may be lawful, notwithstanding the
said recited Act, to and for the Constables and other Chief
Officers and Magistrates of Cities, Towns, Villages and other
Places in *Ireland*, and in their Default or Absence for any One
Justice of the Peace inhabiting in or near any such City, Town,
Village or Place, and for no others, and such Constables and other
Chief Magistrates as aforesaid, or in their Default, such Justice of
the Peace as aforesaid, are hereby required to quarter and billet
the Officers and Soldiers in His Majesty’s Service in Inns, Livery
Stables, Alehouses and the Houses of Sellers of Wine by Retail,
to be drank in their own Houses or Places thereunto belonging,
and all Houses of Persons selling Brandy, Strong Waters, Cider
or Metheglin by Retail ; and where there shall not be found suffi-
cient Room in such Houses, then in such manner as has been
heretofore customary, taking care not to billet less than Two
Men in any One House, except only in case of billeting Horse
or Dragoons in manner hereinafter mentioned ; nor shall any Billets
at any Time be ordered for more than the Number of effective
Soldiers present to be quartered ; all which Billets, when made
out by such Chief Magistrates or Constables, or Justice of the
Peace, as the Case may be, shall be delivered into the Hands of
the Staff Officer employed or of the Commanding Officer pre-
sent : And if any Constable or other Chief Officer or Magistrate
as aforesaid shall presume to quarter or billet any such Officer or
Soldier in any House not within the Meaning of this Act, without
the Consent of the Owner or Occupier thereof, then such Owner
or Occupier shall have his or their Remedy at Law against such
Magistrate or Officer for the Damage that such Owner or Oc-
cupier shall sustain thereby ; and such Constable, Chief Officer
or Magistrate, being duly convicted of such Offence by Indict-
ment, shall be imprisoned for the Space of One Calendar Month :
And if any Military Officer shall take upon him to quarter Soldiers
otherwise than is limited and allowed by this Act, or shall use or
offer any Menace or Compulsion to or upon any Mayor, Constable
or other Chief Officer before mentioned, tending to deter or dis-
courage any of them from performing any Part of their Duty
hereby required or appointed, or to induce any of them to do
any thing contrary to their said Duty, such Military Officer shall
for every such Offence, being thereof convicted before any Two
or more Justices of the Peace of the County, by the Oath of
Two credible Witnesses, be deemed and taken to be *ipso facto*
cashiered, and shall be utterly disabled to have or hold any Military
Employment whatsoever ; provided the said Conviction be
affirmed at the next Assizes or Quarter Sessions of the Peace
for

for the said County or County of a City or Town, and a Certificate thereof transmitted to the Secretary at War : And in case any Person shall find himself aggrieved in that such Constable, Chief Officer or Magistrate, not being a Justice of the Peace, has quartered or billeted in his House a greater Number of Soldiers than he ought to bear in proportion to his Neighbours, and shall complain thereof to One or more Justice or Justices of the Peace of the Division, City or Liberty where such Soldiers are quartered, or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to Two or more Justices of the Peace of such Division, City or Liberty, such Justice or Justices respectively shall have, and have hereby Power to relieve such Persons, by ordering such and so many of the Soldiers to be removed and quartered upon such other Person or Persons as he or they shall see Cause, and such other Person or Persons shall be obliged to receive such Soldiers accordingly.

LXVII. And that the Quarters both of Officers and Soldiers may hereafter be duly paid and satisfied, and His Majesty's Duties of Excise better answered, be it enacted, That from and after the Twenty fourth Day of *March* One thousand eight hundred and twenty three, every Officer to whom it belongs to receive or that does actually receive the Pay or Subsistence Money, either for a whole Regiment or particular Troops and Companies, or otherwise, shall every Four Days, or before the Troops shall quit their Quarters, if they shall not remain so long as Four Days, settle the just Demands of all Persons keeping Inns or other Places where Officers or Soldiers are quartered by virtue of this Act, out of the Pay and Subsistence of such Officers and Soldiers, before any Part of the said Pay or Subsistence be distributed to either of them respectively : And if any Officer or Officers as aforesaid shall not satisfy, content and pay the same, upon Complaint and Oath made thereof by any Two Witnesses, at the next Quarter Sessions for the County or City where such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer), the Secretary at War is hereby required and authorized (upon Certificate of the Justices before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to give Orders to the Agent of the Troop or Company to pay and satisfy the said Sums, and to charge the same against such Officer or Officers.

Officers receiving the Pay to settle the Demands of Innkeepers.

Officers not satisfying Accounts which shall be charged against them by the Agent. Penalty.

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 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

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

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, for each of which Warrants the Fee of One Shilling only shall be paid; 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 Magistrates, 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 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,

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

to put any additional Number of Horses or Oxen to those prescribed or paid for under this Act ; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or any particular Highway or Road, to the contrary notwithstanding ; and if any Military Officer or Officers, for the Use of whose Regiment, Detachment, Troop or Company the Carriage was provided, shall force and constrain any Waggon, Wain, Cart or Carriage to travel beyond the Distance specified in the Magistrate's Warrant, or shall not discharge the same in due Time for their Return Home on the same Day, if it be practicable, or shall suffer any Soldier or Servant (except such as are sick), or any Woman, to ride in the Waggon, Wain, Cart or Carriage aforesaid ; or shall force any Constable or Petty Constable, by threatening or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants or Soldiers, every such Officer for every such Offence shall forfeit the Sum of Five Pounds, Proof thereof being made upon Oath before Two of His Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the Secretary at War, who is hereby authorized and required to give Orders for the Payment of the aforesaid Sum of Five Pounds, according to the Order and Appointment under the Hands and Seals of the aforesaid Justices of the Peace of the same County or Riding, and for deducting the same out of such Officer's Pay.

Officers forcing
Waggons to
travel more
than Magis-
trate's Warrant
specifies, &c.

Penalty 5l.

LXXII. And be it further enacted, That the Sums to be paid into the Hands of such Constable or Petty Constable in *England, Wales and Berwick upon Tweed*, shall be according to the following Rates ; that is to say, the Sum of One Shilling for every Mile any Waggon with Four or more Horses shall travel ; and the Sum of One Shilling for every Mile any Wain with Six Oxen, or Four Oxen with Two Horses, shall travel ; and the Sum of Nine Pence for every Mile any Waggon with Narrow Wheels, or any Cart with Four Horses respectively, or carrying not less than Fifteen hundred Weight, shall travel ; and the Sum of Sixpence for every Mile every Cart or other Carriage with less than Four Horses, and not carrying Fifteen hundred Weight, shall travel ; or any further Sum not exceeding Four Pence for every Mile any Waggon with Four or more Horses, or any Wain with Six Oxen, or with Four Oxen and Two Horses, shall travel ; and not exceeding Three Pence for every Mile any Cart with Four Horses, or carrying not less than Fifteen hundred Weight, shall travel ; and not exceeding Two Pence for every Mile any Cart or Carriage with less than Four Horses, and not carrying Fifteen hundred Weight, shall travel, according as the same shall be fixed and ordered by the Justices of the Peace for any County or District, assembled at any General Sessions of the Peace for such County or District, he said Justices having regard to the Price of Hay and Oats at the Time of affixing such additional Rates : Provided always, that in Cases where the Day's March shall exceed Fifteen Miles, such further Compensation shall be made and paid in like manner to the Owners of the said Carriages as shall be deemed reasonable by the Magistrate who granted the Warrant for impressing them, not exceeding the usual Rate and Hire of such Carriages : Provided always, that every Order of the Justices

Rates to be
paid for Car-
riages in Eng-
land.

Proviso for
further Com-
pensation.

Order of Sessions for further Sums, to specify the Time.

Justices to insert the Amount.

assembled at any General Sessions of the Peace, fixing a further Sum to be paid for the Hire of Carriages as aforesaid, in addition to the customary Rates of One Shilling, and Nine Pence, and Sixpence *per* Mile respectively, shall specify the Period for which the same shall be in force, and which shall not in any Case exceed Ten Days beyond the General Sessions of the Peace for such County or District next ensuing the Date of such Order; and a Copy of every such Order, signed by the Chairman or presiding Magistrate, and One other Justice of the Peace or Magistrate at the Quarter Sessions at which the same shall be made, shall, within Three Days after the making thereof, be transmitted to the Secretary at War; and no such Order shall be valid or effectual unless a Copy thereof be so signed and transmitted as aforesaid: Provided also, that in every Case of any further Sum being allowed as aforesaid for the Hire of any Carriage, the Justice of the Peace granting or signing the Warrant shall insert, in his own Hand, the Amount of such further Sum for each Description of Carriage, as so authorized by the Justices at the Quarter Sessions as aforesaid, and the Date of the Order of the said Justices; and such Warrant shall be given to the Officer or Non-commissioned Officer commanding the Regiment, Corps, Company, Detachment or Party requiring such Carriages, as his Voucher for the Payment of such further Sum; and no further Sum shall be demanded, but such as shall be so inserted by the Justice in the Warrant.

‘ 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 Civil Department, or the First Clerk in 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 Precincts in *England, Ireland, Wales* and Town of *Berwick upon Tweed*, to issue his or their Warrant or Warrants for

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.

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 Quartermaster, 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, Wain, 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 Coal, 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,

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

No Allowance for Post Horse Duty, &c.

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

Military Officers may convey on them Arms, &c. and also Officers, Soldiers, Women, Children, and others.

Officers forcing Horses, &c. to travel beyond Distance specified in Warrant without Licence.

Penalty 5l.

Justices may commit Deserters.

or returning therefrom); for which said respective Sum and Sum so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing (but without any Stamp) to the Person or Persons paying the same; and such Constable or Petty Constable shall order and appoint such Person or Person 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, 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.

‘ CXV. And Whereas several Soldiers, being duly enlisted, do afterwards desert, and are often found wandering, or otherwise absenting themselves illegally from His Majesty's Service; It is hereby further enacted, That it shall and may be lawful for the Constable, Headborough or Tithingman of the Town or Place where any Person who may be reasonably suspected to be such a Deserter shall be found, or if no such Constable, Headborough or Tithingman can be immediately met with, then for any Officer or Soldier in His Majesty's Service, to apprehend, or cause such suspected Person to be apprehended, and to bring or cause him to be brought before any Justice of the Peace living in or near such Town or Place, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of One or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear to be found that

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

Account transmitted to Secretary at War.

Allowance to Gaoler.

Fee to Gaoler conveying Deserter.

CXVII. And be it further enacted, That any Person who shall voluntarily surrender or deliver himself up as a Deserter from any Regiment or Corps of His Majesty's Regular Forces, or of the Embodied Militia, or of the Forces of the United Company of Merchants of *England* trading to the *East Indies*, or who, upon being apprehended for Desertion or any other Offence, shall in the Presence of the Magistrate confess himself to be a Deserter from any such Regiment or Corps, shall be deemed to have been duly enlisted and to be a Soldier, and shall be liable to serve in any such Regiment, or Battalion or Corps of His Majesty's Forces, as His Majesty shall think fit to appoint, whether such Person shall have been ever actually enlisted as a Soldier or not, and if the Person so confessing himself to be a Deserter shall be serving at the Time in any Regiment, Battalion or Corps of His Majesty's Forces, he shall be deemed to be and shall be dealt with as a Deserter.

Any Person confessing himself a Deserter to be deemed duly enlisted.

Soldiers taken Prisoners to forfeit Pay ; but on Return, if adjudged by Court to have been fairly taken and acted properly, may receive Pay.

CXXV. And be it further enacted, That every Soldier who shall be taken Prisoner by the Enemy, shall forfeit all Right and Claim to Pay during the Period of his remaining a Prisoner, and until he shall again return to His Majesty's Service : Provided always, that upon the Return of every Soldier to His Majesty's Service, due Inquiry shall be made as to the Conduct of such Soldier in relation to his being made Prisoner, and during the Period of his so remaining a Prisoner, and before Return to Service, by some General, or Regimental, or Garrison or other Court Martial, which shall be constituted under any Articles of War made by His Majesty for the Purpose of investigating such Cases ; and every Soldier who shall prove to the Satisfaction of the Court, by Oath of himself or others, or in such manner as such Court shall require, and which Oath every such Court is hereby authorized to administer, that he was fairly and unavoidably taken Prisoner in the Course of Service, without any wilful Neglect of Duty on his Part, and that he hath not served with or under, or in any manner aided or assisted the Enemy, and that he hath returned as soon as possible to His Majesty's Service, shall thereupon be entitled to receive, either the Whole of any such Arrears of Pay, or a Proportion thereof, as shall be adjudged by any such Court : Provided also, that it shall be lawful for the Secretary at War for the time being, to order the Issue of such Arrears, or of any Proportion thereof, or of any such Pay, or of any Proportion thereof, as shall under all the Circumstances appear to be proper, notwithstanding any such Forfeiture, and before any such Investigation, and from time to time to stop the Continuance of any such Issue of Pay, as the Case and Conduct of any such Soldier, in relation to his being captured by the Enemy, and not returning to His Majesty's Service when enabled so to do, may require ; and the Orders of the Secretary at War, for the Payment of any such Arrears or Pay, shall be a good and sufficient Discharge for such Payment.

Proviso for Arrears.

Persuading Soldiers to desert.

CLII. And be it further enacted, That if any Person or Persons shall, in any Part of His Majesty's Dominions, directly or indirectly persuade or procure any Soldier or Soldiers in the Service of His Majesty, His Heirs or Successors, to desert or leave such Service as aforesaid, every such Person or Persons so offending as aforesaid, and being thereof lawfully convicted, shall for every such Offence forfeit to His Majesty, His Heirs or Successors, or to any other Person or Persons who shall sue for the same, the Sum of One hundred Pounds ; and if it shall happen that any such Offender so convicted as aforesaid hath not any Goods and Chattels, Lands or Tenements, to the Value of One hundred Pounds, to pay and satisfy the same, or if, from the Circumstances and Heinousness of the Crime, it shall appear to the Court before which the said Conviction shall be made as aforesaid, that any such Forfeiture is not a sufficient Punishment for such Offence, it shall be lawful for such Court to commit any such Offender to Prison, there to remain for any Time not exceeding Twelve Months, without Bail or Mainprize.

Penalty 100l.

Imprisonment.

C A P. XIV.

An Act to continue for Five 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 the Reign of His late Majesty King *George* the Third, for the preventing improper Persons from having Arms in *Ireland*.

[24th March 1823.]

WHEREAS an Act was made in the Forty seventh Year of the Reign of His late Majesty *George* the Third, intitled *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 said late Majesty's Reign, the said recited Act of the Forty seventh Year of His said late Majesty's Reign was continued for Two Years, and from thence until the End of the next Session of Parliament, and was amended: And Whereas by an Act made in the First Year of the Reign of His present Majesty, the said recited Acts of the Forty seventh and Fiftieth Years were revived and continued for Two Years, and from thence until the End of the then next Session of Parliament: And Whereas it is expedient that the said Two recited Acts of the Forty seventh and Fiftieth Years of the Reign of His said late Majesty King *George* the Third 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 Forty seventh Year of the Reign of His late Majesty King *George* the Third, as the said Act is amended by the said recited Act of the Fiftieth Year of the Reign of His said late Majesty, and also the said recited Act of the said Fiftieth Year, shall be and the said Two recited Acts are hereby continued, and shall be and remain and continue in force for Five Years from the End of this present Session of Parliament, and from the Expiration of such Five Years until the End of the then next Session of Parliament.

47 G.3. sess. 2. c.54.

50 G.3. c.109.

1 G.4. c.47.

47 G.3. sess. 2. c.54.

50 G.3. c.109. continued for Five Years, &c.

C A P. XV.

An Act to continue for Five Years, and from thence until the End of the then next Session of Parliament, and to amend the Laws relating to Yeomanry Corps, in *Ireland*.

[24th March 1823.]

WHEREAS an Act was made in the Forty third Year of the Reign of His late Majesty King *George* the Third, intitled *An Act for authorizing the billeting such Troops of Yeomanry and Volunteer Cavalry, as may be desirous of assembling for the Purpose of being trained together in Great Britain and Ireland, and for subjecting to Military Discipline during the War such Serjeants serving in any Volunteer or Yeomanry Corps of Cavalry or Infantry, as receive constant Pay,*

43 G.3. c.121. § 15.

' and all Trumpeters, Drummers or Buglemen, serving therein, and
 ' receiving Pay, at any daily or weekly Rate; and for the further
 ' regulating of such Yeomanry and Volunteer Corps; which Act
 ' was to continue and be in force during the Continuance of the
 ' War, and until Six Months after the Ratification of a Definitive
 54 G.3. c.178. ' Treaty of Peace with France: And Whereas by an Act made
 ' in the Fifty fourth Year of the Reign of His said late Majesty,
 ' so much of the said recited Act of the Forty third Year of His
 ' said late Majesty's Reign, as relates to such Troops or Corps in
 56 G.3. c.72. ' Ireland, was continued; and by an Act made in the Fifty sixth
 ' Year of His said late Majesty's Reign, so much of the said
 ' recited Act of the said Forty third Year, as relates to such
 ' Troops or Corps in Ireland, was further continued, and was
 1 G.4. c.46. ' amended; and by an Act made in the First Year of the Reign
 ' of His present Majesty, the said recited Act of the Forty third
 ' Year, so far as relates to any such Troops or Corps in Ireland,
 ' and also the said recited Act of the Fifty sixth Year, so far
 ' as the same amends the said Act of the said Forty third Year,
 ' were revived and continued for Two Years, and from thence
 ' until the End of the then next Session of Parliament: And
 ' Whereas it is expedient that the said recited Acts of the Forty
 ' third and Fifty sixth Years of His said late Majesty's Reign, so
 ' far as relates to any such Troops or Corps of Yeomanry in
 ' Ireland, should be further continued, and should be amended:
 Be it therefore enacted, by the King's most Excellent Majesty,
 by and with the Advice and Consent of the Lords Spiritual and
 Temporal, and Commons, in this present Parliament assembled,
 and by the Authority of the same, That the said recited Act of
 43 G.3. c.121. the Forty third Year of His said late Majesty's Reign, so far
 and 56 G.3. as relates to any such Troops or Corps in Ireland, and also the
 c.72. continued, said Act of the Fifty sixth Year of His said late Majesty's Reign,
 as to Yeomanry so far as the same amends the said Act of the said Forty third
 Corps in Ire- Year, shall be and the same are hereby continued as amended by
 land, during this Act; and the said Acts shall be, and remain and continue in
 Continuance force during the Continuance of this Act; and that all such Pro-
 of Act. visions and Regulations in the said recited Act of the said Forty
 third Year contained, so far as relates to such Troops or Corps in
 Ireland, as by the said Act are applied during War, or during the
 Continuance of War, or during the Continuance of the War and
 until Six Months after the Ratification of such Definitive Treaty
 of Peace as aforesaid, shall be in force as amended by the said
 recited Act of the Fifty sixth Year and by this Act, during the
 Continuance of this present Act.

In Cases of In-
 vasion, &c. in
 Ireland, His
 Majesty, or
 Lord Lieuten-
 ant, may order
 Yeomanry
 Corps to as-
 semble; such
 Corps, &c.
 liable to march
 and subject to
 Mutiny Laws.

II. And be it further enacted, That from and after the passing
 of this Act, in all Cases of Invasion, Rebellion or Insurrection,
 or Apprehension thereof respectively, in Ireland, it shall be law-
 ful for His Majesty, or the Lord Lieutenant or other Chief
 Governor or Governors of Ireland for the time being, to order all
 and every or any Corps of Yeomanry in Ireland, or any Pro-
 portion or Detachment of any Corps of Yeomanry, forthwith to
 assemble in their respective Districts; and every or any such
 Corps, or any Proportion or Detachment thereof, or of any of
 them, shall thereupon be liable to march according to their res-
 pective Terms of Service, and the Order for their assembling as
 aforesaid

aforesaid, and the Officers, Non-commissioned Officers, Trumpeters, Buglemen, Drummers and Private Men, in every or any such Corps or Detachment respectively, when so assembled as aforesaid, from such Time and until the Enemy shall be defeated and expelled, and all Rebellion and Insurrection or Apprehension thereof shall cease, shall be subject to any Act then in force for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and to any Articles of War made in pursuance thereof; and all Persons who shall be required by their Commanding Officer to join their respective Corps, or any Proportion or Detachment thereof, and to assemble and march therewith, and who shall not join and assemble and march accordingly, shall be liable to be apprehended and punished as Deserters, according to the Provisions of any such Act as aforesaid, and of any Articles made in pursuance thereof.

III. And be it further enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland to direct and order that any Corps of Yeomanry in Ireland, or any Proportion or Detachment thereof, shall be assembled under the Authority of the said recited Acts and this Act, by any Warrant to be directed and transmitted to the Officer commanding any such Corps of Yeomanry, in the Form contained in the Schedule annexed to this Act, or in such other Form to the like Purpose or Effect as such Lord Lieutenant or other Chief Governor or Governors shall think fit and proper.

Order for assembling Corps of Yeomanry, or any Detachment thereof, prescribed in Schedule.

IV. And be it further enacted, That this Act shall continue in force for Five Years from the passing thereof, and from the Expiration of such Five Years until the End of the then next Session of Parliament.

Continuance of Act.

SCHEDULE to which this Act refers.

FORM OF WARRANT

For assembling any Corps of Yeomanry, or any Detachment thereof.

By the Lord Lieutenant and General Governor of Ireland.

WHEREAS by an Act of Parliament passed in the Fourth Year of the Reign of His Majesty King George the Fourth intituled [*here recite the Title of this Act*], it is enacted, that in all Cases of Invasion, Rebellion or Insurrection, or Apprehension thereof, in Ireland, it shall be lawful for His Majesty, or the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, to order all and every or any Corps of Yeomanry in Ireland, or any Proportion or Detachment of any Corps, forthwith to assemble in their respective Districts; and that every or any such Corps or Detachment shall thereupon be liable to march, according to their respective Terms of Service; and that the Officers, Non-commissioned Officers, Trumpeters, Buglemen, Drummers and Private Men in such Corps or Detachment, from such Time and until the Enemy shall be defeated and expelled, and all Rebellion and Insurrection or Apprehension thereof shall cease, shall be subject to any Act then in force for the Punishment of Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and to any Articles of War

War made in pursuance thereof; and all Persons required to join and not then joining their respective Corps, or any Detachment thereof, and not assembling and marching therewith, shall be liable to be apprehended and punished as Deserters, according to the Provisions of any such Act as aforesaid, and of any Articles made in pursuance thereof: And Whereas there exists at present [Invasion, Rebellion, Insurrection, or Apprehension of Invasion, Rebellion or Insurrection, *as the Case may be*] in Ireland; I do therefore, in pursuance of the Power so vested in me, hereby order the
 Corps of Yeomanry, [*or, a*
 Detachment of the Corps of Yeomanry] as hereinafter mentioned; that is to say:

CAVALRY:

Captains.	First Lieutenants.	Sub Lieutenants.	Serjeants.	Trumpeters.	Rank and File.

DISMOUNTED, AND INFANTRY:

Captains.	First Lieutenants.	Sub Lieutenants.	Serjeants.	Trumpeters.	Rank and File.

[*as the Case may require*], to assemble at their usual Place of Parade for Exercise within their District, or such Place as the General Officer in the District may point out, under their respective Officers, upon the
 Day of
 One thousand eight hundred and , thenceforth to serve under the Orders of the General Officer commanding in the District in which such Corps shall respectively act; and to continue on Permanent Duty and Pay, from the Time they shall so assemble until they shall respectively receive our further Orders to the contrary: And for so doing, this shall be to them and you, and each of you, a sufficient Warrant.

Given at His Majesty's Castle of *Dublin*, the
 Day of One thousand eight
 hundred and .

By His

Command,

To the Officer commanding
 the Corps of Yeomanry.

C A P. XVI.

An Act to explain so much of the General Turnpike Act, as relates to the Toll payable on Carriages laden with Lime for the Improvement of Land. [24th March 1823.]

‘ WHEREAS an Act was passed in the last Session of Parliament, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And Whereas Doubts have arisen whether, under the Provisions of the said Act, Lime for improving Land, although exempted from Toll by several Local Acts, may not by the said recited Act be made chargeable with Toll: For removing such Doubts, be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That nothing in the said Act shall extend or be construed to extend to enable any Collector or Collectors of Tolls authorized to be taken under any Local Act or Acts of Parliament, for Horses or Carriages employed in carrying or conveying Lime for the Improvement of Land, to take or demand any Toll for Lime as aforesaid, other than such as might have been demanded and taken under the Authority of any such Local Act, previous to the passing of the said recited Act of the last Session of Parliament; any thing in the said Act to the contrary notwithstanding.

3 G. 4. c. 126.

Not to authorize Collectors of Tolls to take Toll for Lime, unless authorized by some Local Act.

II. Provided always, and be it further enacted, That in all Cases where any Lease or Contract shall have been made since the passing of the said recited Act, by any Trustees of any Turnpike Road or Roads to or with any Collector or Collectors of Tolls, for letting to farm any Tolls to be received or taken upon any such Road or Roads, whereon a Toll on Lime for improving Land was payable or considered to be payable under the said recited Act at the Time of making or entering into any such Lease or Contract, it shall and may be lawful to and for the said Trustees to make such fair and reasonable Abatement in the Rent payable by such Collector or Collectors during the unexpired Residue of such Lease or Contract as aforesaid, as shall be agreed upon by and between the said Trustees and such Collector or Collectors as aforesaid, or such Lease or Contract shall, at the Expiration of One Calendar Month after the passing of this Act, either become absolutely void, upon Payment, but not otherwise, by such Collector or Collectors, or his, her or their Heirs, Executors or Administrators, of all Rent and Arrears of Rent, or Sum or Sums of Money which shall be due and payable by him, her or them at and up to the End of the said Calendar Month.

Abatement in Cases of Lease or Contract for Tolls, where Toll on Lime was considered to be payable, or Contract to be void after the Expiration of a Month, upon Payment of Rent, &c.

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

Act may be altered, &c. this Session.

C A P. XVII.

An Act to repeal certain Provisions of an Act passed in the Third Year of His present Majesty, intituled *An Act to amend certain Provisions of the Twenty sixth of George the Second, for the better preventing of Clandestine Marriages.*

[26th March 1823.]

3 G. 4. c. 75.
§ 8—26. re-
pealed.

26 G. 2. c. 33.

Licences may
be granted, and
Banns publish-
ed, as under
26 G. 2. c. 33.

Marriages
under Licences
or Banns con-
formably to
3 G. 4. c. 75.
valid, &c.

‘ WHEREAS by an Act passed in the Third Year of His present Majesty, intituled *An Act to amend certain Provisions of the Twenty sixth of George the Second, for the better preventing of Clandestine Marriages*, it is amongst other things enacted, that no Licence for any Marriage shall, from and after the First Day of *September* in the Year of our Lord One thousand eight hundred and twenty two, be granted by any Person having Authority to grant the same, until Oath shall have been made by the Persons and to the Effect required by the said Act: And Whereas Inconveniences have been found to arise from such Provision, and from certain other Provisions of the said Act contained in that Part of the said Act which is subsequent to such hereinbefore recited Provision: And Whereas it is expedient to repeal such Provisions, and to the intent that, until it shall be otherwise provided by Parliament, Marriages, whether solemnized by Licence or after Publication of Banns, may, save as is hereinafter provided, be regulated by the Provisions of an Act passed in the Twenty sixth Year of the Reign of His late Majesty King *George the Second*, intituled *An Act for the better preventing of Clandestine Marriages*, as before the passing of the said Act of the Third 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 passing of this Act, the hereinbefore recited Provision of the said Act, and all and every the Enactments and Provisions contained in that Part of the said Act which is subsequent to such hereinbefore recited Provision, shall be and the same are hereby repealed; and that Licences shall and may be granted by the same Persons, and in the same Manner and Form, and in the case of Minors with the same Consent, and Banns be published in the same Manner and Form, as Licences and Banns were respectively regulated by the Provisions of the said recited Act of His late Majesty King *George the Second*.

‘ II. And Whereas it may happen that, after the passing of this Act, Marriages may be solemnized according to the Provisions of the said recited Act of His present Majesty: Be it therefore enacted, That all Marriages which have been or shall be solemnized under Licences granted or Banns published conformably to the Provisions of the said recited Act of His present Majesty, shall be good and valid: Provided always, that no Marriage solemnized under any Licence granted in the Form and Manner prescribed by either of the said recited Acts, shall be deemed

deemed invalid on account of Want of Consent of any Parent or Guardian.

III. And be it further enacted, That a printed Copy of this Act shall, as soon as conveniently may be after the passing thereof, be provided by His Majesty's Printer, and transmitted to the officiating Ministers of the several Parishes and Chapelries in *England* respectively.

Copies of Act transmitted to officiating Ministers.

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

Act may be altered, &c. this Session.

[*This Act repealed, as therein mentioned, by Cap. 76. post.*]

C A P. XVIII.

An Act concerning the Disposition of certain Property of His Majesty, His Heirs and Successors.

[26th March 1823.]

WHEREAS by an Act passed in the Thirty ninth and Fortieth Year of the Reign of His late Majesty King George the Third, intituled *An Act concerning the Disposition of certain Real and Personal Property of His Majesty, His Heirs and Successors, and also of the Real and Personal Property of Her Majesty, and of the Queen Consort for the time being*, Power was given to His then Majesty, His Heirs and Successors, to grant, sell, give or devise, in Manner and Form therein mentioned, all and every or any of the Manors, Messuages, Lands, Tenements and Hereditaments, purchased or to be purchased by His said then Majesty, His Heirs or Successors, out of Monies issued and applied for the Use of His or Their Privy Purse, or with Monies not appropriated to any Public Service, or which had or should come to His Majesty, His Heirs or Successors, by the Gift or Devise of, or by Descent or otherwise from, any Ancestors or other Person not being King or Queen of this Realm, unto any Person or Persons, for any Estate or Estates, or for any Intents or Purposes, His Majesty, His Heirs or Successors respectively, should think fit; and certain other Provisions were enacted touching and concerning such Manors, Messuages, Lands, Tenements and Hereditaments: And Whereas the Powers and Provisions of the said Act do not extend to Manors, Messuages, Lands, Tenements or Hereditaments, whereof His Majesty, His Heirs or Successors, or any Person or Persons in trust for Him or Them, was, were or may be seized or possessed at the Time of His or Their Accession to the Crown of this Realm, and which, before such Accession, He or They might have legally granted, sold, given or devised, as He or They respectively might think fit; and it is reasonable that the said Powers and Provisions should be extended 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 all the Powers given to and vested in His Majesty, His Heirs and Successors, by the said recited Act, over the Manors, Messuages, Lands, Tenements and Hereditaments

39 & 40 G.3.
c.88. § 1.

39 & 40 G.3.
c.88. extended
to Manors, &c.
in Possession at

the Accession to the Crown.

ditaments purchased or to be purchased by Him or Them, or coming to Him or Them in manner in the said recited Act mentioned, and all other the Provisions of the said recited Act touching and concerning the same, shall be, and the same Powers and Provisions are hereby extended to, and shall be deemed, construed and taken to extend and apply to all Manors, Messuages, Lands, Tenements and Hereditaments, whether of Freehold or Copyhold, or Customary or Leasehold Tenure, whereof His Majesty, or any Person or Persons in trust for Him, at the Time of His Accession to the Crown of this Realm, or whereof His Heirs or Successors, or any Person or Persons in trust for Them, at the Time of Their respective Accessions to the Crown of this Realm, was, were or shall be seised and possessed, and which, before such Accession, He or They respectively might have legally granted, sold, given or delivered.

C A P. XIX.

An Act for further regulating the Reduction of the National Debt. [26th March 1823.]

‘ WHEREAS divers Acts of Parliament have been passed, and Provisions have been made in Acts of Parliament from time to time, for the Reduction of the National Debt: And Whereas it was resolved by the Commons House of Parliament, on the Eighth Day of *June* One thousand eight hundred and nineteen, “ That to provide for the Exigencies of the Public Service, to make such progressive Reduction of the National Debt as may adequately support Public Credit, and to afford to the Country a Prospect of future Relief from a Part of its present Burthens, it is absolutely necessary that there should be a clear Surplus of the Income of the Country beyond the Expenditure, of not less than Five Millions:” And Whereas it is expedient to make Provision for the carrying the said Resolution into effect; and it is for that Purpose necessary to repeal certain Acts of Parliament, and certain Provisions in other Acts of Parliament, and to make further Provisions in relation 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 the Payment of all and every Sum or Sums of Money which now are charged upon and issuable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the Commissioners for the Reduction of the National Debt, shall, upon and after the Fifth Day of *April* One thousand eight hundred and twenty three, cease and determine.

II. And be it further enacted, That all Capital Stock, (save and except the Capital Stock hereinafter directed to be carried to a new and separate Account,) and all Annuities for Terms of Years, which on the Fifth Day of *April* One thousand eight hundred and twenty three, shall stand or be placed in the Names of the Commissioners for the Reduction of the National Debt, in the Books of the Governor and Company of the Bank of *England*, or of the Governor and Company of Merchants of *Great Britain* trading to the *South Seas* and other Parts of *America*, and for encouraging the

Payments out of Consolidated Fund to Commissioners of National Debt to cease.

All Stock and Annuities for Years in Names of Commissioners of National Debt to be cancelled. Exceptions.

the Fishery, or of the Governor and Company of the Bank of Ireland, either on account of the Sinking Fund, or for the Purchase of Life Annuities, by virtue of any Act or Acts now in force, shall, on and from the said Fifth Day of April One thousand eight hundred and twenty three (except as hereinafter is excepted), be cancelled in the Books of the said Banks and South Sea House respectively; and the Interest or Dividends which would have been due and payable on the said Capital Stock upon or after the said Fifth Day of April shall cease to be issued or to be charged upon the said Consolidated Fund; and no such Interest or Dividend shall be chargeable or charged or issued on the said Fifth Day of April, or on any subsequent Day.

III. And Whereas sundry Sums of Money have by various Acts of Parliament been directed to be set apart at the Receipt of the Exchequer for the Payment of Life Annuities payable at the Exchequer; and it has been provided that all such Annuities as have expired or been unclaimed for the Space of Three Years shall be paid to the Commissioners for the Reduction of the National Debt: And Whereas it is expedient that all such Sum or Sums of Money as may, on the Fifth Day of April One thousand eight hundred and twenty three, be in the Exchequer for the Purpose of being paid over to the Commissioners for the Reduction of the National Debt, shall not be so paid over, but shall be and remain in the Exchequer as a Part of the growing Produce of the Consolidated Fund, and shall be applied as such; and that the Charge to be made upon the Consolidated Fund, on the said Fifth Day of April One thousand eight hundred and twenty three, or on any succeeding Quarter Day, shall be such a Sum only as may be sufficient to pay the Amount of Annuities then existing and becoming due; Be it therefore further enacted, That any Sum or Sums of Money which may, on the Fifth Day of April One thousand eight hundred and twenty three, be and remain in the Exchequer on account of expired or unclaimed Life Annuities, shall be carried to and form a Part of the growing Produce of the Consolidated Fund; and that there shall be charged upon the Consolidated Fund, on the said Fifth Day of April One thousand eight hundred and twenty three, and in every succeeding Quarter, such Sum or Sums of Money only as the unexpired Life Annuities then remaining due and unpaid may amount to; and if at any Time the Sum so charged upon the Consolidated Fund shall not be sufficient to defray the Life Annuities due and to be paid within the Quarter, the Deficiency shall be issued and paid out of the growing Produce of the Consolidated Fund.

Money remaining in the Exchequer on account of expired or unclaimed Life Annuities, carried to the Consolidated Fund.

IV. And be it further enacted, That upon the Fifth Day of April One thousand eight hundred and twenty three, or as soon after as the same can be prepared, an Account shall be laid before Parliament by the said Commissioners, and shall be published in the London and Dublin Gazettes, shewing the total Amount of the Unredeemed Funded Debt and Outstanding Unfunded Debt in Exchequer Bills unprovided for, of the United Kingdom, on the Fifth Day of April One thousand eight hundred and twenty three, together with the Annual Charge attending the same; and from and after the said Fifth Day of April One thousand eight hundred and twenty three there shall be set apart and issued at the

Account of Debt and Annual Charge thereon to be laid before Parliament and published, and an Annual Sum of 5,000,000l. be set apart for its Reduction. To be paid Quarterly.

the Receipt of the Exchequers, out of the said Consolidated Fund, to be placed to the Account of the said Commissioners towards the Reduction of the National Debt, the annual Sum of Five Millions; and the said Annual Sum is hereby made chargeable thereon, by equal Quarterly Payments in each Year; the First Quarterly Payment to be charged upon the said Fund on the Fifth Day of *April* One thousand eight hundred and twenty three; and the said Quarterly Payments shall be issued and paid from time to time into the Bank of *England*, or into the Bank of *Ireland*, by equal Quarterly Sums, in such Proportions, and at such Times in each Quarter, as the said Commissioners for the Reduction of the National Debt shall require, according to the Provisions and Directions of any Act or Acts of Parliament now in force respecting Sums issued from the said Exchequers towards the Reduction of the National Debt; and all Sums which by virtue of this Act shall be from time to time placed to the Account of the said Commissioners shall and are hereby appropriated to, and shall accumulate in manner hereinafter directed, and shall from time to time be applied by the said Commissioners according to the Directions, Restrictions and Provisions of the several Acts now in force relating to Sums issued for the Reduction of the National Debt of the United Kingdom.

Monies placed to Account of Commissioners to accumulate.

55 G.3. c.35. § 1. and 56 G.3. c.70. § 1. in part repealed.

V. And be it enacted, That so much of an Act passed in the Fifty third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to alter and amend several Acts passed in His present Majesty's Reign, relating to the Redemption of the National Debt, and for making further Provision in respect thereof*; and so much of another Act passed in the Fifty sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to alter and amend several Acts relating to the Redemption of the National Debt of Ireland, and to make further Provision in respect thereof*; which require that whenever an Amount of Capital Funded Debt of *Great Britain* and *Ireland* respectively shall have been purchased or transferred to the said Commissioners, as shall be equal to the whole Capital, and which shall have produced an Interest or yearly Dividend equal in Amount to the whole Annual Charge in perpetual Annuities of each Loan contracted since One thousand seven hundred and eighty six, that a Certificate and Declaration thereof shall be made by the said Commissioners, according to the Directions contained in the said Acts; and the Amount of the Public Debt to which such Certificate and Declaration shall relate, shall from time to time be deemed and taken to be wholly satisfied and discharged, and an equal Amount of Capital Stock, standing in the Names of the said Commissioners, shall be considered to be redeemed, and shall from time to time be cancelled, shall be and the same is hereby repealed.

Capital Stock and Annuities placed to Account of Commissioners as herein mentioned, (Exception,) not to be cancelled until

VI. And be it further enacted, That no Capital Stock, or Annuities for Terms of Years, nor any Part or Parts of any Capital Stock or Annuities, which from and after the said Fifth Day of *April* One thousand eight hundred and twenty three, shall be placed in the Names of the said Commissioners in the Books of the said Bank of *England*, or of the South Sea House, or of the Bank of *Ireland*, shall be cancelled (save and except the Stock placed

placed in their Names for the Redemption of the Land Tax), until the Interest of the Debt redeemed by the said Commissioners, by the Application of the said Sum of Five Millions, and of the growing Interest thereof, shall, together with the said Sum of Five Millions, have accumulated to a Sum, the Annual Amount whereof shall not be less than the One hundredth Part of the then existing Unredeemed Funded Debt and Outstanding Unfunded Debt in Exchequer Bills unprovided for, of the United Kingdom, taken together; and that any Capital Stock which shall be placed in the Names of the said Commissioners on account of the Sinking Fund, or for the Purchase of Life Annuities, after the said Sinking Fund shall amount to the One hundredth Part of the said Unredeemed Funded and Unfunded Debts as aforesaid, taken together, shall be liable to be cancelled at such Times, and in such Proportions, and in such Manner as Parliament may from time to time direct.

Interest of Debt redeemed, and Sinking Fund shall have accumulated so as to produce the annual Amount herein mentioned.

VII. And be it further enacted, That when the Sinking Fund shall amount to the One hundredth Part of the said Unredeemed and Unfunded Debts, the Commissioners for the Reduction of the National Debt shall cause an Account to be prepared, shewing the Amount of the said Debts taken together, and also the Amount of the Sinking Fund then applicable to the Reduction thereof; which Account shall thereupon be laid before Parliament, if Parliament shall then be sitting, or if Parliament shall not be sitting, then within Fourteen Days after the next Meeting of Parliament.

When Sinking Fund amounts to One hundredth Part of Debt, an Account to be laid before Parliament.

VIII. And Whereas certain Sums have at various Times been given by way of Donation or Bequest, towards reducing the National Debt, and which Sums, if a separate Account had been kept thereof, would by Computation have accumulated, on the Fifth Day of *January* One thousand eight hundred and twenty three, to One hundred and thirty seven thousand two hundred and forty three Pounds Consolidated Three Pounds *per Centum* Bank Annuities: And Whereas it is expedient that a new and separate Account should in future be kept thereof, as well as of any other Sums which may hereafter be given for a similar Purpose; Be it therefore enacted, That from and after the passing of this Act, a new and separate Account shall be raised in the Books of the Commissioners for the Reduction of the National Debt, and in the Books of the Governor and Company of the Bank of *England*, under the Title of "The Account of Donations and Bequests towards reducing the National Debt;" and the said Governor and Company are hereby required to cause the Sum of One hundred and thirty seven thousand two hundred and forty three Pounds Consolidated Three Pounds *per Centum* Bank Annuities to be taken out of the Names of the said Commissioners now standing in the Books of the said Bank on their Account, entitled "The Account of the Commissioners appointed by Act of Parliament for applying certain Sums of Money annually to the Reduction of the National Debt," and to be wrote into the Names of the said Commissioners in the new and separate Account directed to be raised in virtue of this Act, and also to cause any other Sum or Sums to be carried to the said new Account, which may hereafter be given for the like Pur-

Separate Account to be kept in the Commissioner's and Bank Books of Sums bequeathed for Reduction of National Debt;

to be wrote into the Names of the Commissioners in a new Account, and Dividends ap-

plied to Purchase of Stock.

pose ; and the Interest or Dividends which shall accrue from time to time on all Stock standing on the said Account, shall be applied from time to time to the Purchase of the public Annuities composing the National Debt, for the Purpose of fulfilling the Directions of the Person or Persons giving or bequeathing the said Sums, and to no other Purpose whatsoever.

49 G.S. c.71. § 16.

‘ IX. And Whereas by an Act passed in the Forty ninth Year of the Reign of His late Majesty King *George* the Third, intitled *An Act for raising the Sum of Fourteen millions six hundred thousand Pounds by way of Annuities*, a separate Account was directed to be kept of the Loan of Six hundred thousand Pounds to the Prince Regent of *Portugal*, and it is no longer necessary that the said Account should be kept separate ; Be it therefore enacted, That from and after the Fifth Day of *April* One thousand eight hundred and twenty three, the said separate Account shall cease and determine, and the Capital Debt created by the said Loan of Six hundred thousand Pounds, together with the annual Charge thereof, shall be deemed, from and after the said Fifth Day of *April* One thousand eight hundred and twenty three, to be Part of the Consolidated Funded Debt and annual Charge of the United Kingdom, and the same is hereby consolidated therewith ; any thing in the said Act of the Forty ninth Year of the Reign of King *George* the Third to the contrary thereof in any wise notwithstanding.

Separate Account thereby directed to cease.

26 G.3. c.31. § 18. 37 G.S. c.27. (I.) repealed.

X. And be it further enacted, That so much of the said recited Acts of the twenty sixth and Thirty seventh Years of His late Majesty King *George* the Third, as require the said Commissioners to lay certain Accounts annually before Parliament, relating to the Reduction of the National Debt, shall be and the same is hereby repealed.

In lieu of Accounts of said Acts, Commissioners to prepare another.

XI. And be it enacted, That from and after the Fifth Day of *January* One thousand eight hundred and twenty three, in lieu of the Accounts required by the said Acts, the said Commissioners shall cause an Account to be prepared, containing a Statement of all Sums received and applied by them towards the Reduction of the National Debt, in every succeeding Year ending on the Fifth Day of *January* in each Year.

Expenses of National Debt Establishment to be defrayed out of Consolidated Fund.

‘ XII. And Whereas, for the Purpose of ascertaining the actual Amount of the Annual Charge attending the National Debt, it is expedient that the Expence of the Establishment of the said Commissioners should be deemed Part of the said Annual Charge ; Be it therefore enacted, That from and after the Fifth Day of *April* One thousand eight hundred and twenty three, the Annual Expence of the said Establishment in *Great Britain* shall be charged upon the said Consolidated Fund (and the same is hereby made chargeable and charged thereon), and Sums shall be issued from time to time at the Receipt of the Exchequer in *Great Britain*, out of the said Consolidated Fund, under the Authority and by Direction of the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or of Three or more of the Commissioners of the Treasury of the said United Kingdom for the time being, for the Purpose of defraying the same ; and the Expence of the said Establishment shall, from and after the said Fifth Day of *April* One thousand eight hundred and twenty three, constitute

constitute and form Part of the Annual Charge of the National Debt of Great Britain.

XIII. And be it further enacted, That from and after the Fifth Day of April One thousand eight hundred and twenty three, all the Expences of carrying into Execution the Provisions of an Act, passed in the Forty eighth Year of the Reign of His late Majesty, intituled *An Act for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*, and of the Establishment necessary for executing the said Provisions; and all the Expence of the Establishment necessary for carrying into Execution the Provisions of an Act of Parliament, passed in the Thirty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enlarge the Time limited for the Redemption of the Land Tax; and to explain and amend an Act made in the last Session of Parliament, intituled 'An Act for making perpetual, subject to Redemption and Purchase in the manner therein stated, the several Sums of Money now charged in Great Britain as a Land Tax for One Year, from the Twenty fifth Day of March One thousand seven hundred and ninety eight;* and of another Act passed in the Fifty fourth Year of the Reign of His late Majesty King George the Third, 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;* shall be charged upon the said Consolidated Fund (and the same is hereby made chargeable and charged thereon), and Sums shall be issued from time to time, at the Receipt of the Exchequer in Great Britain, out of the Consolidated Fund, under the Authority and by the Direction of the Lord High Treasurer or Three Commissioners of the Treasury for the time being, for the Purpose of defraying the same; and all such Expences, and Sums issued for the Payment thereof, shall, after the said Fifth Day of April, constitute and form Part of the Annual Charges of the National Debt of Great Britain.

Expences of executing
48 G. 3. c. 142.
39 G. 3. c. 6.
and 54 G. 3.
c. 173. to be defrayed out of Consolidated Fund.

XIV. And be it enacted, That this Act, or any Part thereof, may be altered, varied or repealed by any Act to be passed in this Session of Parliament.

Act may be altered, &c. this Session.

C A P. XX.

An Act for fixing the Rates of Subsistence to be paid to Innkeepers and others on quartering Soldiers.

[2d May 1823.]

[This Act is the same as 3 G. 4. c. 20. except as to Dates.]

C A P. XXI.

An Act for granting and applying certain Sums of Money for the Service of the Year One thousand eight hundred and twenty three.

[2d May 1823.]

‘ Most Gracious Sovereign,

‘ **W**E, Your Majesty’s most dutiful and loyal Subjects, the
‘ Commons of the United Kingdom of Great Britain and Ire-
‘ land, in Parliament assembled, towards raising the necessary

Sums herein
mentioned
issued towards
the Supply for
the Service of
1823.

‘ Supplies which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to give and grant unto Your Majesty the Sums 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 there shall and may be issued and applied for or towards making good the Supply granted to His Majesty for the Service of the United Kingdom of *Great Britain and Ireland* for the Year One thousand eight hundred and twenty three, the Sum of Eight millions seven hundred thousand Pounds out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, arising after the Fifth Day of *April* One thousand eight hundred and twenty three, being the estimated Amount of the Surplus of the future Income of the said Fund over the future Annual Charge thereon ; and also the Sum of Fifty nine thousand one hundred and ninety two Pounds Sixteen Shillings and Sixpence Three Farthings, out of the Money in the Exchequer applicable to the Service of the Years One thousand eight hundred and seventeen, and One thousand eight hundred and eighteen ; that is to say, the Sum of Thirty nine thousand one hundred and ninety two Pounds Sixteen Shillings and Sixpence Three Farthings out of the Money applicable to the Service of the Year One thousand eight hundred and seventeen, and the Sum of Twenty thousand Pounds out of the Money applicable to the Service of the Year One thousand eight hundred and nineteen ; and also the Sum of Four hundred and sixty nine thousand and forty seven Pounds Seventeen Shillings and Ten Pence Halfpenny, out of the Money in the Exchequer or remaining to be received on account of the Supplies granted for the Years One thousand eight hundred and seventeen, One thousand eight hundred and eighteen, One thousand eight hundred and twenty, One thousand eight hundred and twenty one, and One thousand eight hundred and twenty two ; that is to say, the Sum of Twenty thousand six hundred and sixty six Pounds Six Shillings and Two Pence Three Farthings out of the Supplies granted for the Service of the Year One thousand eight hundred and seventeen ; the Sum of Forty four thousand one hundred and twenty Pounds Four Shillings and Three Pence Three Farthings out of the Supplies granted for the Service of the Year One thousand eight hundred and eighteen ; the Sum of Eight thousand eight hundred and ninety two Pounds One Shilling and One Penny Farthing out of the Supplies granted for the Service of the Year One Thousand eight hundred and twenty ; the Sum of One hundred and fifty two thousand seven hundred and twenty Pounds Eight Shillings and Three Pence Halfpenny out of the Supplies granted for the Service of the Year One thousand eight hundred and twenty one ; and the Sum of Two hundred and forty two thousand six hundred and forty eight Pounds Seventeen Shillings and Eleven Pence Farthing out of the Supplies granted for the Service of the Year One thousand eight hundred and twenty two ; and also the Sum of Four millions eight hundred thousand Pounds to be paid into the Exchequer at *Westminster* by virtue of an Act passed

passed in the last Session of Parliament, intituled *An Act for apportioning the Burthen occasioned by the Military and Naval Pensions and Civil Superannuations, by vesting an equal Annuity in Trustees for the Payment thereof*; and also any Sum or Sums of Money which may have been or which may be paid into the Receipt of the Exchequer before the Fifth Day of *April* One thousand eight hundred and twenty four, in respect of Exchequer Bills issued pursuant to Two Acts passed in the Fifty seventh Year of the Reign of His late Majesty, to authorize the Issue of Exchequer Bills for the carrying on Public Works and Fisheries in the United Kingdom; and also the Balance remaining in the Receipt of his Majesty's Exchequer, or which may be advanced and paid into the same by the Governor and Company of the Bank of *England* on or before the Fifth Day of *April* One thousand eight hundred and twenty four, pursuant to an Act passed in the Fifty sixth Year of the Reign of His late Majesty, intituled *An Act to authorize the advancing for the Public Service a Proportion of the Balance that shall remain from time to time in the Bank of England, for the Payment of the Dividends on account of the Public Debt, for Lottery Prizes or Benefits not claimed, and Principals of Stocks and Annuities remaining unclaimed*; provided that if at any Time the said Balance shall be reduced to a less Sum than One hundred thousand Pounds, then so much of the Monies advanced by the said Governor and Company shall be repaid to them as shall be equal to the Sum by which the said Balance shall be less than the Sum of One hundred thousand Pounds; and 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, are or is hereby authorized and empowered to issue and apply the same accordingly.

Also any Sum paid into the Exchequer in respect of Exchequer Bills issued for carrying on Public Works pursuant to 57 G. 3. c. 34. & c. 124.; and also the Balance paid by the Bank pursuant to 56 G. 3. c. 97.

C A P. XXII.

An Act to confirm an Agreement entered into by the Trustees under an Act of the last Session of Parliament, for apportioning the Burthen occasioned by the Military and Naval Pensions, and Civil Superannuations, with the Governor and Company of the Bank of *England*. [2d May 1823.]

‘ **W**HEREAS an Act passed in the last Session of Parliament, intituled *An Act for apportioning the Burthen occasioned by the Military and Naval Pensions, and Civil Superannuations, by vesting an equal Annuity in Trustees for the Payment thereof*:
 ‘ And Whereas the Trustees nominated and appointed by the said recited Act have entered into an Agreement with the Governor and Company of the Bank of *England*, to the Tenor and Effect following; that is to say, An Agreement, made the Twenty seventh Day of *March* One thousand eight hundred and twenty three, between the undersigned, Three of the Trustees nominated and appointed by the Act of the Third of *George* the Fourth, Chapter the Fifty first, intituled *An Act for apportioning the Burthen occasioned by the Military and Naval*

3 G. 4. c. 51.

Agreement by the Trustees under the said Act with the Bank.

- ‘ *Pensions, and Civil Superannuations, by vesting an equal Annuity*
 ‘ *in Trustees for Payment thereof, of the one Part, and the Governor*
 ‘ *and Company of the Bank of England of the other Part:*
 ‘ Whereas the said Trustees and the said Governor and Company
 ‘ have treated and agreed for the Sale by the said Trustees, and
 ‘ for the Purchase by the said Governor and Company, of the
 ‘ Sum of Five hundred and eighty five thousand seven hundred
 ‘ and forty Pounds *per Annum*, Part of the Annuity of Two
 ‘ millions eight hundred thousand Pounds created by the said
 ‘ Act, for the remaining Term of Forty four Years to come of
 ‘ such Annuity from the Fifth Day of *April* One thousand eight
 ‘ hundred and twenty three, in consideration of the following
 ‘ Payments to be made into the Receipt of His Majesty’s
 ‘ Exchequer, by the said Governor and Company, at the under-
 ‘ mentioned Dates; that is to say,
- ‘ One thousand eight hundred and twenty three :
 - ‘ *Fifteenth April* - Eight hundred and eighty five thou-
 sand seven hundred and nineteen
 Pounds;
 - ‘ *Fifteenth July* - One million two hundred and twenty
 five thousand Pounds;
 - ‘ *Twentieth October* - Sixty seven thousand eight hundred
 and seventy Pounds :
 - ‘ One thousand eight hundred and twenty four :
 - ‘ *Fifteenth January* - One million one hundred and seventy
 five thousand Pounds;
 - ‘ *Fifteenth April* - Sixty seven thousand eight hundred
 and seventy Pounds ;
 - ‘ *Fifteenth July* - One million one hundred and seventy
 five thousand Pounds ;
 - ‘ *Twentieth October* - Twenty seven thousand eight hundred
 and seventy Pounds :
 - ‘ One thousand eight hundred and twenty five ;
 - ‘ *Fifteenth January* - One million one hundred and thirty
 five thousand Pounds ;
 - ‘ *Fifteenth April* - Twenty seven thousand eight hundred
 and seventy Pounds ;
 - ‘ *Fifteenth July* - One million one hundred and thirty
 thousand three hundred and seventy
 Pounds ;
 - ‘ One thousand eight hundred and twenty six :
 - ‘ *Fifteenth January* - One million ninety seven thousand
 eight hundred and seventy Pounds ;
 - ‘ *Fifteenth July* - One million sixty seven thousand eight
 hundred and seventy Pounds :
 - ‘ One thousand eight hundred and twenty seven :
 - ‘ *Fifteenth January* - One million thirty seven thousand eight
 hundred and seventy Pounds ;
 - ‘ *Fifteenth July* - Nine hundred ninety two thousand
 eight hundred and seventy Pounds :
 - ‘ One thousand eight hundred and twenty eight :
 - ‘ *Fifteenth January* - Nine hundred forty seven thousand
 eight hundred and seventy Pounds ;
 - ‘ *Fif-*

‘ *Fifteenth July* - One million twenty seven thousand five hundred Pounds :

‘ And it has been agreed between the said Trustees and the said Governor and Company, subject to the Approbation of and the Confirmation of these Presents by Parliament, that the said Trustees shall and will, on or before the Fifteenth Day of *April* next, transfer to the said Governor and Company, in the Books to be kept at the Bank of *England* for the entering and transferring of such Part or Parts of the said Annuity as shall be sold as directed by the said Act, the Sum of Five hundred eighty five thousand seven hundred and forty Pounds *per Annum*, Part of the said Annuity of Two million eight hundred thousand Pounds created by the said Act; and that the said Governor and Company shall pay into the Receipt of His Majesty’s Exchequer, to the Credit of the said Trustees, the said several Payments above mentioned, in the present and in each of the said Five ensuing Years, on the several Days hereinafore stipulated, and ending the Fifteenth Day of *July* One thousand eight hundred and twenty eight; and that it shall be lawful for the said Governor and Company, and they are hereby authorized and empowered, at any Time or Times after the said Sum of Five hundred and eighty five thousand seven hundred and forty Pounds, Part of the said Annuity of Two million eight hundred thousand Pounds, shall be so transferred into their Names by the said Trustees, to sell, assign and transfer any Part or Parts, Portion or Portions, of the said Annuity so to be transferred into their Names as aforesaid, to any Person or Persons, Body or Bodies Politic or Corporate whomsoever, freed and discharged of and from the Payment by any such Person or Persons, Body or Bodies Politic or Corporate, of the then remaining Sums hereinbefore stipulated to be paid by the said Governor and Company into the Receipt of His Majesty’s Exchequer: And Whereas it is expedient that the said Agreement should be confirmed by Parliament: And Whereas the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain* and *Ireland* did, on the Fifteenth Day of *January* One thousand eight hundred and twenty three, under the Provisions of the said recited Act, advance to the Trustees nominated and appointed by the said recited Act the Sum of One million and fifty thousand Pounds, in Exchequer Bills, to enable them to complete the Payment then becoming due from the said Trustees under the Provisions of the said recited Act; and it is expedient and proper that the said Trustees should, with the Money to be paid into the Exchequer on their Account, under the said Agreement, by the said Governor and Company of the Bank of *England*, on the Fifteenth Day of *April* One thousand eight hundred and twenty three, and also with the Sum of One million four hundred thousand Pounds, being the Half Year’s Dividend of the Annuity of Two million eight hundred thousand Pounds becoming due to the said Trustees on the Fifth Day of *April* One thousand eight hundred and twenty three, pay on the said Fifteenth Day of *April* One thousand eight hundred and twenty

Reasons for passing this Act.

‘ three the Sum of One million two hundred and twenty five thousand Pounds, being the Amount of the Payment then becoming due from the said Trustees under the Provisions of the said recited Act, and that they the said Trustees should further pay the Sum of One million and sixty thousand seven hundred and nineteen Pounds, the Remainder of the said Sum of Eight hundred and eighty five thousand seven hundred and nineteen Pounds, and One million four hundred thousand Pounds, in Discharge of the Principal and Interest of the Exchequer Bills issued to them by the Commissioners of His Majesty’s Treasury on the Fifteenth Day of *January* One thousand eight hundred and twenty three.’ 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 Agreement shall be and the same is hereby confirmed to be good, valid and effectual to all Intents and Purposes whatsoever.

Agreement with the Bank confirmed.

Bank to pay into the Exchequer the Sums mentioned in Agreement.

II. And be it further enacted, That the said Governor and Company of the Bank of *England* may and shall from time to time advance and pay into the Exchequer the several Sums mentioned in the said Agreement, at the respective Times in the said Agreement specified, except as to the First of the said Sums, which shall be paid immediately after the passing of this Act; and the said Governor and Company shall be entitled to and shall have and receive in lieu thereof the said Annuity or yearly Sum of Five hundred and eighty five thousand seven hundred and forty Pounds, so to be transferred to the said Governor and Company on or before the said Fifteenth Day of *April* One thousand eight hundred and twenty three, for the Remainder of the Term of Forty five Years, for which the Annuity of Two million eight hundred thousand Pounds was created; any thing contained in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale and other Liquors; and for securing certain Recompences and Advantages in 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 of Parliament to the contrary thereof in anywise notwithstanding.*

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

Times for Payment of Sums into Exchequer by Trustees.

III. And be it further enacted, That in lieu of the several Sums directed by the said recited Act of the last Session of Parliament to be paid, on or before the Fifteenth Day of *July* One thousand eight hundred and twenty eight, into the Receipt of the Exchequer, by the Trustees under the said Act, at the various Times therein specified, the said Trustees shall and they are hereby required, on or before the Fifteenth Day of *April* One thousand eight hundred and twenty three, to pay into the Exchequer the Sum of One million and sixty thousand seven hundred and nineteen Pounds, in discharge of the Principal and Interest of the Exchequer Bills issued to the said Trustees by the Commissioners of His Majesty’s Treasury on the Fifteenth Day

Day of *January* One thousand eight hundred and twenty three; and they are hereby further required to pay into the Exchequer the several and respective Sums following, on or before the several and respective Days hereinafter mentioned; that is to say,

The said Fifteenth Day of *April* One thousand eight hundred and twenty three, the Sum of One million two hundred and twenty five thousand Pounds :

The Fifteenth Day of *July* One thousand eight hundred and twenty three, the Sum of One million two hundred and twenty five thousand pounds ;

The Twentieth Day of *October* One thousand eight hundred and twenty three, the Sum of One million one hundred and seventy five thousand Pounds :

The Fifteenth Day of *January* One thousand eight hundred and twenty four, the Sum of One million one hundred and seventy five thousand Pounds :

The Fifteenth Day of *April* One thousand eight hundred and twenty four, the Sum of One million one hundred and seventy five thousand Pounds :

The Fifteenth Day of *July* One thousand eight hundred and twenty four, the Sum of One million one hundred and seventy five thousand Pounds :

The Twentieth Day of *October* One thousand eight hundred and twenty four, the sum of One million one hundred and thirty five thousand Pounds :

The Fifteenth Day of *January* One thousand eight hundred and twenty five, the sum of One million one hundred and thirty five thousand Pounds :

The Fifteenth Day of *April* One thousand eight hundred and twenty five, the Sum of One million one hundred and thirty five thousand Pounds :

The Fifteenth Day of *July* One thousand eight hundred and twenty five, the Sum of One million one hundred and thirty thousand three hundred and seventy Pounds :

The Twentieth Day of *October* One thousand eight hundred and twenty five, the Sum of One million one hundred and seven thousand one hundred and thirty Pounds :

The Fifteenth Day of *January* One thousand eight hundred and twenty six, the Sum of One million and ninety seven thousand eight hundred and seventy Pounds :

The Fifteenth Day of *April* One thousand eight hundred and twenty six, the Sum of One million one hundred and seven thousand one hundred and thirty Pounds :

The Fifteenth Day of *July* One thousand eight hundred and twenty six, the Sum of One million sixty seven thousand eight hundred and seventy Pounds :

The Twentieth Day of *October* One thousand eight hundred and twenty six, the Sum of One million one hundred and seven thousand one hundred and thirty Pounds :

The fifteenth Day of *January* One thousand eight hundred and twenty seven, the Sum of One million thirty seven thousand eight hundred and seventy Pounds :

The Fifteenth Day of *April* One thousand eight hundred and twenty

twenty seven, the Sum of One million one hundred and seven thousand one hundred and thirty Pounds :

The Fifteenth Day of *July* One thousand eight hundred and twenty seven, the Sum of Nine hundred and ninety two thousand eight hundred and seventy Pounds :

The Twentieth Day of *October* One thousand eight hundred and twenty seven, the Sum of One million one hundred and seven thousand one hundred and thirty Pounds :

The Fifteenth Day of *January* One thousand eight hundred and twenty eight, the Sum of Nine hundred and forty seven thousand eight hundred and seventy Pounds :

The Fifteenth Day of *April* One thousand eight hundred and twenty eight, the Sum of One million one hundred and seven thousand one hundred and thirty Pounds ; and

The Fifteenth Day of *July* One thousand eight hundred and twenty eight, the Sum of One million twenty seven thousand five hundred Pounds.

C A P. XXIII.

An Act to consolidate the several Boards of Customs, and also the several Boards of Excise, of *Great Britain* and *Ireland*.
[2d May 1823.]

56 G.S. c.98.
§ 1.

‘ WHEREAS by an Act passed in the Fifty sixth year of
‘ the Reign of His late Majesty King *George* the Third.
‘ 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 King-*
‘ *dom,* the several Funds called the Consolidated Fund of *Great*
‘ *Britain,* and the Consolidated Fund of *Ireland* respectively.
‘ were consolidated and made to constitute One general Fund.
‘ called “ The Consolidated Fund of the United Kingdom of
‘ *Great Britain and Ireland :*” And Whereas it is highly desirable
‘ that all the Rates, Duties, Taxes, Receipts and Revenues.
‘ forming Part of or directed to be carried to the said Fund, or
‘ under any other Denomination constituting Part of the general
‘ Revenues of the United Kingdom, under the Management and
‘ Direction 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, should be assessed, charged,
‘ levied, collected and managed in an uniform Manner, and under
‘ uniform Rules and Regulations throughout the whole of the
‘ United Kingdom : And Whereas it would tend greatly to ac-
‘ celerate the establishing such Uniformity of System and
‘ Management, if His Majesty was empowered to appoint Com-
‘ missioners or other Persons for the Management of each of the
‘ general Branches or Descriptions of the said Revenues in the
‘ whole of the United Kingdom, in lieu of the Commissioners or
‘ other Authorities which have been heretofore by Law appointed
‘ for the separate Management of the same in *England, Scotland*
‘ and *Ireland* respectively : And Whereas it is expedient more
‘ particularly to make immediate Provision for such a Consolida-
‘ tion of Management with respect to the Revenues of the
‘ Customs

Customs and of the Excise; 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 his present Parliament assembled, and by the Authority of he same, That it shall be lawful for His Majesty, His Heirs and successors, from time to time to appoint, under the Great Seal of the United Kingdom of *Great Britain and Ireland*, any Number of Persons, not exceeding Thirteen, to be Commissioners of Customs, and any Number of Persons, not exceeding Thirteen, to be Commissioners of Excise, for the Collection and Management of the whole of the Revenues of Customs and Excise respectively arising in and throughout the whole of the United Kingdom of *Great Britain and Ireland*; and also to appoint any Number of Persons, not exceeding Four, to be Assistant Commissioners of Customs, and any Number of Persons, not exceeding Four, to be Assistant Commissioners of Excise, for the purpose of acting, in manner hereinafter mentioned, in conjunction with the Commissioners to be appointed as aforesaid, in the Collection and Management of each of the said Revenues of Customs and Excise respectively arising in *Scotland and Ireland*; and that each of such Commissioners and Assistant Commissioners, when so appointed, shall have and hold his respective Office during His Majesty's Pleasure.

Appointment of a Board of Commissioners of Customs and a Board of Commissioners of Excise for the United Kingdom, and Assistant Commissioners for Scotland and Ireland.

II. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or alter any Act or Acts, or any Provision in any Act or Acts of Parliament in force, relating or having reference to the said respective Duties of Customs or Excise in *England, Scotland or Ireland* respectively, at or immediately before the passing of this Act, except so far as such Act or Acts are expressly repealed or altered by this Act.

Proviso for former Acts of Customs and Excise.

III. And be it further enacted, That any Four of such Thirteen Commissioners of Customs shall constitute a Board of Commissioners of Customs, and that any Four of such Thirteen Commissioners of Excise shall constitute a Board of Commissioners of Excise for the whole of the United Kingdom, to sit and act in *England*; and such Boards of Commissioners of Customs and of Excise respectively shall have, use, and exercise throughout the United Kingdom all and any and every such Powers and Authorities as are now given to or vested in, or as might be used and exercised by the Commissioners of Customs, or the Commissioners of Excise respectively, under or by virtue of any Act or Acts of Parliament in force at or immediately before the passing of this Act, relating to the Duties and Revenues of Customs and Excise respectively, in *England, Scotland or Ireland* respectively; and all such Powers and Authorities shall be and are hereby given to and vested in such Board of Commissioners of Customs as to the Duties and Revenues of Customs, and in such Board of Commissioners of Excise as to the Duties and Revenues of Excise, as fully and effectually to all Intents and Purposes whatsoever as if such Powers and Authorities, and all Clauses, Regulations, Provisions, Penalties and Forfeitures relating thereto respectively, were severally, separately and respectively repeated and re-enacted in this Act, and made Part thereof; and all Rules, Orders,

How Boards constituted.

Powers of Boards and Quorum of Commissioners.

Orders, &c. made by such Boards respectively to be valid as under former Acts;

as to Liabilities to Penalties.

Proviso for existing Orders under former Acts.

Treasurer may order Commissioners for Scotland and Ireland to act, as herein mentioned.

Orders, Regulations, Acts, Matters and Things which shall be made, directed and done by such Board of Commissioners of Customs or Board of Commissioners of Excise respectively, in any wise concerning the Duties or Revenues of Customs or Excise, under their respective Controul or Management respectively, or relating to the Collection or Management of such Duties and Revenues respectively, and which by any Act or Acts of Parliament, Law, Usage or Custom in force at or immediately before the passing of this Act, are or were authorized or required to be made or done, or which might be made or done by the Commissioners of Customs or Excise in and for *England, Scotland or Ireland* respectively, in relation to the said Duties or Revenues respectively, shall be and be deemed to be as good, valid and effectual in the Law to all Intents and Purposes as if made or done under any such Act or Acts of Parliament by the Commissioners heretofore separately acting for *England, Scotland and Ireland* respectively; and all Persons whatever in *England, Scotland and Ireland* respectively, shall be subject and liable to the same Pains and Penalties for doing or omitting to do any Act, Matter or Thing relating to or in any wise concerning any of such Duties or Revenues of Customs or Excise respectively, contrary to any such Orders or Directions, Rules or Regulations of such Commissioners, as such Persons respectively would have been subject and liable to for doing or omitting to do the same Acts and Matters or Things respectively, contrary to any Order or Direction of the Commissioners of Customs or Excise for *England, Scotland or Ireland* respectively, by virtue of any Act or Acts of Parliament in force at or immediately before the passing of this Act: Provided always, that all Orders, Directions, Rules and Regulations in force at the Time of the passing of this Act, which are not altered or varied by this Act, or contrary to any of the Provisions thereof, shall remain in full Force and Effect until the same shall be abrogated, annulled, altered or varied by the Commissioners of Customs and Excise respectively under this Act.

IV. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, from time to time, 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 order and direct any One or more of such Commissioners of Customs, and any One or more of such Commissioners of Excise, together with Two of such Assistant Commissioners of Customs, and Two of such Assistant Commissioners of Excise respectively, to sit and act as a Board of Commissioners of Customs, and as a Board of Commissioners of Excise respectively, in and for *Scotland and Ireland* respectively, and for the Dispatch of Business in those Parts of the United Kingdom under the Controul and Direction of the respective Boards of Commissioners of Customs and Excise respectively, sitting and acting in *England*; and that such Board of Commissioners for *Scotland and Ireland* respectively, shall (under such Controul and Direction as aforesaid) have and be invested with the Management and Controul of all Matters relating to the respective Duties of Customs and Excise arising

Scotland and Ireland respectively; and that any Two of such Commissioners in *Scotland* and *Ireland* respectively shall have full Power and Authority to order, direct, act, do and permit all and every such Acts, Matters and Things relating to or concerning the Duties and Revenues of Customs and Excise in *Scotland* and *Ireland* respectively, or relating to or concerning any Revenue under the Management of the Commissioners of Customs or Excise in or for *Scotland* or *Ireland* respectively, as by any Act or Acts of Parliament in force at or immediately before the passing of this Act are authorized, required or permitted to be done by the Commissioners of Customs and Excise in or for *Scotland* or *Ireland* respectively, or any Number of them; and that all such Rules, Orders, Acts, Matters and Things which shall be made and done by such Commissioners in *Scotland* and *Ireland* respectively, under the Authority hereby granted, shall respectively be good, valid and effectual in Law, to all Intents and Purposes: Provided always, that the Board of Commissioners of Customs and Excise in *Scotland* and *Ireland* respectively shall in all things observe, perform and fulfil, and cause and procure to be observed, performed and fulfilled, in and throughout *Scotland* and *Ireland* respectively, so far as the same may be practicable, the several Orders, Rules, Directions and Regulations which shall be made or given by the Board of Commissioners of Customs and Excise respectively for the United Kingdom, sitting and acting in *England* as aforesaid.

Orders, &c. of Commissioners valid.

Commissioners in *Scotland*, &c. to observe Orders from *England*.

All Commissions, Deputations and Appointments in Customs and Excise to remain in force.

Bonds, &c. for good Conduct, &c. to remain in force, and Officers to continue.

V. And be it further enacted, That all Commissions, Deputations and Appointments granted to any Officers of the Customs or Excise respectively, at any Time before the passing of this Act, and in force at the Time of the passing of this Act, shall remain in full Force and Effect until the same shall be revoked or recalled; and all such Officers respectively, whether appointed in or for *England*, *Scotland* or *Ireland*, shall continue to hold such respective Commissions, Deputations and Appointments; and all such Commissions, Deputations and Appointments shall be deemed, construed and taken to be good, valid and effectual in every Part of the United Kingdom; and the Persons holding the same shall have full Power and Authority to execute the Duties of their respective Offices and Appointments, and to enforce all Laws, Regulations, Penalties and Forfeitures relating to the Duties and Revenues for which they shall have been appointed, either in *England*, *Scotland* or *Ireland*, as fully and effectually to all Intents and Purposes as if they had been appointed for the said United Kingdom, or by the Commissioners under this Act, any thing in this Act or any other Act or Acts of Parliament to the contrary notwithstanding; and all Bonds which shall have been given by any such Officers respectively, and their Sureties respectively, for good Conduct or otherwise, shall remain in full Force and Effect so long as they shall respectively continue in their respective Offices; and such Officers shall hold their respective Offices during the Will and Pleasure of the Commissioners of Customs or of Excise to be appointed under this Act, in all Cases in which they before held such Offices, subject to the Will and Pleasure of any of the now existing Boards of Customs and Excise in *England*, *Scotland* or *Ireland*, and that they

they shall be under the Controul and Authority of the said Commissioners respectively, and liable to the same Pains, Penalties and Punishments, to be inflicted by the said Commissioners, as might heretofore have been inflicted upon them by the Commissioners by whom they were originally appointed.

Treasury may abolish or reduce Offices of Customs and Excise.

VI. And be it further enacted, That it shall be lawful for the said Lord High Treasurer, or the said Commissioners of His Majesty's Treasury for the time being, and the said Commissioners, or any Three or more of them, are hereby empowered to abolish or reduce any Establishment of Officers of the Customs or of the Excise, in any Port or District or Collection in any Part of the United Kingdom in which such Offices may heretofore have been established, whenever such Abolition or Reduction may appear to be expedient for the Public Service: any Act or Acts, or any Law, Usage or Custom to the contrary notwithstanding.

Proviso for Covenants, &c. made by Commissioners, Secretaries, &c. of Boards.

VII. Provided always, and be it enacted, That nothing in this Act contained shall in any wise extend or be construed to extend to invalidate or in any way to affect any Covenants, Deeds or Engagements which any former or the present Commissioners or Secretary or Secretaries, or other Officer or Officers of the respective Boards of Customs or Excise in *England, Scotland or Ireland*, may have entered into or been concerned in on behalf of His Majesty, His Heirs or Successors, relating to his or their Revenues of Customs and Excise; but that all such Covenants, Deeds or Engagements shall remain in full Force and Effect, and such Commissioners, Secretaries or Officers may sue or be sued, as they might have been if this Act had not been made.

Boards to be under Controul of Treasury.

VIII. And be it further enacted, That all Commissioners of Customs and Excise respectively, to be appointed under or in pursuance of this Act, shall in all respects be subject to the like Liabilities, Restraints, Duties, Obligations and Disabilities respectively, to which Commissioners of Customs and Excise respectively in *England, Scotland and Ireland* are by Law respectively subject at the Time of the passing of this Act, and to the Orders and Controul of the Lord High Treasurer, or of the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, and shall be subject and liable to all such Penalties, Forfeitures and Punishments as Commissioners of Customs and Excise respectively for *England, Scotland and Ireland* respectively are or would be subject or liable to under or by virtue of any Act or Acts of Parliament, or of any Law, Usage or Custom in force at or immediately before the passing of this Act.

Act may be altered, &c. this Session.

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

C A P. XXIV.

An Act to make more effectual Provision for permitting Goods imported to be secured in Warehouses or other Places, without Payment of Duty on the first Entry thereof.

[12th May 1823.]

WHEREAS under and by virtue of an Act passed in the Forty third Year of the Reign of His late Majesty King George the Third, intituled *An Act for permitting certain Goods imported into Great Britain to be secured in Warehouse without Payment of Duty*, and of an Act made in the Forty eighth Year of His said late Majesty's Reign, intituled *An Act to permit certain Goods imported into Ireland to be warehoused or secured without the Duties due on the Importation thereof being first paid*, and of several Acts for amending and extending the Provisions of the said recited Acts, the Importers, Proprietors or Consignees of certain Goods and Merchandize, are permitted to lodge and secure the same in Warehouses, and otherwise, without Payment, at the Time of the first Entry of such Goods and Merchandize, of the Duties of Customs and Excise due on the Importation thereof: And Whereas, for the general Encouragement and Increase of Commerce, it is expedient that all Goods and Merchandize whatsoever should be allowed to be imported into any Part of the United Kingdom of *Great Britain and Ireland*, and secured in Warehouses and otherwise, under Regulations to be made and declared for that Purpose, notwithstanding any Prohibition or Restriction now in force upon the Importation of any such Goods or Merchandize; and that certain Goods and Merchandize should be allowed to be taken out of such Warehouses, either for the Purpose of Exportation free of any Duty whatever, or (on Payment of the Duties) for Home Consumption, at the Option of the Proprietors; and that certain other Goods and Merchandize, being heretofore subject to Prohibitions or Restrictions on the Importation thereof, should be exported from such Warehouses to certain Ports and Places free of any Duty whatever; and that the Prohibitions and Restrictions on the Importation of certain Goods and Merchandize should be repealed, so as to permit the Importation of such Goods and Merchandize for the Purpose of being secured in Warehouses for Exportation; and that the Regulations contained in the said recited Acts of the Forty third and Forty eighth Years of His late Majesty's Reign, and in several Acts for amending and extending the same, should be repealed, in order that the same may be revised, amended and consolidated: 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 said hereinbefore recited Act of the Forty third Year of His late Majesty's reign, for permitting certain Goods imported into *Great Britain* to be secured in Warehouses without Payment of Duty, shall be

The Acts herein recited relating to warehousing of Goods repealed wholly or in part, viz.

and

- 43 G. 3. c. 132. and the same is hereby repealed; and that from and after the Commencement of this Act, the several Acts and Parts of Acts hereafter mentioned shall also be repealed; that is to say, an Act made in the Forty fifth Year of His said late Majesty's Reign,
- 45 G. 3. c. 87. intituled *An Act to authorize the Lords Commissioners of His Majesty's Treasury to permit certain Articles to be warehoused in different Ports in Great Britain, upon giving Security for the Payment of Duties upon the Articles therein mentioned*; and also
- 46 G. 3. c. 137. § 1. an Act made in the Forty sixth Year of His said late Majesty's Reign, made, among other Things, for extending the Provisions of the said recited Act of the Forty third Year of His said late Majesty's Reign to other Articles not therein mentioned, so far as the said Act relates to such Extension; and also an Act made
- 47 G. 3. sess. 1. c. 48. in the Forty seventh Year of His said late Majesty's Reign, among other Things, for repealing so much of certain Acts as relates to the Regulations or Conditions under which Coffee, Cocoa Nuts, Sugar and Rice (not being the Produce of the *East India*), are allowed to be secured in Warehouses without Payment of Duty, so far as the same relates to such Coffee, Cocoa Nuts, Sugar and Rice; and also the said hereinbefore recited Act of
- 48 G. 3. c. 92. the Forty eighth Year of His said late Majesty's Reign, for permitting certain Goods imported into *Ireland* to be warehoused or secured without the Duties due on the Importation thereof being first paid; and also an Act made in the said Forty eighth
- 48 G. 3. c. 120. § 8—10. Year of His said late Majesty's Reign, intituled *An Act for reducing the Excise Duties on Coffee imported into Great Britain, and for directing that Coffee and Cocoa warehoused shall be subject to the Regulations of an Act of the Forty third Year of His present Majesty, for permitting certain Goods imported to be secured in Warehouses*, so far as the said Act relates to Coffee or Cocoa
- 48 G. 3. c. 126. so warehoused; and also another Act made in the said Forty eighth Year of His said late Majesty's Reign, among other Things, for permitting Goods secured in Warehouses in the Port of *London* to be removed to the Outports for Exportation to any Port of *Europe*, so far as the said Act relates to the Removal of
- 49 G. 3. c. 106. such Goods; and also an Act made in the Forty ninth Year of His said late Majesty's Reign, intituled *An Act for allowing further Time for taking Goods out of Warehouses and paying*
- 50 G. 3. c. 38. *Duties thereon*; and also an Act made in the Fiftieth Year of His said late Majesty's Reign, for extending the Provision of the said hereinbefore recited Act of the Forty eighth Year of His said late Majesty's Reign, for permitting the warehousing of
- 50 G. 3. c. 64. Goods imported into *Ireland*; and also an Act made in the Fiftieth Year of His said late Majesty's Reign, intituled *An Act to permit the Removal of Goods, Wares and Merchandize, from any Port in Great Britain where first warehoused, to any other warehousing Port, for the Purpose of Exportation*; and also so much
- 51 G. 3. c. 47. § 7. of an Act made in the Fifty first Year of the Reign of His said late Majesty, intituled *An Act for carrying into effect the Provisions of a Treaty of Amity, Commerce and Navigation concluded between His Majesty and His Royal Highness the Prince Regent of Portugal, as relates to the warehousing or securing any Goods or Articles, the Growth or Produce of any of the Territories or Dominions of the Crown of Portugal, in Warehouses belong-*

ing to the *West India Dock Company*, or the *London Dock Company* in the Port of *London*; and also so much of an Act made in the Fifty second Year of His said late Majesty's Reign, intituled *An Act to amend several Acts relating to the Revenue of Customs and Port Duties in Ireland*, as relates to requiring the Attendance of Merchants to open the Locks of Warehouses; and also another Act made in the said Fifty second Year of His said late Majesty's Reign, intituled *An Act to permit the Exportation of certain Articles to the Isle of Man from Great Britain*, so far as relates to the exporting such Articles from Warehouses; and also another Act made in the said Fifty second Year of His said late Majesty's Reign, intituled *An Act to permit the Removal of Goods from one Bonding Warehouse to another in the same Port*; and also another Act made in the said Fifty second Year of His said late Majesty's Reign, among other Things, for regulating the Separation of damaged from sound Coffee, so far as relates to such Coffee deposited in any Warehouses; and also so much of an Act made in the Fifty fifth Year of His said late Majesty's Reign, among other Things, for making further Regulations for securing the Duties of Customs in *Ireland*, as relates to Goods or Merchandize warehoused or secured without Payment of Duty; and also an Act made in the First Year of the Reign of His present Majesty, for amending, revising and continuing the said recited Act of the Fifty second Year; and also so much of an Act made in the Fifty fifth Year of His said late Majesty's Reign, among other Things, for making further Regulations for securing the Duties of Customs in *Ireland*, as relates to Goods or Merchandize warehoused in *Ireland*; and also an Act made in the Fifty seventh Year of His said late Majesty's Reign, among other Things, for limiting the Time allowed by Law for the Production of the Certificate of due Delivery of Goods removed from one Warehousing Port in *Great Britain* to another, for the Purpose of Exportation, and for empowering Officers of the Customs and Excise to permit the Removal of Goods from one Bonding Warehouse to another in the same Port, so far only as the said Act relates to the Production of such Certificate, and the Removal of such Goods; and also an Act made in the Fifty ninth Year of His said late Majesty's Reign, among other Things, for requiring Goods which have been warehoused without Payment of Duties, or, being prohibited, warehoused for Exportation, to be put on board Vessels by Persons licensed for that Purpose, so far only as the said Act relates to such Licence, and the Removal of Goods under such Licences; and also an Act made in the Session of Parliament holden in the First and Second Years of the Reign of His present Majesty, intituled *An Act to amend several Acts relating to the Coasting Trade of Great Britain*, so far only as the same relates to the removing of warehoused Goods from Port to Port a Second Time; and also another Act, made in the same Session of Parliament, intituled *An Act for amending the Laws of Excise relating to warehoused Goods*; and the said several Acts, so far only as the same relate to the warehousing or securing, and Removal of Goods, Wares and Merchandizes, and the fitting of Wines, and to the Packages in which Pepper may be imported from the *East Indies*, shall, from and after the Commencement of

this

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4 Geo. IV.

c. 76.
§ 3.
c. 140.
c. 142.
§ 2.
c. 149.
§ 7, 8.
c. 82.
§ 11, 12.
c. 59.
c. 82.
§ 13, 14.
c. 116.
§ 1, 2.
c. 123.
§ 3, 4, 5.
1 & 2 G. 4.
c. 97. § 1.
1 & 2 G. 4.
c. 105.

this Act, be and are hereby declared to be repealed, except as to any Penalties or Forfeitures incurred under the said recited Acts, or any of them, at any Time before the Commencement of this Act, and except as to any Matters or Things whatsoever lawfully done under the said recited Acts, or any of them, at any Time before the Commencement of this Act.

Goods warehoused under former Acts to remain so warehoused under this Act; and Warehouses, &c. approved to continue till otherwise determined.

II. Provided always, and be it enacted, That all Goods and Merchandize which shall have been warehoused, or otherwise secured, under the Provisions of the said several hereinbefore recited Acts, or any of them, at any Time before the Commencement of this Act, shall and may remain and continue so warehoused and secured under the Provisions of this present Act, until the End of Three Years from the Time when the same were first warehoused or secured under the said recited Acts, or any of them, unless the same shall be sooner taken out for Home Consumption or Exportation, or unless the same shall have been or shall be allowed to remain so warehoused or secured for any further Time, under the Orders of the Commissioners of His Majesty's Treasury, pursuant to any Provision contained in any of the said recited Acts or this Act; and that all Warrants, Orders and Directions heretofore issued by the Commissioners of His Majesty's Treasury, or Commissioners of His Majesty's Customs, for the warehousing of Goods or Merchandize, and all Bonds given for securing the Duties on such Goods and Merchandize, and all Bonds given by the Proprietors, Renters or Lessees of any Warehouses in which any Goods or Merchandize shall be lodged, shall remain in force and effect, as if such Warrants, Orders, Directions and Bonds had been issued or given under the Provisions of this Act; and that such Goods and Merchandize shall be subject to all the Regulations in this present Act contained, and shall be dealt with and disposed of to all Intents and Purposes as if the same had been warehoused or secured under this Act; and that it shall be lawful for the Commissioners of His Majesty's Treasury, or any Three of them, to grant such Warrants, and to give such Orders and Directions respecting such Goods and Merchandize, or any of them, for subjecting them to the Regulations of this Act, as to the said Commissioners shall seem fitting and expedient.

Treasury may grant Warrants, &c.

Goods legally imported, warehoused, &c. without Payment of Duty (Exception).

III. And be it further enacted, That from and after the Commencement of this Act, it shall and may be lawful for the Importer or Importers, Proprietor or Proprietors, or Consignee or Consignees of any Goods or Merchandize whatsoever, and of what Nature and Kind soever, which shall be legally imported into the United Kingdom of *Great Britain* and *Ireland*, to lodge and deposit or secure such Goods and Merchandize in Warehouses or other approved Places, without Payment of any Duty, either of Customs or Excise, at the Time of the First Entry of any such Goods or Merchandize (except as hereinafter excepted); and that it shall be lawful for the Importer or Importers, Proprietor or Proprietors, or Consignee or Consignees of any Goods or Merchandize whatever, and of what Nature and Kind soever (Tea only excepted), imported from any Port or Place whatever (the Dominions of the Emperor of *China* excepted), in any *British* built Ship or Vessel, or in any Ship or Vessel which by Law is

Goods (except Tea) imported (except from China) in British Ships may be warehoused, &c. without Duty,

or may be entitled to the Privileges of a *British* built Ship or Vessel (of the Tonnage required by Law for the Importation of Goods allowed to be imported), in like Manner to lodge and deposit, or secure such Goods and Merchandize in Warehouses or other approved Places (but for the Purpose of Exportation only), without Payment of any Duty, either of Customs or Excise, at the Time of the first Entry of such Goods or Merchandize (except as hereinafter excepted), although the Importation of such Goods or Merchandize may be in any way prohibited or restrained by any Act or Acts in force immediately before the Commencement of this Act, any thing in any such Act or Acts, or any Law, Usage or Custom to the contrary notwithstanding; and that it shall and may be lawful for the Importer or Importers, Proprietor or Proprietors, or Consignee or Consignees of any Goods and Merchandize whatever, and of what Nature and Kind soever (Tea only excepted), imported from any Country, Port or Place not being in the Possession of or belonging to the Crown of the United Kingdom of *Great Britain* and *Ireland* (the Dominions of the Emperor of *China* excepted), in any Foreign Ship or Vessel (of the Tonnage required by Law for the Importation of Goods permitted to be imported), in like Manner to lodge and deposit, or secure such Goods and Merchandize in Warehouses or other approved Places (but for the Purpose of Exportation only), without Payment of any Duty of Customs or Excise at the Time of the first Entry of such Goods and Merchandize (except as hereinafter excepted), although the Importation of such Goods or Merchandize may in any way be prohibited or restrained by any Act or Acts in force immediately before the Commencement of this Act, any thing in any such Act or Acts, or any Law, Usage or Custom to the contrary notwithstanding; subject nevertheless to the several Rules, Regulations, Conditions and Securities hereinafter contained, as well with respect to the Ports as to the Warehouses and Places in which such Goods and Merchandize may be lodged and secured, and subject also to the several Limitations and Exceptions hereinafter specially provided and contained.

IV. And be it further enacted, That any Goods and Merchandizes which, under this Act, are allowed to be lodged and deposited or secured in Warehouses or other secure Places, shall and may be imported for the Purposes of this Act, although the Importation thereof may be prohibited or restrained by any Act or Acts in force immediately before the Commencement of this Act; any thing in any such Act or Acts to the contrary in any wise notwithstanding: Provided always, that nothing in this Act contained shall extend or be construed to extend to permit the Importation of any Gunpowder, Arms, Ammunition or Utensils of War, contrary to an Act made in the First Year of the Reign of King *James* the Second, against such Importation, nor to permit the Importation of any dried or salted Fish (except Stock Fish), nor to permit the Importation of any Beef, Pork or Bacon, nor to permit the Importation of any infected Hides, Skins, Horns, Hoofs or of any other Part of any Cattle or Beast, nor to permit the Importation of any counterfeit Coin, nor to permit the Importation of any Books first composed or written or

for Exportation only, although prohibited to be imported.

Goods (Exceptions) imported (except from *China*) in Foreign Ships may also be warehoused for Exportation only, without Duty, although prohibited to be imported.

Proviso for Importation of prohibited Goods allowed to be warehoused under this Act.

Gunpowder, &c. not to be imported contrary to stat. 1 Jac. 2. c. 8.

Nor the several other Goods herein mentioned.

printed and published in the United Kingdom of *Great Britain and Ireland*, and reprinted in any other Country or Place, or of any Copies of Prints first engraved, etched, drawn or designed in the said United Kingdom, or of any Copies or Casts of Sculptures or Models first made in the said United Kingdom, contrary to the several Acts made and in force for the prohibiting or restraining the Importation of the said several Articles, Matters and Things, or any of them respectively, either generally or under any particular Circumstances; any thing hereinbefore contained to the contrary in any wise notwithstanding.

Treasury empowered by Warrant to select Ports and Warehouses for warehousing and securing Goods in general, or any particular Goods.

Warrant to be published.

List of particular Goods published.

Prohibited Goods to be warehoused for Exportation only, to be lodged separately in Warehouses

V. 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*, at any Time after the Commencement of this Act, by their Warrant under their Hands, or the Hands of any Three or more of the said Commissioners for the time being, from time to time to select, appoint, approve and declare at what Ports in *Great Britain and Ireland* respectively, and in what Warehouses or Places in such Ports, Goods and Merchandize of every Description, or Goods and Merchandize of any particular Description, or any particular Articles of Merchandize, shall and may be lodged in Warehouses, or otherwise secured, without Payment of Duty as aforesaid; and all such Goods and Merchandize, or such particular Goods and Merchandize, or such particular Articles of Merchandize, shall and may be so lodged in Warehouses or secured at any such Port in *Great Britain or Ireland* respectively, so appointed, approved, selected and declared, and at no other Port or Place whatever in *Great Britain or Ireland* respectively; and that every such Warrant of the said Commissioners of His Majesty's Treasury, in all Cases, whether the Privilege of warehousing or otherwise securing Goods and Merchandize at any Port shall extend to every Description of Goods and Merchandize, or whether such Privilege shall be confined to particular Goods and Merchandize, shall be published Three Times in the *London Gazette* or *Dublin Gazette* respectively; and that in all Cases where such Privilege shall be confined to particular Goods and Merchandize, or to particular Articles of Merchandize, a List of such Goods and Merchandize as shall be so permitted to be warehoused or secured shall be in like manner inserted and specified in the *London Gazette*, or *Dublin Gazette* respectively.

VI. And Whereas it is expedient, for the Protection of the Manufactures of this Country, that the several Goods and Merchandize the Importation of which hath been prohibited by any Act or Acts in force immediately before the passing of this Act, but which by virtue of this Act may be imported and warehoused for the Purpose of Exportation only, should be lodged and deposited in Warehouses or Places of special Security; Be it therefore enacted, That all such Goods and Merchandize the Importation whereof hath been so prohibited, but which shall at any Time after the Commencement of this Act be imported under the Provisions of this Act, shall be lodged and secured, and kept separate from all other Goods and Merchandize, in Warehouses which are or shall be erected and built in Places inclosed by and surrounded with Walls, or in such other Warehouses

houses or Places of special Security as shall be approved and appointed by Warrant as aforesaid of the Commissioners of His Majesty's Treasury, or any Three of them, and in no other Warehouse or Place whatever; and such Warehouses and Places shall be appointed accordingly for the Reception and Security of such Goods and Merchandize, by Warrant of the Commissioners of His Majesty's Treasury, under their Hands, or the Hands of any Three of them, specifying the Situations of the several Warehouses, and the Goods and Merchandize to be lodged or warehoused therein, and that such Goods and Merchandize shall be kept separate from all other Goods and Merchandize; and every such Warrant shall be published Three Times in the *London Gazette* and *Dublin Gazette* respectively.

appointed by Treasury.

Warrant published.

VII. And, for the Security of the Revenue of Customs and Excise, be it further enacted, That from and after the Commencement of this Act, all such Goods and Merchandize as are enumerated and described in the Schedule marked (A.) to this Act annexed, shall be lodged and deposited in Warehouses which are or shall be erected and built in Places inclosed by and surrounded with Walls, or in such other Warehouses or Places of special Security as shall be from time to time approved and appointed by Warrant as aforesaid of the Commissioners of His Majesty's Treasury, or any Three of them, to be published Three Times in the *London Gazette* and *Dublin Gazette* respectively, and in no other Warehouses or Places whatsoever.

Goods enumerated in Schedule (A.) to be deposited in like secure Warehouses.

VIII. And be it further enacted, That from and after the Commencement of this Act, all Foreign Spirits, Wine, Cocoa Nuts, Coffee and Pepper, shall be lodged, deposited and secured in such Warehouses and Places as shall be from time to time approved and appointed by Warrant as aforesaid, and in such Manner and under such Regulations as shall be directed by the Commissioners of His Majesty's Treasury, or any Three of them, to be published Three Times in the *London Gazette* and *Dublin Gazette* respectively, and in no other Warehouses or Places whatsoever,

Spirits, &c. to be deposited in Warehouses approved by Treasury.

IX. Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Treasury, from time to time, by Warrant under their Hands, or the Hands of any Three of the said Commissioners, to revoke any former Warrant, or to make such Alterations in or Additions to any such former Warrant, or to make or grant any new Warrant or Warrants, either with respect to the Ports, Places and Warehouses wherein such Goods and Merchandize may be lodged or secured as aforesaid, or with respect to the Goods and Merchandize to which such Privilege shall be extended, or with respect to any particular Article or Articles of Merchandize, as to the said Commissioners of His Majesty's Treasury shall appear expedient; and every such Warrant for any such Revocation, Alteration or Addition, together with a List of the Goods, Merchandize or Articles to which any such Warrant shall relate, shall in all Cases be published Three Times in the *London Gazette* and *Dublin Gazette* respectively.

Treasury may revoke or alter Warrants as to Ports or Goods.

Warrant and List of Goods published.

X. Provided always, and be it enacted, That it shall and may be lawful for any Importer, Consignee or Proprietor of any Goods

Importers may, at their Option, and

warehouse
Goods in such
Warehouses of
special Security,
although not
specified in
Warrant, un-
less prohibited
by the Treasury.

and Merchandize whatever, allowed to be warehoused or secured under the Provisions of this Act, to lodge and deposit, at his Option, any such Goods or Merchandize in Warehouses erected in Places inclosed by or surrounded with Walls, or in any other Warehouse or Place of special Security approved of by the Commissioners of His Majesty's Treasury as aforesaid, although such Goods or Merchandize may not be specified in any Warrant of the said Commissioners of the Treasury, unless the said Commissioners of the Treasury shall specially prohibit the Warehousing of any such Goods or Merchandize in such Warehouses; and all such Goods and Merchandize not so specially prohibited shall be entitled to all such Privileges and Advantages, to all Intents and Purposes, as if the same had been so lodged or secured under the Authority of any Warrant of the said Commissioners of the Treasury.

Taking Goods
imported and
warehoused for
Export only,
or imported
contrary to
Navigation
Laws, out of
Warehouse for
Home Con-
sumption.

XI. Provided always, and be it enacted, That no Goods or Merchandize whatsoever, which have been prohibited to be imported, or the Importation of which may be restrained by any Act or Acts in force on or immediately before the Commencement of this Act, and which under this Act are permitted to be imported and warehoused for Exportation only, nor any Goods which shall be imported into *Great Britain* contrary to the Laws of Navigation, and which shall be warehoused or secured under the Provisions of this Act, shall be delivered from or taken out of any such Warehouse or Place for the Purpose of being used or consumed in any Part of the United Kingdom, upon any Pretence or under any Authority whatsoever; upon pain of the Forfeiture of all such Goods and Merchandize, and also of a Sum equal to Twice the Value of such Goods and Merchandize so taken out of Warehouse contrary to this Act, to be paid by the Person or Persons to whose Use or Account such Goods or Merchandize shall be delivered out of Warehouse contrary to this Act.

Penalty.

Prohibited
Goods not to
be exported to
British Colo-
nies.

XII. Provided also, and be it enacted, That no Goods or Merchandize, the Importation whereof for Home Consumption hath been prohibited by any Act or Acts in force on or immediately before the Commencement of this Act, and which shall be imported and warehoused or secured under the Provisions of this Act for Exportation, (Goods of the Manufacture of *Persia*, *China* or the *East Indies* excepted,) shall be delivered from or taken out of any such Warehouse or Place, for the Purpose of being exported to any *British Colony*, Plantation, Territory or Dominion in *America* or the *West Indies*, any thing hereinbefore contained to the contrary in any wise notwithstanding; upon pain of the Forfeiture of all such Goods and Merchandize, and also of a Sum equal to Twice the Value of such Goods and Merchandize so taken out of Warehouse contrary to this Act, to be paid by the Owner or Exporter of such Goods or Merchandize; and such Goods shall and may be seized and prosecuted by any Officer or Officers of His Majesty's Customs in such Colonies, in the like manner as any other Goods forfeited for any Offence against the Laws of His Majesty's Revenue of Customs.

Certain Goods
excepted.

Penalty.

Seizure of
Goods.

Exporting
Goods specified
in Schedule (B.)

XIII. Provided also, and be it enacted, That the several Goods or Merchandize mentioned in Schedule (B.) to this Act annexed, which shall be warehoused or secured under the Provisions

visions of this Act, shall not be delivered from or taken out of any Warehouse or Place in which the same shall have been warehoused or secured under this Act, for the Purpose of being exported to any *British* Colony, Plantation, Territory or Dominion in *America* or the *West Indies*, nor be permitted or allowed to be imported into any such *British* Colony or Plantation, unless and until all Duties, as well of Customs as Excise, payable in *Great Britain* or *Ireland* respectively, on such Goods and Merchandize, if the same had been taken out for Home Consumption, shall have been first fully paid and satisfied; upon pain of the Forfeiture of all such Goods and Merchandize, and also of a Sum equal to Twice the Value of such Goods and Merchandize so taken out of Warehouse contrary to this Act, to be paid by the Owner or Exporter of such Goods and Merchandize.

to British Colonies, before Home Consumption Duties paid.

Penalty.

XIV. And be it further enacted, That all Goods and Merchandize not directed to be warehoused or secured under the Order of the Commissioners of the Treasury, or not specified, enumerated or described in the Schedule marked (A.) annexed to this Act, or the Importation of which hath not been prohibited by any Act or Acts in force immediately before the passing of this Act, shall and may be lodged and deposited or secured in such Warehouses or Places in the Port of *London*, or in any other Port in the United Kingdom, as the Commissioners of Customs, and the Commissioners of Excise, in Cases where that Revenue is concerned, in or for any Part of the United Kingdom of *Great Britain* and *Ireland*, or any Three of such Commissioners within their Jurisdiction respectively, shall approve and direct, under and subject to such Rules, Regulations, Securities and Restrictions, in all respects, as are contained in this Act.

All other Goods may be warehoused under Direction of Customs and Excise.

XV. Provided always, and be it further enacted, That it shall and may be lawful for the Commissioners of Customs and Excise, within their Jurisdiction respectively, to permit and allow any such Goods and Merchandize to be warehoused or secured in any such Warehouses, Warehouse Rooms or Places, approved and directed by the said Commissioners, in all Cases where the Owners or Consignees of such Goods and Merchandize, or the Proprietors, Renters or Lessees of such Warehouses, Warehouse Rooms or Places, which may be so approved by the said Commissioners for the Reception of such Goods and Merchandize, shall have given and entered into, or shall give and enter into sufficient Security, by Bond to His Majesty, His Heirs and Successors, in such Amount, and with such Surety or Sureties as may be approved by the said Commissioners, for the Payment of the full Duties of Customs and Excise payable on all such Goods and Merchandize as may from time to time be lodged or secured in such Warehouses, Warehouse Rooms or Places, when such Goods and Merchandize shall be taken out for Home Consumption, or for the due Exportation of such Goods and Merchandize, according to the Provisions of this Act, and from time to time to renew such Bond so often as the same shall become forfeited by any Breach of the Condition thereof; and that in any such Case no other or further Bond shall be required from the Importer, Proprietor or Consignee of any Goods or Merchandize warehoused or secured in such Warehouses, Warehouse Rooms or

Goods may be lodged in Warehouses approved by Customs and Excise, on Security for Duties by the Owner of the Warehouses, on Bond of Importer, &c. for Duties.

Bond renewed. No further Bond required.

Places, any thing in this Act to the contrary in any wise notwithstanding.

Size of Casks and Packages for Spirits, Wines, Tobacco, Snuff, Coffee and Cocoa Nuts warehoused.

XVI. And be it further enacted, That from and after the Commencement of this Act, no foreign Brandy, Rum, Geneva, Spirits, Aqua Vitæ or Wine, shall be warehoused under the Provisions of this Act, unless the same shall be imported in Casks, each containing at least Forty five Gallons, or in Bottles, in Cases containing at least Three Dozen Quart Bottles, or reputed Quart Bottles, or Bottles larger than reputed Quart Bottles; and that no Tobacco or Snuff shall be so warehoused, unless the same shall be imported in Casks, Hogsheads, Chests, Cases or Packages, containing at least Four hundred and fifty Pounds Averdupois net Weight each, without and free from any internal Packages separate and separately of less Weight; and that no Coffee or Cocoa Nuts shall be so warehoused, unless the same shall be imported in Casks, Bags, Boxes or other Packages, containing at least One hundred Pounds Averdupois net Weight each; and that any such Goods and Merchandize which shall be imported in Casks, Cases, Hogsheads, Chests, Bags, Boxes or other Packages, of less Content respectively than as aforesaid, shall be forfeited, and may be seized by any Officer or Officers of Customs or Excise.

Penalty.

Casks for Plantation Rum imported for Ships' Stores.

XVII. Provided always, and be it enacted, That Rum, the Produce of the *British* Plantations, imported directly from thence in Casks containing at least Thirty five Gallons each, and intended to be used and disposed of solely as Stores of Ships and Vessels, may be lodged or secured in any Warehouse, and delivered from such Warehouse under the Provisions of this Act for that Purpose only.

How surplus Stores of British Ships may be warehoused.

XVIII. And be it further enacted, That it shall and may be lawful for the Master or Owners of any *British* Ship or Vessel, at any Time arriving or being in any Port in any Part of the United Kingdom approved of by the Commissioners of the Treasury for warehousing or securing Goods under this Act, to cause the surplus Stores, (duly reported, and which may be legally used or consumed in the United Kingdom,) of any such Ship or Vessel to be lodged and deposited in such Warehouse or Warehouses as shall be approved of by the Commissioners of Customs, and by the Commissioners of Excise, in Cases where that Revenue is concerned, and to take such surplus Stores out of such Warehouse or Warehouses at such Times as the same shall be required for the Use of such Ship or Vessel, on the Departure thereof out of the said Port or Ports respectively, on any foreign Voyage, or whenever the same shall be required by the Owners of such Ship or Vessel for the Use of any such Ship or Vessel, or of any other Ship or Vessel belonging to the same Owners, in case the Ship or Vessel out of which the said Stores were landed shall be sold or broken up, or for the private Use and Consumption of the Importer, on Payment of the Duty or Duties of Customs and Excise; and all such surplus Stores so lodged and deposited in such Warehouse shall be lodged, deposited, secured, accounted for and redelivered in such Manner and upon such Conditions as the Commissioners of Customs, and the Commissioners of Excise, in Cases where that Revenue is concerned, shall

Taking out such Stores.

Duty paid.

shall from time to time direct, by any Order to be for that Purpose made by the said Commissioners, or any Three of them, within their Jurisdiction respectively: Provided always, that if such Stores shall not be taken out of such Warehouse within One Year from the Time of the lodging and depositing the same, they shall be disposed of in the same manner as Goods, Wares and Merchandize are directed to be disposed of by this Act, after the Expiration of Three Years after the same shall have been first entered for the Purpose of being warehoused or secured under the Provisions of this Act.

Proviso where Stores not taken out within One Year.

XIX. And be it further enacted, That any Goods or Articles, the Growth or Produce of any of the Territories or Dominions of the Crown of *Portugal*, may be received and warehoused in such Warehouses or Docks in the Port of *London* as shall be approved by the Commissioners of His Majesty's Treasury, or any Three or more of them; any thing in the hereinbefore recited Act of the Fifty first Year of the Reign of His late Majesty King *George* the Third, for carrying into effect the Treaty of Amity, Commerce and Navigation with *Portugal*, to the contrary in any case notwithstanding.

How Portuguese Goods may be warehoused in Port of London.

51 G.3. c.17. § 7. :

XX. And be it further enacted, That before any Goods or Merchandize, except such as are or shall be subject to the Duties of Excise only, shall be lodged in Warehouses, or otherwise secured according to the Directions of this Act, the same shall be duly entered with the proper Officer or Officers of the Customs, and regularly landed; and the proper Officer or Officers of His Majesty's Customs shall on such landing, or as soon after as conveniently may be, examine the same, and take a particular and correct Account of the Quantity, Quality, Species, Number and Contents thereof, which Account shall be regularly entered in a Book or Books to be provided and kept for that Purpose, in such Manner as the Commissioners of the Customs in or for any Part of the United Kingdom of *Great Britain* and *Ireland*, or any Three of such Commissioners within their Jurisdiction respectively, shall from time to time think proper to direct; and the Contents shall also be marked by or under the Direction and Inspection of the said Officer or Officers, in distinct and legible Characters on each and every Package; and on the Packages containing any Goods or Merchandize which have been or shall be prohibited to be imported for Home Consumption, the Word "Prohibited" shall be marked in manner aforesaid, in all Cases where the same shall be practicable; and no Allowance either for Damage or on any other Account whatever shall be made on any Goods or Merchandize, unless the Importer or Importers, Proprietor or Proprietors, Consignee or Consignees, at the Time such Goods or Merchandize are first examined as aforesaid, shall claim or demand the Allowance to which by Law they may be entitled, subject nevertheless to the Provisions hereinafter contained.

Goods warehoused to be regularly entered and landed, and Account taken, and Contents marked on Packages, except such as are subject to Duties of Excise only.

Word "Prohibited" marked on certain Packages.

XXI. And be it further enacted, That before any Goods or Merchandize subject or liable to any Duty of Excise on the Importation thereof shall be unshipped or landed, for the Purpose of being warehoused without Payment of the Duties, the Importer or Proprietor shall make Entry thereof in Writing with the proper Collector

Entry to be made of Excisable Articles imported before landing.

Collector of Excise, specifying in such Entry the Name of the Ship or Vessel, and the Master thereof, the Number and Marks of the Casks, Cases, Bags, Boxes or other Packages, the Kind or Species of Goods or Merchandize contained in each, and at what Port or Place the same was laden or taken in.

Bond to be given for Duty upon Excisable Commodities.

Condition.

XXII. And be it further enacted, That before any such Goods or Merchandize, subject to any Duty of Excise, shall be allowed to be warehoused without Payment of the Duties, good and sufficient Security shall be given, to be approved by the Commissioners of Excise, within their Jurisdictions, or the Person or Persons appointed or employed by them for that Purpose, which Security such Person or Persons are hereby authorized and empowered to take by Bond, in Double the Value of the Duties charged or chargeable on such Goods or Merchandize respectively, for Payment of all and every the said Duties respectively before the same shall be taken or delivered out of any Warehouse, in which the same shall or may be lodged or deposited under or by virtue of this Act, for Home Consumption; or in case the same shall not be taken or delivered out of any such Warehouse as aforesaid for Home Consumption on Payment of the Duties, or for Exportation, within Three Years from and after the Day of the Date of the Bond so given or entered into in respect thereof as aforesaid, then to pay all and every the Duties charged and chargeable on the said Goods or Merchandize respectively at the End of the said Three Years, together with all Charges that may be incurred by the Officers of Excise for or in respect of such Goods or Merchandize respectively, unless the same shall be abandoned to the Commissioners of the Customs or Excise for the Purpose of being sold or destroyed, or unless the same shall be sold or destroyed under the Orders of the Commissioners of Customs or Excise, according to the Provisions hereinafter expressed and contained: Provided always, that nothing herein contained shall extend or be construed to extend to require any Bond or Bonds from the Proprietor or Proprietors, Consignee or Consignees of any Tobacco or Snuff upon the first Entry and warehousing thereof, and that the Bond required to be given upon the Exportation of Tobacco or Snuff shall not be charged with any Stamp Duty.

No Bond upon warehousing required for Tobacco or Snuff.

Warrant from Collector of Excise before landing or warehousing.

XXIII. And be it further enacted, That no such Goods or Merchandize subject to a Duty of Excise shall be unshipped or landed, and lodged or deposited, in any such Warehouse as aforesaid, without a Warrant for that Purpose from the proper Collector of Excise, nor without the Presence of an Officer or Officers of Excise; and if any such Goods or Merchandize shall be so unshipped or landed without a Warrant from such Collector of Excise, or without the Presence of an Excise Officer, the same shall not be allowed to be warehoused under the Authority of this Act, but shall be subject to Forfeiture, as by any Law or Laws of Excise now in force or hereafter to be made: Provided always, that nothing herein contained shall extend or be construed to extend to prevent or hinder the proper Officer of the *East India Docks*, *West India Docks* or *London Docks*, from causing any Goods or Merchandize, which shall not have been duly entered, to be landed and warehoused in the said Docks, pursuant to the

Penalty.

Officers of the Docks, &c. may order Goods to be warehoused before Entry.

Directions of any Act or Acts in force relating to the said Docks respectively immediately before the Commencement of this Act.

XXIV. And be it further enacted, That it shall and may be lawful to and for the proper Officer or Officers of Excise to take a true and particular Account of the Quantity, Quality and Species of all such Goods or Merchandize, subject to a Duty of Excise, which shall be proposed or intended to be, or shall be warehoused before Payment of the Duties, by Weight, Gauge, Tale or otherwise, as the Case may require, while the same shall be remaining on Shipboard, or while in any Boat, Barge, Lighter or Vessel, or as soon as the same shall be landed, in order to ascertain and secure the Duty or Duties of Excise chargeable thereon: Provided always, that where such Goods or Merchandize shall be on board of any Ship or Vessel which shall be lying in any Dock surrounded by Walls, the Account thereof shall not be taken until the said Goods or Merchandize shall have been landed in such Dock or Docks, except in Cases where Suspicion shall arise that any Part of such Goods or Merchandize has been clandestinely conveyed away and applied to Home Consumption; and such Officer or Officers of Excise shall be permitted to take a Sample of any such Goods or Merchandize as aforesaid; that is to say, out of every Cask of any Kind of Spirits, a Sample not exceeding Half a Pint, and out of every Cask or other Package of Coffee or Cocoa Nuts, a Sample not exceeding One Ounce, which Samples shall be regularly marked and registered, and securely kept by the proper Officer or Officers of Excise, until the Expiration of Three Calendar Months next after the Time when the Goods or Merchandize to which the same particularly refers shall have been legally delivered for Home Consumption or for Exportation; and all such Samples shall be from time to time applied, disposed of and accounted for, for the Public Service, in such Manner as the Commissioners of Excise within their Jurisdiction shall order and direct; and the said Commissioners are hereby authorized and required to give Orders for the Application and Disposal of such Samples from time to time as they shall see fit; and a Certificate of the Strength of every Kind of Spirits which shall be landed and warehoused under the Provisions of this Act, shall, within Four Days from the taking such Account by the proper Officer, be signed by such Officer, and shall by such Officer be delivered to the proper Officer of the Excise at such Port; and a Duplicate of such Certificate, signed by the proper Officer as aforesaid, shall by such Officer be delivered, on Demand, to the Person or Persons who shall enter into Bond for the Payment of the Duties on such Spirits, pursuant to the Provisions of this Act.

XXV. And be it further enacted, That all Goods or Merchandize secured in Warehouses under the Authority of this Act, shall be stowed, placed and deposited in the said Warehouses, in such Manner as that easy and convenient Access may be had to every Cask, Case, Bag, Box or other Package, for the Purpose of examining and taking a true Account of the Contents thereof; and if the Warehouse Keeper, or his Agent, shall omit, neglect or refuse to stow, place and deposit the same, or cause the same to be so stowed, placed or deposited as hereby directed, at his or their

Officers of Excise to take Account before Goods are warehoused.

Proviso for Goods in Vessels in Docks surrounded by Walls.

Officers may take Samples.

Samples to be marked, registered and kept;

and accounted for.

Commissioners to give Orders herein.

Certificate of Strength of Spirits.

Goods to be stowed so as to afford Access to the Packages.

Fenalty 5l.

Warehouse
Rent and
Charges to be
paid by Proprietors of
Goods ware-
housed.
(Exception.)

Estimate of
Rent and
Charges made
by Commission-
ers of Customs
and Excise.

Conditions
upon which
Goods are to be
delivered out of
Warehouse for
Exportation.

Entry to be
made.

Bond for due
landing of
Goods, &c.

their own Charge or Expence, he or they shall, for every such Omission, Neglect or Refusal as aforesaid, forfeit the Sum of Five Pounds.

XXVI. And be it further enacted, That in all Cases wherein any Goods or Merchandize are by this Act permitted to be lodged in Warehouses, or otherwise secured, the Expence of Warehouse Rent, and all other Charges, shall be paid by the Importer, Proprietor or Consignee of any such Goods or Merchandize (except in such Cases and during such Time as any Article is or shall be specially exempted from such Rent or Charges); and in case it shall be deemed expedient that any Warehouse or Warehouses should be provided at the Charge of the Crown, for the Purpose of securing therein any Goods or Merchandize, the Importer, Proprietor or Consignee of any such Goods or Merchandize shall pay to the Persons who may be appointed by the Commissioners of Customs or Excise, according as the Goods or Merchandize shall be subjected to Duties of Customs or Excise, and within the Jurisdiction of such Commissioners respectively, to receive the same, Warehouse Rent and other Charges for such Goods or Merchandize, to be estimated according to the usual and current Rate of such Rent and other Charges for the like Articles paid at the Port of warehousing; and such Estimate shall be made, and the Rate of Payment fixed accordingly, by such Commissioners of the Customs or Excise respectively, from time to time as Circumstances may require, with the Consent and Approbation of the Commissioners of His Majesty's Treasury for the time being, or any Three or more of them.

XXVII. And be it further enacted, That no Goods or Merchandize which shall have been lodged in any Warehouse or Warehouses, or otherwise secured, according to the Directions of this Act, or any other Act or Acts for the warehousing of Goods, shall be delivered from or taken out of any such Warehouse or Place, but upon the following Conditions; (that is to say,) if any such Goods or Merchandize shall be intended to be delivered or taken from thence respectively, for Exportation to Foreign Parts or from any Part of the United Kingdom to *Guernsey, Jersey, Alderney or Sark*, or from *Great Britain to Ireland*, or from *Ireland to Great Britain*, or from *Great Britain or Ireland to the Isle of Man*, in Cases where such Exportation is permitted by Law, the Proprietor or Proprietors, or Exporter or Exporters of such Goods or Merchandize, may so take the same for Exportation, without Payment of any Duty of Customs or Excise whatever (except in Cases hereinafter mentioned), provided such Proprietor or Proprietors, or Exporter or Exporters, shall, before any such Goods or Merchandize are delivered or taken from thence, make a due Entry thereof with the proper Officer or Officers of the Customs or Excise, as the Case may be, and shall, together with One other sufficient Surety, to be approved of by the proper Officer or Officers of the Customs or Excise, as the Case may be, at the Port of Exportation, enter into Bond to His Majesty, His Heirs and Successors, in Double the Value thereof, with Condition that the said Goods or Merchandize intended to be exported shall be landed at some Foreign Port or Place, or in *Guernsey, Jersey, Alderney or Sark*, and that

no.

no Part of the same shall be relanded in *Great Britain* or *Ireland* respectively, nor be landed in the *Isle of Man*, unless in Cases where such Goods or Merchandize shall be entered for Exportation to the said *Isle of Man*, nor landed in the *Island of Faro* or *Ferro*; and such Bond shall and may be discharged in the Manner hereinafter mentioned; (that is to say), for such of the said Goods and Merchandize as shall, on Exportation from *Great Britain*, to be entered for or landed in *Ireland*, or as shall, on Exportation from *Ireland*, be entered for or landed in *Great Britain*, or as shall, on Exportation from any Part of the United Kingdom, be entered for or landed in the *Isle of Man*, *Guernsey*, *Jersey*, *Alderney* or *Sark*, or any Part of Foreign *Europe* not within the *Streights of Gibraltar*, the Condition of the Bond shall be to bring a Certificate in Discharge thereof within Six Months from the Date of the Bond; and for such of the said Goods and Merchandize as shall be landed at *Gibraltar*, or any Foreign Parts within the *Streights of Gibraltar*, within Twelve Months from the Date of the Bond; and for such of the said Goods or Merchandize as shall be landed in any Part of *Africa* not within the *Streights of Gibraltar*, and on this Side the *Cape of Good Hope*, or in any Part of *America*, within Eighteen Months from the Date of the Bond; and for such of the said Goods or Merchandize as shall be landed at *Saint Helena*, or in any Port or Place at or beyond the *Cape of Good Hope*, within Thirty Months from the Date of the Bond; and such Certificate for such Goods or Merchandize before mentioned, as shall be landed from *Great Britain* in any Port or Place in *Ireland*, or from *Ireland* in any Port or Place in *Great Britain*, or from any Port of the United Kingdom in the *Isle of Man*, *Guernsey*, *Jersey*, *Alderney* or *Sark*, or any Part of His Majesty's Dominions, Plantations or Settlements, where any Officer of His Majesty's Customs shall be resident, shall be signed by the proper Officer or Officers of His Majesty's Customs there, certifying that such Goods or Merchandize were there landed; and for want of such Officer residing there, such Certificate shall then be signed by the Governor of such Islands, Dominions, Plantations or Settlements, or in his Absence by the Deputy Governor thereof respectively; and for such Goods or Merchandize as shall be landed at any Foreign Port or Place, such Certificate shall be signed by the *British Consul* or Vice Consul residing there, which Certificate the Consul or Vice Consul is hereby directed to grant upon Demand and Payment of such Fee as he may be by Law authorized to receive for the same; and if there shall be no such Consul or Vice Consul, then such Certificate shall be under the Hand and Common Seal of the Chief Magistrate of such Port or Place; or if there be no such Chief Magistrate, then under the Hands and Seals of Two known *British Merchants* then resident at such Port or Place, testifying that such Goods or Merchandize were there landed; and such Bond may also be discharged, upon Proof made to the Satisfaction of the Commissioners of Customs or Excise, as the Case may be, within their Jurisdiction respectively for the time being, that such Goods and Merchandize were taken by Enemies, or perished in the Seas; and in all Cases where any such Goods or Merchandize so warehoused, or otherwise secured as aforesaid,

How such Bond discharged.

Condition of Bond.

In what case Certificate for Goods landed to be signed by Officer;

or by Governor of Plantation.

In what case by British Consul.

Fee.

Or by Magistrate.

Further how Bond may be discharged.

aforsaid, which shall have been legally imported, and which may be legally used and consumed in the United Kingdom, shall be intended to be taken from the Warehouse or Place wherein the same may have been lodged or secured, to be used or consumed in *Great Britain* or *Ireland* respectively, the Person or Persons so taking out or taking away the same, shall first pay down in ready Money to the Collector or other proper Officer or Officers of the Customs or Excise, both or either, as the Case may be, the full Duties of Customs or Excise due and payable on such Goods or Merchandize in *Great Britain* or *Ireland* respectively, at the Time when the same shall be so taken out for the Purpose of being so used or consumed, according to the Account taken thereof at the First Examination by the Officer or Officers of the Customs or Excise, as the Case may be, without any Deduction or Abatement whatever on account of any Deficiency arising from Waste, or from any other Cause of what Nature soever the same may be, except as by this Act is otherwise provided: Provided always, that every such Bond entered into as aforsaid shall continue in force and may be prosecuted at any Time within Thirty Months from the Time limited in the Condition for the Performance thereof, and after the Expiration of such Thirty Months every such Bond on which no Prosecution or Suit is commenced shall be void, and shall be cancelled and destroyed by the proper Officer or Officers of the Customs or Excise, as to them may respectively appertain; and that the Exportation to *Guernsey*, *Jersey*, *Alderney* or *Sark*, or the *Isle of Man*, shall be made on board of *British Ships* only, registered and navigated according to Law, on pain of Forfeiture of the Ship or Ships.

In what case Duties paid down.

How long Bond to be in force.

Mode of cancelling such Bonds.

Exportation to Guernsey, &c. in British Ships.

No Bond for excisable Goods exported.

Excisable Goods for Home Consumption to be accompanied by Permits, and those for Exportation to be forthwith shipped.

XXVIII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to require any Bond to be given or entered into with the Officer of the Customs, for or in respect of the Exportation from any such Warehouse of any Goods or Merchandize, Articles, Matters or Things, which are or may be subject or liable to any Duty or Duties of Excise.

XXIX. And be it further enacted, That all Goods or Merchandize subject to a Duty of Excise, which shall be delivered or taken out of any such Warehouse for Home Consumption, shall be accompanied by an Excise Permit, granted according to the Laws in that Case made and provided; and in case any such Goods or Merchandize shall be delivered or taken out of such Warehouse for Exportation, the same and every Part thereof shall forthwith, and without unnecessary Delay, and in the Presence of the proper Officer of Excise as aforsaid, be carried to and put on board the Ship or Vessel in which the same are intended to be exported; and in case the same, or any Part thereof, shall be altered in Quantity or Quality after being delivered from or out of the Warehouses, and before the same shall be exported, or shall not be actually put on board such Ship or Vessel, or if the Whole or any Part thereof shall, after being so shipped, be unshipped or put into any other Ship or Vessel, or into any Boat (Shipwreck or other unavoidable Accident excepted), or shall be relanded in *Great Britain* or *Ireland* respectively, all such Goods

or

r Merchandize, the Shipping of which shall be so omitted or neglected, or which shall be altered in Quantity or Quality, or shall be unshipped or relanded, shall, together with the Packages containing the same, be forfeited, over and above the Penalty of the Bond given or entered into in respect of the Exportation thereof, and shall and may be seized by any Officer or Officers of Excise or Customs.

Forfeiture over Penalty of Bond.

XXX. And be it further enacted, That no Goods or Merchandize, the Duties on which shall have been secured by Bond, and which shall have been imported in Bulk, shall be delivered, except in the whole Quantity for which such Bond shall have been given, or a Quantity not less than One Ton Weight, unless by special Leave of the Commissioners of Customs (or Excise, in Cases where such Goods or Merchandize are liable to Duty of Excise,) within their Jurisdictions respectively, or any Three or more of them, such Leave to be had and obtained previous to such Delivery; and before any Goods or Merchandize shall be delivered out of or taken from the Warehouse or Place in which such Goods or Merchandize were lodged or secured, each and every Package of such Goods and Merchandize as shall be in Packages shall be marked in such distinguishing Manner as the said Commissioners of Customs and Excise within their respective Jurisdiction shall from time to time direct.

Regulation as to Delivery of Bonded Goods imported in Bulk.

XXXI. Provided also, and be it enacted, That all Goods and Merchandize, the Importation whereof is prohibited or restrained by any Act or Acts in force on or before the Commencement of this Act, and the Exporters thereof, shall, upon Exportation thereof from the Warehouses or Places in which the same shall have been lodged or secured, under the Provisions of this Act, be subject and liable to all such Conditions, Restrictions, Rules, Regulations and Securities as are required by Law with respect to any prohibited Goods and Merchandize so exported, by any Act or Acts in force on and immediately before the Commencement of this Act, and also to all Rules, Regulations and Restrictions relating to the warehousing and exporting of such Goods, made and directed by any Orders of the Commissioners of His Majesty's Treasury for the time being, or any Three of them.

Goods prohibited exported from Warehouse, liable to Laws in force, and also to Regulations made by Treasury.

XXXII. And be it further enacted, That no Goods or Merchandize whatever which shall have been lodged in Warehouses, or otherwise secured, according to the Regulations of this Act, shall afterwards be exported to Foreign Parts from any such Warehouse or Place, or be entered for Exportation in any Ship or Vessel whatever which shall not be of the Burthen of Seventy Tons or upwards: Provided always, that nothing herein contained shall extend or be construed to extend to repeal or alter any Provision in any Act or Acts of Parliament in force at the Time of passing this Act relating to the Tonnage of any Vessel in which any Goods or Merchandize may be exported from or to *Great Britain* or *Ireland* respectively, or in which Wine, Brandy, Geneva, Rum, Tea, Coffee or Tobacco may be exported by Licence to the *Isle of Man*.

Goods not to be exported in Vessels under 70 Tons.

Proviso for Acts in force relating to Tonnage.

XXXIII. And be it further enacted, That no Goods or Merchandize shall be delivered out of or taken from any Warehouse

Goods to be taken out of Warehouse in or

original Pack-
age, &c.
Exception.

or Place in which the same shall have been lodged or secured by virtue or in pursuance of this Act, or any other Act or Acts for the warehousing of Goods or Merchandize, other than in the Packages in which the same shall have been originally respectively imported from Foreign Parts, or in One entire Quantity equal thereto, and contained in a legal Package; nor shall any Brandy, Rum, Geneva, Spirits, Aqua Vitæ or Wine, be so taken out for Exportation in any less Quantity than One entire Cask. (Rum for Stores excepted, as hereinbefore provided,) containing at least Forty five Gallons, or in Cases containing at least Three Dozen Bottles, not less than reputed Quart Bottles, except as otherwise specially provided in this Act.

Quantity of
Spirits.

Proprietors
may examine,
sort, separate
and repack
Goods in the
Presence of
the Officers.

XXXIV. Provided always, and be it enacted, That every Importer or Proprietor of any Goods or Merchandize warehoused or secured under this Act, or any other Act or Acts for the warehousing of Goods or Merchandize, who may have occasion or be desirous to inspect or examine, sort and separate, pack or repack any such Goods or Merchandize to him belonging, upon giving Twelve Hours' Notice at least in Writing to the proper Officers of Customs and Excise, or both or either of them, as to them may respectively belong, in the Custody of whom such Goods or Merchandize may be placed, shall be permitted by such Officers, and in their Presence, to enter into and remain in the Warehouse or Warehouses, or Place or Places in which such Goods or Merchandize shall be warehoused or secured, so long as shall be necessary, during the legal Hours of Business, for the Purpose of inspecting or examining such Goods or Merchandize, and of sorting and separating, and packing or repacking such Goods or Merchandize, and for making such lawful Alterations therein or Arrangements thereof, as may be necessary, either for the Preservation and Security thereof, or in order to the Sale. Shipment or legal Disposal of the same respectively: Provided always, that no Alterations or Arrangements shall be made of or in such Goods or Merchandize without such Notice as aforesaid, or which may in any respect tend to lessen His Majesty's Duties, or prevent the Officers of Customs and Excise, or both or either, as to them may respectively belong, from taking and keeping a true Account thereof; and that no Alteration of Package shall be made, except in the Presence of such Officer or Officers as aforesaid.

No Alterations
made on Goods,
&c. without
Notice.

Alteration of
Package.

Goods shipped
for Export-
ation, if re-
landed, subject
to Forfeiture.

XXXV. And be it further enacted, That in case any Goods or Merchandize which shall have been warehoused or otherwise secured according to the Directions of this Act, shall, after having been entered and shipped for Exportation, be unshipped or re-landed, except by Necessity or Distress, to be proved to the Satisfaction of the Commissioners of the Customs (or Excise, if the Goods or Merchandize be subject to Duty of Excise,) within their Jurisdiction respectively, the same shall be forfeited, and shall and may be seized by any Officer or Officers of the Customs or Excise respectively.

Vessels out of
which Goods
entered for Ex-
portation have
been re-landed,

XXXVI. And be it further enacted, That where by this present Act, or any other Act or Acts of Parliament in force at the Time of passing this Act, any Goods or Merchandize which shall have been shipped in order to be exported, are or shall be liable
to

to Forfeiture for or on account of the same being unshipped or relanded, then and in such Cases the Ship or Vessel out of or from which any such Goods or Merchandize shall be so unshipped or relanded shall be subject and liable to Forfeiture, and shall and may be seized by any Officer or Officers of the Customs or of the Excise: Provided always, that in any Case in which it shall be proved, to the Satisfaction of the Commissioners of the Customs, or of the Commissioners of Excise (if the Goods or Merchandize be subject to any Duty of Excise,) within their Jurisdictions respectively, as the Case may be, that such Goods or Merchandize, so unshipped or relanded, either did not form any Part of the Cargo of the Ship or Vessel, or were of small Value, and that from the Nature and Quantity of such Goods or Merchandize, and the Circumstances attending the unshipping or relanding thereof, the same was done without the Privy or Knowledge of the Master of such Ship or Vessel, or of the Person having the Charge or Command of such Ship or Vessel, it shall be lawful for the said Commissioners respectively to remit such Forfeiture, and declare the Seizure of such Ship or Vessel to be null and void; and in such Case no Person or Persons whatever shall be entitled to bring or maintain any Suit or Action on account of any such Seizure as aforesaid.

subject to Forfeiture, &c.
Proviso for Goods of small Value, and other Cases.

XXXVII. And be it further enacted, That before any Goods or Merchandize subject to a Duty of Excise shall be taken or delivered out of any such Warehouse or Warehouses as aforesaid, either for Home Consumption or Exportation, the Importer or Proprietor thereof shall and he is hereby required to give at least Twenty four Hours' Notice in Writing to the proper Collector or Officer of Excise of his Intention so to take out such Goods or Merchandize, specifying in such Notice the particular Goods or Merchandize so intended to be taken out, the Number, Marks and Description of each Package, and the Kind and Species of Goods therein contained, the Ship or Vessel by which the same was imported, the particular Warehouse or Warehouses in which the same is or are deposited, and whether to be taken out for Home Consumption or for Exportation; and in case the same shall be intended to be taken out for Home Consumption, then the Excise Duties charged or chargeable thereon shall be paid down to the proper Collector of Excise, according to the Account first taken on the landing thereof, before any such Goods or Merchandize shall be taken or delivered out of any such Warehouse or Warehouses; or in case the same shall be intended to be taken out for Exportation to Parts beyond the Seas without Payment of Duty, then the Proprietor or Exporter thereof shall, before the Delivery thereof out of any such Warehouse or Warehouses, give good and sufficient Security, to be approved by the Commissioners of Excise, or the Person or Persons appointed or employed by them for that Purpose; which Security such Person or Persons are hereby authorized and empowered to take by Bond, in Double the Value of the Duties charged or chargeable thereon for Home Consumption, that the same and every Part thereof shall be duly shipped and exported to the Parts beyond the Seas for Exportation to which Entry shall be made, and shall not be unshipped, unladen or put on board any other Ship, Vessel

Notice to be given of taking Goods out of Warehouse liable to Excise Duties;

if intended to be taken out for Home Consumption;

if for Exportation, without Payment of Duty.

Bond for duly shipping, &c.

or Boat (Shipwreck or other unavoidable Accident excepted), nor reloaded in any Part or Place in *Great Britain* or *Ireland*, or in the Islands of *Jersey*, *Guernsey*, *Alderney*, *Sark* or in the *Isle of Man*, except in Cases where such Goods or Merchandize may be entered for Exportation to the said Islands, and Bond shall be given for that Purpose: Provided always, that nothing herein contained shall extend or be construed to extend to prevent the Proprietor or Proprietors from shipping any such Goods or Merchandize for Exportation to Foreign Parts, at any Time after the said Notice shall have been given, Consent having been first obtained for that Purpose from the proper Officer of the Excise who is hereby authorized to grant the same if he shall see fit.

Proviso for shipping after Notice, upon Consent of Officer.

Such Goods to be delivered in Presence of Officer.

XXXVIII. And be it further enacted, That no Goods or Merchandize subject to a Duty of Excise shall be taken or delivered out of any such Warehouses, either for Home Consumption or Exportation, save and except in the Presence of the proper Officer or Officers of Excise; and the Removal and shipping of all such of the said Goods or Merchandize as shall be intended for Exportation, shall be attended, and the same shall be seen on Shipboard by the proper Officer of Excise.

26 G. 3. c. 40.

XXXIX. And Whereas by an Act passed in the Twenty sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for regulating the Production of Manifests; and for more effectually preventing fraudulent Practices in obtaining Bounties and Drawbacks, and in the clandestine re-land-*

§ 20.

of Goods, certain Provisions are made, that no Goods entitled to either Drawback, Bounty or Premium, shall be carried or put on board any Ship or Vessel whatever, for Exportation to Foreign Parts, by any Person or Persons whatsoever (except the proper Officers of the Revenue,) other than such Person or Persons as shall be authorized for that Purpose by the Commissioners of the Customs, or any Four or more of them: And Whereas it is expedient to extend the like Provisions with respect to Goods which have been secured in Warehouses without Payment of Duties, and to Goods which are prohibited to be imported or worn or used in this Kingdom, and also secured in Warehouses

No warehoused or prohibited Goods to be put on board any Vessel by Lighter, &c. for Exportation, unless by Persons licensed by the Commissioners (or by the Officers of Revenue).

according to Law; Be it enacted, That no Goods whatever which shall have been secured in Warehouses without Payment of Duty, nor any Goods whatever which are prohibited to be imported or used or worn in any Part of the United Kingdom, and shall have been carried and put into any Warehouses approved of according to this Act, shall be carried or put on board any Ship or Vessel whatever, by Lighter, Boat or Craft, from such Warehouse for Exportation to Foreign Parts by any Person or Persons whatever (except the proper Officers of the Revenue) other than such Person or Persons as shall be authorized for that Purpose by Licence under the Hands of the Commissioners of the Customs, within their Jurisdictions, or any Three or more of them, for the time being, who are hereby authorized to grant the same, and to require such Security as they may deem necessary, by Bond or otherwise, to be given by the Person or Persons to whom they shall grant such Licence, for the actual Delivery of the Whole of the Goods, by Lighter, Boat or Craft, on board such Ship or Vessel, to the Officers of the Revenue stationed on board,

board, and for the faithful and incorrupt Proceeding in every respect of such Person or Persons in regard to such Goods; which said Persons, so to be licensed as aforesaid, shall and are hereby required, upon conveying any Goods on board any Ship or Vessel by Lighter, Boat or Craft, to give clear and full Information thereof in Writing to the Master or other Person then in Charge of such Ship or Vessel, for the better enabling the Master to give Notice as required by the before recited Act previous to his clearing out with any such Goods as aforesaid; which Licence, when granted by Commissioners of the Customs, shall not be withdrawn by them, or the Operation under the same in any Manner hindered, obstructed or prevented, unless either the Person or Persons to whom such Licence shall have been granted, or some other Person or Persons employed by them, and with his or their Privity or Consent, shall commit some Act against any Law now made, or hereafter to be made, to secure the Revenue of Customs or Excise, and shall be convicted thereof, in which Case the said Commissioners shall and are hereby authorized and required to withdraw such Licence.

Licence not to be withdrawn except in Cases herein mentioned.

XL. Provided always, and be it further enacted, That the Commissioners of Customs within their Jurisdiction shall and they are hereby required to grant such Licence as aforesaid to all and every Person and Persons who is or are now or may be by Law entitled to carry or put on board such Goods, and who shall give such Security as the said Commissioners, or any Three or more of them, shall deem necessary, and to no other Person or Persons.

Licences granted to Persons entitled to ship Goods, on Security.

XLL. And be it further enacted, That if any Goods entitled to either Drawback, Bounty or Premium, or any Goods which shall have been secured in Warehouses without Payment of Duty, or any Goods which are prohibited to be used or worn in any Part of the United Kingdom, and which shall have been carried and put into Warehouses approved of as aforesaid, shall be carried to or put on board any Ship or Vessel, by Lighter, Boat or Craft, for Exportation to Foreign Parts, by any Person or Persons (except the proper Officers of the Revenue,) other than such Person or Persons as shall have been so licensed, then and in such Case the Drawback, Bounty or Premium shall be forfeited and lost, and the Exporter, Shipper and every Person who shall carry to or put on board any Ship or Vessel bound to Foreign Parts any of the before mentioned Goods, shall severally forfeit for every such Offence the Sum of One hundred Pounds.

Shipping such Goods by Water, by any other than authorized Persons, Penalty 100l. and Forfeiture of Drawback, &c.

XLII. And be it further enacted, That on the Removal of any Goods imported into the Port of London, subject or liable to any Duty or Duties of Excise, and on which all the Duty and Duties imposed or payable thereon have not been paid, delivered from any Vessel lying in the River Thames, in the Port of London, or from the East India Docks to the London Docks, or to any Wharf in the Port of London, or of any Pepper delivered from any Warehouse in which the same shall be lodged and secured without Payment of the Duty chargeable thereon at the Time of the Importation thereof, to be shipped in the Port of London for Exportation, or of any other Goods subject to any Duty or Duties of Excise, and so lodged and secured, and delivered from any such Warehouse in the Port of London, to be shipped in the City

Goods delivered for Removal in the Thames not to be put on board any Lighter or other Vessel, unless the same shall have Fastenings, to be locked by proper Officer.

Canal, Commercial Docks or in any Part of the River *Thames* in the Port of *London* at or below *Blackwall* in the said Port, such Goods shall not, upon any such Delivery, be put in or on board of any Lighter or other Vessel, to be so removed or shipped, unless such Lighter be a decked Lighter, having Hatches secured by proper Fastenings, for the Purpose of being locked by the proper Officer of Excise whilst such Goods are on board thereof, nor unless such Lighter or Vessel be in other respects safe and secure, for the Removal or Shipment as aforesaid of such Goods

Goods forfeited.

respectively; and if any such Goods as aforesaid, delivered as aforesaid, shall be put into or on board of any Lighter or other Vessel than as aforesaid, for any such Purpose as aforesaid, without the Decks, Hatches and Fastenings of such Lighter being first examined and approved by the proper Officer of Excise, all such Goods shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and if any Person or Persons shall remove any such Lighter, having any of such Goods on board thereof, before the Hatches of such Lighter have been locked by the proper Officer of Excise, or shall at any Time, whilst any such Goods are on board thereof, break or injure any Part of the Deck or Hatches, or any of such Locks or Fastenings of or on board of any such Lighter, or shall in any Manner open the same without the Consent and Approbation of the proper Officer of Excise, or remove or conceal any of such Goods put therein, or alter the same in Quantity or Quality, every Person or Persons so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds: Provided always, that it shall and may be lawful for the Commissioners of Excise within their Jurisdiction, if it shall appear to them expedient so to do in any particular Case, to authorize the Removal of any such Goods as aforesaid, in any Lighter or Vessel not decked, under such Securities and Regulations as the said Commissioners shall from time to time think fit to direct.

Removing Lighters having Goods on board before Hatches fastened; altering Fastenings, removing, &c. Goods, Penalty 200l;

Commissioners of Excise may authorize Removal.

Goods secured in Warehouse under this Act, may be removed to another authorized Port, for the Purposes of Exportation.

Conditions.

XLIII. And be it further enacted, That it shall and may be lawful for the Importer, Proprietor or Consignee of any Goods or Merchandize which have been or may be lodged or deposited in any Warehouse or Warehouses in the Port of *London*, or any other Port in the United Kingdom, under the Regulations of this Act, to remove any such Goods or Merchandize from any of the said Ports, either by Sea or Inland Navigation, to any other Port in the United Kingdom where the like Articles are allowed to be secured in Warehouses, under the Regulations of this Act, for the Purpose of being exported from such Port, or being there warehoused as aforesaid, subject to the Rules, Regulations and Restrictions hereafter mentioned; (that is to say,) before any such Goods or Merchandize shall be taken from or delivered out of any such Warehouse or Warehouses as aforesaid, such Importer, Proprietor or Consignee shall and he is hereby required to give at least Twelve Hours' Notice in Writing to the Warehouse Keeper, or other proper Officer in whose Charge such Goods or Merchandize may then remain, of his Intention so to remove the same, specifying in such Notice the particular Goods or Merchandize so intended to be taken out of such Warehouse, the Number, Marks and Descriptions of such Package, and the Kind and

and Species of Goods or Merchandize therein contained, and (except in the Case of crushed or refined Sugars) in what Ship imported, and by whom entered inwards, together with the Date of such Importation, and thereupon the proper Officer shall take a true and particular Account thereof by Weight, Gauge, Tale or otherwise, as the Case may require; and if such Goods or Merchandize, or any Part thereof, when delivered out of any Warehouse or Place (other than such Warehouses as are or shall be surrounded by Walls or other Places of special Security), shall be deficient of the actual Weight or Quantity ascertained and taken account of at the Time of the Importation thereof, beyond the Amount of Deficiency directed to be allowed in respect of the natural Decrease of such Goods or Merchandize, in Manner and to the Extent hereinafter provided by this Act, then and in such Case such Importer, Proprietor or Consignee shall and he is hereby required to pay the proper Officers the full Duties of Customs and Excise upon such Deficiency beyond the Amount so allowed, previous to the Removal of such Goods or Merchandize from the Warehouse.

XLIV. And be it further enacted, That the Contents shall be marked or cut on each and every Package intended to be removed, in distinct and legible Characters, in all Cases where the same shall be practicable; and the Importer, Proprietor or Consignee shall make a due Entry of the Goods, Wares or Merchandize with the proper Officer of the Customs, and also of the Excise, in case the Articles are subject to any Duty of Excise, specifying in such Entry the Name of the Ship or Vessel in which imported (except as aforesaid), and the Master thereof, when entered Inwards, and by whom, and the Date of the Importation, also the Number and Marks of the Packages, the Kind or Species of Goods, Wares or Merchandize, together with the Weight or Quantity contained in each, and in case of Spirits, the Strength thereof, and to what Port the same is intended to be removed for the Purpose of being exported.

XLV. And be it further enacted, That a particular Account of the Weight, Quantity and Species of the Goods or Merchandize, and the Strength of Spirits, with the Marks and Numbers of the Packages, and the Date of the original Importation, shall be transmitted by the proper Officer or Officers of the Customs and the Excise (if the Goods or Merchandize be subject and liable to any Duty of Excise), at the Port from which the Removal shall take place, to the Collector and Comptroller of the Customs, and the Collector or Inspector of Excise (if the Goods be subject and liable to any Duty of Excise), at the Port to which the Articles are intended to be removed; and upon their arrival at such Port due Entry shall be made thereof with the proper Officers of the Customs and Excise, specifying (except in the Case as aforesaid,) the Date of Importation, by whom entered Inwards, and the Port from whence removed, and the Name of the Ship, and to what Port or Place they are intended to be exported, or whether they were removed to be warehoused at such Port; provided, that if upon the further Examination of the said Goods and Merchandize at the Port to which the same are removed as aforesaid, the same or any Part thereof shall be found

Contents marked on each Package, and Entry made.

Account of Packages transmitted by Collector and Comptroller of One Port to Collector and Comptroller of the other.

Entry on Arrival.

Proviso when Goods found less in Quantity, &c.

to be less in Quantity or Weight than when delivered from the Warehouse at the Port from which the Removal shall have taken place, the Exporter or Proprietor thereof shall immediately pay the full Duties of Customs and Excise upon the Deficiency previous to the Goods being allowed to be shipped for Exportation.

If Goods be not immediately shipped for Exportation they may be warehoused.

XLVI. And be it further enacted, that if after the Arrival of such Goods, Wares or Merchandize at any other Warehousing Port to which the same may be removed, the Proprietor thereof shall not have an Opportunity of shipping the same for Exportation, it shall and may be lawful to lodge and deposit the same in any Warehouse approved under the Regulations of this Act, provided an Entry be made for that Purpose with the proper Officers of the Customs and Excise (if the Goods be subject or liable to any Duty of Excise), and the Duties on any Deficiency as aforesaid be thereon paid; but if the Proprietor shall fail or neglect to make such Entry, and pay the Duties on such Deficiency as aforesaid, it shall and may be lawful for the Commissioners of the Customs and Excise, within their Jurisdiction respectively, to cause all such Goods, Wares and Merchandize, which shall not be shipped for Exportation, to be disposed of in the same manner as Goods, Wares and Merchandize are directed to be disposed of by this Act, after the Expiration of Three Years after the same shall have been first entered for the Purpose of being warehoused or secured under the Provisions of this Act.

How Goods not entered, &c. disposed of.

Goods liable to Duties of Customs removed from Port to Port, under this Act, and not duly delivered within Three Months.

XLVII. And be it further enacted, That in case any Goods or Merchandize subject to Duties of Customs only, which shall be removed under the Authority of this Act from Port to Port, shall not be well and truly delivered, without Alteration or Diminution, into the Custody and Possession of the Collector and Comptroller of the Customs, at the Port in the United Kingdom to which the same were intended or bonded to be removed, within Three Calendar Months from the Time of such Removal, except in Cases of unavoidable Necessity, to be proved to the Satisfaction of the Commissioners of the Customs, such Goods and Merchandize shall be forfeited, and shall and may be seized by any Officer or Officers of Customs or Excise; and the Owner, Proprietor or other Person, at whose Instance such Goods or Merchandize shall be removed, or to whose Hands the same or any Part thereof shall knowingly come, and every Person who shall knowingly harbour, keep or conceal any such Goods or Merchandize, or who shall knowingly permit or suffer any such Goods or Merchandize to be harboured, kept or concealed, shall forfeit Treble the Value of such Goods and Merchandize.

Penalty.

Previous to Removal of Excisable Goods from Port to Port, Bond to be entered for due Delivery.

XLVIII. And be it further enacted, That previous to such Removal from one Port to another, under or by virtue of this Act, of any Goods, Wares or Merchandize which are or shall be subject to any Duty or Duties of Excise, the Importer, Proprietor or Consignee of any such Goods, Wares or Merchandize shall, with One sufficient Surety, enter into Bond to His Majesty, His Heirs and Successors, in Double the Value of such Goods, Wares or Merchandize, with Condition that the same and every Part thereof shall be duly delivered without Alteration or Diminution into the Custody and Possession of the proper Officer of Excise at the Port or Place in the United Kingdom to which the same are

are intended to be removed, Perils of the Seas and Fire excepted, and to be named and expressed in such Condition, and to produce a Certificate under the Hand and Seal of the proper Officer of Excise at such Port or Place, that the said Goods, Wares or Merchandize had been so delivered into his Custody and Possession; and that such Certificate shall within Three Months from the Date of such Bond be produced to the principal Officer of Excise of the Port from which such Goods or Merchandize shall be removed, upon which such Bond shall be cancelled by the proper Officer of the Excise.

Certificate of Delivery produced.

Bond cancelled.

XLIX. And be it further enacted, That upon the Arrival of such Goods, Wares or Merchandize, subject to any Duty or Duties of Excise, at the Port to which the same are so intended to be conveyed, due Entry shall be made thereof with the Collector, Supervisor or other proper Officer of Excise, specifying the Weight, Quantity and Species of the Goods, Wares or Merchandize, with the Marks and Numbers of the Packages, the Date of the First Importation, the Ship or Vessel in which the same were imported, and by what Person or Persons the same were entered Inwards, and also the Port from whence removed, and, if the same are removed for Exportation, the Place to which the same are intended to be exported, and the Name of the Ship or Vessel in which the same are to be exported; and the Exporter or Exporters shall, together with One other sufficient Surety, to be approved of by the Collector, Supervisor or other proper Officer of Excise at the Port of Exportation, enter into Bond to His Majesty, His Heirs and Successors, in Treble the Value of the said Goods, Wares and Merchandize, for the due Exportation thereof, and for producing to the Collector, Supervisor or other proper Officer of Excise of the Port from which such Goods, Wares or Merchandize are to be exported, a Certificate containing the several Matters and Things prescribed and required in and by this Act for and in respect of the Certificate therein mentioned, and to produce such Certificate to the Collector, Supervisor or other proper Officer of Excise within such Time as is hereinbefore limited or prescribed for the bringing or Production of the Certificate, as the Case may require.

On Arrival of Excisable Goods at Port intended, Entry to be made thereof with proper Officer of Excise, &c.

and Bond for production of Certificate as herein mentioned.

L. Provided always, and be it enacted, That if after the Arrival of such Goods, Wares or Merchandize subject to any Duty or Duties of Excise at any such other Warehousing Port, the Proprietor thereof shall not ship the same for Exportation, it shall not be lawful to lodge or deposit the Articles in any Warehouse approved under the Regulations of this Act, unless over and besides the Entry and Bond required by this Act an Entry be also made for that Purpose with the Collector, Supervisor or other proper Officer of Excise, and Bond be also given to His Majesty, His Heirs and Successors, by the Proprietor or his Agent, and One sufficient Surety, to be approved of by the Commissioners of Excise within their Jurisdiction, as the Case may require, or by such Collector, Supervisor or other proper Officer of Excise, in Double the Amount of the full Duties of Excise due or payable on the Importation of such Goods, Wares and Merchandize, with Condition that the said Goods, Wares and Merchandize shall either be duly exported, or that the full Duties of

If such Goods are not shipped for Exportation, they may be again warehoused, under the Regulations herein mentioned.

Excise due or payable on the Importation thereof shall be paid to the proper Collector, within such Period of Time as was allowed for that Purpose at the Port where the same were first entered and warehoused, unless the same shall be sold by Order of the Commissioners of Excise after the Expiration of such Period; and if the Proprietor shall fail or neglect to make such Entry, and give such Security, it shall and may be lawful for the Commissioners of Excise within their Jurisdiction, as the Case may require, to cause all such Goods, Wares and Merchandize which shall not be shipped for Exportation, to be sold and disposed of, and the Produce thereof to be applied in manner directed by this Act, in case such Goods and Merchandize are not exported or taken out of Warehouse within the Period of Time allowed for that Purpose.

How Goods disposed of when Entry not made, nor Security given.

Goods may be removed a Second Time to any Port where such Goods are allowed to be warehoused.

LI. And be it further enacted, That it shall and may be lawful for the Importer, Proprietor or Consignee of any Goods, Wares or Merchandize, which have been or may be removed under the Authority of this Act from one Port to another in the United Kingdom, to remove any such Goods, Wares or Merchandize a Second Time to any other Port in the United Kingdom where the like Articles are allowed by Law to be secured in Warehouses without Payment of Duty, subject to all such Provisions, Powers, Authorities, Penalties, Forfeitures, Regulations, Restrictions, Acts, Matters and Things in every respect, as are by this Act required when such Goods, Wares and Merchandize are first removed from the Port of Importation to any other Warehousing Port.

On Removal from Port to Port, Goods shall be warehoused only for Remainder of Three Years.

LII. And be it further enacted, That no Goods subject to any Duty or Duties of Excise, which shall be warehoused or otherwise secured under the Provisions of this Act in any Port or Place in the United Kingdom, shall on Removal to any other Port or Place be warehoused at the Port or Place to which the same shall be removed without Payment of the Duty and Duties thereon, for any Term or Terms longer than the Residue of the Term of Three Years then unexpired from the Day of the Date of the Bond given on the First Importation from Foreign Parts of such Goods, or of the Goods of which such Goods are a Part.

Goods may be removed from one Bonding Warehouse to another in the same Port, with Permission of the Commissioners of Customs, &c. in London;

LIII. And be it further enacted, That it shall and may be lawful for the Importer, Proprietor or Consignee of any Goods or Merchandize which have been or may be lodged or deposited in any Warehouse or Warehouses, or otherwise secured under the Regulations of this Act, to remove any such Goods or Merchandize from the Warehouse or Place wherein or at which the same may have been first deposited or otherwise secured in the Port of *London*, or in any other Port in the United Kingdom under the Regulations of this Act, 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 in case of Goods or Merchandize warehoused in the Port of *London*, Permission for that Purpose shall have been previously obtained from the Commissioners of His Majesty's Customs, and also from the Commissioners of Excise, if such Goods or Merchandize to be removed shall be subject to any Duty of Excise, and that the Removal shall take place at the Risk and Expence of the Importer, Proprietor or Consignee, under such Regulations as the said Commissioners

Commissioners respectively may deem necessary for the Security of the Revenue; and it shall and may be lawful for the Collectors and Comptrollers of the Customs, and of the Officers of the Excise (in Cases where that Revenue is concerned,) at any of the Ports in the United Kingdom other than the Port of *London*, to permit any Goods or Merchandize to be removed from the Warehouse or Place wherein or at which the same may have been deposited or otherwise secured at such Ports respectively, under the Regulations of this Act, 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 of Collectors of Out Ports, under Regulations of the Treasury.

LIV. And be it further enacted, That whenever any Goods or Merchandize warehoused under the Provisions of this Act shall be removed from Port to Port, or from one Warehouse to another in the same Port, under the Provisions of this Act, by any Person or Persons other than the original Bondor or Bonders thereof, a new Bond shall be entered into by the Proprietor or Proprietors of such Goods or Merchandize, and the original Bond shall thereupon be void and cancelled by the proper Officer of the Customs or Excise, as the Case may be; and such Goods and Merchandize, and Proprietors thereof, shall be subject and liable, in all respects, to all and every the Provisions, Powers, Authorities, Penalties, Forfeitures, Regulations, Restrictions, Acts, Matters and Things whatsoever directed and provided by this Act relative to the warehousing, securing, keeping, inspecting and taking Account of such Goods or Merchandize, and paying the Duties thereon, and keeping the same out of Warehouse or other Place of Security for removal to another Port or Warehouse, or for Exportation or Home Consumption, as if such Goods and Merchandize had remained in the original Warehouse or Place of Deposit, to all Intents and Purposes whatsoever; and any Bond which may have been given for the due Exportation or Payment of Duties on such Goods or Merchandize shall be valid, and shall continue in force; and every Obligor shall be held to the due Performance of each and every the Conditions of such Bond, in the same manner as he would have been if the Removal of the Goods or Merchandize from the original Place of Deposit had not taken place, except the Obligors in old or former Bonds, in Cases where new or subsequent Bonds shall have been given and accepted by the Commissioners of Customs and Excise respectively for the Exportation of the Goods or Merchandize, or Security of the Duties.

Goods removed from Port to Port, &c. shall remain liable to all Regulations, &c. as in original Warehouse.

L.V. And Whereas by the Laws now in force certain Quantities of Wine, Brandy, Geneva, Rum, Tea, Coffee or Tobacco are allowed to be exported from *Great Britain*, by Licence from the Commissioners of the Customs, and imported into the Port of *Dougllass*, in the *Isle of Man*, on Payment of the Duties due on such Importation, and it is expedient to permit any such Goods to be shipped directly from the Warehouse in which they may have been secured, under the Regulations of this Act; Be it therefore enacted, That it shall and may be lawful for any Person or Persons to export from *Great Britain* to the Port of *Dougllass*,

Bonds given for Exportation and Duties to be continued in force.

Exception.

Wine, &c. may be exported in

from Ware-
houses to the
Isle of Man, by
Persons having
Licence, in
British built
Ships of not less
than 50 Tons,
Duty free.

Proviso as to
Quantity of
Goods and
Packages.

Former Acts
in force ;
and as to the
Isle of Man.

How Wine and
Rum may be
bottled in
Warehouse for
Exportation.

No Foreign
Bottles, &c. to
be used that
have not paid
Importation
Duty.

in the *Isle of Man*, in *British* built Ships, owned, navigated and registered according to Law, and not of less Burthen than Fifty Tons, any Quantity of Wine, Brandy, Geneva, Rum, Tea, Coffee or Tobacco, which any such Person or Persons may be authorized so to export by virtue of any Licence or Licences granted by the Commissioners of the Customs within their Jurisdiction respectively, in pursuance of the Powers vested in them by Law; and that any such Goods intended to be exported to the said Port of *Dougllass*, by virtue of any such Licence, shall and may be taken out of any Warehouse or Warehouses wherein the same may have been lodged or secured, for the Purpose of being so exported as aforesaid, without Payment of any Duty of Customs or Excise: any thing in any Act or Acts of Parliament to the contrary notwithstanding: Provided always, that nothing in this Act contained shall extend or be construed to extend to permit the Exportation from *Great Britain*, or the Importation into the *Isle of Man*, of any greater Quantity of any of the said Articles in any one Year than are now allowed by Law, or to permit any such Goods to be exported from *Great Britain*, or imported into the *Isle of Man*, in any other Package than such as are now directed and required by Law; and that on the Exportation of any such Goods from *Great Britain*, and on the Importation of the same respectively into the *Isle of Man*, pursuant to this Act, all the Rules, Regulations, Restrictions, Securities, Penalties and Forfeitures contained in any Act or Acts of Parliament in force relating to such Goods respectively so exported or imported, and to the Payment, Recovery and Appropriation of any Fine, Penalty or Forfeiture relating thereto, and all the Clauses, Provisions, Regulations, Restrictions, Penalties and Forfeitures contained in any Act or Acts or Laws in force in relation to the *Isle of Man*, shall, so far as they are not hereby altered or varied, and in respect of which no other Provision is made by this Act, be and are hereby declared to be in full Force, and to extend to this Act, and shall be construed therewith, and as Part thereof, so far as the same respectively apply, as fully as if the same were particularly repeated and re-enacted in the Body of this Act.

LVI. And be it further enacted, That it shall and may be lawful for the Proprietors or Consignees of any Wine or Rum which shall have been secured in any Warehouse under this Act, with the Consent of the Commissioners of Excise, or any Three of them, and in such Warehouses and Places, and under such Rules and Regulations as shall from time to time be made by the said Commissioners with the Approbation of the Commissioners of His Majesty's Treasury, to draw off any such Wine or Rum into reputed Quart Bottles, and to pack the same in Cases containing not less than Three Dozen such Bottles each, for the Purpose of the same being exported from such Warehouse, and to export such Wine or Rum from such Warehouse in such Bottles and Cases accordingly: Provided always, that no Bottles, Flasks or Corks of Foreign Manufacture shall be used for the said Purpose, unless the same shall have first paid the Duties of Customs and Excise charged or chargeable upon the Importation thereof; and that the Proprietor or Proprietors of any such Wine or Rum, or their Agents, shall be permitted to send into such Warehouse

and Places such Bottles, Corks, Cases and other Articles and Materials as may be required for the Purposes aforesaid.

LVII. Provided always, and be it enacted, That nothing in this Act shall extend or be construed to extend to prevent Rum, of the Produce of the *British* Plantations, having been warehoused under the Authority of this Act, from being delivered from such Warehouse for the Purpose of being shipped as Stores, and consumed upon the Outward and Homeward Voyage, to Parts beyond the Seas, or both or either of them, without Payment of any Duty of Customs or Excise, subject nevertheless to all the Conditions, Regulations, Restrictions and Securities required by any Act or Acts of Parliament in force on or immediately before the passing of this Act, except as otherwise provided by this Act: Provided always, that any Bond required to be given in respect of such Rum shall not be liable to any Stamp Duty; any thing in any Act or Acts to the contrary notwithstanding.

Rum may be shipped as Stores without Payment of Duty.

Bond not liable to Stamp Duty.

LVIII. And be it further enacted, That it shall and may be lawful for the Importer or Importers, or Proprietor or Proprietors of any Wine which shall be lodged or deposited in any Warehouse under the Provisions of this Act, to mix with any such Wine, once, but not oftener, such Quantity of any Foreign Brandy which shall have been lodged and deposited in any such Warehouse in the same Port, without Payment of the Duty thereon, under the Regulations of this Act, as shall be deemed necessary to preserve or improve such Wine, not exceeding in the Whole the Proportion of Ten Gallons of such Brandy for every One hundred Gallons of such Wine; provided that due Notice in Writing be given to the proper Officer of Excise, and that such Mixture be made without any unnecessary Delay in the Presence of and taken Account of by such Officer of Excise: Provided always, that no such Wine shall be afterwards taken out for Home Consumption, and that when such Wine, or any Part thereof, shall be exported or taken out of such Warehouse for Exportation, the Quantity of Wine so exported shall in all Cases be calculated by deducting therefrom the Quantity of Brandy added thereto; and the Quantity of such Brandy which shall have been mixed as aforesaid, shall be discharged from the Bond given on the Importation thereof, as if the same had been separately exported.

Wine in Warehouses may be improved by Brandy, &c. without Duty.

Proportion.

Notice.

Such Wine not to be taken out for Home Consumption.

How Quantity for Exportation calculated.

LIX. And be it further enacted, That it shall and may be lawful for the Importer of any Foreign Spirits so warehoused as aforesaid to give Notice in Writing to the proper Inspector or Officer of Excise, of his or their Desire or Intention to fill up from One or more of the Casks of Spirits for which Bond was given on the warehousing thereof, any other of such Casks, specifying in such Notice the Time when such Casks are so intended to be filled up, the Name of the Ship by which the same were imported, the Master thereof, and the Place from which such Spirits were imported, and also the Name of the Person by whom Bond was given, the Date of such Bond, and the particular Kind or Denomination of such Foreign Spirits, and the Marks, Numbers, full Content and Ullage of the Casks so intended to be filled up, and of the Cask or Casks from which the Spirits are intended to be drawn for the Purpose, and such Officer shall attend for that Purpose; and the Importer of such Spirits giving such Notice as aforesaid,

Importers of Spirits so warehoused may draw off and fill up Casks from any other, on giving Notice to Officer.

aforsaid, shall thereupon, and in the Presence of such Officer, be allowed to draw off such Spirits, and fill up such Casks as shall be specified in such Notice; and such Officer shall thereupon take a fresh Account of such Spirits; and such Importer, and also the Officer, shall be respectively authorized to draw a fresh Sample (returning the original Samples thereof) from the Spirits contained in each such Cask after being so filled up, in like Manner and Quantity as if such Spirits were newly imported: Provided always, that no Casks of Spirits warehoused under Bond as aforsaid, shall be so filled up more than once during the Time that the same shall remain so warehoused, except at the Time of the Exportation thereof.

Fresh Samples may thereupon be taken.

Casks not filled up more than once.

‘ LX. And Whereas the Flavour and Quality of Wine is improved by the Wine being carried on a distant Foreign Voyage, and it is expedient that Wine warehoused under the Provision of this Act should be permitted to be delivered from the Warehouse without Payment of Duty, to be shipped and carried on such Voyage for that Purpose, and to be brought back into the Port where the same shall have been lodged and deposited as aforsaid, when the same was delivered for such Voyage;’ Be it therefore enacted, That it shall and may be lawful for any Importer or Proprietor of any Wine imported and so warehoused, desirous of sending any such Wine for Improvement upon a Voyage to the *East or West Indies, or South America*, and back to the Port where the same shall have been lodged and deposited, and from whence the same shall be shipped for Exportation, to give Notice in Writing for that Purpose to the proper Officer of Excise, specifying therein the Name of the Ship by which such Wine was imported, and of the Master thereof, and of the Place from which such Wine was imported, and of the Person by whom Bond was given on such Importation, with the Date thereof, the particular Kind or Denomination of the Wine, and the Marks, Numbers, full Content and Ullage Quantity of the Cask or respective Casks intended to be taken out of the Warehouse and shipped and sent on such Voyage for such Purpose as aforsaid; and it shall and may be lawful for such Importer or Proprietor to take out of any such Warehouse as aforsaid, with the Knowledge and Privity of the Officer, the Cask or Casks of Wine specified in such Notice, without Payment of Duty, and to ship the same for such Voyage as aforsaid, under and subject to the Regulations hereinafter mentioned; and such Officer shall upon the Shipment of any such Wine from such Warehouse deliver to the Master of such Ship a Certificate of the said Wine so delivered from such Warehouse, and so shipped, containing all such Particulars thereof as aforsaid: Provided always, that the Importer or Proprietor of such Wine shall give and enter into Bond, with sufficient Sureties, to the Satisfaction of the Commissioners of Excise, or the Person appointed by such Commissioners for that Purpose, in the Penalty of Double the Duties chargeable upon the Quantity of such Wine so intended to be taken out and shipped as aforsaid, with a Condition thereunder written, that such Importer or Proprietor shall remove and take such Wine, and every Part thereof, without any unnecessary Delay or Interruption, and with all due Diligence and Dispatch, and with the Privity and Consent of the proper Officer

Wine may be sent to the East or West Indies, &c. and brought back, to improve its Flavour, on giving Notice, and entering into Bond on the Conditions herein mentioned.

On Shipment of Wine, Certificate of Particulars delivered to Master of Vessel.

Condition of Bond to be given by Importer.

Officer or Officers of Excise, from and out of the Warehouse or Warehouses wherein the same shall then be lodged and secured, and shall safely ship and stow the same, to the Satisfaction of the Officer, in and on board of the Ship or Vessel mentioned in such Notice as aforesaid, and in such Bond, and shall keep the same so and in such manner as to secure the same on the said Voyage, as well Outward as Homeward, and shall also cause the same to be duly carried and conveyed in and on board of such last mentioned Ship or Vessel, on and for such Voyage as aforesaid, and shall afterwards bring the same in and on board of the same Ship or Vessel back to the Port from whence such Wine shall have been shipped for Exportation as aforesaid (unless any Cask of such Wine shall be landed and left at some Port beyond the Sea, not being in *Ireland*, nor in the Islands of *Jersey, Guernsey, Alderney, Sark or Man*); and a Memorandum duly endorsed on the Certificate hereinbefore mentioned, signed by the Collector, Comptroller of the Customs or other proper Revenue Officers at such Port or Place, that such Wine was duly landed and left there, stating the Marks, Number, Content and Ullage of each such Cask, and the Denomination of the Wine, and the Date of the landing thereof, without permitting or suffering such Wine, or any Part thereof, to be used or consumed on board, or unshipped, unladen or put in and on board of any other Ship, Vessel or Boat (Shipwreck or other inevitable Accident only excepted), or landed in any Port or Place whatsoever, otherwise than as aforesaid, except at the Port from whence such Wine shall have been shipped as aforesaid, on the Arrival there of the said last mentioned Ship or Vessel, upon the Return thereof from the said Voyage, and under the Inspection of the proper Officer or Officers of Excise there; and shall then also produce all such Cask and Casks as aforesaid, not landed or left as aforesaid, with the respective Marks, Letters, Numbers and Figures thereon cut or being at the Time of the Delivery of such Cask or Casks from the Warehouse for Shipment for such Voyage, or the Shipment thereof as aforesaid, and shall, upon such relanding thereof as aforesaid at such Port, on the Arrival of the said Ship or Vessel at such Port, on the Return thereof from the said Voyage, pay or secure to be paid the full Duty and Duties of Excise and Customs charged and chargeable on the said Wine, according to the Account taken by the proper Officer on the landing and warehousing of such Wine on the first Importation thereof; save and except on such Cask or Casks of such Wine as may have been so landed and left, and so certified as aforesaid, and on any Deficiency of or in such Quantity of such Wine so shipped as aforesaid (except as aforesaid,) as may have occurred by unavoidable Waste during the said Voyage, not exceeding Ten Gallons for every One hundred Gallons of the Quantity so delivered from the Warehouse to be shipped as aforesaid for the said Voyage; and also save and except on any further or greater Deficiency that shall or may be proved upon Oath by the Master or other Person having the Command of such Vessel, to the Satisfaction of the said Commissioners of Excise, to have been occasioned by actual and unavoidable Leakage or Accident on Shipboard (which Oath the Commissioners of Excise are respectively hereby authorized to administer);

Memorandum of landing, &c. of Wine indorsed on Certificate.

Proviso for Accidents.

Casks not landed to be produced.

Duties to be paid or secured.

Proviso for Waste during Voyage;

proved on Oath.

Certificate of Shipment re-delivered by Master, on Return of Vessel, to Officer,

administer); and the Certificate of Shipment aforesaid, with such Indorsement thereon as aforesaid, if any such Wine shall have been so landed and left as aforesaid, shall be re-delivered by the Master or other Person having the Command of the Vessel by which such Wine shall be returned and brought back to the Port from whence such Wine shall have been shipped for Exportation as aforesaid, to the proper Officer of Excise of the said Port, within Twelve Hours after such Master or other Person shall or ought by Law to have reported the Cargo of such Ship at such Port, on pain of forfeiting, for every Refusal or Default in delivering such Certificates as aforesaid, the Sum of Fifty Pounds; and upon such Proof as aforesaid (where necessary) being given as aforesaid, and the full Duties charged or chargeable upon such Wine as aforesaid being fully paid as aforesaid, or secured to be paid, the First Importer and Bonder of such Wine shall be wholly freed and discharged, in respect of such Wine, from the Bond given and entered into upon the First Importation thereof: Provided always, that no such Wine shall be again warehoused without Payment of Duty, for a longer Period than Three Years from the Date of the Reimportation thereof into the United Kingdom; any thing herein contained to the contrary thereof notwithstanding.

Penalty 50l. Duties being paid or secured, First Bond discharged.

Wine not warehoused longer than Three Years from Reimportation.

Goods, if not taken out of Warehouse within Three Years, to be sold for Payment of Duties, &c.

LXI. And be it further enacted, That the Importer or Importers, Proprietor or Proprietors, Consignee or Consignees, of any Goods or Merchandize which shall have been lodged in any Warehouse or Warehouses, or otherwise secured pursuant to the Directions of this Act, shall, within Three Years, to be computed from the Day on which such Importers, Proprietors or Consignees of such Goods or Merchandize shall have made the First Entry thereof, clear and take all such Goods and Merchandize from and out of such Warehouses or Places respectively, either for Exportation or to be consumed in Great Britain or Ireland respectively, subject to the Conditions and Restrictions under which such Goods and Merchandize shall have been warehoused; and in case such Importers, Proprietors or Consignees shall fail or neglect so to do, it shall and may be lawful for the Commissioners of the Customs and Excise, if the Goods be subject or liable to any Duties of Excise, within their Jurisdiction respectively, to cause all such of the said Goods or Merchandize as by Law are or may be allowed to be used or consumed in the United Kingdom, to be publicly sold or exposed to sale for Exportation, with Permission for the Purchaser or Purchasers, after such Sale, to enter the same for Home Consumption upon the Payment of the Duties of the Customs and Excise, and after such Sale the Produce thereof shall be applied to or towards the Payment of the Freight, Primage and Charges of Warehouse Room, and other Charges that shall arise thereon; and with respect to Goods or Merchandize which are or may be prohibited to be used or consumed in the United Kingdom, it shall and may be lawful for the said Commissioners of the Customs and Excise, within their Jurisdiction respectively, to cause the same to be sold for Exportation only, under such Securities and Regulations as are required by Law with respect to Goods so prohibited, and the Produce shall be applied, in the first Place, to the Payment of

Purchasers may enter the same for Home Consumption.

Prohibited Goods sold for Exportation only.

How Produce applied.

of Freight, Primage, Warehouse Rent and other Charges, and the Overplus (if any) shall in either of such Cases be paid to the Proprietor or other Person authorized to receive the same; and upon the Sale or Exportation of any such Goods and Merchandize, any Bond or Bonds entered into on the original Importation and warehousing thereof shall be forthwith cancelled and discharged by the proper Officers; any thing contained in any Act or Acts to the contrary notwithstanding.

Bonds cancelled.

LXII. Provided always, and be it enacted, That it shall and may be lawful for the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, by Warrant under his or their Hand or Hands, to permit and allow any such Goods or Merchandize to remain warehoused or otherwise secured, without Payment of the Duty of Customs or Excise, for such further Time beyond the said Period of Three Years as the said Lord High Treasurer, or the said Lords Commissioners of His Majesty's Treasury, or any Three or more of them, may in their Judgment think reasonable and proper; and no Bond entered into for the Payment of any Duties shall be proceeded upon during the extended Period for which any such Goods, Wares or Merchandize shall or may be allowed to remain warehoused, or otherwise secured, under the Authority of this Act.

Treasury may permit Goods to remain warehoused without Payment of Duty beyond Three Years.

LXIII. And be it further enacted, That whenever the Proprietor or Consignee of any Goods or Merchandize which shall have been lodged or secured in any Warehouse or Place under his Act, shall make a Representation or Declaration to the Commissioners of Customs (or Excise, where that Revenue is concerned), within their Jurisdiction respectively, that any such Goods or Merchandize have been damaged or spoiled, or have been rendered or are wholly unmerchantable and unfit for Sale, it shall and may be lawful for the Commissioners of Customs or Excise (or any Three of them), in case they shall be satisfied of the Truth of such Representation or Declaration, to order and direct that such Goods and Merchandize shall be destroyed or killed, wasted and rendered wholly useless; and in such Case no Duty of Customs or Excise shall be payable for such Goods or Merchandize, and any Bond which shall have been entered into for the Payment of such Duties, or with reference to such Goods and Merchandize, shall be cancelled, so far as the same shall relate to such Goods and Merchandize.

Commissioners of Customs, &c. may order unmerchantable Goods to be destroyed on Application of Owner.

LXIV. And be it further enacted, That if the Quantity of any Goods or Merchandize subject to any Duty of Customs or Excise, both or either, which at the full End and Expiration of three Years from the Day of the Date of any Bond given or entered into in respect of such Goods, Wares or Merchandize, shall have been duly delivered out of any Warehouse or Place in which the same shall have been lodged or secured under this Act or Home Consumption, added to the Quantity of such Goods or Merchandize respectively which within the like Period shall have been duly exported, with such Allowance thereon as hereinafter mentioned, shall fall short or be deficient of the actual Quantity ascertained and taken account of at the Time of the Importation thereof, then and in such Case the Importer or Proprietor of such Goods

Bond cancelled.

Duty to be paid for Deficiencies at the End of Three Years, upon discharging Bonds.

Goods, Wares or Merchandize respectively, shall and he is required immediately to pay to the proper Officer of Customs or Excise, as to them may respectively belong, the whole of the Duties charged or chargeable for or in respect of the Proportion of such Goods or Merchandize deficient in the Quantity so taken out for Home Consumption; and upon the making of such Payment the Bond given or entered into for the due Payment of the Duties as aforesaid shall be delivered up and cancelled: Provided always, that nothing herein contained shall be construed to extend to charge any such Goods and Merchandize which shall have been lodged or secured in Warehouses surrounded by Walls, or in other Places of special Security, in respect of any Deficiency in any Goods or Merchandize exported, except in Cases of Suspicion of Fraud hereinafter specially provided for.

Proviso for Goods lodged in Warehouses surrounded by Walls, &c.

No Duty on Deficiency or Increase of Goods lodged in Warehouses of special Security.

Exception.

Proviso as to weighing, &c. such Goods again.

Duty to be paid on Goods taken out of Warehouse.

LXV. Provided always, and be it enacted; That no Duty either of Customs or Excise shall be demanded from or paid by any Importer, Consignee or Proprietor of any Goods or Merchandize whatever, which shall have been lodged or secured in Warehouse erected in Places inclosed or surrounded with Walls, or in any other Warehouses or Places of special Security, approved and appointed by the Warrant of the Commissioners of the Treasury pursuant to this Act, and which shall be taken out of or from any such Warehouse or Place for Exportation, on account of any Increase or Decrease, or Surplus or Deficiency in Quantity, Quality, Weight, Measure or Strength, which may have taken place during the Time that any such Goods or Merchandize shall have been so lodged or secured, excepting only in Cases where Suspicion shall arise, to be notified to the Commissioners of the Customs or Excise, or their Collectors at the Outports, both or either, as to them may respectively belong, that any Part of such Goods or Merchandize has been clandestinely conveyed away and applied to Home Consumption; and that such Goods and Merchandize (except Wine and Spirits) shall not be again weighed, gauged or measured at the Time of taking out the same for Exportation, excepting only in Cases where such Suspicion shall arise and be notified as aforesaid; and that upon all Goods and Merchandize which shall be taken out of or from such Warehouses or Places of special Security to be used or consumed in any Part of the United Kingdom, the Duties of Customs and Excise charged or chargeable thereon shall be paid according to Account taken thereof at the first Examination by the Officer or Officers of the Customs and Excise, as to them may respectively appertain without any Deduction or Abatement whatever on account of any Deficiency arising from Waste, or from any other Cause of what Nature soever the same may be.

LXVI. And Whereas certain Goods and Merchandize are liable to natural Waste and Decrease whilst remaining warehoused or secured, and it is expedient to relieve the Importer of such Goods and Merchandize from Payment of the Duties on the Quantities of any such Goods exported from certain Warehouses, which shall, on the Examination by the Officer of the Casks or other Packages thereof mentioned in the Notice given for such Exportation, be found by him to be decreased from natural Waste; Be it therefore enacted, That whenever any

On taking out

any Entry shall be made for the Purpose of exporting to Foreign Parts, or Guernsey, Jersey, Alderney or Sark, any Spirits, Wine, Coffee, Cocoa Nuts or Pepper, which shall have been warehoused or otherwise secured, under the Provisions of this Act or any other Act or Acts relating to the warehousing of Goods without Payment at the Time of Importation of the Duties imposed and payable for or in respect thereof respectively, in any Warehouse or Place, (save and except such Warehouses as are or shall be surrounded by Walls, and such as are or shall be specially approved of by the Commissioners of the Treasury under this Act, according to the Conditions contained in the Warrant of Approval,) if the Wine in any Cask so entered shall be found by the proper Officer, to be at the Time when the same is delivered for the Purpose of being exported from the Warehouse wherein the same shall have been lodged and secured as aforesaid, to be from natural Waste decreased and less in Quantity than when such Wine was imported, lodged and secured as aforesaid; or if the Spirits contained in any Cask so entered shall be found by such Officer at the Time when the same shall be delivered as aforesaid to be from natural Waste decreased and less in Quantity than when such Spirits were imported, lodged and secured as aforesaid, according to the Account taken by the proper Officers of such Wine or Spirits at the Time the same were respectively imported, the Amount of such Loss or Decrease in Quantity being ascertained for this Purpose by deducting the Number of Gallons of such Spirits so delivered for Exportation, computed at the Strength of Proof, from the Number of Gallons of such Spirits imported, lodged and secured as aforesaid, computed at the Strength of Proof; or if the Coffee, Cocoa Nuts, or Pepper respectively so delivered, shall be found by the proper Officer, at the Time of being delivered as aforesaid, to be from natural Waste decreased and less in Weight than when such Coffee, Cocoa Nuts, and Pepper respectively were imported, lodged and secured as aforesaid, according to such Account taken by the Officer at the Time of Importation, the Importer and Importers, or Proprietor or Proprietors of such Wine, Spirits, Coffee, Cocoa Nuts or Pepper respectively shall not be charged or chargeable with or liable to pay any Duty or Duties of Excise or Customs, for or in respect of any such decreased Quantities or Quantity of any of such Goods or Merchandize respectively which any such Importer or Proprietor shall at any Time take from and out of the Warehouse or Place in which the same are or were secured as aforesaid, and export as aforesaid, subject to the Rules and Regulations provided by Law for that Purpose; unless such decreased Quantity, from natural Waste, on which such Allowance of the Duty and Duties shall be so made, shall exceed or be more than the respective Proportions following; *videlicet*, One Gallon of Wine for and upon every Cask of Wine so exported which shall have remained in the Warehouse, secured as aforesaid, for any Period not exceeding One Year; Two Gallons for and upon every such Cask which shall have so remained in the Warehouse for any Period exceeding One Year and not exceeding Two Years; and Three Gallons for and upon every such Cask which shall have so remained in the Warehouse for any Period exceeding Two Years; and One

of Warehouse, Wine, Spirits, Coffee, &c. for Exportation, no Duty to be charged for Decrease of Quantity arising from natural Waste, unless it exceeds certain Proportions herein specified.

Gallon, Hydrometer Proof, of Spirits for every such One hundred Gallons of the Spirits from which the Spirits so delivered for Exportation were or are deducted, computed as aforesaid, to ascertain the Amount of such Decrease of Quantity thereon as aforesaid, and after the same Rate for any less Quantity of Spirits contained in any Cask or Casks so delivered which shall have remained in the Warehouse, secured as aforesaid, for any Period not exceeding Six Months; Two Gallons for every One hundred Gallons of such Spirits which shall have so remained in the Warehouse for any Period exceeding Six Months and not exceeding Twelve Months; Three Gallons for every such One hundred Gallons of such Spirits which shall have so remained in the Warehouse for any Period exceeding Twelve Months and not exceeding Eighteen Months; Four Gallons for every such One hundred Gallons of such Spirits which shall have so remained in the Warehouse for any Period exceeding Eighteen Months and not exceeding Two Years; and Five Gallons for every such One hundred Gallons of such Spirits which shall have so remained in the Warehouse for any Period exceeding Two Years; and Two Pounds for every One hundred Pounds of Coffee, Cocoa Nuts and Pepper respectively, and so in Proportion for any less Quantity.

Wines and Spirits to be re-gauged, and Strength re-examined, &c.

LXVII. Provided always, and be it enacted, That every Cask of Wine and every Cask of Spirits which shall at any Time be delivered out of any such Warehouse shall be re-gauged, and the Strength of the Spirits in each Cask of Spirits re-examined by the proper Officer, with the Hydrometer, at the Time of being delivered and taken out of every such Warehouse; and such Officer is hereby authorized to draw from every such Cask of Spirits a fresh Sample of Half a Pint of such Spirits for that Purpose, returning such Sample, when found of or below the Strength at which such Spirits were imported, to the Cask from which such Sample was drawn.

Treasury to direct Mode of ascertaining Increase or Decrease of Goods warehoused, and Charge or Allowance in consequence thereof.

Cases not specially provided for.

LXVIII. Provided also, and be it enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three of them, by any Order or Orders to be for that Purpose made from time to time under their Hands, or the Hands of any Three of them, to direct under what Regulations and in what Manner the Increase or Decrease or Surplus or Deficiency, of or in the Quality, Quantity, Weight, Measure or Strength of any Goods or Merchandize not particularly provided for by this Act, lodged or secured in any Warehouse or other Place under the Provisions of this Act, or any other Act or Acts relating to the warehousing of Goods, shall be from time to time ascertained, determined and taken account of; and also to direct what Charge shall be made on, or what Allowance shall be made to the Owners or Proprietors of such Goods and Merchandize, in respect of such Increase or Decrease or Surplus or Deficiency, when such Goods or Merchandize shall be taken or removed out of or from such Warehouse or Place, and such Charge or Allowance shall be made in respect of the same accordingly.

Goods imported and landed at Docks may be taken for Home Con-

LXIX. Provided always, and be it enacted, That it shall and may be lawful for any Person or Persons who shall have landed at any Docks or Places any Goods or Merchandize, having been legally imported, and which may be legally used and consumed in the

the United Kingdom; to take and receive such Goods and Merchandize from and out of the said Docks and Places, the Duties of Customs and Excise on such Goods and Merchandize being first fully paid and satisfied; and also to take and receive any Goods or Merchandize from such of the said Docks and Places, for the Purpose of Exportation under the Provisions of this Act, although any such Goods or Merchandize respectively shall not have been deposited in the Warehouses at such Docks or Places, or otherwise secured under the Directions of this Act: Provided always, that such Goods and Merchandize shall in all other respects be liable to all the Rules, Regulations, Penalties and Forfeitures, to which Goods of the like Kind are subject by any Law in force on or immediately before the Commencement of this Act.

sumption, on Payment of Duties, without being warehoused.

LXX. And be it further enacted, That if any Goods or Merchandize, warehoused or otherwise secured under the Authority of this Act, shall be embezzled, or fraudulently or clandestinely hid or concealed in or fraudulently or clandestinely removed from or out of any Warehouse or Place wherein the same shall have been so lodged or secured, all such Goods or Merchandize so embezzled, or fraudulently or clandestinely hid or concealed or removed, together with the Packages containing the same, shall be forfeited, and shall and may be seized by any Officer or Officers of the Customs, or of Excise, in Cases where that Revenue is concerned; and the Person or Persons so embezzling, hiding, concealing or removing the same, or aiding or assisting therein, or to whose Hands the same shall knowingly come, shall be subject and liable to the like Pains and Penalties as if such Goods and Merchandize had been fraudulently unshipped or landed without Payment of Duty.

Goods embezzled or concealed, forfeited, and Parties liable to Penalty.

LXXI. And be it further enacted, That if any Proprietor or Importer of Brandy, Rum, Geneva or other Spirits lodged and put into any Warehouse or Warehouses under the Direction and Authority of this Act, shall, by any Means, Art, Device or Contrivance whatever, open any such Warehouse or Warehouses, except in the Presence of the proper Warehouse Keeper, or other Officer of the Customs or Excise, then and in every such Case every such Importer or Proprietor shall forfeit and lose for every such Offence the Sum of Five hundred Pounds.

Importer of Spirits, &c. unduly opening Warehouses, Penalty 500l.

LXXII. And be it further enacted, That in case it shall at any Time happen that any Embezzlement, Waste, Spoil or Destruction shall be made of or in any Goods or Merchandize which shall be warehoused in Warehouses under the Authority of this Act, by or through any wilful Misconduct of any Officer or Officers of Customs or Excise, such Officer or Officers shall be deemed guilty of a Misdemeanor, and shall, upon Conviction, suffer such Punishment as may be inflicted by Law in Cases of Misdemeanor; and if such Officer shall be so prosecuted to Conviction by the Importer, Consignee or Proprietor of the Goods or Merchandize so embezzled, wasted, spoiled or destroyed, then and in such Case no Duty of Customs or Excise shall be payable for or in respect of such Goods or Merchandize so embezzled, wasted, spoiled or destroyed; and no Forfeiture or Seizure shall take place of any Goods and Merchandize so warehoused, in respect of any Deficiency

Plunder by Officers of Customs, &c. Misdemeanor.

No Duty payable on Deficiency, &c. Loss repaid and made good to the Proprietor, &c. by Customs or Excise.

fiency caused by such Embezzlement, Waste, Spoil or Destruction; and the Damage occasioned by such Embezzlement, Waste, Spoil or Destruction of such Goods or Merchandize, shall be repaid and made good to such Importer, Consignee or Proprietor, by the Commissioners of Customs or Excise, under such Order, Regulations and Directions as shall be for that Purpose made and given by the Commissioners of His Majesty's Treasury, or any Three of them.

Proprietors of Goods entered for warehousing, may take Samples.

LXXIII. And be it further enacted, That it shall and may be lawful for any Importer or Proprietor of any Goods or Merchandize, which shall have been entered for the Purpose of being warehoused, or which shall have been warehoused or secured under the Provisions of this Act, or of any other Act or Acts in force for the warehousing or securing of any Goods or Merchandize, at any Time in the Presence of the proper Officer of Customs, and of the Excise, in Cases where that Revenue is concerned, to take any moderate Samples of any such Goods or Merchandize, as shall or may be allowed and directed by the Commissioners of Customs or Excise respectively, from time to time, without Entry or Payment of any Duty of Customs or Excise in respect of such Samples, and under such Rules and Restrictions as the said Commissioners may order and direct with respect to such Samples respectively.

No Entry or Duty in respect of Samples.

Officers allowed to take Samples of Spirits, on Payment for the same.

LXXIV. And be it further enacted, That it shall and may be lawful to and for any Officer or Officers of Excise, before the Delivery of any Brandy, Rum, Geneva or other Spirits for Exportation, or of Rum or Spirits of the *British* Sugar Plantations, to be shipped as Stores from or out of any Warehouse or Warehouses, in which such Spirits shall have been secured under the Authority of this Act, to take One Sample, and no more, such Sample not exceeding Half a Pint, out of each of the Casks or Packages containing such Brandy, Rum, Geneva or other Spirits, paying for such Samples (if demanded) at and after the Rate of Three Shillings per Gallon; and if any Person or Persons shall obstruct or hinder any such Officer or Officers of Excise in taking such Sample, upon his or their offering to pay for the same as aforesaid (if demanded), the Person or Persons offending therein shall for each and every such Offence severally forfeit the Sum of One hundred Pounds; and all such Samples shall be from time to time applied and disposed of, and accounted for † the public Service, in such Manner as the Commissioners of Excise shall order and direct; and the said Commissioners are hereby authorized and required to give Orders for the Application and Disposal of such Samples from time to time as they shall see fit.

Refusing, Penalty 100l.

† Sic.

Importers may, under Superintendence of Officer, separate Coffee.

LXXV. And be it further enacted, That upon the Importation of Coffee, which shall be deposited in any Warehouses under the Regulations of this Act, it shall and may be lawful for every Proprietor or Consignee thereof, under the Superintendence of the proper Officer or Officers of Excise, to separate the damaged Coffee from the undamaged Parts thereof, and to separate the undamaged Parts thereof according to their several Sorts and Qualities; and in every such Case such Proprietor or Consignee, under the Superintendence of such Officer or Officers, shall mark, or cause to be marked, on every Bag or Cask containing the Coffee

Bags or Casks when Coffee repacked to be marked.

so separated as undamaged, the Word "Sound," in Black Paint, in the Front of each Bag, or on the Head of each Cask, in Letters at least Two Inches long, and upon the Casks or Bags containing the Coffee set apart as damaged, the Words "For Exportation;" and the said Officer or Officers of the Excise is and are hereby empowered and directed to call in to his or their Assistance in such Selection and Separation the proper Officer or Officers who is or are accustomed to tare and sample Coffee in the public Warehouses and Docks on Behalf of such Proprietor or Consignee.

Officers of Excise may call in Officers to tare.

LXXVI. And be it further enacted, That in all public Docks and Warehouses in which Coffee is or shall be received and stored, upon Application to be made in Writing from the Proprietor or Consignee of any such Coffee to the proper Officer of Excise, such Coffee shall be carefully selected and separated, and the proper Officer or Officers in such Docks and Warehouses shall and may and are hereby required and directed to make such Selection and Separation accordingly: Provided always, that before any Officer or Officers of Excise shall proceed to select and separate Coffee, such Officer or Officers shall give Notice to such Proprietor or Consignee, of the precise Period when it is the Intention of the said Officer or Officers to proceed to separate such Coffee, in order that such Proprietor or Consignee may attend, or appoint some Person to attend such Separation in his Behalf; and if on such Separation it shall appear to such Proprietor or Consignee, or his Agent so to be appointed, and being present upon the Occasion, that from Negligence or Ignorance of the Quality of the Coffee on the Part of the Officer or Officers, or from any other Cause, a greater or smaller Proportion thereof is selected as damaged, and unfit for Use, than in the Judgment of such Proprietor or Consignee, or his Agent, should have been so selected, that then and in every such Case it shall and may be lawful for the Commissioners of the Excise within their Jurisdiction, or any Three or more of them, upon the Affidavit of such Proprietor or Consignee, or his Agent, and upon Application for that Purpose, to order and direct that such Coffee shall be re-surveyed by Two indifferent and disinterested Merchants or Brokers, experienced in the Nature and Value of the Article, who upon viewing the same shall certify and declare, upon their corporal Oaths, before the principal Officer of the Excise at the Place where such Coffee shall be warehoused (who is hereby authorized to administer the same), their Opinion and Determination as to the Nature and Extent of the Damage sustained, which Opinion and Determination shall be binding and conclusive on all Parties: Provided always, that in every such Case the reasonable Expence of the Persons so to be employed shall be borne by the Proprietor or Consignee of such Coffee: Provided also, that no damaged Coffee shall be delivered out of Warehouse until the same shall have been repacked for Exportation in Casks, Bags or Packages, containing each not less than One hundred Pounds net Weight Avoirdupois, except by the special Permission of the Commissioners of Excise within their Jurisdiction respectively, which they or any Three of them are hereby authorized to grant, on Proof to their Satisfaction of the Expediency of permitting the

Notice to Proprietor of Time intended for Separation of Coffee.

On Complaint of Importer, Commissioners of Excise may order Coffee separated to be re-surveyed by Two indifferent Brokers, &c.;

who are to certify upon Oath.

Damaged Coffee not to be delivered till repacked for Exportation in Casks of not less than 100 lbs. except by Permission

of Commis-
sioners.

the same to be exported in smaller Packages, and on Security, to the Satisfaction of the said Commissioners, being first given by the Exporter, at the Rate of Ten Pounds *per* Hundred Weight, that the same shall be duly exported.

Damaged
Coffee may be
mixed with
other Parcels
of damaged
Coffee, to make
up the Quantity
of 100 lbs.

LXXVII. And be it further enacted, That in Cases where the damaged Parts of any particular or distinct Parcel of Coffee shall in the whole be less in Quantity than One hundred Pounds net, it shall and may be lawful for the proper Officer of Excise, at the Request of the Proprietor or Consignee, upon due Notice being given to the proper Officers of Excise, to mix the same with any other damaged Coffee belonging to such Proprietor or Consignee which may have been set apart for the Purpose of Exportation, in Casks, Bags or Packages containing not less than One hundred Pounds as before mentioned; and in like Manner it shall be lawful for the said Officer or Officers, at the joint Request of any Two or more Importers or Proprietors, to mix any Parcels of such Coffee to them respectively belonging, for the Purpose of making the Packages of the Weight required by this Act previous to Exportation, such Request being made in Writing by the said respective Importers or Proprietors, to the proper Officer or Officers of Excise as aforesaid.

How damaged
Coffee to be
repacked.

LXXVIII. And Whereas it is expedient that as far as practicable the Identity of the Packages in which the Coffee is imported should be preserved; Be it therefore enacted, That upon the Separation of any Coffee imported either in Casks or Bags, the damaged Parts shall in the first place be put into the Packages in which the same were imported, beginning with the lowest Number, and following in regular numerical Order; and that it shall and may be lawful for the Importer or Importers, or Proprietor or Proprietors, to enter and pay the Duties for and in respect of any undamaged Coffee for Home Consumption, and to remove the same from and out of the Warehouse, notwithstanding the Quantity of such undamaged Coffee may, in any one Bag of any Consignment to or Importation by any Person or Company, be less in Quantity than One hundred Pounds Weight; any thing contained in this Act to the contrary notwithstanding.

An Account to
be taken of
damaged Coffee.

LXXIX. And be it further enacted, That where such Separation of undamaged from damaged Coffee shall have been made as aforesaid, a correct Account shall be taken by the proper Officer or Officers of Excise, of the damaged Coffee remaining in the original Packages, and of the Quantities of all undamaged Coffee; and upon Application in Writing to the said Officer or Officers, a Copy of such Account shall be delivered forthwith by him or them to the Importer or Proprietor of such Coffee, with the Mark, Number and Weight of each Package, distinguishing such Parts as are undamaged, and the several Qualities thereof, from such damaged Coffee as shall have been set apart for Exportation.

Copy delivered
to Importer.

Dirt and Trash
to be separated
from Pepper,
and weighed,
and Importer
discharged from
a proportionate
Duty.

LXXX. And be it further enacted, That it shall and may be lawful for any Proprietor or Consignee of any Pepper imported and warehoused or secured under the Provisions of any Act or Acts in force, or the Agent of such Proprietor or Consignee, with the Knowledge and in the Presence of the proper Officer of Excise, to separate from any Parcel or Quantity of such Pepper all Stones, Dirt, Trash and Dust that shall be mixed therewith,
and

and for such Officer to weigh and take an Account thereof, and for the Commissioners of Excise to order all such Stones, Dirt, Trash and Dust respectively to be destroyed, at such Time and Times and in such Manner as they shall think fit; and such Proprietor or Consignee shall thereupon be discharged from so much of such Parcel or Quantity of Pepper as the Weight of such Stones, Dirt, Trash and Dust shall amount to, and from the Payment of, and all Liability to pay, the Duty and Duties charged or chargeable for or in respect thereof, according to the Account taken by the proper Officer of such Pepper at the Time of the Importation thereof.

Importing.

LXXXI. And be it further enacted, That no Watch of Foreign Manufacture shall be imported and warehoused under the Provisions of this Act, upon the Case or Cases of which any Mark or Stamp shall be impressed which shall be similar to or shall purport to be or shall be intended to represent any Mark or Stamp of the Goldsmiths' Company of London, or other legal British Assay Marks or Stamps; and that no Clock or Watch of Foreign Manufacture shall be so imported and warehoused, upon the Face or upon any Part of which the Word "London," or the Name of any other Town or Place of the United Kingdom, shall be engraven or painted, or shall in any way appear so as to purport or give colour that such Clock or Watch is of the Manufacture of the United Kingdom; and that no Clock or Watch of Foreign Manufacture shall be so imported and warehoused, unless a distinguishing Number, and the Name or Names of some Person and Place, shall be engraven, and shall appear visible on the Frame or other Part of such Clock or Watch independent of the Face, purporting to be the Name and Place of Abode of the Person or Persons by whom such Clock or Watch was made; and that no Clock or Watch of Foreign Manufacture shall be imported and warehoused under this Act in any incomplete State, that is to say, not having the Movement, with all its concomitant Parts, properly fixed and secured in its Case, on pain of the Forfeiture of such Watch or Clock.

Regulations as to warehousing Foreign Watches;

and Foreign Clocks and Watches as to Stamps, Names engraven, &c.

Penalty.

LXXXII. And be it further enacted, That from and after the Commencement of this Act, upon every Sale fairly and *bonâ fide* made by the Importer or Importers, or Proprietor or Proprietors of any Goods or Merchandize which shall have been secured under the Provisions of this Act in any Warehouse in the actual Occupation of such Importer or Importers, or Proprietor or Proprietors, such Goods and Merchandize and the Possession thereof shall by such Sale be transferred to and shall be vested in the Purchaser or Purchasers thereof, to all Intents and Purposes whatever, although such Goods or Merchandize shall remain and continue in such Warehouse; and such Goods and Merchandize so sold, or the Possession thereof, or any Title thereto, shall not pass to or be vested in any Assignee or Assignees of such Importer or Importers, or Proprietor or Proprietors, under any Commission of Bankrupt which may issue against such Importer or Importers, or Proprietor or Proprietors, before such Goods or Merchandize shall have been removed by the Purchaser or Purchasers, or their Assigns, out of or from such Warehouse; and every such Sale shall be valid against such Assignee or Assignees under

Goods secured in Warehouse in the Occupation of Owner of the Goods shall pass by written Contract to Purchaser, although Goods be not removed from Warehouse.

Price stipulated
in Contract to
have been first
paid or secured.

Entry of
Transfer.

Goods landed
in Docks to re-
main liable to
Freight.

Directors of
Docks upon
Notice may
detain such
Goods until
Freight be
paid ;

or Deposit
made.

Directors to
receive Deposit,
and keep until
Freight paid.

under any such Commission of Bankrupt, any Law, Custom or Usage to the contrary notwithstanding ; provided, that upon every such Sale there shall have been a written Agreement, signed by the Parties, or a written Contract of Sale, made, executed and delivered by a Broker or Brokers or other Person or Persons legally authorized for and on behalf of the Parties respectively, and the Amount of the Price stipulated in the said Contract or Agreement shall have been actually paid or secured to be paid by the Purchaser or Purchasers of such Goods or Merchandize, and that a Transfer shall have been entered in a Book to be kept for that Purpose by His Majesty's Officer of Revenue having charge of such Warehouse ; which Book the Commissioners of His Majesty's Customs and Excise, both or either, as the Case may be, are hereby directed to cause to be kept by such Officer, and produced upon Demand ; and the said Officer is hereby required to make such Entry of Transfer, specifying the Date of such Entry, upon the Application of the Owners of the said Goods or Merchandize ; provided also, that no such Assignment shall affect the Bond given to His Majesty on the warehousing of the Goods or Merchandize for securing the Payment of the Duties thereon.

LXXXIII. And be it further enacted, That from and after the Commencement of this Act, all Goods or Merchandize which shall be landed in Docks, and lodged in the Custody of the Proprietors of the said Docks under the Provisions of this Act, not being Goods seized as forfeited to His Majesty, shall, when so landed, continue and be subject or liable to such and the same Claim for Freight in favour of the Master and Owner or Owners of the respective Ships or Vessels, or of any other Person or Persons interested in the Freight of the same, from or out of which such Goods or Merchandize shall be so landed, as such Goods, Wares or Merchandize respectively were subject and liable to whilst the same were on board such Ships or Vessels, and before the landing thereof ; and the Directors and Proprietors of any such Docks at or in which any such Goods or Merchandize may be landed and lodged as aforesaid, or their Servants or Agents, or any of them, shall and may, and they are hereby authorized, empowered and required, upon due Notice in that behalf gives to them by such Master or Masters, Owner or Owners, or other Persons as aforesaid, to detain and keep such Goods and Merchandize, not being seized as forfeited to His Majesty, in the Warehouses belonging to the said Docks as aforesaid, until the respective Freights to which the same shall be subject and liable as aforesaid shall be duly paid or satisfied, together with the Rates and Charges to which the same shall have been subject and liable, or until a Deposit shall have been made by the Owner or Owners, or Consignee or Consignees of such Goods or Merchandize, equal in Amount to the Claim or Demands made by the Master, Owner or Owners of the respective Ships or Vessels, or other Persons as aforesaid, for or on account of Freight upon such Goods or Merchandize ; which Deposit the said Directors or Proprietors of such Docks, or their Agents respectively, are hereby authorized and directed to receive and hold in trust until the Claim or Demand for Freight upon such Goods shall have been

been satisfied, upon Proof of which, and Demand made by the Person or Persons, their Executors, Administrators, or Assigns, by whom the said Deposit shall have been made, and the Rates and Charges due upon the said Goods being first paid, the said Deposit shall be returned to him or them by the said Directors or Proprietors, or their Agents on their behalf, with whom the said Deposit shall have been made as aforesaid.

LXXXIV. Provided always, and be it enacted, That nothing in this Act contained shall exempt or be deemed or construed to exempt any Quantity or Quantities of any Goods or Merchandize which may be found or discovered after the Account thereof has been first taken, and such Goods or Merchandize have been deposited in any such Warehouse or other Place as aforesaid, from being charged and chargeable with all Duties of Customs and Excise.

Goods found after Account first taken, charged with Duty.

LXXXV. And be it further enacted, That in case any Goods or Merchandize on which the full Duties shall have been paid, and which shall afterwards be delivered or taken from any Warehouse or other Place where the same shall have been lodged or secured according to the Directions of this Act, shall be duly exported to Foreign Parts, the Exporter or Exporters thereof shall be allowed such and the like Drawbacks of the Duties of Customs and Excise as are now payable by Law, as would have been allowed on the Exportation of any such Goods or Merchandize respectively in case this Act had not been made: Provided always, that no Drawbacks of the Duties of Customs or Excise shall be allowed or paid upon the Exportation to any British Colony, Plantation, Territory or Dominion in America or the West Indies, † upon any of the Goods or Merchandize of Foreign Manufacture mentioned in Schedule (B.) to this Act annexed.

Drawbacks allowed on Goods where full Duties have been paid in certain Cases.

Proviso as to certain Goods in Schedule (B.)

† Sic.

LXXXVI. And be it further enacted, That if any Goods or Merchandize which shall be lodged or secured in any Warehouses or Places under the Provisions of this Act, or any other Act or Acts for the warehousing of Goods and Merchandize without Payment of Duty, shall be removed, carried or taken away without a Warrant or Certificate being first had and obtained from the proper Officer of the Customs and Excise, both or either, as to them may respectively belong, for that Purpose, certifying that the Duties thereon have been duly paid, or that such Goods or Merchandize are to be removed under the Provisions of this Act, the Occupier or Occupiers of such Warehouses or other Places shall be subject and liable to the Payment of the Duties due on such Goods so removed, carried or taken away; and the proper Officer or Officers of the Customs or Excise, both or either, as to them may respectively belong, are hereby authorized and directed to grant such Warrant or Certificate (as the Case may be) upon Demand to the Owner or Consignee of the said Goods or Merchandize, or to the Occupier or Occupiers of such Warehouses or other Places accordingly.

Occupier of Warehouses answerable for Duties on Goods removed without Warrant of Officer.

LXXXVII. And be it further enacted, That from and after the Commencement of this Act, whenever any Foreign Goods and Merchandize which shall have been imported and entered for the Purpose of being warehoused or secured, or which shall have been

Where Foreign Goods are lost by staving or other unav avoidable Accident,

the Duty may be remitted, on Proof to the Commissioners of Customs or Excise.

† Sic.

Bonds to remain as to other Goods.

Proviso for 39 G.3. c.59.

53 G.3. c.155.

54 G.3. c.36.

been warehoused or secured, under the Provisions of this Act, or any other Act or Acts in force for permitting Goods imported to be warehoused or secured without Payment of Duty, shall be lost or destroyed by accidental staving, or by any other unavoidable Accident, either on Shipboard or in the unshipping thereof, or in the shipping thereof for Exportation, or out of any Warehouse, it shall and † be lawful for the Commissioners of Customs and Excise for the Time being, within their Jurisdictions respectively, to remit to the Importer, Exporter, Owner, Proprietor or Consignee of any such Goods or Merchandize, the Duties of Custom and Excise which shall have been payable or shall have been paid for or in respect of such Goods or Merchandize so lost or destroyed, and to cancel and vacate the Customs and Excise Bonds for or in respect of all such Goods or Merchandize for which no such Duties shall have become payable or been paid, but for which Security shall have been given by Bond, taken for or in respect of the warehousing or securing the same: Provided always nevertheless, that no such Duty shall be remitted, nor any such Bond be cancelled or vacated, in Part or in the Whole, unless Proof shall be made to the Satisfaction of the said Commissioners of Customs and Excise, both or either, as to them may respectively belong, that such Goods or Merchandize were lost or destroyed by such accidental staving, or other unavoidable Accident, on Shipboard or in the unshipping or shipping thereof, or out of any Warehouse, and not from any want of due Care or Precaution on the Part of the Importer, Exporter, Owner, Proprietor or Consignee thereof, or his, her or their Agent: Provided also, that every such Bond or Bonds shall be and remain in full Force and Effect as to all the Goods or Merchandize to which the same shall relate, and which shall not be so proved to have been so lost or destroyed as aforesaid, and for or in respect whereof the Duties of Customs and Excise shall not be so remitted; any Law, Usage or Custom to the contrary notwithstanding.

LXXXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to repeal any of the Provisions contained in an Act passed in the Thirty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act for permitting certain Goods imported from the East Indies to be warehoused, and for repealing the Duties now payable thereon, and granting other Duties in lieu thereof*; or in an Act made in the Fifty third Year of His said late Majesty's Reign, for continuing in the *East India Company* the Possession of the *British Territories in India*, together with certain exclusive Privileges, and for other Purposes in the said Act mentioned; or in an Act made in the Fifty fourth Year of His said late Majesty's Reign, to repeal the Duties of Customs payable on Goods imported into *Great Britain* from any Port or Place within the Limits of the Charter granted to the said Company, and for granting other Duties in lieu thereof: Provided always, that the warehousing of *East India Goods* at any Port or Ports of the United Kingdom other than *London*, under the said Act, shall be according to and subject to the Rules, Regulations and Restrictions of the present Act: Provided further,

that nothing in this Act contained shall extend or be construed to extend to repeal any of the Provisions contained or in an Act made in the Fifty seventh Year of His said late Majesty's Reign, intitled *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 in an Act made in the Fifty ninth of His said late Majesty's Reign, intitled *An Act to admit certain Goods imported from the East Indies to Entry and Payment of Duty without being warehoused, and to permit the Exportation of certain East India Goods to Guernsey and Jersey, and the Removal of certain East India Goods to Liverpool, Lancaster, Bristol and Glasgow, for Exportation*; or any other Act or Acts relating to the warehousing of *East India Goods*, except as to the Bonds to be given upon the Exportation of Goods as hereinbefore provided for; or in an Act passed in the said Thirty ninth Year of His said late Majesty's Reign, intitled *An Act for rendering more commodious and for better regulating the Port of London*; or in an Act passed in the Forty second Year of His said late Majesty's Reign, to alter and amend the said last mentioned Act of the Thirty ninth Year of His said late Majesty's Reign, so far as the same relates to the Concerns of the *West India Dock Company* thereby established, and for extending to other Objects the Compensations directed to be made by the said Act; or in an Act passed in the Thirty ninth and Fortieth Years of His said late Majesty's Reign, intitled *An Act for making Wet Docks, Basons, Cuts and other Works, for the greater Accommodation and Security of Shipping, Commerce and Revenue within the Port of London*; or in an Act made in the Forty fourth Year of His said late Majesty's Reign, for warehousing Goods within the Limits of the said Docks, and for making Regulations relating to the said Docks; or in an Act made in the Forty third Year of His said late Majesty's Reign, intitled *An Act for the Improvement of the Port of London, by making Docks and other Works at Blackwall for the Accommodation of the East India Shipping in the said Port*; or in an Act made in the Fiftieth Year of His said late Majesty's Reign, intitled *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*; or in an Act made in the Fifty first Year of His said late Majesty's Reign, intitled *An Act for completing and maintaining the East Country Dock at Rotherhithe in the County of Surrey*; or in any Act or Acts for amending or extending the Provisions of any of the said recited Acts.

57 G.3. c.36.
§ 9.

59 G.3. c.125.

39 G.3. c.lxix.

42 G.3. c.cxiii.

39 & 40 G.3.
c.xlvii.

44 G.3. c. c.

43 G.3. c.cxxvi.

50 G.3. c.ccvii.

51 G.3. c.clxxi.

LXXXIX. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or in any way alter the Duties of Butlerage or Prisage in Cases where the said Duties are now payable, nor the Duties of Package, Scavage, Balliage or Portage, nor any other Duties payable by Law to the Mayor and Commonalty and Citizens of the City of *London*, or to the Lord Mayor of the said City for the time being, or to any other City or Town Corporate within the United Kingdom, nor any other special Privilege or Exemption to which any

Proviso for
Butlerage and
Prisage pay-
able, and Pack-
age, &c. in
London, &c.;

any Person or Persons, Bodies Politic or Corporate, is or are now entitled by Law, but the same shall be continued as heretofore.

and for Laws relating to Import, Export or warehousing of Corn, &c.

XC. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend in any way to alter or repeal any thing contained in any Act or Acts in force on or immediately before the Commencement of this Act, relating to the Importation, Exportation or warehousing of any Corn, Meal or Flour, or the taking the same out of Warehouse for Exportation or Home Consumption.

Bonds to be taken in His Majesty's Name.

† Sic.

XCI. And be it further enacted, That all such Bonds as are by this Act authorized or required shall be taken in His Majesty's Name, and to His Majesty's Use, by the Commissioners of Excise † within their Jurisdiction respectively, as the Case may require, or by the proper Officer or Officers of Excise appointed or employed for that Purpose.

Obstructing Officers, Penalty 100l.

XCII. And be it further enacted, That if any Person or Persons whatsoever shall molest, disturb, hinder, oppose or impede any Officer or Officers of Customs or Excise in the due Execution of the Powers or Authorities by this Act granted to such Officer or Officers of Customs or Excise, or any or either of them, every Person so offending shall forfeit the Sum of One hundred Pounds.

Provisions of former Excise Acts not altered.

XCIII. And be it further enacted, That the several Rules, Regulations, Restrictions, Powers, Provisions, Clauses, Matters and Things enacted by any Law or Laws of Excise in force at or immediately before the Commencement of this Act, whether in relation to the Importation or Exportation of any Goods, Wares or Merchandize chargeable with Duties of Excise as aforesaid, or for the better ascertaining or securing those Duties, not being expressly repealed, revoked, altered or controuled by this present Act, or repugnant to any of the Provisions herein contained, shall remain and continue in as full Force and Effect as if this Act had not been made; any thing herein contained to the contrary notwithstanding.

Recovery and Application of Penalties.

XCIV. And be it further enacted, That all Fines, Penalties and Forfeitures imposed by this Act shall be sued for, levied, recovered or mitigated, as any Fine, Forfeiture or Penalty under 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 *Dublin*, 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.

No Action against Government for Goods destroyed by Fire;

XCV. And be it further enacted, That in case any Goods or Merchandize, warehoused or otherwise secured in pursuance of this Act, shall be destroyed by Fire, it shall not be lawful for the Importer or Importers, Proprietor or Proprietors, Consignee or Consignees of any such Goods or Merchandize, or for any other Person or Persons whatever, to claim or demand, or to maintain any Action or Suit, on any Account whatever, against His Majesty, or the Commissioners of His Majesty's Treasury, Customs or Excise, or any Officer of the Customs or Excise, or other Person employed by the said Commissioners respectively, for any

Com-

Compensation for or on account or by reason of such Goods or Merchandize having been destroyed by Fire as aforesaid; and no Duty of Customs or Excise whatever shall be demanded or paid for any Goods or Merchandize so destroyed as aforesaid. nor Duty payable for them.

‘ XCVI. And Whereas it is expedient that certain Articles should, for a Time to be limited, be excepted from the Provisions of this Act;’ Be it therefore enacted, That nothing in this Act contained shall extend or be construed to extend to permit the Importation, at any Time before the Fifth Day of July One thousand eight hundred and twenty five, of any Wrought Silks, or of any Silk Manufactures whatever, under the Provisions or for the Purposes of this Act, the Importation of which is or shall be prohibited by any Act or Acts in force immediately before the passing of this Act; nor to permit, at any Time after the passing of this Act, the Importation of any Foreign Linens under the Provisions or for the Purposes of this Act, without Payment of the Duties due and payable thereon at the Time of the first Entry thereof; nor the Exportation of any Foreign Linens warehoused under the Provisions of this Act, without Payment of the Duties due and payable on the Exportation thereof under any Act or Acts in force immediately before the passing of this Act; any thing in this Act contained to the contrary in any wise notwithstanding.

Prohibited Silks, &c. not to be imported under Act before 5th of July 1825, nor Foreign Linens without Payment of Duty on first Entry. Foreign Linens not exported without Duty.

XCVII. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any thing done or performed in pursuance of this Act, such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed, and not afterwards, and shall be laid in the County or Place where the Cause of Complaint did arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and if the Jury shall find for the Defendant or Defendants in such Action or Suit, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, and have the like Remedy for the same as any Defendant has in any other Cases to recover Costs by Law.

Limitation of Actions.

General Issue.

Double Costs.

XCVIII. And be it further enacted, That this Act shall commence and be in force and take effect from and after the Fifth Day of July One thousand eight hundred and twenty three, and not sooner.

Commencement of Act.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

A LIST of Goods and Merchandize imported into Great Britain, which may be lodged and deposited only in Warehouses inclosed by and surrounded with Walls, or in other Warehouses or Places of special Security, especially to be approved by the Commissioners of the Treasury, as directed by the Act to which

which this Schedule is annexed, without the Duties due on the Importation thereof being first paid.

Agates, polished and rough.	Gum Opoponax.
Almond Paste.	Hair (Human).
Aloes.	Hair Powder.
Ambraliquida.	Hats and Bonnets of all Sorts.
Ambergris.	Jalap.
Balsams of all Sorts.	Jet.
Beads of all Kinds.	Jewels, Emeralds, Rubies and all other precious Stones, except Diamonds.
Beer.	Incle, wrought.
Benjamin.	Lace of all Kinds.
Bottles.	Lapis Lazuli.
Bugles of all Kinds.	Mace (if imported by Licence).
Cambrick.	Manna.
Camphor.	Mercury.
Candles.	Metheglin.
Cantharides.	Morels.
Cardamoms.	Musical Boxes.
Cards.	Musk.
Carmine.	Myrrh.
Cassia Buds.	Nutmegs (if imported by Licence).
Cassia Lignea.	Nux Vomica.
Cassia Fistula.	Opium.
Castor.	Or Moulou.
China Ware and Porcelain.	Otto of Roses.
Chrystal.	Paper.
Cider.	Pearls.
Cinnamon (imported under Licence).	Perry.
Citron Water.	Pictures.
Civet.	Plate.
Clocks.	Platina.
Cloves (imported under Licence).	Platting of all Sorts.
Cochineal.	Powder of Brass.
Coculus Indicus.	—— of Bronze.
Coloquintida.	—— not enumerated, or otherwise described, which will serve for the same Use as Starch.
Columbo Root.	Quicksilver.
Coral of all Sorts.	Radix Ipecacuanha.
Corks, ready made.	—— Rhataniæ.
Cuttle Shells.	Resina Jalapæ.
Dice.	Rhubarb.
Enamel.	Saffron.
Essences of all Sorts.	Sal Limonum.
Extracts of all Sorts.	Sal Succini.
Feathers, Ostrich, and others not otherwise enumerated, whether dressed or undressed.	Salt.
Flowers, Artificial.	Scammony.
Garnets.	Silk, raw and organzined.
Gauze of all Kinds.	Snuff.
Ginger, preserved.	
Glass of all Kinds.	
Grains of Paradise and of Guinea.	

Soap.

Soap.	Turbith.
Spikenard.	Vanelloes.
Starch.	Vellum.
Stones, Bezoar.	Verdigris.
Storax of all Kinds.	Vinegar.
Succades.	Watches of all Sorts.
Sugar.	Watch Glasses.
Threads of all Kinds.	Waters, Mineral.
Tobacco.	Waters, Strong, of all Sorts.
Tortoise Shell.	Wires.
Treacle of Venice.	Yarn, Mohair.
Truffles.	

And also all Goods and Merchandize of every Description, which, under the Provisions of this Act, may be imported for the Purpose of Exportation only.

SCHEDULE (B.)

A LIST of Articles of Foreign Manufacture or Produce, which, before Exportation to the British Colonies, Plantations, Territories or Dominions in America or the West Indies, shall pay the Home Consumption Duties.

Bandstrings, Twist.	Extracts of all Kinds.
Baskets.	Flowers, Artificial.
Blacking.	Gauze of Thread.
Bladders.	Glass, or Bottles made of Glass.
Books.	Hair Powder.
Boxes.	Hops.
Brass, manufactured.	Ink for Printing.
Bricks and Clinkers.	Iron, wrought or manufactured.
Butter.	Jewellery and Trinkets, manufactured of Gold, Silver or any other Metal.
Cables.	Lace.
Cambricks.	Lard.
Candles.	Lead, Red.
Caps of Cotton or Worsted.	—, White.
Cards.	Leather, manufactured.
Carriages.	Linens.
Casks (empty) or Packs.	Matting.
Cheese.	Mattrasses.
China Ware or Porcelain.	Musical Instruments.
Cider.	Seed Oils.
Cinders.	Oil or Blubber of Foreign Fishing.
Clocks.	Spermaceti of Foreign Fishing.
Comfits.	Paper.
Copper of all Sorts.	Painters' Colours.
Cordage.	Paintings on Glass.
Corks, ready made.	Pens.
Cotton, manufactured.	Picture Frames.
Crayons.	Pomatum.
Culm.	Powders of all Sorts.
Dice.	
Down.	
Earthenware.	
Enamel.	

Silks

Silks of all Kinds, except of the Manufacture of Persia, China or the East Indies.	Tin Foil.
Skates.	Telescopes.
Slate Pencils.	Tobacco, manufactured.
Snuff.	Tobacco Pipes.
Soap, Hard and Soft.	Tooth Powder.
Starch.	Twine.
Steel, manufactured.	Varnish.
Stockings of Cotton or Thread.	Vellum.
Stuffs of all Sorts of Wool.	Verjuice.
Sugar Candy and Sugar Refined.	Vinegar.
Tapes.	Wafers.
Tapestry.	Watch Glasses.
Threads.	Watches of Gold, Silver or other Metal.
Ticking.	Whip Cord.
Ticks.	Wires of all Kinds.
Tiles.	Woollen Manufactures of all Kinds.

C A P. XXV.

An Act for regulating the Number of Apprentices to be taken on board *British Merchant Vessels*; and for preventing the Desertion of Seamen therefrom. [12th May 1823.]

37 G. 3. c. 73.
§ 4. repealed.

‘ WHEREAS by an Act passed in the Thirty seventh Year
‘ of the Reign of His late Majesty King *George* the
‘ Third, intituled *An Act for preventing the Desertion of Seamen*
‘ from British Merchant Ships trading to His Majesty’s Colonies
‘ and Plantations in the West Indies, it is enacted, that all and
‘ every Master and Masters of any Merchant Ship or Merchant
‘ Ships, trading to His Majesty’s Colonies and Plantations in
‘ the *West Indies*, shall have on board his or their Ship or Ships
‘ at the Time of such Ship or Ships clearing out from *Great*
‘ *Britain*, One Apprentice, who shall be under the Age of
‘ Seventeen Years, duly indented for Three Years, for every One
‘ hundred Tons Admeasurement of such Ship or Ships, and so
‘ in Proportion for every One hundred Tons which such Ship or
‘ Ships shall admeasure, according to the Certificate of Registry :
‘ And Whereas it is expedient to repeal the said Provisions in
‘ respect to Apprentices on board Merchant Ships trading to His
‘ Majesty’s Colonies and Plantations in the *West Indies*, and to
‘ make other Provisions 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 so much of the said in part recited Act as requires
the Master of any Ship trading to His Majesty’s Colonies and
Plantations in the *West Indies* to have on board an Apprentice or
Apprentices shall be and the same is hereby repealed.

After Jan. 1.
1824, the
Number of
Apprentices
proportioned to

II. And be it further enacted, That from and after the First
Day of *January* One thousand eight hundred and twenty four,
all and every Master and Masters of any Merchant Ship or Mer-
chant Ships, exceeding the Burthen of Eighty Tons, shall have
on

on board his or their Ship or Ships, at the Time of such Ship or Ships clearing out from any Port of the United Kingdom called *Great Britain*, One Apprentice or Apprentices, in the following Proportion to the Number of Tons of her Admeasurement, according to the Certificate of Registry; that is to say, For every Ship or Vessel exceeding Eighty Tons and under Two hundred Tons, One Apprentice at least; for every Ship or Vessel of Two hundred Tons and under Four hundred Tons, Two Apprentices at least; for every Ship or Vessel of Four hundred Tons and under Five hundred Tons, Three Apprentices at least; for every Ship or Vessel of Five hundred Tons and under Seven hundred Tons, Four Apprentices at least; for every Ship or Vessel of Seven hundred Tons and upwards, Five Apprentices at least; who shall, at the Period of being indentured, respectively be under the Age of Seventeen Years: Provided that every Apprentice so to be employed on board any Ship or Vessel, as above described, shall be duly indented for at least Four Years; and the Indenture or Indentures of every such Apprentice shall be duly enrolled with the Collector and Comptroller at the Custom House of the Port from whence any such Ship or Vessel shall first clear out after the Execution of such Indenture or Indentures.

Tonnage as herein mentioned.

Time of Apprenticeship.

Enrolled.

III. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter or in any wise affect any Act now in force, and not amended or repealed by this Act, whereby any Ships or Vessels are required to have on board Apprentices, and that such Apprentices as shall be on board any Ships or Vessels conformably to the Rules and Regulations of any such Act shall be counted, deemed and reckoned in the Number required by this Act.

Proviso for Acts by which Vessels are required to have Apprentices on board.

IV. And be it further enacted, That every Apprentice so enrolled shall be and is hereby exempted from serving in His Majesty's Navy, until he shall have attained the Age of Twenty one Years, provided he is regularly serving his Time either with his first Master or Ship Owner, or some other Master or Ship Owner to whom his Indentures shall have been regularly transferred; and all and every Owner or Owners, or Master or Masters, neglecting to enrol such Indenture or Indentures as aforesaid, or who shall suffer any such Apprentice to leave his Service, except in case of Death or Desertion, Sickness or other unavoidable Cause, to be certified in the Log Book, after the Vessel shall have cleared outwards on the Voyage upon which such Ship or Vessel may be bound, shall for every such Offence forfeit and pay the Sum of Ten Pounds, to be paid in Manner following, that is to say, One Moiety by the Owner or Owners of such Ship or Vessel, and the other Moiety by the Master or Masters thereof, to be levied, recovered and applied in Manner hereinafter mentioned.

Apprentices exempted from Impress.

Masters not enrolling Indentures, &c.

Penalty 10l.

V. And be it further enacted, That every Person to whom such Apprentice shall have been bound may employ him at any Time in any Vessel of which such Person may be the Master or Owner, and may also with the Consent of such Apprentice, if above the Age of Seventeen, and if under that Age, with the Consent of his Parents or Guardians, transfer the Indentures of such Apprentice, by Endorsement thereon, to any other Person who may be the Master or Owner of any registered Ship or Vessel.

Apprentice may be employed in any Ship of which his Master is Captain or Owner, and may be transferred.

4 Geo. IV.

I

VI. And

No Stamp on Transfers.

Mates of Ships of a certain Burthen exempt from Impress.

Application and Recovery of Penalties.

Greenwich Hospital, &c.

Justice may issue Warrant.

Distress for Penalties.

Imprisonment.

Deserters from Ships to forfeit Wages, and Claims thereto.

VI. And be it further enacted, That no Stamp Duty shall be charged on any such Transfer by Endorsement.

VII. And be it further enacted, That the First Mate of every Ship or Vessel exceeding the Burthen of Eighty Tons, and the First and Second Mate of every Vessel exceeding Three hundred Tons Burthen, shall be and they are hereby exempt from being impressed to serve in His Majesty's Navy, provided they are regularly entered as such upon the Articles entered into by and between the Master, Seamen and Mariners of such Merchant Ship or Vessel.

VIII. And be it further enacted, That the Forfeiture given as above by this Act, shall be paid and applied in Manner following; that is to say, One Third Part thereof for and towards the Support of *Greenwich Hospital*; One Third Part thereof for and towards the Support of the Seamen's Hospital at the Port to which the Ship or Vessel in respect of which the Forfeiture shall arise belongs; but in case there shall be no Seamen's Hospital at the Port to which such Ship or Vessel belongs, then to and for the Use and Benefit of the old and disabled Seamen of the same Port and their Families, to be distributed at the Discretion of the Persons having the Direction of the Merchant Seamen's Fund at such Port, or in case there shall be no such Establishment there, by the Magistrates or Overseers of the Poor of such Port; and the other Third Part thereof to and for the Person or Persons who shall inform and sue for the same; and that such Forfeiture shall be recovered upon Information on the Oath of One or more Witnesses before any One or more of His Majesty's Justice or Justices of the Peace, in any Part of the United Kingdom, who shall not reside more than Ten Miles from the Place of Abode of the Person or Persons complained of, which Justice and Justices is and are hereby authorized and required to issue out his or their Warrant or Warrants to bring before him or them every Person charged with any Offence under this Act; and in case he or they shall refuse or neglect to pay such Penalties or Forfeitures as aforesaid, to issue his or their Warrant or Warrants to levy the same by Distress and Sale of the Offender's Goods; and in case no Distress can be found, to commit the Offender or Offenders to the Common Gaol at the City, Town or Place within the Jurisdiction of such respective Justice or Justices, there to remain for the Space of Three Calendar Months, or until he or they shall pay the same.

IX. And Whereas the Laws now in force for the Prevention of the Desertion of Persons composing the Crews of Merchant Ships in Foreign Parts, have been found ineffectual for that Object, and further Provision is therefore necessary; Be it enacted, That from and after the First Day of *January* One thousand eight hundred and twenty four, if any Person belonging to the Crew of any registered Ship or Vessel shall desert from the said Ship or Vessel during the Absence of such Ship or Vessel from this Kingdom, contrary to the Articles of Agreement entered into with the Master, or other Person having Charge or Command of such Ship or Vessel, every such Person so deserting shall not only forfeit whatever Wages may be due to him for his Services on board of the Ship or Vessel from which he may have so deserted,

serted, but shall also forfeit whatever Wages shall be due or have been agreed to be paid to him by or from the Owner or Owners, or Master or other Person having the Charge or Command of any Ship or Vessel in the Service whereof such Person may have engaged on the Voyage back to this Country.

X. And be it further enacted, That the Wages which shall have become forfeited for Desertion as aforesaid shall be applied in the following Manner; *videlicet*, to the Reimbursement, in the First Place, of the Expences thereby occasioned to the Owner or Master or Person having the Charge or Command of any Ship or Vessel from which the said Seamen shall have so deserted; the Remainder to be divided in equal Proportions between *Greenwich Hospital* and the Hospital for sick and diseased Seamen which may have been established at the Port at which the Vessel belongs, from which such Person shall have so deserted; and in case that no such Hospital shall have been established at the Port, then the whole of the Sum forfeited, after deducting the Expenses of the Owner or Master, or other Person having the Charge or Command of such Ship or Vessel as aforesaid, shall be paid to and for the Use of *Greenwich Hospital*.

Application of
forfeited Wages.

Greenwich Hospital, &c.

XI. And be it further enacted, That in every such Case of Desertion it shall and may be lawful for the Owner or Master, or other Person having the Charge or Command of any Ship or Vessel, on board of which any Person having so deserted shall have entered for the Voyage Home, upon receiving Notice in Writing of the Time and Place of such Desertion, from the Owner or Master or other Person having the Charge or Command of the Vessel from which such Person shall have so deserted; and such first mentioned Owner, Master or other Person having the Charge or Command of such Ship or Vessel, is hereby required to deposit with the Treasurer of *Greenwich Hospital* the full Amount of the Wages which had been agreed to be paid to such Person for the said Home Voyage, for the Purpose of being applied to the Uses before mentioned, and which Sum shall be applied to those Uses accordingly; provided that such Person shall not, within Six Months from the Date of such Deposit having been made with the Treasurer of *Greenwich Hospital* as aforesaid, have established his just Claim thereto before Two Justices of the Peace residing in or near the Place where such Ship or Vessel shall have ended her Voyage, or been cleared at the Custom House, or delivered her Cargo, or in the High Court of Admiralty, or in any Court of Record in which such Person may have sued for the same: Provided always, that in every Case in which it shall happen that Wages are withheld from any Person by any Owner, Master or other Person having the Charge or Command of any Ship or Vessel, upon the Plea of Desertion as aforesaid, and such Person shall, within Three Months from the Time when such Ship or Vessel shall have entered and reported at the Custom House, establish by the Decision of Two Justices of the Peace as aforesaid, or by the Decree of the High Court of Admiralty, or of any Court of Record in which he shall have sued for the Recovery thereof, that the Charge of Desertion was false or ill founded, such Person shall not only be entitled to double the Wages due to him, of which the Amount deposited in the

Wages of Deserters to be paid over to *Greenwich Hospital*, and applied, if Claim be not established before Two Justices within Six Months after Deposit.

Persons unjustly withholding Wages to pay double the Amount, and Treble Costs.

the Hands of the Treasurer of *Greenwich* Hospital shall form a Part, but also Treble Costs, and which shall be paid to such Person or his lawful Attorney, by the Owner, Master or other Person upon whose Notice or at whose Instance the Payment thereof shall have been withheld from him, within Seven Days after the Fact of his not having deserted shall have been so established; to be certified by the said Magistrates, or the Court in which the Decision shall have been pronounced.

Act not to prevent Seamen entering into the Navy, or thereby subject them to Forfeiture of Wages.

XII. Provided, That nothing in this Act contained shall extend or be construed to extend to debar any Seaman or Mariner, belonging to any Merchant Ship or Vessel, from entering or being entered into the Service of His Majesty, His Heirs and Successors, on board any of His or Their Ships or Vessels; nor shall such Seaman or Mariner, for such Entry, forfeit the Wages due to him during the Term of his Service in such Merchant Ship or Vessel, nor shall such Entry be deemed a Desertion.

C A P. XXVI.

An Act to repeal the Duties on certain Articles, and to provide for the gradual Discontinuance of the Duties on certain other Articles, the Manufacture of *Great Britain* and *Ireland* respectively, on their Importation into either Country from the other.

[23d May 1823.]

39 & 40 G. 3.
c. 67. 40 G. 3.
c. 38. (I.)
Union Acts,
Article VI.
Sched! No. 2.

1 G. 4. c. 45.
§ 1.

Duties on Cottons, &c. under 1 G. 4. c. 45. repealed, and

‘ WHEREAS by the Acts made in the Parliaments of *Great Britain* and *Ireland* respectively, for the Union of *Great Britain* and *Ireland*, it is among other Things enacted, as Part of the Sixth Article of the said Union, “ That for the Period of Twenty Years from the Union, certain Articles, the Manufacture of either Country, specified and enumerated in the said Article, and in the Schedule Number Two to the said Acts respectively annexed, should be subject, on the Importation into each Country from the other, to the Duties specified in the said Article and Schedule respectively :” And Whereas by an Act made in the First Year of the Reign of His present Majesty, intituled *An Act to continue certain Duties on several Articles, the Manufacture of Great Britain or Ireland respectively, on their Importation into either Country from the other*, Provision was made for continuing the Duties on the said Articles, and for making them terminable at certain Periods in the Proportions therein specified, between the First Day of *January* one thousand eight hundred and twenty one and the Thirty first Day of *December* One thousand eight hundred and forty : And Whereas it is expedient that the Duties on many of the said Articles should cease and determine, and that Provision should be made for the gradual Discontinuance of the Remainder of such Duties, so that the Whole thereof may cease at an earlier Period than is provided for that Purpose by the said last mentioned 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, all Duties payable on all Cottons, Calicoes and Muslins whatever,

whatever, payable under the said recited Act, shall be and the same are hereby repealed; and that from and after the Tenth Day of *October* One thousand eight hundred and twenty three, the said hereinbefore recited Act of the First Year of the Reign of His present Majesty shall be and the same is hereby wholly repealed.

from 10th Oct. 1823 the Act repealed.

II. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, the Duty of Ten Pounds on every One hundred Pounds of the Value of the several Articles hereinafter enumerated, being the Manufacture of *Great Britain* or *Ireland* respectively, on their Importation into either Country from the other respectively, under or by virtue of the said Acts for the Union of *Great Britain* and *Ireland*, or of any other Act or Acts in force immediately before the passing of this Act, shall cease and determine, and shall be no longer paid or payable; (that is to say,) Apparel (except New Apparel and Army Clothing as hereinafter mentioned), Wrought Brass, Cabinet Ware, Coaches and other Carriages, Wrought Copper, Flat Window Glass and Plate Glass, Haberdashery, Tin Plates, Wrought Iron and Hardware, Gold and Silver Lace, Gold and Silver Thread, Bullion for Lace, Pearls and Spangles, Millinery, Pottery, Saddlery and other manufactured Leather, Silk Manufactures made of Silk mixed with any other Materials, Silks and Ribbons of Silk mixed with Gold or Silver, all Silk Gloves, Silk Fringe, Silk Laces, Stitching and Sewing Silk, Stuffs of Silk and Grogram Yarn, Stuffs mixed with Incle or Cotton, Stuffs of Silk and Worsted mixed, Stuffs of Silk mixed with any other Materials, Silk in the State called Organzine or Thrown Silk, and all Stockings made of Silk, Cotton, Woollen or Worsted; and that from and after the said Tenth Day of *October* One thousand eight hundred and twenty three, all Duties payable under any such Acts upon any Woollen Manufactures of *Great Britain* or *Ireland* respectively, known or distinguished by the Name or Description of Ornamental Old Drapery, and also all Duties payable on any Woollen Manufactures known by the Name of New Drapery (other than and except such Articles on which any Duty is expressly imposed by this Act), imported into either Country from the other respectively, shall in like Manner cease and determine, and be no longer paid or payable; any thing in the said Acts for the Union of *Great Britain* and *Ireland*, or in the said recited Act of the First Year of His present Majesty's Reign, or in any other Act or Acts in force immediately before the passing of this Act, or any Law, Usage or Custom to the contrary in any wise notwithstanding; save and except in all Cases and so far as shall relate to the recovering, allowing or paying any Arrears of any of the said Duties on any of the said Articles, which may remain unpaid on the said Tenth Day of *October* One thousand eight hundred and twenty three, or any Fines, Penalties or Forfeitures relating thereto respectively, which shall have been incurred at any time on or before the said Tenth Day of *October* One thousand eight hundred and twenty three.

Ad valorem Duties of 10 per Cent. on certain Articles herein mentioned to cease after 10th Oct. 1823.

III. And be it further enacted, That there shall be raised, levied, collected and paid unto and for the Use of His Majesty, His Heirs and Successors, in ready Money, without any Discount whatever,

Ad valorem Duties on certain Manufactures of

either Country imported into the other; from 10th Oct. to 31st Dec. 1823, 10l. per Cent.

1st Jan. to 31st Dec. 1824. 7l. 10s. per Cent.

1825. 5l. per Cent.

1826. 2l. 10s. per Cent.

and then to cease.

Certain printed Calicoes, from passing this Act to 31st Dec. 1825, 10l. per Cent.

1826. 8l. per Cent.

1827. 6l. per Cent.

1828. 4l. per Cent.

whatever, upon and in respect of the several Articles hereinafter mentioned, being the Manufacture of *Great Britain* and *Ireland* respectively, on their Importation into either Country from the other respectively, the several and respective Duties following; (that is to say,) Upon all Manufactures of Silk, being Handkerchiefs, Ribbons and Stuffs of Silk only; upon all Glass, (except Flat Window Glass or Plate Glass,) upon all Hats, and upon all Paper printed, painted or stained for Hangings or other Uses, a Duty of Ten Pounds on every One hundred Pounds of the Value of any such Articles, which shall be so imported at any Time after the Tenth Day of *October* One thousand eight hundred and twenty three, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty three; a Duty of Seven Pounds and Ten Shillings, and no more, on every One hundred Pounds of the Value of such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty four, and on or before the Thirty first Day of *December* One thousand eight hundred and twenty four; a Duty of Five Pounds, and no more, on every One hundred Pounds of the Value of any such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty five, and on or before the Thirty first Day of *December* One thousand eight hundred and twenty five; a Duty of Two Pounds and Ten Shillings, and no more, on every One hundred Pounds of the Value of any such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty six, and on or before the Thirty first Day of *December* One thousand eight hundred and twenty six; and that the said Duty of Two Pounds and Ten Shillings for every One hundred Pounds of such Value shall remain in force and be payable until and upon the said Thirty first Day of *December* One thousand eight hundred and twenty six, and no longer, and shall then cease and determine:

Upon all Calicoes, being printed, painted or stained, except such as shall be dyed throughout of one Colour, or as shall be made of Cotton Yarn coloured or dyed before weaving, a Duty of Ten Pounds on every One hundred Pounds of the Value of any such Calicoes which shall be so imported at any Time on or after the passing of this Act, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty five; a Duty of Eight Pounds on every One hundred Pounds of the Value of any such Calicoes which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty six, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty six; a Duty of Six Pounds on every One hundred Pounds of the Value of any such Calicoes which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty seven, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty seven; a Duty of Four Pounds on every One hundred Pounds of the Value of any such Calicoes which shall be so imported at any Time on or after the First Day of *January* One thousand

thousand eight hundred and twenty eight, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty eight; a Duty of Two Pounds on every One hundred Pounds of the Value of any such Calicoes which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty nine, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty nine; and that the said Duty of Two Pounds for every One hundred Pounds of such Value shall remain in force and be payable until and upon the said Thirty first Day of *December* One thousand eight hundred and twenty nine, and no longer, and shall then cease and determine:

Upon all New Apparel imported for Sale, and upon all Army Clothing imported, such Apparel or Clothing being made of any Material or Materials which would be subject to the Duty on Old Drapery if imported in the Piece or not made up, a Duty of Ten Pounds for every One hundred Pounds of the Value of any such Articles which shall be so imported at any Time after the Tenth Day of *October* One thousand eight hundred and twenty three, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty three; a Duty of Eight Pounds and Ten Shillings on every One hundred Pounds of the Value of any such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty four, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty four; a Duty of Seven Pounds on every One hundred Pounds of the Value of any such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty five, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty five; a Duty of Five Pounds and Ten Shillings on every One hundred Pounds of the Value of any such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty six, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty six; a Duty of Four Pounds on every One hundred Pounds of the Value of any such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty seven, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty seven; a Duty of Two Pounds and Ten Shillings on every One hundred Pounds of the Value of any such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty eight, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty eight; a Duty of One Pound on every One hundred Pounds of the Value of any such Materials which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty nine, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty nine; and that the said Duty of One Pound for every One hundred Pounds of such Value shall remain in force and be payable until the said Thirty first Day of *December*

1829.
2l. per Cent.

and then to
cease.

New Apparel,
&c.

10l. per Cent.
after 10th Oct.
until 31st Dec.
1823.

1st Jan. to 31st
Dec. 1824,
8l. 10s. per
Cent.

1825.
7l. per Cent.

1826.
5l. 10s. per
Cent.

1827.
4l. per Cent.

1828.
2l. 10s. per
Cent.

1829.
1l. per Cent.

and then to
cease.

December One thousand eight hundred and twenty nine, and no longer, and shall then cease and determine: And that the said several Duties respectively so by this Act imposed shall be in lieu and full Satisfaction of the Duty of Ten Pounds *per Centum* due and payable upon the Importation of the said Articles respectively under the said recited Acts for the Union of *Great Britain* and *Ireland*, or any other Act or Acts in force immediately before the passing of this Act.

After 10th Oct.
no Duty on Old
Drapery of 12s.
per Yard, or
New Drapery
of 1s 3d. per
Yard.

IV. Provided always, and be it enacted, That any Woollen Goods known by the Name of Old Drapery, of the Value or Price of Twelve Shillings or more *per* running Yard, and any Woollen or Worsted Stuffs (not being figured, twilled or printed), and any Flannels known by the Name of New Drapery of the Value of One Shilling and Three Pence or more *per* running Yard, the Manufacture of *Great Britain* and *Ireland* respectively, which shall be imported into either Country from the other at any Time after the said Tenth Day of *October* One thousand eight hundred and twenty three, shall not be liable to the Payment of any Duty whatever; any thing in this Act contained to the contrary in any wise notwithstanding.

How such
Value to be
ascertained.

V. And for the ascertaining of such Value or Price, be it enacted, That when any Person shall make an Entry of any such Goods, it shall and may be lawful for the principal Officer at the Port of Importation, whensoever he shall think fit, to ascertain the Value and Price of the same by the Estimation of Three Persons, to be named and appointed in Manner following; (that is to say,) One of the said Persons shall be named by the said Officer, another by the Person making the Entry of such Goods, and the Third by the Two Persons so named as aforesaid; and the Persons so named and appointed shall examine into and estimate the Value of such Goods, and shall declare the same in Writing under their Hands to such Officer, according to the best of their Judgment; and such Goods shall be admitted to Entry either Duty free, or on Payment of the Duty payable under this Act, as the Case shall require: Provided always, that if it shall appear that any such Goods, which shall be entered as being of the Value of Twelve Shillings, or of One Shilling and Three Pence or more *per* running Yard respectively, shall by such Three Persons be estimated to be of a less Value by One Fifth Part of such Prices respectively, then the Person making Entry of the same shall forfeit Treble the Value of all such Goods, to be recovered in like manner as any Penalty under any Act or Acts for the Security of Duties of Customs.

Goods admitted
to Entry.
Value falsely
stated.

Penalty.

Duties on
Woollen
Manufactures.

VI. And be it further enacted, That from and after the said Tenth Day of *October* One thousand eight hundred and twenty three, there shall be raised, levied, collected and paid unto and for the Use of His Majesty, His Heirs and Successors, in Ready Money, without any Discount whatever, upon and in respect of the several Articles following, being the Manufacture of *Great Britain* and *Ireland* respectively, on their Importation into either Country from the other, the several and respective Duties following; (that is to say,) Upon all Woollen Manufactures known by the Name of Old Drapery (except Ornamental Old Drapery), a Duty of Eight Pence Halfpenny on every Yard of any such Ma-
nufactures

Old Drapery.

<p>manufactures which shall be so imported at any Time after the Tenth Day of <i>October</i> One thousand eight hundred and twenty three, and at any Time on or before the Thirty first Day of <i>December</i> One thousand eight hundred and twenty three; a Duty of Seven Pence Halfpenny on every Yard of any such Manufactures which shall be so imported at any Time on or after the First Day of <i>January</i> One thousand eight hundred and twenty four, and on or before the Thirty first Day of <i>December</i> One thousand eight hundred and twenty four; a Duty of Sixpence Halfpenny on every Yard of any such Manufactures which shall be so imported at any Time on or after the First Day of <i>January</i> One thousand eight hundred and twenty five, and on or before the Thirty first Day of <i>December</i> One thousand eight hundred and twenty five; a Duty of Five Pence Halfpenny on every Yard of any such Manufactures which shall be so imported at any Time on or after the First Day of <i>January</i> One thousand eight hundred and twenty six, and on or before the Thirty first Day of <i>December</i> One thousand eight hundred and twenty six; a Duty of Four Pence Halfpenny on every Yard of any such Manufactures which shall be so imported at any Time on or after the First Day of <i>January</i> One thousand eight hundred and twenty seven, and on or before the Thirty first Day of <i>December</i> One thousand eight hundred and twenty seven; a Duty of Three Pence Halfpenny on every Yard of any such Manufactures which shall be so imported at any Time on or after the First Day of <i>January</i> One thousand eight hundred and twenty eight, and on or before the Thirty first Day of <i>December</i> One thousand eight hundred and twenty eight; a Duty of Two Pence Halfpenny on every Yard of any such Manufactures which shall be so imported at any Time on or after the First Day of <i>January</i> One thousand eight hundred and twenty nine, and on or before the Thirty first Day of <i>December</i> One thousand eight hundred and twenty nine; and that the said Duty of Two Pence Halfpenny for every Yard of any such Manufactures shall remain in force and be payable until and upon the said Thirty first Day of <i>December</i> One thousand eight hundred and twenty nine, and no longer, and shall then cease and determine:</p>	<p>From 10th Oct. until 31st Dec. 1823, 8½d. per Yard. 1st Jan. to 31st Dec. 1824, 7½d. per Yard.</p>
	<p>1825. 6½d. per Yard.</p>
	<p>1826. 5½d. per Yard.</p>
	<p>1827. 4½d. per Yard.</p>
	<p>1828. 3½d. per Yard.</p>
	<p>1829. 2½d. per Yard.</p>
	<p>and then to cease.</p>
<p>Upon such Woollen and Worsted, Flannels and Worsted Stuffs, Calamancoes, Serges, Shalloon and Camlets, whether plain, twilled or printed, as shall have undergone the Process either of washing, stoving, dyeing or pressing, being Articles of the Woollen Manufactures known by the Name of New Drapery, a Duty of Two Pence Three Farthings on every Yard of any such Articles which shall be so imported at any Time after the said Tenth Day of <i>October</i> One thousand eight hundred and twenty three, and at any Time on or before the Thirty first Day of <i>December</i> One thousand eight hundred and twenty five; a Duty of Two Pence Farthing on every Yard of any such Articles which shall be so imported at any Time on or after the First Day of <i>January</i> One thousand eight hundred and twenty six, and at any Time on or before the Thirty first Day of <i>December</i> One thousand eight hundred and twenty six; a Duty of One Penny Three Farthings on every Yard of any such Articles which shall be so imported at any Time on or after the First Day of <i>January</i> One thousand eight hundred and twenty seven, and at any Time on or before the</p>	<p>Woollen and Worsted Stuffs, &c.</p>
	<p>From 10th Oct. 1823, until 31st Dec. 1825, 2½d. per Yard.</p>
	<p>1st Jan. to 31st Dec. 1826, 2½d. per Yard.</p>
	<p>1827. 1½d. per Yard.</p>
	<p>Thirty</p>

1828.
½d. per Yard.

1829.
¾d. per Yard.

and then to
cease.

Ad valorem
Duties paid in
British or Irish
Currency ;
the Duties on
Woollen Manu-
factures in Irish
Currency,

carried to Con-
solidated Fund.

Duties under
Management of
Commissioners
of Customs.

Thirty first Day of *December* One thousand eight hundred and twenty seven ; a Duty of One Penny Farthing on every Yard of any such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty eight, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty eight ; a Duty of Three Farthings on every Yard of any such Articles which shall be so imported at any Time on or after the First Day of *January* One thousand eight hundred and twenty nine, and at any Time on or before the Thirty first Day of *December* One thousand eight hundred and twenty nine ; and that the said Duty of Three Farthings for every Yard of such Articles shall remain in force and be payable until and upon the said Thirty first Day of *December* One thousand eight hundred and twenty nine, and no longer, and shall then cease and determine : And that the said several Duties on the Importation of the said Woollen Manufactures shall be in lieu and full Satisfaction of all Duties payable on the Importation of such Manufactures under the said recited Acts for the Union of *Great Britain* and *Ireland*, or any other Act or Acts in force immediately before the passing of this Act.

VII. And be it further enacted, That the several Duties by this Act imposed, in respect of every One hundred Pounds of the Value of any of the Articles herein mentioned, shall be estimated and calculated and paid according to the Amount thereof in *British* Currency, in all Cases where the Value of such Articles shall be estimated in *British* Currency ; and where such Value shall be estimated in *Irish* Currency, the said Duties shall be estimated, calculated and paid according to the Amount thereof in *Irish* Currency ; and that the said Duties on Woollen Manufactures shall (pursuant to the Directions contained in the said Acts for the Union of *Great Britain* and *Ireland*) be calculated and paid according to the Amount thereof in *Irish* Currency ; and that all the said several Duties shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

VIII. And be it further enacted, That the Duties by this Act granted shall be under the Management of the Commissioners of Customs for the Time being ; and that the said Duties shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, in the same Manner and under all such Powers and Authorities, and by all such Ways and Methods, and according to all such Rules and Directions, and under all such Penalties and Forfeitures as other Duties of Customs or Duties on Importation may be raised, levied, collected and paid according to the Laws in force in the United Kingdom, or in *England*, *Scotland* or *Ireland* respectively.

C A P. XXVII.

An Act to amend an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Third, respecting Justices of the Quorum in Cities and Towns Corporate.

[23d May 1823.]

‘ **W**HEREAS an Act was passed in the Seventh Year of the 7 G.3. c.21.
 ‘ Reign of His late Majesty King *George* the Third, intituled *An Act to obviate the Inconveniencies that may arise with respect to the Execution of Acts of Parliament in such Cities, Boroughs, Towns Corporate, Franchises or Liberties, as have only One Justice of the Peace of the Quorum qualified to act within the same*; whereby it was enacted, that in all such Cities, Boroughs, Towns Corporate, Franchises and Liberties, as have only One Justice of the Peace of the Quorum, that all Acts, Orders, Adjudications, Warrants, Indentures of Apprenticeship or other Instruments, which shall be made, done or executed by Two or more Justices of the Peace within such Cities, Boroughs, Towns Corporate, Franchises and Liberties, though neither of the said Justices are of the Quorum, shall be valid and effectual in Law: And Whereas it is expedient that the Provisions of the said Act should be extended to such Cities and other Jurisdictions as have Two or any other limited Number of Justices of the Quorum qualified to act within the same: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in all Cases where the Number of Justices of the Peace for any City, Borough, Town Corporate, Franchise, Liberty or other local Jurisdiction, is limited, and any One, Two or more of such Justices only are of the Quorum, all Acts, Orders, Adjudications, Warrants, Indentures of Apprenticeship or other Instruments, which shall be made, done or executed, either in or out of the General Quarter Sessions or Petty Sessions, or any Adjournment thereof, by virtue of any Charter or Grant, or by virtue of any Act of Parliament made or to be made, by any Two or more Justices of the Peace acting within the same, though neither of the said Justices be of the Quorum, shall be valid in Law, to all Intents and Purposes as if the said Justices had been of the Quorum; any Grant, Charter, Law or Custom to the contrary thereof in any wise notwithstanding.

In Places having a limited Number of Justices, any of such Justices empowered to act, though not of the Quorum.

C A P. XXVIII.

An Act for the more speedy Reduction of the Number of Serjeants, Corporals and Drummers in the Militia of *Ireland*, when not in actual Service. [23d May 1823.]

‘ **W**HEREAS by an Act passed in the Fifty seventh Year of 57 G.3. c.104.
 ‘ the Reign of His late Majesty King *George* the Third, intituled *An Act to reduce the Number of Serjeants, Corporals and Drummers in the Militia of Ireland, whilst disembodied*; it is enacted, that no Vacancy which shall occur by the Death,
 ‘ Dismissal

Serjeants, &c.
may be reduced
(at any Time
after passing
this Act) to the
Proportions
herein men-
tioned.

‘ 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, Cor-
‘ porals and Drummers shall be reduced below the Numbers
‘ therein mentioned: And Whereas it is expedient that Power
‘ should be given for the more speedy Reduction of the Numbers
‘ of such Serjeants, Corporals and Drummers, in such Regiments
‘ or Battalions of the said Militia in which such Reduction shall
‘ not have taken place before the passing of this Act:’ Be it
‘ therefore enacted by the King’s most Excellent Majesty, by and
‘ with the Advice and Consent of the Lords Spiritual and Temporal,
‘ and Commons, in this present Parliament assembled, and by the
‘ Authority of the same, That at any Time after the passing of this
‘ Act it shall be lawful for His Majesty, His Heirs or Successors,
‘ or for the Lord Lieutenant or other Chief Governor or Governors
‘ of Ireland for the Time being, to direct that the Number of
‘ Serjeants, Corporals and Drummers to be retained in any Regi-
‘ ment or Battalion of the said Militia on permanent Pay, when
‘ not in actual Service, shall be as follows, and no more, and the
‘ same shall thereupon be the ordinary Establishment of such Regi-
‘ ment or Battalion; that is to say, 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 or upwards, and less than Thirty,
‘ every such Regiment or Battalion shall and may, in such Case,
‘ have One additional Corporal for such Surplus Number of Men;
‘ and when any such Regiment or Battalion 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. XXIX.

An Act to increase the Power of Magistrates, in Cases of
Apprenticeships. [23d May 1823.]

See c. 34. post.
20 G. 2. c. 19.
§ 3.

‘ WHEREAS by an Act made in the Twentieth Year of the
‘ Reign of His Majesty King *George the Second*, intituled
‘ *An Act for the better adjusting and more easy Recovery of the*
‘ *Wages of certain Servants, and for the better Regulation of such*
‘ *Servants, and of certain Apprentices*, it is, among other things,
‘ enacted and provided, that it shall and may be lawful to and for
‘ any Two or more Justices of the Peace, upon any Complaint or
‘ Application by any Apprentice put out by the Parish, or any
‘ other Apprentice, upon whose binding out no larger a Sum than
‘ Five Pounds of lawful *British Money* was paid, touching or con-
‘ cerning any Misusage, Refusal of necessary Provision, Cruelty
‘ or other ill Treatment of or towards such Apprentice, by his or
‘ her Master or Mistress, to summon such Master or Mistress to
‘ appear before such Justices, at a reasonable Time to be named
‘ in such Summons; and such Justices shall and may examine
‘ into the Matter of such Complaint, and upon Proof thereof
‘ made upon Oath to their Satisfaction, (whether the Master or
‘ Mistress

' Mistress be present or not, if Service of the Summons be also
 ' upon Oath proved,) the said Justices may discharge such Ap-
 ' prentice, by Warrant or Certificate under their Hands and Seals,
 ' for which Warrant or Certificate no Fees shall be paid; and it § 2.
 ' is also enacted, that it shall and may be lawful to and for such
 ' Justices, upon Application or Complaint made upon Oath, by
 ' any Master or Mistress against any such Apprentice, touching
 ' or concerning any Misdemeanor, Miscarriage or ill Behaviour
 ' in such his or her Service, (which Oath such Justices are hereby
 ' empowered to administer,) to hear, examine and determine the
 ' same, and to punish the Offender by Commitment to the House
 ' of Correction, there to remain and be corrected and held to
 ' Hard Labour for a reasonable Time, not exceeding One Calendar
 ' Month, or otherwise by discharging such Apprentice in Manner
 ' and Form before mentioned: And Whereas by another Act
 ' made in the Thirty third Year of the Reign of His late Majesty 33 G. 3. c. 55.
 ' King George the Third, intituled *An Act to authorize Justices of* § 1.
 ' *the Peace to impose Fines upon Constables, Overseers, and other*
 ' *Peace and Parish Officers, for Neglect of Duty, and on Masters*
 ' *of Apprentices for ill Usage of such their Apprentices, and also*
 ' *to make Provision for the Execution of Warrants of Distress granted*
 ' *by Magistrates,* it is enacted, that it shall and may be lawful for
 ' any Two or more of His Majesty's Justices of the Peace,
 ' assembled at any Special or Petty Sessions of the Peace, upon
 ' Complaint made to them upon Oath, by or on the behalf of any
 ' Apprentice to any Trade or Business whatsoever, whether bound
 ' Apprentice by any Parish or Township, or otherwise, (provided
 ' that not more than the Sum of Ten Pounds be paid upon the
 ' binding of such Apprentice,) against his or her Master or
 ' Mistress, of any ill Usage of such Apprentice by such Master
 ' or Mistress, (such Master or Mistress having been duly sum-
 ' moned to appear and answer such Charge or Complaint,) to
 ' impose, upon Conviction, any reasonable Fine or Fines not ex-
 ' ceeding the Sum of Forty Shillings upon such Master or Mistress
 ' respectively, as a Punishment for such ill Usage; and by War-
 ' rant under the Hands and Seals of any Two or more of such
 ' Justices assembled at any such Special or Petty Sessions as
 ' aforesaid, to direct such Fine or Fines, if not paid, to be levied
 ' by Distress and Sale of the Goods and Chattels of the Person
 ' or Persons so offending, rendering the overplus (if any), after
 ' deducting the Amount of such Fine or Fines, and the Charges
 ' of such Distress and Sale, to such Offender or Offenders: And
 ' Whereas it is expedient that the Provisions of the said Act
 ' should be extended to Apprentices upon whose binding out a
 ' larger Sum than Five Pounds or Ten Pounds respectively, as
 ' mentioned in the said Acts, was paid: 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 twenty three, the Provisions of the said recited
 ' Acts, so far as the same relate to Apprentices, shall extend and be
 ' deemed and construed to extend to all Apprentices, upon whose
 ' binding out no larger a Sum than Twenty five Pounds of lawful
 ' British

Recited Acts to
 extend to Ap-
 prentices bound
 out at no larger
 Sum than 25l.

British Money was or shall be paid; any thing contained in the said Acts, or either of them, to the contrary thereof in any wise notwithstanding.

In what case
Justices may
order Premium
to be refunded.

II. And be it further enacted, That from and after the First Day of *August* One thousand eight hundred and twenty three, it shall and may be lawful for any Two or more of His Majesty's Justices of the Peace, in any case where they shall direct any Apprentice or Apprentices to be discharged under and by virtue of the said recited Acts or of this Act, to take into Consideration the Circumstances under which such Apprentice or Apprentices shall be so discharged, and to make an Order upon the Master or Mistress of such Apprentice or Apprentices to refund all or any Part of the Premium or Premiums which may have been or shall be paid upon the binding or placing out of such Apprentice or Apprentices, as such Justices in their Discretion shall see fit; and in case any Sum or Sums of Money which shall be so ordered to be refunded by such Master or Mistress, shall be neglected to be paid to the Person or Persons directed in any such Order to receive the same, it shall and may be lawful for such Two or more Justices, in Petty Sessions, by Warrant under their Hands and Seals, to levy the same upon the Goods and Chattels of such Master or Mistress, with the Cost and Charges of levying such Distress, rendering the Overplus of the Sale of such Goods and Chattels, upon Demand, to such Master or Mistress; and in case there shall not be sufficient Goods and Chattels whereon to levy the same, then it shall and may be lawful for such Justices to commit such Offender or Offenders to the House of Correction for any Time not exceeding Two Months, unless the Sum or Sums ordered to be refunded, with all Costs, shall be sooner paid and satisfied.

If not refunded.

Levied under
Warrant.

If not sufficient
Goods.

Imprisonment.

20 G. 2. c. 19.
33 G. 3. c. 55.
continued.
(Exception.)

III. And be it further enacted, That the said recited Acts, and all and every the Powers and Provisions thereof (save and except such Parts thereof as are varied, altered or repealed), shall be as good, valid and effectual for carrying this Act into Execution as if the same had been repeated in this Act.

C A P. XXX.

An Act to regulate the Importation and Exportation of certain Articles subject to Duties of Excise, and certain other Articles the Produce or Manufacture of *Great Britain* and *Ireland* respectively, into and from either Country from and to the other. [30th *May* 1823.]

39 & 40 G. 3.
c. 67. 40 G. 3.
(I.) c. 38.
Art. 6.

‘ **W**HEREAS by the Acts made in the Parliaments of *Great Britain* and *Ireland* respectively, for the Union of *Great Britain* and *Ireland*, it is among other Things enacted, as Part of the Sixth Article of the said Union, that any Articles of the Growth, Produce or Manufacture of either Country, which are or may be subject to internal Duty, or to Duty on the Materials of which they are composed, may be made subject, on their Importation into each Country respectively from the other, to such countervailing Duty as shall appear to be just and reasonable in respect of such internal Duties on such Articles or Materials;

'terials ; and that upon the Export of the said Articles from each
 'Country to the other respectively, a Drawback shall be given
 'equal in Amount to the countervailing Duty payable on such
 'Articles on the Importation thereof into the same Country from
 'the other : And Whereas by the said Acts for the Union of *Great*
 '*Britain and Ireland*, and by several Acts from time to time passed
 'since the said Union, divers countervailing Duties and equivalent
 'Drawbacks have from time to time been granted and made pay-
 'able in respect of divers Articles in *Great Britain and Ireland*
 'respectively subject to such internal Duty, or to Duty on the
 'Materials of which such Articles are composed : And Whereas
 'by an Act made in the Forty sixth Year of the Reign of His 46 G. 3. c. 97.
 'late Majesty King *George* the Third, intituled *An Act to permit*
 '*the free Interchange of every Species of Grain between Great*
 '*Britain and Ireland* ; and by an Act made in the Session of Par-
 'liament holden in the First and Second Years of the Reign of 1 & 2 G. 4. c. 19.
 'His present Majesty, intituled *An Act to permit the Removal*
 '*of certain Goods from Great Britain to Ireland, and from Ireland*
 '*to Great Britain, by Cocket, Certificate, Letpass or Transire*, Pro-
 'visions are made for the Interchange of Corn, and the Removal
 'of such Articles, the Produce or Manufacture of either Country
 'respectively, as are not subject to Duty or entitled to Draw-
 'back, in like manner as Goods sent Coastwise in *Great Britain*
 'and *Ireland* respectively : And Whereas it is expedient that
 'similar Provisions should be made with respect to certain
 'Articles subject to Duties of Excise, and to certain other
 'Articles the Produce or Manufacture of *Great Britain* or *Ire-*
 '*land* respectively, imported or exported into and from either
 'Country from and to the other : Be it therefore enacted by the
 King's most Excellent Majesty, by and with the Advice and Con-
 sent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 That from and after the Fifth Day of *July* One thousand eight
 hundred and twenty three, in all Cases where any Articles, the
 Growth, Produce or Manufacture of *Great Britain* or *Ireland* re-
 spectively, are or shall be subject to internal Duties of Excise,
 or to Duties on the Materials or any of them of which such
 Articles are composed, of the same specific Amount, or of such
 Amount according to different Modes of charging such Duty as
 shall be equivalent to each other in *Great Britain* and *Ireland*
 respectively, such Articles, having paid such Duties, shall not,
 upon the Importation into either Country respectively from the
 other, be subject to any countervailing Duty whatever ; and that
 upon the Export of such Articles from either Country to the
 other respectively having paid such Duties, no Drawback what-
 ever shall be given, allowed or paid, in respect of any such
 Duties of Excise ; any thing in the said Acts of Union, or in any
 other Act or Acts to the contrary thereof in any wise notwith-
 standing : And that from and after the Fifth Day of *July* One
 thousand eight hundred and twenty three, it shall and may be
 lawful to export from *Great Britain* to *Ireland*, or from *Ireland*
 to *Great Britain*, and to import into *Great Britain* from *Ireland*,
 or into *Ireland* from *Great Britain*, any such Articles the Produce
 or Manufacture of either Country respectively, in like Manner,
 and

Articles liable
 to equal Duties
 of Excise in
Great Britain
 and *Ireland*
 may be im-
 ported without
 Duty, and ex-
 ported without
 Drawback, be-
 tween the Two
 Countries,
 under the like
 Coast Regu-
 lations throug-
 out the United
 Kingdom.

Exception.

and under such Rules, Regulations, Restrictions, Penalties and Forfeitures, and no others, as the same Articles are or may be subject and liable to when carried Coastwise from one Port to another in *England*; and that all such Goods and Articles (except as hereinafter mentioned) which shall be carried Coastwise, or from any one Port in the United Kingdom to any other Port in the United Kingdom, shall be and become subject in all Cases to the same Rules, Regulations, Restrictions, Penalties and Forfeitures, whether the Port or Ports from and to which they shall be so carried shall be situate in *Great Britain* or in *Ireland*; any thing contained in any Act or Acts in force immediately before the passing of this Act to the contrary in any wise notwithstanding.

Articles imported liable to the highest Rates of Excise Duty in the importing Country, to pay only Excess of Duty.

II. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty three, whenever any Article, the Growth, Produce or Manufacture of *Great Britain* or *Ireland* respectively, shall be imported into either Country from the other, which shall be subject to any internal Duty of Excise, or to any Duty on the Materials or any of them of which such Article is composed, at and after a Rate or Amount, in the Country into which such Article shall be imported, higher than the Rate or Amount payable in the Country from which such Article shall be exported, such Articles respectively shall, upon their Importation into either Country from the other, be subject and liable to the Payment of such Duty only as shall be equal to the Excess of the Amount of the Duty or Duties payable as aforesaid in the Country into which any such Article shall be imported, above the Amount of such Duty or Duties as aforesaid which shall have been actually paid in the Country from which such Article shall be exported: And that whenever any Article of such Growth, Produce or Manufacture shall be so imported, which shall be subject to any such Duty or Duties as aforesaid in the Country into which such Article shall be imported, and shall not be subject to any such Duty or Duties as aforesaid in the Country from which the same shall be exported, such Article shall, upon such Importation, be subject and liable to the Payment of a Duty equal to the Amount of the Duty or Duties which shall be payable as aforesaid in the Country into which any such Article shall be imported from the Country in which such Article is not liable to any such Duty or Duties; and that in all such Cases no Drawback whatever shall be allowed on the Exportation of any such Article from either Country to the other; any thing in the said Acts of Union, or in any other Act or Acts to the contrary thereof in any wise notwithstanding.

Articles liable to Duty in importing Country, and not in exporting Country, to pay the whole Duty on Import.

No Drawback on Exportation.

Articles exported liable to highest Rate of Excise Duty in exporting Country.

III. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty three, whenever any Article, the Growth, Produce or Manufacture of *Great Britain* or *Ireland* respectively, shall be exported from either Country to the other, which shall be subject to any internal Duty of Excise, or to any Duty on the Materials or any of them of which such Article is composed, at and after a Rate or Amount, in the Country from which such Article shall be exported, higher than the Rate or Amount payable in the Country into which such Article is to be imported, a Drawback shall be allowed and given equal in Amount to the Excess of the Duty or Duties as aforesaid which

Drawback.

which shall have been actually paid on such Article in the Country from which such Article shall be exported, above the Amount of the Duty or Duties payable on the like Article in the Country into which such Article is to be imported: And that whenever any Article of such Growth, Produce or Manufacture shall be so exported, which shall be subject to any such Duty or Duties as aforesaid in the Country from which such Article shall be exported, and shall not be subject to any such Duty or Duties as aforesaid in the Country into which such Article shall be imported, a Drawback shall be allowed and given equal to the Amount of the whole of the Duty or Duties as aforesaid which shall have been actually paid in the Country from which such Article shall be exported to the Country in which such Article is not liable to any such Duty or Duties as aforesaid; and that in all such Cases, no Duty whatever shall be payable on the Importation of any such Article into either Country from the other; any thing in the said Acts of Union, or in any other Act or Acts to the contrary thereof in any wise notwithstanding.

Articles liable to Duty in exporting Country, and not in importing Country.

Drawback not liable to Duty on Importation.

IV. And be it further enacted, That from and after the Fifth Day of July One thousand eight hundred and twenty three, in all Cases where any Article, the Growth, Produce or Manufacture of *Great Britain* or *Ireland* respectively, subject and liable to the Payment of any Duty or Duties of Excise as aforesaid, is or shall be allowed, under any Act or Acts in force in *Great Britain* or *Ireland*, to be secured in Warehouses without Payment of such Duty or Duties of Excise, it shall and may be lawful to export from *Great Britain* to *Ireland* and from *Ireland* to *Great Britain* respectively, any such Article the Produce or Manufacture of either Country respectively, out of the Warehouse in which such Article shall be lodged or secured, under all such Rules, Regulations, Restrictions, Penalties and Forfeitures, as Articles liable to the Payment of Duty thereon may be exported out of Warehouse; and that upon the Importation of any such Article into either Country from the other from such Warehouse as aforesaid, such Article shall be subject and liable to and there shall be paid thereon a Duty equal to the Amount of the Duty of Excise payable on the like Article in the Country into which any such Article shall be so imported.

Articles liable to Excise Duty, but warehoused (Duty free) may be exported from Warehouse in one Country, and be liable to Duty on Import into the other.

V. And for the ascertaining from time to time what Articles may under this Act be imported or exported into and from *Great Britain* and *Ireland* respectively without Payment of Duty or Allowance of Drawback, and what Articles shall be subject to the Payment of any Duty or entitled to any Drawback under this Act, and the Amount of such Duty and Drawback, and what Articles may be exported from Warehouse under this Act; Be it 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 of them, and they are hereby required, from time to time to cause One or more Table or Tables, or Schedule or Schedules, to be prepared, enumerating the several Articles, whether chargeable with Duty after the same or different Modes in the Two Countries, which may be imported and exported between *Great Britain* and *Ireland* respectively under this Act, without Payment of Duty or Allowance of Drawback,

Treasury to cause Tables of Duties and Drawbacks to be prepared from time to time.

What to be stated in such Tables.

Copy of Table signed by Treasury transmitted to Commissioners of Customs and Excise.

Sums specified in Tables to be levied, &c.

Coals may be imported between G. B. and Ireland, under Coast Regulations, paying the respective Duties.

Articles imported or exported to be subject to Regulations in force in the respective Countries.

Regulations to be signed by Treasury and published.

back, or subject to any Duty or entitled to any Drawback, according to the Amount payable or allowable pursuant to the Provisions of this Act, or which may be exported out of Warehouse in *Great Britain or Ireland*, and imported into *Ireland or Great Britain* from Warehouse respectively, upon Payment of any such Duty, or otherwise, pursuant to the Provisions of this Act; and in such Table or Tables, or Schedule or Schedules respectively, the Amount of Duties and Drawbacks which shall be payable or allowable according to the Provisions of this Act, on such Articles respectively, shall be stated and set forth in Figures opposite each Article respectively so enumerated; and a Copy of every such Table or Schedule, signed by the said Commissioners of the Treasury, or any Three or more of them, shall be transmitted to the Commissioners of Customs and Excise, with such Directions respecting the same as the said Commissioners of the Treasury shall think proper and necessary; and the Sums specified in every such Table or Schedule so approved and signed, shall be deemed and taken to be the proper Duties and Drawbacks payable or allowable according to the Provisions of this Act upon or in respect of any such Articles as shall be specified in any such Table or Schedule, and shall be charged and levied, and paid and allowed, in like manner as other Duties and Drawbacks of Customs or Excise, under any Act or Acts in force at the Time of the making of any such Table or Schedule as aforesaid.

VI. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty three, it shall be lawful to export from *Great Britain to Ireland*, or from *Ireland to Great Britain*, and to import into *Ireland* from *Great Britain*, or into *Great Britain* from *Ireland*, any Coals, the Produce of either Country respectively, under the like Rules, Regulations, Restrictions, Penalties and Forfeitures, as in case of Coals sent Coastwise from one Port in *England* to another Port in *England*; any Act or Acts in force to the contrary in any wise notwithstanding: Provided always, that all such Duties, and no other, shall be paid upon such Coals on the Importation thereof into either Country from the other respectively, as such Coals are or shall be subject and liable to upon Importation into such Country under any Act or Acts in force at the Time of such Importation.

VII. Provided always, and be it enacted, That in all Cases in which and so long as any Difference doth or shall exist between the Laws in force in *Great Britain* and *Ireland* respectively, relating to the Rules, Regulations, Restrictions, Penalties and Forfeitures to which any Articles which may be imported or exported between *Great Britain* and *Ireland* under this Act are subject and liable, the Importation and Exportation of all such Articles into or from either Country respectively shall be governed by such Rules and Regulations, and shall be subject to such Restrictions as are or may or shall be from time to time directed in that Behalf by any Order in Writing signed by the Commissioners of His Majesty's Treasury, or any Three of them, and published in the *London* and *Dublin Gazettes*, with respect to the Importation thereof into the Country into which such Articles shall be imported, and with respect to Exportation thereof from the Country from

from which such Articles shall be exported, until further uniform Provisions shall be made for the assimilating of such Rules, Regulations, Restrictions, Penalties and Forfeitures throughout the whole of the United Kingdom; and that all Articles which, under the Provisions of this Act, shall be imported into *Great Britain or Ireland* respectively from the other, shall immediately upon such Importation be and become subject and liable to all such Laws, Rules, Regulations, Restrictions, Penalties and Forfeitures, and shall be entitled to all such Privileges and Advantages in all respects to which Articles of the like Nature, the Produce or Manufacture of the Country into which such Articles shall be imported, are or shall be subject and liable or entitled unto, to all Intents and Purposes whatsoever, and as if such Articles so imported were the Produce or Manufacture of the Country into which such Articles shall be so imported.

C A P. XXXI.

An Act to amend an Act passed in the Nineteenth Year of the Reign of His late Majesty King George the Second, intituled *An Act more effectually to prevent profane Cursing and Swearing.* [30th May 1823.]

WHEREAS by an Act passed in the Nineteenth Year of the Reign of His late Majesty King George the Second, intituled *An Act more effectually to prevent profane Cursing and Swearing*, it is amongst other Things provided, that the said Act shall be publicly read Four several Times in the Year in all Parish Churches and Public Chapels, by the Parson, Vicar or Curate of the respective Parishes or Chapels, immediately after Morning or Evening Prayer, on Four several *Sundays*; (that is to say,) the *Sunday* next after the Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September*, and Twenty fifth Day of *December* in every Year; or in case Divine Service shall not be performed in any such Church or Chapel on any of the *Sundays* before mentioned, then upon the First *Sunday* after any of the said quarterly Days on which Divine Service shall happen to be performed in any such Church or Chapel, upon pain of forfeiting the Sum of Five Pounds for every such Omission and Neglect, to be levied by Distress and Sale of the Offender's Goods and Chattels, by virtue of a Warrant under the Hand and Seal of any one Justice, Mayor, Bailiff or other Chief Magistrate as aforesaid: And Whereas it is expedient that the above recited Provision should be repealed; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Statute as is hereinbefore recited shall be and the same is hereby repealed.

19 G. 2. c. 21.
§ 13. repealed.

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. Public Act.

C A P. XXXII.

An Act for the Amendment of the Laws respecting Charitable Loan Societies in *Ireland*. [30th May 1823.]

‘ WHEREAS certain Institutions for Charitable Loans have been and may be established in *Ireland*, as well as for providing Implements of Industry for the labouring Classes of His Majesty’s Subjects there; and it is expedient to amend the Laws concerning the same, and to give Protection to the Funds of such Institutions, and to afford Encouragement to the Formation of other Institutions of a like Kind;’ 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 Number of Persons who have formed or shall form any Society in any Part of *Ireland*, for the Purpose of establishing a Society for a Charitable Loan, or for providing Implements of Labour by way of Loan, for the industrious Classes in *Ireland*, or for providing Implements of Labour, and receiving back Payment for the same by Instalments, with the legal Interest due thereon, reinvesting the Capital of the said Societies, and the Interest thereof, for the like Purposes, and only deducting therefrom so much as shall be required to be retained for the Payment of the necessary Expences attending the Management of such Institutions, according to such Rules, Orders and Regulations as shall have been or shall be agreed to for such Purpose, but deriving no Benefit whatever from such Capital, or the Interest thereof, shall be desirous of having the Benefit of this Act, such Persons shall cause the Rules, Orders and Regulations established or to be established for the Management of such Institutions, 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 described, entitled to the Benefit of this Act.

Rules, &c. of the Institution to be entered in a Book, and a Copy deposited with the Clerk of the Peace.

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 receiving Assistance from such Institutions, 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, County of a City or County of a Town 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 Fee or Reward to be paid in respect thereof; but nevertheless, nothing herein contained shall extend to prevent any Alterations in or Amendment of any such Rules, Orders or Regulations so entered, deposited and filed as aforesaid, or repealing or annulling the same, or any of them, either in Whole or in Part, or making any new Rules, Orders or Regulations for the Management

No Fee.
Rules, &c. may be altered, &c. and new Rules made.

ment 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 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.

To be entered, and Transcript deposited with Clerk of the Peace.

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 and Regulations for the Management thereof, that no Person or Persons, being Treasurer, Director, Trustee or Manager of such Institution, or having any Controul in the Management thereof, shall derive any Benefit from any Loan made in such Institution, 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 Institutions, and for Remuneration to Officers employed in the Management thereof, exclusive of the Treasurer or Treasurers, Director or Directors, or other Persons having the Management and Direction of such Institution, who shall not, directly or indirectly, have any Salary, Allowance, Profit or Benefit whatsoever therefrom.

Officers not to have any Benefit in the Institution, except such Salaries as shall be appointed.

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 Persons receiving Relief from the same, 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.

Rules so entered, &c. to be binding.

What deemed Notice thereof. Entries or Transcripts deposited with Clerk of the Peace. Evidence of Rules.

No Fee or Stamp Duty.

V. And be it further enacted, That all Notes and Securities entered into for the Payment of such Loans, or for the Payment by Instalments of the Price of such Implements of Industry by Instalments, which Price shall not exceed the first Cost of any such Implements, may be made payable to the Treasurer or Clerk of the said Societies, and may be sued for and recovered in his Name for the Benefit of the said Societies, by Civil Bill,

Notes and Securities may be made payable to Treasurer or Clerk.

How to be recovered.

before the Assistant Barrister at the Quarter Sessions to be held for the County, City, Town or Place wherein such Society is or may be established, or before the Justices assembled at any Petty Sessions for such County, County of a City or County of a Town, Ten Days' Notice at the least first being given to the Person sued for the Amount of such Notes and Securities, provided the Value of such Notes and Securities so sued for at such Petty Sessions do not in any Case exceed Ten Pounds.

Amount of Loan to an Individual.

VI. Provided always, and be it enacted, That it shall not be lawful to and for any such Society to make any Loan to any one Individual within Twelve Months, or to provide any Implements of Industry for any one Person within Twelve Months, exceeding in Amount or Value the Sum of Ten Pounds.

Loans of 100l. may be made to Committees, to be paid in Twelve Months with Interest.

VII. Provided always, and be it enacted, That it shall and may be lawful to and for any such Society to make a Loan or Loans to any Committee or Committees, consisting of Three or more solvent Persons, upon their joint and several Securities, of any Sum not exceeding One hundred Pounds, payable, with Interest, at the Expiration of Twelve Months, such Committee or Committees engaging to expend the Amount of the said Sum, and duly to account for the same, for the Purposes and Objects, and according to the Rules, Regulations and Orders of the Society so advancing the same: Provided always, that no greater Sum than One hundred Pounds shall be lent to any such Committee within Twelve Months; and that at the Expiration of that Period the Amount of such Loan, together with the Interest due thereon, shall be called in and paid before any new Loan shall be made to any such Committee.

Treasurer, &c. to give Security, if required by general Rules.

VIII. And be it further enacted, That if any Treasurer or Treasurers, or other Officer or Officers, or other Person whatsoever, who shall be entrusted with the Receipt or Custody of any Sum or Sums of Money, subscribed or deposited for the Purpose of such Institution, or any Interest or Dividend arising from time to time thereby, shall be required by the Rules or Regulations of such Institutions, 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, 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 Parties authorized for that Purpose by the Rules, Regulations and Orders of such Institution, to sue upon such Bond or Bonds in the Name of the 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 of such Suit or Suits, or in respect thereof; and no Bond or Security so to be given, shall be subject to or chargeable with any Stamp Duty whatever.

Such Security to be by Bond to Clerk of the Peace.

Suing thereon.

No Stamp Duty.

No Stamp on Security for Loan, &c.

IX. And be it further enacted, That no Note or other Security which may be entered into for the Repayment of any Loan made under

under this Act, or for the Payment of the Price of Implements of Industry in manner hereinbefore provided, shall be subject to or chargeable with any Stamp Duty whatever.

X. And be it further enacted, That all Looms, Spinning Wheels, Reels, Hackles, Calendars, Presses or other Implements of Industry, which shall be provided by the said Societies, shall, before they be delivered out by them, be sealed or stamped with such Mark or Marks as by the said Societies may be directed; and that no such Looms or other Implements as aforesaid, so sealed or marked, shall be distrained for Rent, or on any other Account whatever, or shall be seized by virtue of any Process or Execution by any Sheriff, Seneschal or Bailiff, or other Person whatsoever, unless in Cases when such Seizure or Sale is at the Suit or on the Behalf of the Societies established under this Act, whensoever the Parties receiving such Implements shall fail in performing their Contract or Engagement for the Payment of the Price of the same.

Looms, Wheels and Implements given under this Act, not liable to Distress for Rent.

Exception.

XI. And be it further enacted, That it shall and may be lawful to and for any Charitable Loan Society established under this Act, from time to time to subscribe or deposit such Part of the Funds of the said Societies as they shall think fit to direct, through their Treasurer or other Officer, into the Funds of any Savings Bank established in *Ireland* under an Act passed in the Fifty seventh Year of His late Majesty's Reign, intituled *An Act to encourage the Establishment of Banks for Savings in Ireland*, in like manner as by the said Act is provided with regard to the Funds of Friendly Societies.

Funds of Societies may be deposited in Savings Banks.

57 G.3. c.105.

C A P. XXXIII.

An Act to make more effectual Regulations for the Election, and to secure the Performance of the Duties, of County Treasurers in *Ireland*. [30th May 1823.]

‘ WHEREAS it is expedient that more effectual Provisions should be made for regulating the Election and securing the Performance of the Duties of Treasurers of Counties and Counties of Cities and Towns 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 at any Time after the passing of this Act, whenever the Office of Treasurer of any County, or County of a City or County of a Town, shall be and become vacant by Death, Resignation or otherwise, Notice of such Vacancy, signed by the Secretary of the Grand Jury of the County, County of a City or County of a Town, where such Vacancy shall happen, shall be inserted Three Times at the least in the *Dublin Gazette*, and also a Notice therein, and in some Newspaper (if there shall be any such) published in the County, County of a City or County of a Town, that the Election of a Treasurer for such County, County of a City or County of a Town, will be held at some Day not less than Fourteen Days distant from the Date of such Notice, at the County Town of the County, or at the County of a City or County of a Town, as the case may be,

Notice to be given of Election of Treasurers on future Vacancies in manner herein mentioned.

and at such Hour as shall be mentioned in such Notice; and it shall be lawful for the Secretary of the Grand Jury to give Notice of such Meeting according to the Directions of any Three Magistrates, qualified to elect such Treasurer as hereinafter mentioned.

Magistrates making such Election to be qualified as by 59 G.3. c.84.

II. And be it further enacted, That from and after the passing of this Act, the Election of any Person to the Office of Treasurer of any County, County of a City or County of a Town, in *Ireland*, shall be made at a Meeting of the Magistrates to be held pursuant to such Notice as aforesaid, and that it shall not be lawful for any Magistrate to meet or vote at any such Election, who shall not be qualified in such and the like manner as is required for Magistrates assembling and holding any Special Sessions for the Purposes of an Act made in the Fifty ninth Year of the Reign of His late Majesty, intituled *An Act to amend the Laws for making, repairing and improving the Roads and other public Works in Ireland, by Grand Jury Presentments, and for a more effectual Investigation of such Presentments, and for further securing a true, full and faithful Account of all Monies levied under the same*; and every Magistrate assembled at such Meeting for the Election of any Treasurer shall, previous to acting or giving his Vote at such Meeting, make such Oath of his Qualification as is required by the said recited Act: Provided always, that if such Qualification shall arise from any Freehold or Leasehold Estate, the same shall be situate in the County, County of a City or County of a Town for which such Election shall take place; and that such Meeting shall consist of not less than Seven Magistrates so qualified, in the Case of Election of a Treasurer for any County, and of not less than Three of the Magistrates appointed by Charter or otherwise, in the Case of Election of a Treasurer of a County or County of a City or County of a Town; and that the senior Magistrate, or such Magistrate as shall be elected thereto, shall preside at such Meeting.

Qualification situate in County, &c. for which Election shall take place. Number of Magistrates to be present.

Oath of Qualification by Candidates for Treasurer to be made before Magistrates.

III. And be it further enacted, That from and after the passing of this Act, no Person shall be permitted or allowed to be a Candidate for the Office of Treasurer of any County, County of a City or County of a Town, in *Ireland*, who shall not make Oath, in Presence of the Magistrates at the Meeting assembled for the Purpose of such Election, and previous to their proceeding to such Election, and which Oath the presiding Magistrate at such Meeting is hereby authorized, empowered and required to administer, that such Person so being such Candidate is possessed of Property, Real or Personal, or partly Real and partly Personal, in his own Right, equal in Amount to the Sum for which he shall be required to bind himself personally according to the Amount in the Schedule (A.) to this Act annexed, over and above all his just Debts, and all Charges by Settlement or otherwise on such Property, or that he shall tender to such Magistrates so assembled such Security as shall appear to them equal in Amount thereto.

After 1st Mar. 1824, no Treasurer shall act without producing a Certificate of the Validity

IV. And be it further enacted, That it shall not be lawful for any Person, who at the Time of the passing of this Act shall be a Treasurer, or who at any Time after the passing of this Act shall be elected to be Treasurer of any County, County of a City or County of a Town, to act as such Treasurer at any Time after the

the First Day of *March* One thousand eight hundred and twenty four, unless such Person being such Treasurer at the Time of the passing of this Act shall, before the End of the Quarter Session which shall be held in *January* next after the passing of this Act, produce to the Magistrates assembled at such Session, or being elected to be such Treasurer at any Time after the passing of this Act, shall at the Session next after his Election to such Office, (if such Session shall take place at any Period after the Expiration of One Month next after such Election,) or otherwise at the General or Quarter Sessions or Assizes next after the Expiration of such Period of One Month (as the Case may be), produce to the Magistrates assembled at such Session, or to the Grand Jury at such Assizes, the Opinion of His Majesty's Attorney or Solicitor General for *Ireland*, or of a King's Serjeant there, approving the Validity of the Securities given by such Treasurer and his Sureties, to the Amount of the Sums specified in the Schedule (A.) to this Act annexed; nor unless such Treasurer shall previous to such Sessions or Assizes respectively, have entered into Recognizances to His Majesty with not less than Two Sureties, and with not more than Six Sureties, to the Amount specified in the Schedule (A.) annexed to this Act, conditioned for the due Performance of the Duties of his Office, and for duly accounting for all Monies received by him on account of such County, County of a City or County of a Town; and a Certificate of such Opinions having been produced, and of such Recognizances having been entered into, signed by the Chairman of such Sessions, or by the Foreman of such Grand Jury respectively, and also a Certificate signed by the proper Officer of the Court of Exchequer in *Ireland*, that such Recognizances have been duly deposited and entered or recorded therein, as hereinafter is provided, shall be laid before the Judge on the Second Day of the ensuing Assizes.

of his Sureties,
&c.

Producing
Opinions of
Validity of
Recognizances;
and entering
into Recogni-
zance.

Certificate of
Opinions and
Recognizances
entered into to
be produced.

V. And be it further enacted, That every such Recognizance, when duly deposited and entered or recorded in the Court of Exchequer at *Dublin*, and shall have Priority over all other Securities for Debt, and before all other Debts of any Treasurer or his Securities entering into such Recognizances, entered into or contracted after such Recognizance shall have been so entered or recorded, in like manner to all Intents and Purposes as in the Case of any Collector or Receiver of any of His Majesty's Revenues in *Ireland*.

Recognizances
of Treasurer to
have Priority
over all subse-
quent Debts.

VI. Provided always, and be it enacted, That in lieu and instead of entering into the Recognizances to the Amount and with the Sureties required by this Act, it shall and may be lawful for any Person who at the Time of the passing of this Act shall be a Treasurer, or who at any Time after the passing of this Act shall be elected to be a Treasurer of any County, County of a City or County of a Town, to invest in any of the Government Funds or Securities transferable at the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery of *Ireland*, *ex parte* such Person, and the County, County of a City or County of a Town of which such Person shall be Treasurer, such Sum of Money as shall be equal to the Amount of Security required to be given by such Treasurer, to be applied under

Treasurer may
invest in Go-
vernment Funds
Sum equal to
Amount of
Security, in
Name of Ac-
countant Gene-
ral.

under the Orders of the said Court of Chancery, and which Orders such Court is hereby authorized to make from time to time in a summary Manner, on the Application of any Person or Persons authorized by the Grand Jury, for the Purpose of making good any Deficiencies in accounting for any Money received by such Treasurer on account of such County, County of a City or County of a Town; and a Certificate that such Investment has been made, signed by such Accountant General, shall be produced to the Magistrates at the Sessions or Assizes, and shall be laid before the Judge on the Second Day of the Assizes, in manner required by this Act with respect to the Opinion of the Attorney or Solicitor General on the Validity of the Securities of such Treasurer, and with respect to the Certificate of the Officer of the Exchequer in *Ireland* of the duly depositing, entering and recording of Recognizances required by this Act; and in such Case such Treasurer shall be and is hereby discharged from entering into any Recognizances or giving any such Security as is required by this Act; and after the Death or Resignation of such Treasurer it shall be lawful for the Court of Chancery, by any summary Order or Orders, to direct the Transfer of such Securities, or any Part thereof, in the first place, in Payment of any Sum or Sums which may be due from such Treasurer in respect of his Office of Treasurer, in preference to all other Debts and to all other Claims on the Property of such Treasurer, and to direct the Transfer of the Remainder of such Securities (or in case no such Sum or Sums shall be so due, then to direct the Transfer of the Whole of such Securities) to such Treasurer, or to or among the Representatives of such Treasurer, or to or among such other Person or Persons as shall appear to such Court to be entitled thereto, or to any Part thereof: Provided always, that the Interest and Dividends of the Government Funds and Securities in which any Sum shall be so invested, shall from time to time be received by and be paid and payable to the Treasurer by whom the same was so invested, until some Order or Orders of the said Court of Chancery shall be made to the contrary.

On Production of Certificate of Investment, Treasurer discharged from entering into Recognizance or giving Security.

Proviso for Transfer of Securities upon Death or Resignation of Treasurer.

Dividends to be paid to Treasurer.

Treasurer to keep open his Office at Assize Towns.

Collectors to pay into such Office the Amount of Collections.

Penalty.

VII. And be it further enacted, That from and after the passing of this Act, every Treasurer of any County, County of a City or County of a Town, in *Ireland*, shall keep open his public Office in the Assize Town for Three Days at least before the First Day, and Six Days at least after the Last Day of each of the Two Assizes, and for the Last Day of the *October* Sessions and the Six subsequent Days, during Six Hours at least in each and every such Days (*Sundays* excepted), for the Transaction of the Business relating to the Duty of his Office; and that the several Collectors of the Grand Jury Assessments of every County, County of a City or County of a Town, shall, Two Days at least before the First Day of every Assizes, pay into the Office of the Treasurer at such Assize Town, the Amount of all Assessments collected by such Collectors; and in case such Payments shall not be fully made by such Collector Two Days at least before the First Day of every such Assizes, such Collector shall lose and forfeit all Poundage payable to him on the Collection of such Assessments; and no Payment or Allowance of such Poundage shall

shall in such Case be paid or allowed to such Collector, any Law, Custom or Regulation to the contrary notwithstanding.

VIII. And be it further enacted, That from and after the passing of this Act, it shall not be lawful for the Treasurer of any County, County of a City or County of a Town, to make any Composition for any Sum duly assessed on any Person or Persons under the Presentment of the Grand Jury, or to receive any less Sum than the Sum so duly assessed, nor to make any Deduction from any such Sum or Sums, other than such as he shall duly account for; and that every such Treasurer shall lay before the Grand Jury on the First Day of every Assizes, an exact Statement of his Accounts up to that Day, duly made up for the Examination of such Grand Jury; and that if any such Treasurer shall be guilty of any Offence or Neglect contrary to the Provisions of this Act in the Particulars last aforesaid, or if any such Treasurer shall refuse or neglect to pay and make up the Amount of all such Queries as shall have been discharged according to Law, without any Deduction in the way of Discount or otherwise, and without Fee or Reward, other than the Salary payable to him under this Act, and the Schedule (A.) thereto annexed; or if any such Treasurer shall act as such until the Validity of the Security and Sureties given or offered by him shall be approved in manner required by this Act, or before the Recognizance or Recognizances entered into by such Treasurer and his Sureties shall be duly entered and recorded in the Court of Exchequer in *Ireland*, and a Certificate thereof be given by the proper Officer in the said Court of Exchequer; it shall be lawful for the Judge of Assizes of the County, County of a City or County of a Town respectively, to fine such Officer in any Sum not exceeding One hundred Pounds, and to dismiss him from his Office of Treasurer; and in case of such Dismissal, such Person so dismissed shall be for ever afterwards incapable of holding the Office of Treasurer of any County, County of a City or County of a Town, in *Ireland*.

Treasurer not to compound for Assessments.

Treasurer to lay his Account before Grand Jury at Assizes.

Treasurer offending as herein mentioned.

Penalty and Forfeiture of Office, &c.

IX. And be it further enacted, That each and every the several Grand Juries of *Ireland* shall at each and every Assizes, at the Time of delivering in their Presentments, annex to the Schedule thereof, and deliver in to the going Judge of Assize, a Certificate that they have examined into the several Particulars hereinbefore directed to be observed, and that the Treasurer has duly conformed thereto, or otherwise, as the Case may be.

Certificate of Examination delivered to Judge of Assize.

X. And be it further enacted, That from and after the passing of this Act, a complete and accurate Abstract of the Accounts of the Treasurer of every County, County of a City and County of a Town, stating all his Receipts and Payments from the Assizes immediately preceding, and also the Balance in Hand at the Commencement of such Account, and the Balance of Public Money then remaining in the Hands of such Treasurer, which shall be stated at the Foot of such Account, shall after the Termination of every Assizes be made out by such Treasurer, and shall be printed and prefixed to the printed Copies of undischarged Queries, as the same are required by Law to be printed after the End of every Assizes.

Treasurer's Account to be printed.

XI. And

Treasurer not to receive any thing beyond his Salary according to Schedule annexed.

Proviso for further Remuneration.

Qualification of Magistrate voting.

Treasurer resigning for Reward, Penalty 1000l.

Persons offering Reward to Treasurer to resign, &c.

Penalty 1000l. and Incapacity of Office.

XI. And be it further enacted, That from and after the passing of this Act, every Treasurer of any County, County of a City and County of a Town, in *Ireland*, shall be paid and remunerated for all Duties, Services and Expences of his Offices by an annual Salary only, payable Half yearly, at each several Assizes, by equal Moieties, according to the Amount mentioned in the Schedule (A.) to this Act annexed, as applicable to the County, County of a City or County of a Town, of which he shall be Treasurer; and that it shall not be lawful for any Grand Jury of any County, County of a City or County of a Town, in any Case to make Presentment of any Sum or Sums for any such Treasurer at the several Assizes to be held in any One Year in any such County, County of a City or County of a Town, exceeding in the Whole the Amount of the annual Salary payable to any such Treasurer, as specified and set forth in such Table; and that such Sum or Sums so presented shall be in full and complete Satisfaction and Remuneration for all Duties and Services to be done and performed, and for all Expences incurred by such Treasurers in the Execution of their several Offices; any thing in any such Act or Acts, or any Law, Usage or Custom to the contrary in any wise notwithstanding; save and except where any Grand Jury shall appoint a Sessions to be held in the Month of *October*, for the Purpose of accounting for any Money presented, in which Case it shall be lawful for the Grand Jury to make Presentment for a further Remuneration to the Treasurer, by Addition to his Salary of the Sum of Thirty Pounds for his Attendance at such *October* Sessions.

XII. Provided always, and be it enacted, That no such Magistrate shall vote in the Election of any such Treasurer unless such Magistrate shall have been in actual Possession of the Qualification required by this Act for One Year at least preceding the Day on which such Election shall be held, unless such Magistrate shall have become possessed of such Qualification by Descent or Marriage; and that if any Magistrate shall vote at such Election who shall not have been in Possession of such Qualification for One Year as aforesaid (except in Cases aforesaid), the Vote of such Magistrate shall be actually null and void to all Intents and Purposes whatsoever.

XIII. And be it further enacted, That if any Person being Treasurer of any County, County of a City or County of a Town, in *Ireland*, shall either by himself or by any other Person on his Behalf directly or indirectly receive, or promise or agree to receive, any Sum of Money, Gift or Reward, upon any Engagement, Contract or Agreement that such Person so being such Treasurer shall resign his Office of Treasurer; or if any Person shall directly or indirectly give, or shall promise or agree to give, or shall offer any Sum of Money, Gift or Reward to any Person being such Treasurer, upon any such Engagement, Contract or Agreement, every Person so having received or having promised or agreed to receive any such Sum of Money, Gift or Reward, shall forfeit the Sum of One thousand Pounds; and every such Person so having given or having promised or agreed to give, or having offered to give any such Sum of Money, Gift or Reward, shall forfeit the Sum of One thousand Pounds, and shall

shall be and is hereby declared and enacted to be disabled and incapacitated from being elected Treasurer of such County, County of a City or County of a Town; or if any Person shall directly or indirectly promise or agree to pay any Proportion of the Profits of the Office of Treasurer of any County, County of a City or County of a Town, or any Sum or Sums of Money, Gift, Reward or Allowance whatever, in the Event of his being elected to be such Treasurer, or shall after being elected to be such Treasurer pay any Proportion of the Profits of such Office, or any Sum or Sums of Money, Gift, Reward or Allowance to any Person or Persons whomsoever, in Pursuance or Performance of any such Promise or Agreement expressed or implied; any Person who shall so promise or agree to pay, or who shall pay any such Proportion of Profits, Sum or Sums of Money, Gift, Reward or Allowance, shall forfeit the Sum of One thousand Pounds, and shall be and is hereby declared and enacted to be disabled and incapacitated from being elected or acted as Treasurer of such County, County of a City or County of a Town; and every Person who shall receive directly or indirectly any Portion of the Profits of such Office, or any Sum or Sums of Money, Gift, Reward or Allowance, in pursuance of any such Promise or Agreement expressed or implied, shall forfeit the Sum of One thousand Pounds; and the said Penalties shall be forfeited and payable to any Person who will sue for the same, to be recovered, with full Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record in *Dublin*, wherein no Essoign or Wager of Law nor more than One Impar lance shall be allowed.

Agreeing to pay Proportion of Profits of Office of Treasurer.

Penalty 1000l. and Incapacity.

Receiving proportion of such profits.

Penalty 1000l.

XIV. Provided also, and be it enacted, That each and every Person elected Treasurer for any County, County of a City or County of a Town in *Ireland*, shall, before he enter upon such Office or discharge any of the Duties thereof, take and subscribe the Oath following, in open Court before any Judge or Judges of any of His Majesty's Courts of Record in *Dublin*:

Treasurer to take the following Oath.

‘ I *A. B.* do swear, That I have not either directly or indirectly given or promised to give, nor has any Person to my Knowledge on my Behalf given or promised to give any Money, Gift, Gratuity or Reward to any Person or Persons whomsoever, to effect or promote my Appointment to the Office of Treasurer to the County of _____ : And I do hereby also further swear, that this my Appointment of Treasurer for the County of _____, is totally unconnected with any Arrangement between me and my Predecessor in such Office, nor has any such Arrangement been made by any Person or Persons on my Behalf with my Approbation, Knowledge or Privity.

‘ So help me GOD.’

Form of Oath.

And such Oath, when so taken and subscribed, shall be kept and deposited amongst the Records of the Court in which the same shall have been taken and subscribed.

Deposited amongst Records.

XV. And be it further enacted, That all and every the Clauses, Powers and Provisions contained in any Act or Acts in force in *Ireland*, for the regulating the Office of County Treasurer, which are repugnant or contrary to the Provisions of this Act, shall be and

Former Acts repealed, so far as contrary to this Act, &c.

and the same are hereby repealed ; and that all Clauses, Powers and Provisions contained in any such Act or Acts, which are not repugnant or contrary to the Provisions of this Act, shall be applied in Execution of this Act, as if the same were repeated and re-enacted in this Act.

Police Constables not to be Collectors of Grand Jury Cess.

XVI. And be it further enacted, That from and after the passing of this Act, it shall not be lawful for any Grand Jury of any County, County of a City or County of a Town, to appoint any Chief Constable or Sub Constable of Police to be the Collector of any public Cess, or Sum or Sums of Money to be levied or received under the Presentment of the Grand Jury, within any such County, County of a City or County of a Town, or any Barony, Half Barony, Parish or other District or Division of any such County, County of a City or County of a Town.

Grand Juries to divide Baronies exceeding 50,000 Acres, and appoint High Constables, &c.

XVII. And for the greater Security of the public Money raised under the Authority of Grand Juries, and the greater Facility of collecting the same, be it further enacted, That it shall and may be lawful to and for the several Grand Juries, when the Number of Acres in any Barony shall exceed Fifty thousand, to divide any such Barony into Two Parts, and to appoint Two High Constables or Collectors for raising and levying the Grand Jury Cess ; and that such Constables so appointed shall give Security in like manner, and be subject to all the Laws and Provisions made for the Regulation of other Baronial High Constables or Collectors.

Returns of Treasurers to Parliament to include an Account as in Schedule (B.)

XVIII. And be it further enacted, That with the Returns which the said Treasurers are directed by Law annually to make, for the Purpose of being laid before Parliament, there be, by the said Treasurers, transmitted an Account, classing and distinguishing the Amount of Presentments made during the Year then preceding, in Manner and Form as by the Schedule to this Act annexed, and marked Schedule (B.)

SCHEDULE (A.)

Shewing the Amount of Treasurers' Securities and Salaries.

Counties.	Class I.	Class II.	Class III.	Class IV.	County of Cork.	City of Cork.	Cities, Class I.	Towns, Class II.
Security for Treasurers	£ 8,000	£ 7,000	£ 5,000	£ 4,000	£ 20,000	£ 4,000	£ 2,000	£ 1,000
Salaries of ditto	400	350	250	200	600	200	100	80

Class I. comprehends Tipperary, Down, Mayo, Galway, Antrim, Tyrone, Donegal.

Class II. comprehends Limerick, Clare, Roscommon, Kerry, Armagh, Cavan, Londonderry, Monaghan, Meath.

Class III. comprehends Wexford, Kilkenny, King's County, Fermanagh, Queen's County, Westmeath, Sligo.

Class IV. comprehends Waterford, Wicklow, Longford, Leitrim, Kildare, Louth, Carlow.

County

County and City of Cork are separate; and County of Dublin excluded.

Cities of Waterford, Limerick, Kilkenny and Town of Galway, in Class I.

Towns of Drogheda and Carrickfergus, in Class II.

SCHEDULE (B.)

DESCRIPTION OF WORKS.	SPRING.	SUMMER.	TOTAL.
1. New Roads, Bridges, Pipes, Gulleets, Quay Walls, or cutting down Hills, and filling up Hollows and Ditches	£ s. d.	£ s. d.	£ s. d.
2. Repairs of Roads, Bridges, Pipes, Gulleets or Walls	- - -	- - -	- - -
3. Court and Session Houses, Erection or Repair	- - -	- - -	- - -
4. Gaols, Bridewells, Houses of Correction, building or repairing	- - -	- - -	- - -
5. All other Prison and Bridewell Expenses; distinguishing Salaries from other Expenses	- - -	- - -	- - -
6. Police and Police Establishments, Payments to Witnesses	- - -	- - -	- - -
7. Salaries of all County Officers not included as above	- - -	- - -	- - -
8. Public Charities	- - -	- - -	- - -
9. Repayment of Advance to Government	- - -	- - -	- - -
10. Miscellaneous, not included as above	- - -	- - -	- - -
TOTAL	- - - £	- - -	- - -

C A P. XXXIV.

An Act to enlarge the Powers of Justices in determining Complaints between Masters and Servants and between Masters, Apprentices, Artificers and others. [17th June 1823.]

WHEREAS an Act was passed in the Twentieth Year of 20 G.2. c.19. the Reign of His Majesty King George the Second, intituled *An Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better Regulation of such Servants, and of certain Apprentices*; and another Act was passed in the Sixth Year of the Reign of His late Majesty 6 G.3. c.25. King George the Third, intituled *An Act for better regulating Apprentices, and Persons working under Contract*; and also another Act was passed in this present Session of Parliament, intituled *An Act to increase the Power of Magistrates in cases of* c.29. ante. *Apprenticeships*; and it is expedient to extend the Powers of the said Acts; Be it therefore enacted by the King's most Excellent

cellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful, not only for any Master or Mistress, but also for his or her Steward, Manager or Agent, to make Complaint upon Oath against any Apprentice, within the Meaning of the said before recited Acts, to any Justice of the Peace of the County or Place where such Apprentice shall be employed, of or for any Misdemeanor, Misconduct or ill Behaviour of any such Apprentice; or if such Apprentice shall have absconded, it shall be lawful for any Justice of the Peace of the County or Place where such Apprentice shall be found, or where such Apprentice shall have been employed, and any such Justice is hereby empowered, upon Complaint thereof made upon Oath by such Master, Mistress, Steward, Manager or Agent, which Oath the said Justice is hereby empowered to administer, to issue his Warrant for apprehending every such Apprentice; and further, that it shall be lawful for any such Justice to hear and determine the same Complaint, and to punish the Offender by abating the Whole or any Part of his or her Wages, or otherwise by Commitment to the House of Correction, there to remain and be held to hard Labour for a reasonable Time, not exceeding Three Months.

Masters or their Steward or Agent may make Complaint against Apprentices.

Justices may abate Wages, or commit to House of Correction.

Justices may order Payment of Wages to Apprentices, provided the Sum in question does not exceed 10l.

II. And be it further enacted, That all Complaints, Differences and Disputes which shall arise between Masters or Mistresses and their Apprentices, within the Meaning of the said before recited Acts, or any of them, touching or concerning any Wages which may be due to such Apprentices, shall and may be heard and determined by One or more Justice or Justices of the Peace of the County or Place where such Apprentice or Apprentices shall be employed, which said Justice or Justices is and are hereby empowered to examine on Oath any such Master or Mistress, Apprentice or Apprentices, or any Witness or Witnesses, touching any such Complaint, Difference or Dispute, and to summon such Master or Mistress to appear before such Justice or Justices at a reasonable Time to be named in such Summons, and to make such Order for Payment of so much Wages to such Apprentice or Apprentices, as according to the Terms of his, her or their Indentures of Apprenticeship shall appear to such Justice or Justices, under all the Circumstances of the Case, to be justly due, (provided that the Sum in question do not exceed the Sum of Ten Pounds,) the Amount of such Wages to be paid within such Period as the said Justice or Justices shall think proper, and shall order the same to be paid; and in case of a Refusal or Non-payment thereof, such Justice and Justices shall and may issue forth his and their Warrant, to levy the same by Distress and Sale of the Goods and Chattels of such Master or Mistress, rendering the Overplus to the Owners, after Payment of the Charges of such Distress and Sale.

On Refusal.

Distress.

Justices may issue Warrants to apprehend Servants in Husbandry, Artificers, &c.

III. And be it further enacted, That if any Servant in Husbandry or any Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer or other Person, shall contract with any Person or Persons whomsoever, to serve him, her or them for any Time or Times whatsoever, or

*contract to serve certain
etc. not within his sec. 9 B. & C. 603. Husdry. 27. 1823
or to hold a lease of a certain
within a certain time. 9 B. & C. 628. Lancaster. 1823*

in any other Manner, and shall not enter into or commence his or her Service according to his or her Contract (such Contract being in Writing, and signed by the contracting Parties), or having entered into such Service shall absent himself or herself from his or her Service before the Term of his or her Contract, whether such Contract shall be in Writing or not in Writing, shall be completed, or neglect to fulfil the same, or be guilty of any other Misconduct or Misdemeanor in the Execution thereof, or otherwise respecting the same, then and in every such Case it shall and may be lawful for any Justice of the Peace of the County or Place where such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer or other Person, shall have so contracted, or be employed or be found, and such Justice is hereby authorized and empowered, upon Complaint thereof made upon Oath to him by the Person or Persons, or any of them, with whom such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer or other Person shall have so contracted, or by his, her or their Steward, Manager or Agent, which Oath such Justice is hereby empowered to administer, to issue his Warrant for the apprehending every such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer or other Person, and to examine into the Nature of the Complaint; and if it shall appear to such Justice that any such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer or other Person, shall not have fulfilled such Contract, or hath been guilty of any other Misconduct or Misdemeanour as aforesaid, it shall and may be lawful for such Justice to commit every such Person to the House of Correction, there to remain and be held to hard Labour for a reasonable Time, not exceeding Three Months, and to abate a proportionable Part of his or her Wages, for and during such Period as he or she shall be so confined in the House of Correction, or in lieu thereof, to punish the Offender by abating the Whole or any Part of his or her Wages, or to discharge such Servant in Husbandry, Artificer, Calico Printer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer or other Person from his or her Contract, Service or Employment, which Discharge shall be given under the Hand and Seal of such Justice *gratis*.

Complaint to be upon Oath.

And may commit Offenders to House of Correction, &c.

Or abate the Wages or discharge the Servant.

IV. And Whereas it frequently happens that such Masters, Mistresses or Employers reside at considerable Distances from the Parishes or Places where their Business is carried on, or are occasionally absent for long Periods of Time, either beyond the Seas, or at considerable Distances from such Parishes or Places, and during such Residence or occasional Absences entrust their Business to the Management and Superintendence of Stewards, Agents, Bailiffs, Foremen or Managers, whereby such Servants, Artificers, Handicraftsmen, Miners, Colliers, Keelmen, Pitmen, Glassmen, Potters, Labourers or other Persons and Apprentices, are or may be subjected to great Difficulties and Hardships, and put to great Expence in recovering their Wages; Be it therefore enacted, That in either of the said

How Servants in Husbandry, Artificers, &c. shall recover their Wages, in Cases of Absence of Masters, &c.

Summons of
Bailiff by
Justice.

Cases, it shall and may be lawful to and for any Justice or Justices of the County or Place where such Servant in Husbandry, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer or other Person or Apprentice shall be employed, upon the Complaint of any such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer or other Person or Apprentice touching or concerning the Nonpayment of his or her Wages, to summon such Steward, Agent, Bailiff, Foreman or Manager, to be and appear before him or them at a reasonable Time to be named in such Summons, and to hear and determine the Matter of the Complaint in such and the like manner as Complaints of the like Nature against any Master, Mistress or Employer are directed to be heard and determined in and by this and the before recited Acts, and also to make an Order for the Payment by such Steward, Agent, Bailiff, Foreman or Manager, to such Servant, Artificer, Handicraftsman, Miner, Collier, Keelman, Pitman, Glassman, Potter, Labourer or other Person or Apprentice, of so much Wages as to such Justice or Justices shall appear to be justly due; provided that the Sum in question do not exceed the Sum of Ten Pounds; and in case of Refusal or Nonpayment of any Sum so ordered to be paid by such Steward, Agent, Foreman, Bailiff or Manager, for the Space of Twenty one Days from the Date of such Order, such Justice or Justices as aforesaid shall and may issue forth his or their Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Master, Mistress or Employer, rendering the Overplus to the Owner or Owners, or to such Steward, Agent, Bailiff, Foreman or Manager, for the Use of such Master, Mistress or Employer, after Payment of the Charges of such Distress and Sale.

Sum not to exceed 10l.
If not paid,

Distress.

Justices may order Payment of Wages within such Time as they may think fit, upon Complaint made pursuant to 20 G. 2. c. 19. 31 G. 2. c. 11.

V. And be it further enacted, That every Justice or Justices of the Peace before whom any Complaint shall be made, in pursuance of the said before recited Act made in the Twentieth Year of the Reign of His late Majesty King *George* the Second, or of another Act made in the Thirty first Year of the Reign of His said late Majesty, intituled *An Act to amend an Act made in the Third Year of the Reign of King William and Queen Mary, intituled 'An Act for the better Explanation and supplying the Defects of the former Laws for the Settlement of the Poor, so far as the same relates to Apprentices gaining a Settlement by Indenture; and also to empower Justices of the Peace to determine Differences between Masters and Mistresses and their Servants in Husbandry, touching their Wages, though such Servants are hired for less Time than a Year, shall and may order the Amount of the Wages that shall appear due to any Servants in Husbandry, Artificers, Labourers or other Person named in the said Acts, or either of them, to be paid to the Person entitled thereto, within such Period as the said Justice or Justices shall think proper; and in case of Refusal or Nonpayment thereof, shall and may levy the same by Distress and Sale, in manner directed by the said first mentioned Act; and every Order or Determination of such Justice or Justices made under this Act shall be final and conclusive, any thing in either of the said Acts contained to the contrary in any wise notwithstanding.*

Order final.

VI. Pro-

VI. Provided always, and be it enacted, That nothing in this Act contained shall extend to impeach or lessen the Jurisdiction of the Chamberlain of the City of London, or of any other Court within the said City, touching Apprentices.

Proviso for Jurisdiction of Chamberlain of London.

C A P. XXXV.

An Act to enable Trustees or Commissioners under Acts of Parliament to meet and carry such Acts into Execution, although they may not have met according to the Directions of such Acts. [27th June 1823.]

WHEREAS it has happened that the Trustees or Commissioners appointed to carry into Execution any Act or Acts of Parliament have not been able to meet on the Day appointed by such Act or Acts for carrying the same into Execution, by reason that the Day appointed for such Meeting has been antecedent to the passing of such Act or Acts, whereby the Intent of such Act or Acts hath been or may be frustrated: 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 in all Cases where the Trustees or Commissioners appointed by any Act or Acts of Parliament have not been or shall not be able to meet on the Day appointed for their First Meeting by any such Act or Acts, by reason that the Day appointed for such Meeting has been or shall be antecedent to the passing of such Act or Acts, it shall and may be lawful for Three or more of the said Trustees or Commissioners appointed to execute such Act or Acts to meet at the Place appointed by such Act or Acts for the First Meeting of such Trustees or Commissioners, on the Fourteenth Day after the passing of such Act or Acts, or of this Act; and every such Meeting shall be as good, valid and effectual as if such Trustees or Commissioners had met in pursuance of the Act or Acts of Parliament which they are appointed to carry into Execution.

Where Trustees or Commissioners cannot meet on the Day appointed as herein mentioned for their First Meeting, any Three may meet on the Fourteenth Day after the passing of such Act.

C A P. XXXVI.

An Act to discourage the granting of Leases in Joint Tenancy in Ireland. [27th June 1823.]

WHEREAS the Practice of granting Leases to Persons jointly, in common, or in partnership, still prevails in some Parts of Ireland, to the material Prejudice of the Improvement of the People: And Whereas the Continuance of such Practice is much induced by the Facility thereby afforded of multiplying Qualifications (often colourable only) to vote for Members to serve in Parliament, contrary to the Spirit of the Laws and Constitution: And Whereas it is highly expedient such Inducement should cease: 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 not be lawful for

No Register of Freehold under 20l. held jointly under Lease dated after 1st July 1823,

or vote thereon
for Member of
Parliament.

any Person to register any Freehold under the yearly Value of Twenty Pounds, held by virtue of any Lease, Deed or other Instrument, given or executed to any Person or Persons jointly, in common, or in partnership, after the First Day of *July* next, or vote for a Member or Members to serve in Parliament for any Place in *Ireland* by virtue of any such Freehold.

Addition to
Oath of Free-
holders under
201.

II. And be it further enacted by the Authority aforesaid, That every Person offering to register any Freehold under the yearly Value of Twenty Pounds, shall add to any Oath or Oaths which he may be legally required to take, the following Words; "And that I do not hold my said Freehold by virtue of any Lease, Deed or other Instrument, executed after the First Day of *July* One thousand eight hundred and twenty three, given or executed to any Person or Persons jointly, or in common, or in partnership;" which Addition to such Oath or Oaths the Person or Persons legally authorized to administer such Oath or Oaths is and are hereby empowered and required to administer: Provided always, that nothing in this Act shall be construed to extend to Persons who have registered or shall register Freeholds under the yearly Value of Twenty Pounds, under a Lease or Leases for Lives, renewable for ever, pursuant to the Provisions of an Act made in the First Year of His present Majesty's Reign, intituled *An Act for the better regulating of Polls, and for making further Provision touching the Election of Members to serve in Parhament for Ireland.*

Proviso for
Persons regis-
tering Free-
holds under 201.
Value under a
Lease for Lives
renewable for
ever. 60 G. 3.
& 1 G. 4. c. 11.

Perjury.

III. And be it further enacted, That in case any Person shall wilfully and corruptly swear falsely in the said Addition to the said Oath or Oaths, and shall be thereof duly convicted, such Person shall be deemed guilty of Perjury, and shall suffer the like Pains and Penalties, and incur the same Disabilities, as Persons guilty of wilful and corrupt Perjury are subject to and incur.

C A P. XXXVII.

An Act to amend an Act for the more speedy Return and Levying of Fines, Penalties and Forfeitures, and Recognizances estreated. [27th June 1823.]

3 G. 4. c. 46.

‘ WHEREAS an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for the more speedy Return and Levying of Fines, Penalties and Forfeitures, and Recognizances estreated*: And Whereas it is expedient that some of the Provisions of the said Act should be amended: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Justices assembled at any General or Quarter Sessions of the Peace, and they are hereby authorized and required, at the following or any subsequent General or Quarter Sessions held after the Return of the Writ and Roll issued from any preceding General or Quarter Sessions, at the opening of the Court, to insert or cause to be inserted in any following Roll, all such Fines, Issues, Amerciaments, forfeited Recognizances, Sum or

Justices in Ses-
sions may insert
in following
Rolls all such
Fines, &c. as
have not been
levied or ac-
counted for by
the Sheriff, &c.

Sums of Money to be paid in lieu or satisfaction of them or any of them, which have not been duly levied or recovered or properly accounted for by the Sheriff, Bailiff or other Officer, or have not been discharged on Appeal before the General or Quarter Sessions, or by Sign Manual, Warrant or Authority of any Three or more of the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland*, and so to continue such Process from Sessions to Sessions, till it shall be duly ascertained, to the Satisfaction of the said Commissioners of His Majesty's Treasury, that the Party in Default has not any Goods or Chattels, Lands or Tenements, in the County, Division, Riding, City, Town or Place, on which a Levy can be made, nor in any other County, Division, Riding, City, Town or Place in *Great Britain*, and that he is not to be found, or that his Body cannot be lodged in any of His Majesty's Gaols: Provided always, that the said Sheriff, Bailiff or other Officer to whom the Writ of Distringas and Capias or Fieri Facias, or other Writ deemed necessary by the Justices at any such General or Quarter Sessions to meet the Exigency of the Case, shall be sent by Order of the said Court, shall keep and detain in his Possession the Writ or Writs so directed to him, and the Roll or Rolls attached to such Writ or Writs, delivering to the said Court of General or Quarter Sessions a Copy of such Roll or Rolls, on the First Day of the Sitting of the said Court, and also a Copy of any former Roll or Rolls, where the Fines, Issues, Amerciaments, forfeited Recognizances, † Sum or Sums of Money paid or to be paid in lieu or satisfaction of them, or any of them, shall not have been delivered; and such original Writ and Roll, or Writs and Rolls, shall continue in Force and Effect, and shall be sufficient Authority, without any further Writ or Roll; and such Sheriff, Bailiff or other Officer is hereby authorized and required, on quitting his Office, to deliver over to his Successor all Rolls and Writs in his Possession, particularizing any Fines, Issues, Amerciaments, forfeited Recognizances, Sum or Sums of Money paid or to be paid in lieu or satisfaction of them, or any of them, in order that the Sheriff, Bailiff or other Officer coming into office may use every Means in his Power for recovering the Sums so unpaid, and not charged to his Predecessor on the passing of his Accounts at the Exchequer, or before any Auditor or Auditors, or other Person duly authorized to pass the same, the Officer or Officers entrusted with the Execution of the Process in any County, Division, Riding, City, Town or Place, being first duly and diligently examined on Oath by the Court, at the Delivery of the Roll, on the First Day of each General or Quarter Sessions, and in case such Examination should not then take place, then on the subsequent Day; and every such Examination shall be duly recorded by the Clerk of the Peace or Town Clerk, or other proper Officer, in order that such Sheriff, Bailiff or other Officer may be chargeable with all Sums not satisfactorily accounted for on the final passing of his Accounts.

or that have not been discharged.

Sheriff to detain original Writs, which shall continue in force, and be Authority to act upon.

† Sic.

Sheriff on quitting Office to deliver over to his Successor all Rolls and Writs, particularizing Fines, &c;

to be examined, and Examination recorded.

‘ II. And Whereas it is in and by the said recited Act directed, 3 G. 4. c. 46.
 ‘ that in all Cases where the Party incurring any Fine, Issue, § 7.
 ‘ Amerciament, forfeited Recognizance, Sum or Sums of Money
 ‘ to be paid in lieu or satisfaction of them or any of them, shall

‘ reside in another County, or in any City, Borough or Place
 ‘ having peculiar Jurisdiction, or shall have fled into any other
 ‘ County, or into any such City, Borough or Place, after such
 ‘ Fine, Issue, Amerciament, forfeited Recognizance, Sum or
 ‘ Sums of Money to be paid in lieu or satisfaction of them or any
 ‘ of them, shall have been incurred, or shall have removed his
 ‘ Goods and Chattels out of the Jurisdiction in which such Fine,
 ‘ Issue, Amerciament, forfeited Recognizance, Sum or Sums of
 ‘ Money to be paid in lieu or satisfaction of them or any of them
 ‘ shall have been imposed, it shall be lawful for the said Sheriff,
 ‘ Bailiff or Officer, and he is hereby required, to apply to any
 ‘ Justice of the Peace acting for such County, City, Borough or
 ‘ Place into which the Party may have fled, or removed his
 ‘ Goods and Chattels; and such Justice is hereby required,
 ‘ upon Proof on Oath of the Handwriting of the Sheriff or Under
 ‘ Sheriff, Bailiff or Officer granting such Warrant, to indorse his
 ‘ Name thereon, which shall be a sufficient Authority to the
 ‘ Person bringing such Warrant, and to all other Persons to whom
 ‘ the same may be directed, to execute the same in such other
 ‘ County, City, Borough or Place; and in Case sufficient Distress
 ‘ shall not be found, whereon to levy such Fine, Issue, Amercia-
 ‘ ment, estreated Recognizance, Sum or Sums of Money to be
 ‘ paid in lieu or satisfaction of them or any of them, and all Costs
 ‘ and Charges attending the Recovery thereof, then to take the
 ‘ Body of the Party, and lodge him in the Gaol of the County,
 ‘ City, Borough or Place in which the Forfeiture had been
 ‘ incurred, there to await the Decision of the Court at the
 ‘ ensuing General or Quarter Sessions: And Whereas such Pro-
 ‘ vision has been found ineffectual for the Purposes thereby
 ‘ intended, and it is necessary that better Provisions should be
 ‘ made for that Purpose;’ Be it therefore enacted, That so much
 of the said recited Act shall be repealed, and is hereby declared
 to be null and void to all Intents and Purposes whatever.

repealed.

† Sic.

Where Party
 subject to
 Fines, &c. re-
 sides in another
 County, or has
 removed, Sheriff
 may issue his
 Warrant to
 Sheriff acting
 for Place where
 Defaulter re-
 sides or where
 his Goods are
 found, requir-
 ing him to exe-
 cute the Writ.

III. And be it further enacted, That in all Cases where the
 Party incurring or subject to any Fine, Issue, Amerciament,
 forfeited Recognizance, † Sum or Sums of Money to be paid in lieu
 or satisfaction of them or any of them, shall reside, or shall have
 fled or removed from or out of the Jurisdiction of the Sheriff,
 Bailiff or other Officer, in which any such Fine, Issue, Amercia-
 ment, forfeited Recognizance, Sum or Sums of Money to be paid
 in lieu or satisfaction of them or any of them, shall have been
 incurred, imposed or forfeited, or become due, it shall be lawful
 for such Sheriff, Bailiff or other Officer, and he is hereby
 authorized and required to issue his Warrant, together with a
 Copy of the Writ; directed to the Sheriff, Bailiff or other Officer
 acting for the County, Riding, City, Borough or Place in which
 such Person shall then reside or be, or in which any Goods or
 Chattels or other Property shall be found, requiring such Sheriff,
 Bailiff or other Officer to execute such Writ, and every such last
 mentioned Sheriff, Bailiff or other Officer, is hereby authorized
 and required to act in all respects under such Warrant, in the
 same Manner as if the original Writ had been delivered to him
 by Order of the Court of the General or Quarter Sessions of the
 County, Riding, City, Borough or Place for which such Sheriff,
 Bailiff

Bailiff or other Officer shall act; and the said Sheriff, Bailiff or other Officer is hereby required, within Thirty Days after the Receipt of such Warrant, to return to the Sheriff, Bailiff or other Officer, from whom he shall have received the same, what he shall have done in the Execution of such Process, and whether the Party shall have given good and sufficient Security to appeal at the ensuing General or Quarter Sessions to be held for the County, Riding, City, Borough or Place from which the Writ issued, and in case a Levy shall have been made, to pay over all Monies received in pursuance of the Warrant to the Sheriff, Bailiff or other Officer from whom he shall have received the same.

Returns thereon.

IV. And be further enacted, That every Sheriff, Bailiff or other Officer acting for any County, Division, Riding, City, Borough or Place, shall and he is hereby required to make up or cause to be made up annually, and immediately after the Expiration of the Year for which he shall act, or after the usual Period for making up his Account, in case he shall act under any Grant, Appointment or other Authority for a longer Period than One Year, an Account in Writing, containing the Names and Residences of all Persons incurring Fines, Issues, Amerciaments, forfeited Recognizances, † Sum or Sums of Money paid or to be paid in lieu or satisfaction of them or any of them, which he has been authorized or required to levy by virtue of any Writ or Writs issued to him, or to any Predecessor in Office; and in case any Fine, Issue, Amerciament, forfeited Recognizance, Sum or Sums of Money paid or to be paid in lieu or satisfaction of them or any of them, shall not have been levied or paid, the Causes of Nonpayment shall be fully and particularly stated; and such Account such Sheriff, Bailiff or other Officer is hereby required to transmit, within Thirty Days from the Expiration of the Year for which such Account ought to be made up, to the Commissioners of His Majesty's Treasury, or at or within such other Period as such Sheriff, Bailiff or other Officer shall be required by the said Commissioners of His Majesty's Treasury, or any Three or more of them, in order that such Account may be duly examined, checked and inspected, under the Direction of the said Commissioners of His Majesty's Treasury, or any Three or more of them; and when so examined and approved, such Account shall be transmitted to the proper Officer in the Court of Exchequer, or to the Auditor or other Officer duly authorized to pass such Account.

Sheriff, &c. to render an Account yearly of all Persons incurring Fines, &c.

† Sic.

Causes of Non-payment to be stated.

Account to be transmitted to the Treasury.

V. And be it further enacted, That every Clerk of the Peace and Town Clerk, or other proper Officer, is hereby required, within Twenty Days from the opening of the Court of General or Quarter Sessions, to send to the Commissioners of His Majesty's Treasury a Copy or an Extract of the Roll or Rolls delivered by the Sheriff, Bailiff or other Officer, on the First Day of the opening of such Court of General or Quarter Sessions, in such Form as shall be required by the said Commissioners of His Majesty's Treasury, also the Causes of Discharge in case any Person shall have been relieved on Appeal to the said Court of General or Quarter Sessions, and the Answer given by any Sheriff, Bailiff or other Officer to such Court, where any Fine,

Clerks of the Peace, &c. to send to the Treasury within 20 Days from opening of Quarter Sessions, Copy of Rolls delivered by Sheriff.

† Sic.

Issue, Amerciament, forfeited Recognizance, † Sum or Sums of Money paid or to be paid in lieu or satisfaction of them, or any of them, has not been received by such Sheriff, Bailiff or other Officer duly authorized to receive the same.

C A P. XXXVIII.

An Act for settling the Compensation to the Holders of certain Offices in the Courts of Law in *Ireland*, abolished under an Act passed in the First and Second Years of the Reign of His present Majesty, for regulating the same.

[27th June 1823.]

1 & 2 G. 4. c. 53.

§ 11.

§ 12.

WHEREAS by an Act made in the Session of Parliament holden in the First and Second Years of the Reign of His present Majesty, intituled *An Act to regulate the Proceedings in the Civil Side of the Court of King's Bench, and also in the Court of Common Pleas, and in the Pleas or Common Law Side of the Court of Exchequer, in Ireland*, it is among other Things enacted, that from and after the Commencement of the said Act the Rights of the Holders of the Office of Prothonotary and Filacer and Keeper of the Writs, Processes, Rules, Orders and Records in the Civil Side of the Court of King's Bench, and of the Office of Prothonotary of the Court of Common Pleas, and of the Office of Filacer and Exigenter of the said Court of Common Pleas, of, in and to the said Offices respectively, should severally cease and determine; and that the Holders of the said Offices respectively should receive, during the Terms of their natural Lives respectively, certain Allowances, according to the Provisions of the said Act, in Compensation and Consideration of the Loss incurred by them respectively, by the ceasing and determining of their several Rights in the said Offices respectively; and for ascertaining the Amount of the Allowances and Compensations to be made to the said Holders of the said Offices, it is enacted, that the Commissioners appointed to inquire into the Duties, Salaries and Emoluments of the Officers, Clerks and Ministers of Justice in all Temporal and Ecclesiastical Courts in *Ireland*, should make Inquiry into the Salaries and Emoluments of the several Offices hereinbefore mentioned and specified, and should ascertain the annual Amount of such Salaries and Emoluments respectively, in manner in the said Act specified; and that the said Commissioners of Inquiry, or any Three of them, should certify under their Hands and Seals the Amount of the yearly Income of every such Officer, on the Average of Seven Years, as reduced by the Exclusion of certain Emoluments, Fees, Profits, Disbursements and Deductions in the said Act specified, so as to state only the net annual Income of the said Officers respectively, according to the mode of estimating the same directed by the said Act; and that the said Certificate should contain a Statement of the particular Fees, Profits and Emoluments on which such Averages should have been taken as aforesaid, and also of the Fees, Profits and Emoluments which should be excluded from such Averages; and that the said

Cer-

Certificate should be filed in the Office of the Auditor General in *Dublin* Castle, and should remain there as a Record; and it is also by the said recited Act further enacted, that from and after the filing of the said Certificate of the said Commissioners there should be issued and paid to each of the Holders of the said several Offices hereinbefore mentioned and specified, out of the Consolidated Fund, an annual Sum equal to the Sum which should be so ascertained by such Certificate to be the net annual Amount of the Income and Emolument of each of the said Offices respectively, in full of all Compensation under the said recited Act, unless any legislative Provision should be made as in the said Act is mentioned; and it is also by the said recited Act further enacted, that Copies of all such Certificates of the said Commissioners of Inquiry should be laid before both Houses of Parliament, and that in case no legislative Provision should be made for the Compensation of the several Officers whose Claims should have been so decided upon by the Commissioners of Inquiry, in the Course of the Session in which such Certificate should be laid before Parliament, the said Certificate should become final and conclusive to all Intents and Purposes whatsoever; and it is also by the said recited Act further enacted, that the said Commissioners of Inquiry should investigate the Fees and Emoluments of the Crier and Usher of the Court of Exchequer, and that their Report on the same should be laid before Parliament, and that such Report should be made in like manner as in the said Act is provided for the Certificate of the average Profits of the said Offices of Prothonotaries and Filacer: And Whereas the said Commissioners of Inquiry have proceeded under the said recited Act to make Inquiry into the Salaries and Emoluments of the several Offices hereinbefore mentioned, pursuant to the Directions of the said Act, and in so doing certain particular Fees, Profits and Emoluments were included and admitted by some Three, being a Majority of the said Commissioners of Inquiry, as Part of the annual Incomes of such Offices respectively (certain others of the said Commissioners dissenting from, and not agreeing to include or admit such Fees, Profits or Emoluments as Part of such Incomes), and certain other particular Fees, Profits and Emoluments were so admitted and included by some other Three, being a Majority of such Commissioners (certain others of the said Commissioners dissenting and disagreeing as aforesaid); but inasmuch as all the several Fees, Profits and Emoluments of the said Offices were not included and admitted by the same Three Commissioners, as Part of the annual Income of such Offices respectively, no Three of the said Commissioners considered themselves justified in certifying under their Hands and Seals the total Amount of the yearly Income of the said Offices, arising from the average Amount of all such Fees, Profits or Emoluments as have been included and admitted as Part of the Income of such Offices by some Three, being a Majority of the said Commissioners; and the said Commissioners have in consequence made and filed several Certificates, each of such Certificates stating Two distinct separate Amounts of the several net yearly Incomes of each of the said before mentioned

§ 14.

§ 66.

§ 67.

In lieu of Sums authorized by recited Act, such Sums to be issued to certain Officers out of Consolidated Fund as shall be equal to the highest Amount of Income specified in Certificates of Commissioners.

‘ mentioned Offices respectively, according to the different Views
 ‘ which had been taken by the several Commissioners with re-
 ‘ spect to such Fees, Profits and Emoluments as aforesaid, in
 ‘ neither of which Amounts can any Three of the said Commis-
 ‘ sioners concur, so as to agree in signing and sealing a Certificate
 ‘ of such Amount as required by the said Act; and it has there-
 ‘ fore become necessary that some legislative Provision should be
 ‘ made for the Compensation of the Parties heretofore holding
 ‘ the said Offices respectively;’ Be it therefore enacted by the
 King’s most Excellent Majesty, by and with the Advice and Con-
 sent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled; and by the Authority of the same,
 That from and after the Fifth Day of *April* One thousand eight
 hundred and twenty three, in lieu of such Sums as under the said
 recited Act might have been issued out of the Consolidated Fund,
 as being equal to the Sums which ought to have been ascertained
 by any Certificate or Certificates, under the Hands and Seals of
 the said Commissioners of Inquiry or any Three of them, to be
 the net annual Amount of the Income and Emolument of each of
 the said Offices respectively, there shall be issued and paid and
 payable to the Persons who, at the Time of the passing of the
 said recited Act, were Holders of the several Offices following;
 that is to say, the Office of Prothonotary, and Filacer, and
 Keeper of the Writs, Processes, Rules, Orders and Records in
 the Civil Side of the Court of King’s Bench, the Office of Pro-
 thonotary of the said Court of Common Pleas, and the Office of
 Filacer and Exigenter of the said Court of Common Pleas, and
 the Offices of Crier and Usher of the Court of Exchequer, and to
 the Assigns of such Holders of such Offices respectively, yearly
 and every Year during the Term of the respective natural Lives
 of such Persons respectively, and according to the Rights and
 Titles of such Persons respectively, out of and charged and
 chargeable upon the Consolidated Fund of the United Kingdom
 of *Great Britain and Ireland*, in full of all Compensation under
 the said recited Act; such Sums as shall be equal to the highest
 Amount of the net Incomes of the said several Offices respect-
 ively, specified in any such Certificate or Certificates respect-
 ively; and such annual Sums so equal to the highest Amount
 of such net Incomes so respectively specified, shall be paid and
 payable to all and every such Persons and Person, and their and
 his Assigns respectively, during the Term of the several natural
 Lives of all and every such Persons and Person, and according to
 the Rights and Titles of all and every such Persons and Person
 respectively, by Four equal Quarterly Payments in each and
 every Year, free and clear of all Taxes and Deductions what-
 soever; on 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; the first Quarterly Payment thereof to become due
 and payable on the Fifth Day of *July* One thousand eight hun-
 dred and twenty three; and that within One Calendar Month
 after the passing of this Act, there shall also be issued and paid
 out of the said Consolidated Fund to all and every such Persons
 and Person, the Rights of whom to any such Offices were
 abolished by the said Act, or to the Assigns or personal Repre-
 sentatives

Sums to be is-
 sued for Arrears
 from 16th June
 1821, up to 5th
 April 1823;

representatives of them, and every or any of them, according to their several and respective Rights and Titles respectively, such Sums of Money as shall be equal to the rateable Proportion of such annual Sums respectively, from the Sixteenth Day of *June* One thousand eight hundred and twenty one, (being the Time of the Commencement of the said recited Act, and of the Abolition of the Rights of the said Officers) up to the Fifth Day of *April* One thousand eight hundred and twenty three; and also that there shall be paid to the Representatives of any and every Person entitled to any such annual Sum, such Proportion of any such Quarterly Payments as aforesaid, as at the Time of the Decease of any and every such Person respectively shall be due from the Quarter Day next preceding the Time of such Decease, according to their Rights and Titles respectively; and that the Payment of all such annual and other Sums shall be as good, valid and effectual to all Intents and Purposes, in full of all Compensations under the said recited Act, as if such Certificates under the Hands and Seals of the said Commissioners of Inquiry, or any Three of them, respecting such Compensations as are required by the said recited Act, had been duly made and filed in the Office of the Auditor General in *Dublin* Castle, pursuant to the Provisions of the said recited Act.

and Proportion
of the Quarter
up to the De-
cease of the
Parties entitled.

C A P. XXXIX.

An Act to continue an Act of the last Session of Parliament, for allowing a Drawback of the Whole of the Duties of Customs on Brimstone used and consumed in *Great Britain* in the making and preparing Oil of Vitriol or Sulphuric Acid. [27th June 1823.]

WHEREAS it is expedient that an Act passed in the last Session of Parliament, intituled *An Act to allow, until the First Day of August One thousand eight hundred and twenty three, a Drawback of the Whole of the Duties of Customs on Brimstone used and consumed in the making and preparing Oil of Vitriol or Sulphuric Acid*, 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 continued, from the said First Day of *August* One thousand eight hundred and twenty three, until further Provision shall be made respecting such Drawback by any Act or Acts, or any Clause or Clauses in any Act or Acts, to be passed for that Purpose.

3 G 4. c.107.
continued.

C A P. XL.

An Act to amend several Acts for the Regulation of the Linen and Hempen Manufactures in *Scotland*.

[27th June 1823.]

WHEREAS an Act was passed in the Parliament of *Scotland* in the First Session of the First Parliament of His Majesty King *Charles* the Second, intituled *Act discharging the Exportation*

1 Sess. 1 Parl.
Car. 2.

4 Sess. 1 Parl. W. & M. *Exportation of Linen Yarn, and regulating the Breadth of Linen Cloth, et cetera: And Whereas another Act was passed in the Parliament of Scotland, in the Third Parliament of His said Majesty King Charles the Second, intituled Act for encouraging Trade and Manufactures: And Whereas another Act was passed in the Parliament of Scotland, in the Fourth Session of the First Parliament of their Majesties King William and Queen Mary, intituled Act anent the right making and measuring of Linen Cloth: And Whereas an Act was passed in the Parliament of Great Britain, in the Tenth Year of the Reign of Her Majesty Queen Anne, intituled An Act to prevent Abuses in making Linen Cloth, and regulating the Lengths, Breadths and equal sorting of Yarn, for each Piece made in Scotland, and for whitening the same: And Whereas another Act was made in the Twelfth Year of the Reign of Her said Majesty Queen Anne, to explain and make more effectual the said recited Act passed in the Tenth Year of Her said Majesty's Reign: And Whereas another Act was passed in the Thirteenth Year of the Reign of His Majesty King George the First, intituled An Act for better Regulation of the Linen and Hempen Manufactures in that Part of Great Britain called Scotland: And Whereas another Act was passed in the Seventeenth Year of the Reign of His Majesty King George the Second, intituled An Act for the more effectual preventing of the affixing of counterfeit Stamps to Foreign or other Linens: And Whereas another Act was passed in the Eighteenth Year of the Reign of His Majesty King George the Second, intituled An Act for effectually preventing the Exportation of Foreign Linen, under the Denomination of British or Irish Linens: And Whereas another Act was passed in the Twenty fourth Year of the Reign of His said Majesty King George the Second, for explaining, amending and enforcing the hereinbefore recited Act passed of the Thirteenth Year of the Reign of King George the First, and for further regulating and encouraging the said Linen and Hempen Manufactures: And Whereas by the said several Acts sundry Rules and Regulations were made relating to the Importation and Sale of Linseed and Hempseed, and of Hemp and Flax, and the Manufacture of Linen, in that Part of the United Kingdom called Scotland; and it is expedient that such Rules and Regulations, so far as the same relate to the several Matters hereinafter specified, should be repealed (except in Cases hereinafter mentioned) so far as relates to Scotland: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said several recited Acts, and all or any such Parts of all or any of the said hereinbefore recited Acts, shall be repealed, whereby any Rule, Regulation, Restriction, Fine, Penalty or Forfeiture, Confiscation or Punishment, is made or imposed in any way relating to the Importation, Exportation and Sale of Linseed or Hempseed; or to the steeping, making up or Sale of Hemp or Flax; or to the Exportation and Sale of Linen Yarn, or to the dressing,*

Recited Acts repealed, with Exceptions herein mentioned.

dressing, weaving and making up thereof; or to the Measure and Length of the Reels, or of the Weaving Graith, such as Hedles and Reeds; or to the Measure, Length and Breadth or Standard of Linen Cloth, bleached and unbleached; or to the Number, Length, Size and Description, Quality or Colour of Threads, to be in any way used in the Manufacture or making up of the several Kinds or Descriptions thereof, or to the making up of the same into Pieces, Half Pieces or other Classes or Denominations; or to the close and even working, cutting, knitting, taking up and folding thereof, or to the sealing, measuring, stamping, marking or lapping of such Linen, by any Person or Persons whomsoever, previous to Exportation or Sale, or to the Fees payable in respect thereof; or to the Use of Lime or Pigeon's Dung, or Soap Dregs or Lees, in the bleaching of Linen; and all Clauses, Provisions, Powers and Authorities conferred upon or granted to any Person or Persons whomsoever, for inspecting, viewing, searching for or seizing any Yarn or Linen Cloth, or otherwise for the securing and enforcing the Fulfilment of any such Rules, Regulations and Restrictions, or for the Recovery of any such Fines, Penalties and Forfeitures or Confiscations, or for the inflicting of any such Punishment; and so much and such Parts of the said several recited Acts are hereby repealed accordingly, so far as relates to the said several Matters and Things hereinbefore recited; except only in such Cases and for such Purposes as are hereinafter mentioned, excepted and provided for.

II. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to spin and reel Linen or Hempen Yarn, and to manufacture Linen and Hempen Cloth in *Scotland*, free from all the Rules, Regulations and Restrictions by this Act repealed, and without the Necessity of sealing, measuring, stamping, marking or lapping such Linen or Hempen Cloth as aforesaid; any thing in the said recited Acts or any of them, or in any other Act or Acts of Parliament to the contrary notwithstanding; except only in such Cases as are hereinafter mentioned and provided for.

Linen and Hempen Yarn and Cloth reeled, &c. without Restrictions hereby repealed.

III. And be it further enacted, That it shall and may be lawful to and for every Manufacturer or Weaver of Linen, and every Trader and Dealer in Linen Manufacture in *Scotland*, to weave or cause to be woven his Name, or to fix any such Mark or Seal as he shall think fit, in or to any Piece of Linen Cloth manufactured by or for such Manufacturer, Weaver, Trader or Dealer, for the Purpose of denoting either the true and correct Length and Breadth, or Quality of any such Piece of Linen Cloth, or the Name of the Manufacturer thereof, or both; and if any other Person or Persons shall counterfeit such Mark or Name, such Person or Persons shall, upon being lawfully convicted thereof, upon the Oath of One or more credible Witness or Witnesses, before Two or more Justices of the Peace or Magistrates within any Burgh, forfeit the Sum of One hundred Pounds for the Use of the Person whose Mark shall be so counterfeited; to be raised, levied and paid in such Manner as is directed by the said recited Act of the Thirteenth Year of the Reign of King *George the First*, with respect to the Penalty of One hundred Pounds for counterfeiting any Mark or Name under the said Act.

Manufacturers may weave their Names or Marks in their Cloth.

Counterfeiting Marks.

Penalty 100l.

IV. Pro-

Proviso for
Makers of
Heckles, &c.

IV. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to repeal any Enactments or Provisions in any of the said recited Acts or any of them contained, whereby Makers of Heckles, Spinning Wheels, Reels, Weaving Looms and Weaving Reeds, or Weavers or Manufacturers of Linen, Flax or Hempen Cloth, or Hecklers or Dressers of Flax or Hemp, are authorized to exercise their Trades respectively within any City, Town, Corporation, Burgh or Place in *Scotland*, without any Lett or Hindrance from any Person or Persons whatsoever, and without being chargeable or charged with Payment of any Entry Money or other Duty whatsoever, for or in respect of following such Trade or Business.

Act confined
to *Scotland*.

V. And be it further enacted, That this Act shall extend to and shall take effect only in that Part of the United Kingdom of *Great Britain* and *Ireland* called *Scotland*.

C A P. XLI.

An Act for the registering of Vessels. [27th *June* 1823.]

See cap. 80.
§ 19. post.

‘ WHEREAS the Wealth and Strength of this Kingdom, and the Prosperity and Safety of every Part of the *British* Empire, greatly depend on the Encouragement given to Shipping and Navigation : And Whereas divers Acts have from time to time been passed for the Purpose of confining to Ships wholly built in His Majesty’s Dominions the Advantages which were formerly given by the Legislature to Ships owned and navigated by His Majesty’s Subjects, and for that Purpose divers Regulations have from time to time been made, for the registering of and the transferring of the Property in such Ships ; which Regulations have been found in some respects ineffectual, and in others inconvenient : And Whereas the Object of the Legislature in passing the said several Acts may be more effectually attained by repealing the same, and by comprising and consolidating in one Act the several Provisions contained therein, but varied and altered in some respects ; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirty first Day of *December* One thousand eight hundred and twenty three, so much of an Act passed in the Seventh and Eighth Years of the Reign of His late Majesty King *William* the Third, intituled *An Act for preventing Frauds and regulating Abuses in the Plantation Trade*, as relates in any way to the registering of Ships and Vessels ; and also so much of an Act passed in the Fifteenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for further regulating the Plantation Trade, and for Relief of Merchants importing Prize Goods from America, and for preventing collusive Captures there ; and for obliging the Claimers of Vessels seized for Exportation of Wool, or any unlawful Importation, to give Security for Costs ; and for allowing East India Goods to be taken out of Warehouses in order to be cleaned and refreshed*, as relates in any way to the Proof to be given that the Ship or Vessel belongs to *British* Subjects, before the same

7 & 8 W. 3.
c. 22. § 17, 18,
19.

15 G. 2. c. 31.
§ 1, 2, 3.

is permitted to trade; and as relates to the Liberty to be given to trade where the Certificate of the Registry hath been lost; and as relates to the registering of a Ship or Vessel *de novo*; and also the whole of an Act of Parliament passed in the Twenty sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act for the further Increase and Encouragement of Shipping and Navigation*; and also so much of an Act passed in the Twenty seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act to enforce and render more effectual several Acts passed in the Twelfth Year of the Reign of King Charles the Second, and other Acts made for the Increase and Encouragement of Shipping and Navigation*, as relates in any way to the registering of Ships or Vessels; and also so much of an Act passed in the Twenty eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act more effectually to secure the Performance of Quarantine, and for amending several Laws relating to the Revenue of Customs*, as relates to Masters of Ships or Vessels detaining the Certificates of Registry of the same; and also so much of an Act passed in the Thirty fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act for the further Encouragement of British Mariners, and for other Purposes therein mentioned*, as relates to the Transfer or Contract, or Agreement for Transfer, and the Alteration of Property in any Ship or Vessel, and as relates to the Certificate of Registry being withheld or detained by the Master of the Ship or Vessel, and as relates to the registering a Ship or Vessel *de novo*, under the several Circumstances therein mentioned; and also the whole of an Act passed in the Forty eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to provide that British Ships which shall be captured by the Enemy, and shall afterwards become the Property of British Subjects, shall not be entitled to the Privileges of British Ships*; and also the whole of an Act passed in the Forty ninth Year of the Reign of His late Majesty, intituled *An Act to amend an Act made in the Forty eighth Year of His present Majesty, to provide that British Ships captured by the Enemy, becoming the Property of British Subjects, shall not be entitled to the Privileges of British Ships*; and also so much of an Act passed in the Fifty fifth Year of the Reign of His said late Majesty, intituled *An Act to make further Regulations for the Registry of Ships built in India*, as relates in any way to the registering of Ships or Vessels in *India*; and also the whole of an Act passed in the Fifty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act to ascertain the Tonnage of Vessels propelled by Steam*; and also so much of an Act passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for granting the Privileges of British Ships to Vessels built at Malta, Gibraltar and Heligoland, and certain of those Privileges to Vessels built in the British Settlements at Honduras*, as relates to the registering of Ships or Vessels at *Malta, Gibraltar and Heligoland*; and also all and every other Act, or so much of any other Act, passed in *Great Britain* or in *Ireland*, as relates in any way to the registering of Ships and Vessels; shall be and the same are hereby respectively repealed.

26 G.3. c.60.

27 G.3. c.19.
§ 1, 2. 4. 6. 8, 9.28 G.3. c.34.
§ 13, 14.34 G.3. c.68.
§ 14—22.

48 G.3. c.70.

49 G.3. c.41.

55 G.3. c.116.
§ 1—5.

59 G.3. c.5.

1 G.4. c.9.
§ 1—4. repealed.

II. And

No Vessel to enjoy Privileges until registered.

II. And be it further enacted, That from and after the Thirty first Day of *December* One thousand eight hundred and twenty three, no Ship or Vessel having a Deck, or being of the Burthen of Fifteen Tons or upwards, shall be entitled to any of the Privileges or Advantages of a *British* Ship, until the Person or Persons claiming Property therein shall have caused the same to be registered in manner hereinafter mentioned, and shall have obtained a Certificate of such Registry from the Person or Persons authorized to make such Registry and grant such Certificate as hereinafter directed; the Form of which Certificate shall be as follows; *videlicet*,

Certificate of Registry.

' THIS is to certify, That in pursuance of an Act passed in
' the Fourth Year of the Reign of King *George* the Fourth in-
' titled *An Act* [here insert the Title of the Act, the Names,
' Occupation and Residence of the subscribing Owners], having
' taken and subscribed the Oath required by this Act, and having
' sworn that [he, or they] together with [Names, Occupations
' and Residence of non subscribing Owners [is, or are] sole Owner
' or Owners, in the Proportions specified on the Back hereof, of
' the Ship or Vessel called the [Ship's Name] of [Place to
' which the Vessel belongs], which is of the Burthen of [Number
' of Tons], and whereof [Master's Name] is Master; and that
' the said Ship or Vessel was [when and where built or con-
' demned as Prize, referring to Builder's Certificate, Judge's Cer-
' tificate or Certificate of last Registry then delivered up to be can-
' celled], and [Name and Employment of surveying Officer]
' having certified to us that the said Ship or Vessel has [Number]
' Decks and [Number] Masts, that her Length from the fore Part
' of the Main Stem to the after Part of the Stern Post aloft is
' [Number of Feet and Inches], her Breadth at the broadest
' Part [stating whether that be above or below the Main Wales], is
' [Number of Feet and Inches], her [Height between Decks, if
' more than One Deck, or Depth in the Hold, if only One Deck],
' is [Number of Feet and Inches], that she is [how rigged] rigged
' with a [standing or running] Bowsprit, is [Description of Stern]
' sterned, [Carvel or Clinker] built, has [whether any or no] Gal-
' lery, and [kind of Head if any] Head; and the said subscribing
' Owners having consented and agreed to the above Descrip-
' tion, and having caused sufficient Security to be given, as is
' required by the said Act, the said Ship or Vessel called the
' [Name] has been duly registered at the Port of [Name of
' Port]. Certified under our Hands at the Custom House, in
' the said Port of [Name of Port] this [Date] Day of [Name
' of Month] in the Year [Words at length].

' [Signed]
' [Signed]

Collector.
Comptroller.'

Indorsement on back of Certificate.

And on the Back of such Certificate of Registry there shall be an Account of the Parts or Shares held by each of the Owners mentioned and described in such Certificate, in Form and Manner following:

' Names

Names of the several Owners within mentioned. Number of Sixty fourth Shares held by each Owner.

‘ [Name	_____	Thirty two.
‘ Name	_____	Sixteen.
‘ Name	_____	Eight.
‘ Name	_____	Eight.]
	‘ [Signed]	Collector.
	‘ [Signed]	Comptroller.

Provided always, that nothing in this Act shall extend to require any Vessel not exceeding the Burthen of Thirty Tons, and not having a whole or a fixed Deck, and being employed solely in the Fishery on the Banks or Shores of *Newfoundland*, and of the Parts adjacent, or on the Banks or Shores of the Provinces of *Quebec*, *Nova Scotia* or *New Brunswick*, adjacent to the Gulph of *Saint Lawrence*, and on the North of *Cape Canso*, or of the Islands within the same, or in trading Coastwise within the said Limits, to be registered so long as such Vessel shall be solely so employed.

Proviso for Vessels not exceeding 30 Tons, &c.

III. And be it further enacted, That the Persons authorized and required to make such Registry and grant such Certificates shall be the Collector and Comptroller of His Majesty's Customs in any Port in the United Kingdom of *Great Britain* and *Ireland*, and in the *Isle of Man* respectively, in respect of Ships or Vessels to be there registered; and the principal Officers of His Majesty's Customs in the Island of *Guernsey* or *Jersey*, together with the Governor, Lieutenant Governor or Commander in Chief of those Islands respectively, in respect of Ships or Vessels to be there registered; and the Collector and Comptroller of His Majesty's Customs of any Port in the Colonies, Plantations, Islands and Territories to His Majesty belonging in *Asia*, *Africa* and *America*, together with the Governor, Lieutenant Governor or Commander in Chief of such Colonies, Plantations, Islands and Territories respectively, in respect of Ships or Vessels to be there registered; and the Collector of Duties at any Port in the Territories under the Government of the *East India Company*, and other Territories belonging to His Majesty within the Limits of the Charter of the said Company, payable to the said Company, or any other Person of the Rank, in the said Company's Service, of Senior Merchant, or of Six Years' Standing in the said Service, being respectively appointed to act in the Execution of this Act, by any of the Governments of the said Company in *India*, in any Ports in which there shall be no Collector and Comptroller of His Majesty's Customs in respect of Ships or Vessels to be there registered; and the Governor, Lieutenant Governor or Commander in Chief of *Malta*, *Gibraltar*, *Heligoland* and *Cape of Good Hope* respectively in respect of Ships or Vessels to be there registered: Provided always, that no Ship or Vessel registered by such Collector or other Person in *India* shall be entitled to the Privileges and Advantages of *British* Ships in any Trade or Voyages beyond the Limits of the said Company's Charter, other than and except such as are specified in an Act passed in the Fifty third Year of the Reign of His late Majesty King *George* the Third, and made for the Regulation, among other things, of the Trade to and from the Places within the said Company's Charter, and in other sub-

Certain Persons hereby authorized to make Registry and grant Certificates.

Proviso as to Privileges of Vessels registered in India.

53 G.3. c.155.

Proviso as to Privileges of Vessels registered at Malta, &c.

By whom certain Powers of Collectors and Comptrollers, are to be exercised in certain Cases and Places herein mentioned.

Acts may be done by Two Commissioners of Customs in England, &c. and by Governors, &c. of Places where Vessels may be registered.

Ships exercising Privileges before Registry forfeited.

Proviso for Vessels already registered till required to be registered *de novo*.

What Ships are entitled to be registered.

sequent Acts made and passed or to be hereafter made and passed for the further Regulation of the Trade to and from such Places : Provided also, that no Ship or Vessel shall be registered at *Malta, Gibraltar or Heligoland*, except such as are wholly of the Built of those Places respectively, and such Ships or Vessels shall not be registered elsewhere; and that such Ships or Vessels so registered shall not be entitled to the Privileges and Advantages of *British Ships* in any Trade between the said United Kingdom and any of the Colonies, Plantations, Islands or Territories in *America* to His Majesty belonging: Provided also, that wherever in and by this Act it is directed or provided that any Act, Matter or Thing shall and may be done or performed by, to or with any Collector and Comptroller of His Majesty's Customs, the same shall or may be done or performed by, to or with the principal Officers of Customs in the Islands of *Guernsey or Jersey*, together with the Governor, Lieutenant Governor, or Commander in Chief of those Islands respectively; and also by, to or with such Collector or other Person in *India*, in the Service of the *East India Company* as aforesaid; and also by, to or with the Governor, Lieutenant Governor or Commander in Chief of *Malta, Gibraltar, Heligoland or Cape of Good Hope*, and according as the same Act, Matter or Thing is to be done or performed at the said several and respective Places, and within the Jurisdiction of the said several Persons respectively: Provided also, that wherever in and by this Act it is directed or provided that any Act, Matter or Thing shall or may be done or performed by, to or with the Commissioners of His Majesty's Customs, the same shall or may be done or performed by, to or with the said Commissioners, or any Two or more of them in *England, Ireland or Scotland* respectively; and also by, to or with the Governor, Lieutenant Governor or Commander in Chief of any Place where any Ship or Vessel may be registered under the Authority of this Act, so far as such Act, Matter or Thing can be applicable to the registering of any Ship or Vessel at such Place.

IV. And be it further enacted, That from and after the said Thirty first Day of *December* One thousand eight hundred and twenty three, in case any Ship or Vessel, not being duly registered, and not having obtained such Certificate of Registry as aforesaid, shall exercise any of the Privileges of a *British Ship*, the same shall be subject to Forfeiture, and also all the Guns, Furniture, Ammunition, Tackle and Apparel to the same Ship or Vessel belonging, and shall and may be seized by any Officer or Officers of His Majesty's Customs: Provided always, that nothing in this Act shall extend or be construed to extend to affect the Privileges of any Ship or Vessel which shall have been registered by virtue of any Act or Acts in force for the Registry of *British Ships*, and granting Certificates thereof prior to the said Thirty first Day of *December* One thousand eight hundred and twenty three, until such time or times as such Ships or Vessels shall be required by this Act to be registered *de novo*, under the Regulations thereof.

V. And be it further enacted, That no Ship or Vessel shall be registered, or, having been registered, shall be deemed to be

duly registered by virtue of this Act, except such as are wholly of the Built of the said United Kingdom, or of the *Isle of Man*, or of the Islands of *Guernsey* or *Jersey*, or of some of the Colonies, Plantations, Islands or Territories in *Asia*, *Africa* or *America*, or of *Malta*, *Gibraltar* or *Heligoland*, which belong to His Majesty, His Heirs or Successors, at the Time of the building of such Ships or Vessels; or such Ships or Vessels as shall have been condemned in any Court of Admiralty as Prize of War, or such Ships or Vessels as shall have been condemned in any competent Court for the Breach of the Laws made for the Prevention of the Slave Trade, and which shall wholly belong, and continue wholly to belong to His Majesty's Subjects duly entitled to be Owners of Ships or Vessels registered by virtue of this Act.

VI. And be it further enacted, That no Ship or Vessel shall continue to enjoy the Privileges of a *British* Ship after the same shall have been repaired in a Foreign Country, if such Repairs shall exceed the Sum of Twenty Shillings for every Ton of the Burthen of the said Ship or Vessel, unless such Repairs shall have been necessary by reason of extraordinary Damage sustained by such Ship or Vessel during her Absence from His Majesty's Dominions, to enable her to perform the Voyage in which she shall have been engaged, and to return to some Port or Place of the said Dominions; and whenever any Ship or Vessel, which has been so repaired in a Foreign Country, shall arrive at any Port in His Majesty's Dominions, as a *British* registered Ship or Vessel, the Master or other Person having the Command or Charge of the same shall, upon the first Entry thereof, report upon Oath to the Collector and Comptroller of His Majesty's Customs at such Port, that such Ship or Vessel has been so repaired, under Penalty of Twenty Shillings for every Ton of the Burthen of such Ship or Vessel, according to the Admeasurement thereof; and if it shall be proved, to the Satisfaction of the Commissioners of His Majesty's Customs, that such Ship or Vessel was Sea worthy at the Time when she last departed from any Port or Place in His Majesty's Dominions, and that no greater Quantity of such Repairs have been done to the said Vessel than was necessary as aforesaid, it shall be lawful for the said Commissioners, upon a full Consideration of all the Circumstances, to direct the Collector and Comptroller of the Port where such Ship or Vessel shall have arrived, or where she shall then be, to certify on the Certificate of the Registry of such Ship or Vessel, that it has been proved to the Satisfaction of the Commissioners of His Majesty's Customs, that the Privileges of the said Ship or Vessel have not been forfeited, notwithstanding the Repairs which have been done to the same in a Foreign Country.

VII. And be it further enacted, That if any Ship or Vessel, registered under the Authority of this or any other Act, shall be deemed or declared to be stranded or unseaworthy, and incapable of being recovered or repaired to the Advantage of the Owners thereof, and shall for such Reasons be sold by Order or Decree of any competent Court, for the Benefit of the Owners of such Ship or Vessel, or other Persons interested therein, the same shall be taken and deemed to be a Ship or Vessel lost or

How far Foreign Repairs may exceed 20s. per Ton.

The Master on Arrival to report such Repairs.

Penalty.

Necessity of such Repairs to be proved to Commissioners of Customs.

Such Proof to be certified on Certificate of Registry.

Ships declared unseaworthy, to be deemed Ships lost or broken up.

broken up, to all Intents and Purposes within the Meaning of this Act, and shall never again be entitled to the Privileges of a *British* built Ship, for any Purposes of Trade or Navigation.

British Ships captured, not again entitled to Registry. Proviso for Ships condemned.

VIII. And be it further enacted, That no *British* Ship or Vessel which has been or shall hereafter be captured by, and become Prize to an Enemy, or sold to Foreigners, shall again be entitled to the Privileges of a *British* Ship: Provided always, that nothing contained in this Act shall extend to prevent the registering of any Ship or Vessel whatever, which shall be condemned in any Court of Admiralty as Prize of War, or in any competent Court for Breach of Laws made for the Prevention of the Slave Trade.

Ships to be registered at Port to which they belong.

IX. And be it further enacted, That no such Registry shall hereafter be made, or Certificate thereof granted, by any Person or Persons hereinbefore authorized to make such Registry, and grant such Certificate, in any other Port or Place than the Port or Place to which such Ship or Vessel shall properly belong, except so far as relates to such Ships or Vessels as shall be condemned as Prizes in any of the Islands of *Guernsey*, *Jersey* or *Man*; which Ships or Vessels shall in future be registered in manner hereinafter directed; but that all and every Registry and Certificate granted in any Port or Place to which any such Ship or Vessel does not properly belong, shall be utterly null and void, to all Intents and Purposes, unless the Officers aforesaid shall be specially authorized and empowered to make such Registry, and grant such Certificate in any other Port, by an Order in Writing under the Hands of the Commissioners of His Majesty's Customs, which Order the said Commissioners are hereby authorized and empowered to issue in manner aforesaid, if they shall see fit; and at every Port where Registry shall be made in pursuance of this Act, a Book shall be kept by the Collector and Comptroller, in which all the Particulars contained in the Form of the Certificate of Registry hereinbefore directed to be used shall be duly entered; and every Registry shall be numbered in Progression, beginning such progressive Numeration at the Commencement of each and every Year; and such Collector and Comptroller shall forthwith, or within One Month at the farthest, transmit to the Commissioners of His Majesty's Customs a true and exact Copy, together with the Number of every Certificate which shall be by them so granted.

Exception.

Commissioners of Customs may permit Registry at other Ports.

Book of Registers to be kept.

Copy of Certificate transmitted to Customs.

Ports to which Vessels deemed to belong.

On Change of Owners Registry de novo. If Registry de novo cannot be made, Ship may go one Voyage with Permission.

X. And be it further enacted, That every Ship or Vessel shall be deemed to belong to some Port at or near to which some or one of the Owners who shall take and subscribe the Oath required by this Act, before Registry be made, shall reside; and whenever such Owner or Owners shall have transferred all his or their Share or Shares in such Ship or Vessel, the same shall be registered *de novo*, before such Ship or Vessel shall sail or depart from the Port to which she shall then belong, or from any other Port which shall be in the same Part of the United Kingdom, or the same Colony, Plantation, Island or Territory as the said Port shall be in: Provided always, that if the Owner or Owners of such Ship or Vessel cannot in sufficient Time comply with the Requisites of this Act, so that Registry may be made before it shall be necessary for such Ship or Vessel to sail or depart

depart upon another Voyage, it shall be lawful for the Collector and Comptroller of the Port where such Ship or Vessel may then be, to certify upon the Back of the existing Certificate of Registry of such Ship or Vessel, that the same is to remain in force for the Voyage upon which the said Ship or Vessel is then about to sail or depart: Provided also, that if any Ship or Vessel shall be built in any of the Colonies, Plantations, Islands or Territories in *Asia, Africa* or *America*, to His Majesty belonging, for Owners residing in the United Kingdom, it shall be lawful for such Ship or Vessel to proceed to any Part of the United Kingdom, whether by a direct or circuitous Voyage, and there to import a Cargo before Registry shall have been made of such Ship or Vessel; provided the Master of such Ship or Vessel, or the Agent for the Owner or Owners thereof, shall have produced to the Collector and Comptroller of the Port at or near to which such Ship or Vessel was built, or from which she shall be cleared for her Voyage as aforesaid, the Certificate of the Builder required by this Act, and shall have made Oath before such Collector and Comptroller of the Names and Descriptions of the principal Owners of such Ship or Vessel, and that she is the identical Ship or Vessel mentioned in such Certificate of the Builder, and that no Foreigner, to the best of his Knowledge and Belief, has any Interest therein; whereupon the Collector and Comptroller of such Port shall cause such Ship or Vessel to be surveyed and measured in like manner as is directed for the Purpose of registering any Ship or Vessel, and shall give the Master of such Ship or Vessel a Certificate under their Hands and Seals, purporting to be under the Authority of this Act, and stating when and where, and by whom such Ship or Vessel was built, the Description, Tonnage and other Particulars required on Registry of any Ship or Vessel, and the Voyage for which such Ship or Vessel is cleared by them; and such Certificate shall for such Voyage have all the Force and Virtue of a Certificate of Registry under this Act, and such Collector and Comptroller shall transmit a Copy of such Certificate to the Commissioners of His Majesty's Customs.

XI. And be it further enacted, That no Person who has taken the Oath of Allegiance to any Foreign State, except under the Terms of some Capitulation, unless he shall afterwards become a Denizen or naturalized Subject of the United Kingdom by His Majesty's Letters Patent, or by Act of Parliament, nor any Person usually residing in any Country not under the Dominion of His Majesty, His Heirs and Successors, unless he be a Member of some *British* Factory, or Agent for or Partner in any House or Copartnership actually carrying on Trade in *Great Britain* or *Ireland*, shall be entitled to be the Owner in whole or in part, directly or indirectly, of any Ship or Vessel required and authorized to be registered by virtue of this Act.

XII. And be it further enacted, That no Registry shall henceforth be made or Certificate granted, until the following Oath be taken and subscribed, before the Person or Persons hereinbefore authorized to make such Registry and grant such Certificate respectively (which they are hereby respectively empowered to administer), by the Owner of such Ship or Vessel, if such Ship

Ships built in Colonies for Owners resident in U. K. may proceed on Master producing Certificate and making Oath as herein mentioned;

thereupon Ship to be measured.

Certificate of Built.

Persons swearing Allegiance to or residing in Foreign States may not be Owners; Exceptions.

Oath to be taken by subscribing Owners previous to Registry.

or Vessel is owned by or belongs to One Person only, or in case there shall be Two joint Owners, then by both of such joint Owners, if both shall be resident within Twenty Miles of the Port or Place where such Register is required, or by One of such Owners, if one or both of them shall be resident at a greater Distance from such Port or Place; or if the Number of such Owners or Proprietors shall exceed Two, then by the greater Part of the Number of such Owners or Proprietors, if the greater Number of them shall be resident within Twenty Miles of such Port or Place as aforesaid, not in any Case exceeding Three of such Owners or Proprietors, or by One of such Owners, if all shall be resident at a greater Distance:

Proportion of Owners who shall subscribe and take the Oath.

Form of Oath.

‘ I *A. B.* of [*Place of Residence and Occupation*] do make Oath, ‘ That the Ship or Vessel [*Name*] of [*Port or Place*], whereof ‘ [*Master's Name*] is at present Master, being [*kind of Built, Burthen, et cetera, as described in the Certificate of the surveying Officer*], was [*when and where built, or if Prize, Capture and Condemnation*], and that I, the said *A. B.* [*and the other Owners' Names and Occupations, if any, and where they respectively reside, videlicet, Town, Place or Parish and County; or if Member of and resident in any Factory in Foreign Ports, or in any Foreign Town or City, being an Agent for, or Partner in any House or Copartnership, actually carrying on Trade in Great Britain or Ireland, the Name of such Factory, Foreign Town or City, and the Names of such House or Copartnership*], am [*or are*] sole ‘ Owner [*or Owners*] of the said Vessel, and that no other Person ‘ or Persons whatever hath or have any Right, Title, Interest, ‘ Share or Property therein or thereto; and that I the said *A. B.* ‘ [*and the said other Owners, if any*], am [*or are*] truly and *bonâ fide* ‘ a Subject [*or Subjects*] of *Great Britain*; and that I the ‘ said *A. B.* have not (nor have any of the other Owners, to the ‘ best of my Knowledge and Belief,) taken the Oath of Allegiance ‘ to any Foreign State whatever, [*except under the Terms of some Capitulation, describing the Particulars thereof*], or that ‘ since my taking [*or his or their taking*] the Oath of Allegiance ‘ to [*naming the Foreign States respectively to which he or any of the said Owners shall have taken the same*], I have [*or he or they hath or have*] become a Denizen [*or Denizens, or naturalized Subject or Subjects, as the Case may be,*] of the United ‘ Kingdom of *Great Britain and Ireland*, by His Majesty's ‘ Letters Patent, or by an Act of Parliament [*naming the Times when such Letters of Denization have been granted respectively, or the Year or Years in which such Act or Acts for Naturalization have passed respectively*]; and that no Foreigner, directly or ‘ indirectly, hath any Share or Part Interest in the said Ship or ‘ Vessel.’

Addition to Oath in case the required Number of Owners do not attend.

XIII. And be it further enacted, That in case the required Number of joint Owners or Proprietors of any Ship or Vessel shall not personally attend to take and subscribe the Oath hereinbefore directed to be taken and subscribed, then and in such Case such Owner or Owners, Proprietor or Proprietors, as shall personally attend, and take and subscribe the Oath aforesaid, shall further make Oath that the Part Owner or Part Owners of such

such Ship or Vessel then absent is or are not resident within Twenty Miles of such Port or Place, and hath or have not, to the best of his or their Knowledge or Belief, wilfully absented himself or themselves, in order to avoid the taking the Oath hereinbefore directed to be taken and subscribed, or is or are prevented by Illness from attending to take and subscribe the said Oath.

XIV. And in order to enable the Collector and Comptroller of His Majesty's Customs to grant a Certificate truly and accurately describing every Ship or Vessel to be registered in pursuance of this Act, and also to enable all other Officers of His Majesty's Customs, on due Examination, to discover whether any such Ship or Vessel is the same with that for which a Certificate is alleged to have been granted; Be it enacted, That previous to the registering or granting of any Certificate of Registry as aforesaid, some One or more Person or Persons appointed by the Commissioners of His Majesty's Customs, (taking to his or their Assistance, if he or they shall judge it necessary, One or more Person or Persons skilled in the Building and Admeasurement of Ships,) shall go on board of every such Ship or Vessel as is to be registered, and shall strictly and accurately examine and admeasure every such Ship or Vessel as to all and every Particular contained in the Form of the Certificate hereinbefore directed, in the Presence of the Master, or of any other Person who shall be appointed for that Purpose on the Part of the Owner or Owners, or in his or their Absence, by the said Master, and shall deliver a true and just Account in Writing of all such Particulars of the Built, Description and Admeasurement of every such Ship or Vessel as are specified in the Form of the Certificate above recited, to the Collector and Comptroller authorized as aforesaid to make such Registry, and grant such Certificate of Registry; and the said Master, or other Person attending on the Part of the Owner or Owners, is hereby required to sign his Name also to the Certificate of such surveying or examining Officer in Testimony of the Truth thereof, provided such Master or other Person shall consent and agree to the several Particulars set forth and described therein.

Vessels to be surveyed previous to Registry.

Certificate of Survey to be given;

Owner or Master concurring therein.

XV. And be it further enacted, That for the Purpose of ascertaining the Tonnage of Ships or Vessels, the Rule for Admeasurement shall be as follows; *videlicet*, the Length shall be taken on a straight Line along the Rabbet of the Keel from the Back of the Main Stern Post to a perpendicular Line from the fore Part of the Main Stern under the Bowsprit, from which, subtracting Three Fifths of the Breadth, the Remainder shall be esteemed the just Length of the Keel to find the Tonnage; and the Breadth shall be taken from the Outside of the Outside Plank in the broadest Part of the Ship, whether that shall be above or below the Main Wales, exclusive of all Manner of Doubling Planks that may be wrought upon the Sides of the Ship; then multiplying the Length of the Keel by the Breadth so taken, and that Product by Half the Breadth, and dividing the whole by Ninety four, the Quotient shall be deemed the true Contents of the Tonnage.

Mode of Admeasurement to ascertain Tonnage.

XVI. And Whereas it would in some Cases endanger Ships or Vessels, to cause them to be laid on Shore; Be it therefore enacted

Mode of ascertaining Tonnage when Vessels are afloat.

enacted, That in Cases where it may be necessary to ascertain the Tonnage of any Ship or Vessel when afloat, according to the foregoing Rule, the following Method shall be observed; that is to say, drop a Plumb Line over the Stern of the Ship, and measure the Distance between such Line and the after Part of the Stern Post at the Load Water Mark; then measure from the Top of the Plumb Line, in a parallel Direction with the Water, to a perpendicular Point immediately over the Load Water Mark at the fore Part of the Main Stem, subtracting from such Measurement the above Distance, the Remainder will be the Ship's Extreme, from which is to be deducted Three Inches for every Foot of the Load Draught of Water for the Rake abaft, also Three Fifths of the Ship's Breadth for the Rake forward, the Remainder shall be esteemed the just Length of the Keel to find the Tonnage; and the Breadth shall be taken from Outside to Outside of the Plank, in the broadest Part of the Ship, whether that shall be above or below the Main Wales, exclusive of all Manner of Sheathing or Doubling that may be wrought on the Side of the Ship; then multiplying the Length of the Keel for Tonnage by the Breadth so taken, and that Product by Half the Breadth, and dividing by Ninety four, the Quotient shall be deemed the true Contents of the Tonnage.

Engine Room in Steam Vessels to be deducted.

XVII. Provided always, and be it further enacted, That in each of the several Rules hereinbefore prescribed, when used for the Purpose of ascertaining the Tonnage of any Ship or Vessel propelled by Steam, the Length of the Engine Room shall be deducted from the whole Length of such Ship or Vessel, and the Remainder shall, for such Purpose, be deemed the whole Length of the same.

Tonnage when so ascertained, to be ever after deemed the Tonnage.

XVIII. And be it further enacted, That whenever the Tonnage of any Ship or Vessel shall have been ascertained according to the Rule herein prescribed (except in the Case of Ships or Vessels which have been admeasured afloat) such Account of Tonnage shall ever after be deemed the Tonnage of such Ship or Vessel, and shall be repeated in every subsequent Registry of such Ship or Vessel; unless it shall happen that any Alteration has been made in the Form and Burthen of such Ship or Vessel, or it shall be discovered that the Tonnage of such Ship or Vessel had been erroneously taken and computed.

Proviso.

Bond to be given at the Time of Certificate of Registry.

XIX. And be it further enacted, That at the Time of obtaining the Certificate of Registry as aforesaid, sufficient Security by Bond shall be given to His Majesty, His Heirs and Successors, by the Master and such of the Owners as shall personally attend as is hereinbefore required, such Security to be approved of and taken by the Person or Persons hereinbefore authorized to make such Registry, and grant such Certificate of Registry, at the Port or Place in which such Certificate shall be granted, in the Penalties following; that is to say, if such Ship or Vessel shall be a decked Vessel, or be above the Burthen of Fifteen Tons, and not exceeding Fifty Tons, in the Penalty of One hundred Pounds; if exceeding the Burthen of Fifty Tons, and not exceeding One hundred Tons, in the Penalty of Three hundred Pounds; if exceeding the Burthen of One hundred Tons, and not exceeding Two hundred Tons, in the Penalty of Five hundred Pounds;

Pounds; if exceeding the Burthen of Two hundred Tons, and not exceeding Three hundred Tons, in the Penalty of Eight hundred Pounds; and if exceeding the Burthen of Three hundred Tons, in the Penalty of One thousand Pounds; and the Condition of every such Bond shall be, that such Certificate shall not be sold, lent or otherwise disposed of to any Person or Persons whatever, and that the same shall be solely made use of for the Service of the Ship or Vessel for which it is granted; and that in case such Ship or Vessel shall be lost or taken by the Enemy, burnt or broken up, or otherwise prevented from returning to the Port to which she belongs, or shall on any account have lost and forfeited the Privileges of a *British* Ship, or shall have been seized and legally condemned for illicit Trading, or shall have been taken in Execution for Debt, and sold by due Process of Law, or shall have been sold to the Crown, or shall under, any Circumstances, have been registered *de novo*, the Certificate, if preserved, shall be delivered up within One Month after the Arrival of the Master in any Port or Place in His Majesty's Dominions, to the Collector and Comptroller of some Port in *Great Britain*, or of the *Isle of Man*, or of the *British* Plantations, or to the Governor, Lieutenant Governor, or Commander in Chief for the Time being of the *Islands of Guernsey or Jersey*; and that if any Foreigner, or any Person or Persons for his Use and Benefit, shall purchase or otherwise become entitled to the Whole or any Part or Share of or any Interest in such Ship or Vessel, and the same shall be within the Limits of any Port of *Great Britain, Guernsey, Jersey, Man*, or the *British* Colonies, Plantations, Islands or Territories aforesaid, then and in such Case the Certificate of Registry shall, within Seven Days after such Purchase or Transfer of Property in such Ship or Vessel, be delivered up to the Person or Persons hereinbefore authorized to make Registry and grant Certificate of Registry at such Port or Place respectively as aforesaid; and if such Ship or Vessel shall be in any Foreign Port when such Purchase or Transfer of Interest or Property shall take place, then that the same shall be delivered up to the *British* Consul or other Chief *British* Officer resident at or nearest to such Foreign Port; or if such Ship or Vessel shall be at Sea when such Purchase or Transfer of Interest or Property shall take place, then that the same shall be delivered up to the *British* Consul or other Chief *British* Officer at the Foreign Port or Place in or at which the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall first arrive after such Purchase or Transfer of Property at Sea, immediately after his Arrival at such Foreign Port; but if such Master or other Person who had the Command thereof at the Time of such Purchase or Transfer of Property at Sea shall not arrive at a Foreign Port, but shall arrive at some Port of *Great Britain, Guernsey, Jersey, Man*, or His Majesty's said Colonies, Plantations, Islands or Territories, then that the same shall be delivered up in manner aforesaid, within Fourteen Days after the Arrival of such Ship or Vessel, or of the Person who had the Command thereof, in any Port of *Great Britain, Guernsey, Jersey, Man*, or any of His Majesty's said Colonies, Plantations, Islands or Territories: Provided always, that if it shall happen that at the Time of Registry of

Condition of
such Bond.

If Ship, at the
Time of Regi-
any

try, be at any other Port than that of Registry, the Master may there give separate Bond.

When Master is changed new Master to give similar Bond, and his Name to be indorsed on Certificate of Registry.

Proviso.

Certificate of Registry to be given up, as directed by the Bond.

Name of Vessel which has been registered not to be changed.

Names painted on Stern.

Owner, &c.

any Ship or Vessel the same shall be at any other Port than the Port to which she belongs, so that the Master of such Ship or Vessel cannot attend at the Port of Registry, to join with the Owner or Owners in such Bond as aforesaid, it shall be lawful for him to give a separate Bond to the like Effect at the Port where such Ship or Vessel may then be, and the Collector and Comptroller of such other Port shall transmit such Bond to the Collector and Comptroller of the Port where such Ship or Vessel is to be registered; and such Bond, and the Bond also given by the Owner or Owners, shall together be of the same Effect against the Master and Owner or Owners, or either of them, as if they had bound themselves jointly and severally in one Bond.

XX. And be it further enacted, That when and so often as the Master or other Person having or taking the Charge or Command of any Ship or Vessel registered in manner hereinbefore directed shall be changed, the Master or Owner of such Ship or Vessel shall deliver to the Person or Persons hereinbefore authorized to make such Registry and grant such Certificates of Registry at the Port where such Change shall take place, the Certificate of Registry belonging to such Ship or Vessel, who shall thereupon indorse and subscribe a Memorandum of such Change, and shall forthwith give notice of the same to the proper Officer of the Port or Place where such Ship or Vessel was last registered pursuant to this Act, who shall likewise make a Memorandum of the same in the Book of Registers, which is hereby directed and required to be kept, and shall forthwith give Notice thereof to the Commissioners of His Majesty's Customs: Provided always, that before the Name of such new Master shall be indorsed on the Certificate of Registry, he shall be required to give and shall give a Bond in the like Penalties and under the same Conditions as are contained in the Bond herein before required to be given at the Time of Registry of any Ship or Vessel.

XXI. And be it further enacted, That if any Person whatever shall at any Time have Possession of, and wilfully detain, any Certificate of Registry granted under this or any other Act, which ought to be delivered up to be cancelled, according to any of the Conditions of the Bond hereinbefore required to be given, upon the Registry of any Ship or Vessel, such Person is hereby required and enjoined to deliver up such Certificate of Registry, in manner directed by the Conditions of such Bond, in the respective Cases, and under the respective Penalties therein provided.

XXII. And be it further enacted, That it shall not be lawful for any Owner or Owners of any Ship or Vessel to give any Name to such Ship or Vessel, other than that by which she was first registered in pursuance of this or any other Act; and that the Owner or Owners of all and every Ship or Vessel which shall be so registered shall, before such Ship or Vessel, after such Registry, shall begin to take in any Cargo, paint or cause to be painted, in White or Yellow Letters of a Length not less than Four Inches, upon a Black Ground, on some conspicuous Part of the Stern, the Name by which such Ship or Vessel shall have been registered pursuant to this Act, and the Port to which she belongs, in a distinct and legible Manner, and shall so keep and preserve the same; and that if such Owner or Owners, or Master or other Person

Person having or taking the Charge or Command of such Ship or Vessel, shall permit such Ship or Vessel to begin to take in any Cargo before the Name of such Ship or Vessel has been so painted as aforesaid, or shall wilfully alter, erase, obliterate or in anywise hide or conceal, or cause or procure or permit the same to be done (unless in the Case of Square rigged Vessels in Time of War), or shall in any written or printed Paper, or other Document, describe such Ship or Vessel by any Name other than that by which she was first registered pursuant to this Act, or shall verbally describe, or cause or procure or permit such Ship or Vessel to be described by any other Name to any Officer or Officers of His Majesty's Revenue in the due Execution of his or their Duty, then and in every such Case such Owner or Owners, or Master or other Person having or taking the Charge or Command of such Ship or Vessel, shall forfeit the Sum of One hundred Pounds.

permitting Ship to take in Cargo before Name painted.

Exception. Or describing Ship by any other Name, &c.

Penalty 100l.

XXIII. And be it further enacted, That all and every Person and Persons who shall apply for a Certificate of the Registry of any Ship or Vessel, shall and they are hereby required to produce to the Person or Persons authorized to grant such Certificate a true and full Account, under the Hand of the Builder of such Ship or Vessel, of the proper Denomination, and of the Time when, and the Place where such Ship or Vessel was built; and also an exact Account of the Tonnage of such Ship or Vessel, together with the Name of the first Purchaser or Purchasers thereof (which Account such Builder is hereby directed and required to give under his Hand, on the same being demanded by such Person or Persons so applying for a Certificate as aforesaid); and shall also make Oath before the Person or Persons hereinbefore authorized to grant such Certificate (which Oath he or they is or are hereby authorized to administer), that the Ship or Vessel for which such Certificate is required is the same with that which is so described by the Builder as aforesaid.

Builder's Certificate of Particulars of Ship.

Oath to be made thereto.

XXIV. And be it further enacted, That if the Certificate of Registry of any Ship or Vessel shall be lost or mislaid, so that the same cannot be found or obtained for the Use of such Ship or Vessel when needful, and Proof thereof shall be made to the Satisfaction of the Commissioners of His Majesty's Customs, such Commissioners shall and may permit such Ship or Vessel to be registered *de novo*, and a Certificate thereof to be granted: Provided always, that if such Ship or Vessel be absent, and far distant from the Port to which she belongs, or by reason of the Absence of the Owner or Owners, or of any other Impediment, Registry of the same cannot then be made in sufficient Time, such Commissioners shall and may grant a Licence for the present Use of such Ship or Vessel, which Licence shall for the Time and to the Extent specified therein, and no longer, be of the same force and virtue as a Certificate of Registry granted under this Act: Provided always, that before such Registry *de novo* be made, the Owner or Owners and Master shall give Bond to the Commissioners aforesaid, in such Sum as to them shall seem fit, with a Condition, that if the Certificate of Registry shall at any Time afterwards be found, the same shall be forthwith delivered to the proper Officers of His Majesty's Customs to be cancelled, and that

Certificate of Registry lost or mislaid.

Commissioners may permit Registry *de novo*; or if Ship be absent grant a Licence.

Bond respecting lost Certificate of Registry. Condition.

Oath to be made before Licence granted.

Before Licence granted, Ship to be surveyed as if for Registry.

Registry may be made after Departure of Ship ;

and Certificate transmitted to be exchanged for Licence.

Persons detaining Certificate of Registry.

qu. alien?
10 B. & C. 41.

Complaint on Oath may be made to Justice, &c.

Proceedings.

that no illegal Use has been or shall be made thereof, with his or their Privity or Knowledge; and further, that before any such Licence shall be granted as aforesaid, the Master of such Ship or Vessel shall also make Oath that the same has been registered as a *British* Ship, naming the Port where, and the Time when such Registry was made, and all the Particulars contained in the Certificate thereof, to the best of his Knowledge and Belief; and shall also give such Bond, and with the same Condition as is before mentioned: Provided also, that before any such Licence shall be granted, such Ship or Vessel shall be surveyed in like Manner as if a Registry *de novo* were about to be made thereof, and the Certificate of such Survey shall be preserved by the Collector and Comptroller of the Port to which such Ship or Vessel shall belong; and in virtue thereof it shall be lawful for the said Commissioners, and they are hereby required to permit such Ship or Vessel to be registered after her Departure, whenever the Owner or Owners shall personally attend to take and subscribe the Oath required by this Act before Registry be made, and shall also comply with all other Requisites of this Act, except so far as relates to the Bond to be given by the Master of such Ship or Vessel; which Certificate of Registry the said Commissioners shall and may transmit to the Collector and Comptroller of any other Port, to be by them given to the Master of such Ship or Vessel upon his giving such Bond, and delivering up the Licence which had been granted for the then present Use of such Ship or Vessel.

XXV. And Whereas it is not proper that any Person under any Pretence whatever should detain the Certificate of Registry of any Ship or Vessel, or hold the same for any Purpose other than the lawful Use and Navigation of the Ship or Vessel for which it was granted; Be it therefore enacted, That in case the Master of any Ship or Vessel, or any other Person who shall have received or obtained by any Means, or for any Purpose whatever, the Certificate of the Registry thereof, (whether such Master or other Person shall be a Part Owner or not,) shall willfully detain and refuse to deliver up the same to the proper Officers of His Majesty's Customs for the Purposes of such Ship or Vessel as occasion shall require, it may and shall be lawful to and for any Owner or Owners of such Ship or Vessel, the Certificate of Registry of which shall be detained and refused to be delivered up as aforesaid, to make Complaint on Oath against the Master of the Ship or Vessel, or other Person who shall so detain and refuse to deliver up the same, of such Detainer and Refusal, to any Justice of the Peace residing near to the Place where such Detainer and Refusal shall be in *Great Britain* or *Ireland*, or to any Member of the Supreme Court of Justice, or any Justice of the Peace in the Islands of *Jersey*, *Guernsey* or *Man*, or in any Colony, Plantation, Island or Territory to His Majesty belonging, in *Asia*, *Africa* or *America*, or *Malta*, *Gibraltar* or *Heligoland*, where such Detainer and Refusal shall be in any of the Places last mentioned; and on such Complaint, the said Justice or other Magistrate shall and is hereby required, by Warrant under his Hand and Seal, to cause such Master or other Person to be brought before him, to be examined touching such Detainer and Refusal; and if it shall appear to the said Justice or other Magistrate,

Magistrate, on Examination of the Master or other Person, or otherwise, that the said Certificate of Registry is not lost or mislaid, but is wilfully detained by the said Master or other Person, such Master or other Person shall be thereof convicted, and shall forfeit and pay the Sum of One hundred Pounds, and on Failure of Payment thereof, he shall be committed to the Common Gaol, there to remain without Bail or Mainprize for such Time as the said Justice or other Magistrate shall in his Discretion deem proper, not being less than Three Months, nor more than Twelve Months; and the said Justice or other Magistrate shall and he is hereby required to certify the aforesaid Detainer, Refusal and Conviction to the Person or Persons who granted such Certificate of Registry for such Ship or Vessel, who shall, on the Terms and Conditions of Law being complied with, make Registry of such Ship or Vessel *de novo*, and grant a Certificate thereof, conformably to Law, notifying on the Back of such Certificate the Ground upon which the Ship or Vessel was so registered *de novo*; and if such Master or other Person who shall have detained and refused to deliver up such Certificate of Registry as aforesaid, or shall be verily believed to have detained the same, shall have absconded, so that the said Warrant of the Justice or other Magistrate cannot be executed upon him, and Proof thereof shall be made to the Satisfaction of the Commissioners of His Majesty's Customs, it shall be lawful for the said Commissioners to permit such Ship or Vessel to be registered *de novo*, or otherwise in their Discretion to grant a Licence for the present Use of such Ship or Vessel, in like manner as is hereinbefore provided, in the Case wherein the Certificate of Registry is lost or mislaid.

Penalty 100l.

Justice to certify Detainer.

Ship to be registered *de novo*.

If Person detaining Certificate have absconded.

Ship may be registered as in case of lost Certificate.

Ship altered as herein mentioned to be registered *de novo*;

or deemed not registered.

Vessels condemned as Prize;

or for Breach of Laws against Slave Trade:

Certificate of Condemnation to be produced, &c.

XXVI. And be it further enacted, That if any Ship or Vessel, after she shall have been registered pursuant to the Directions of this Act, shall in any Manner whatever be altered so as not to correspond with all the Particulars contained in the Certificate of her Registry, in such Case such Ship or Vessel shall be registered *de novo*, in manner hereinbefore required, as soon as she returns to the Port to which she belongs, or to any other Port which shall be in the same Part of the United Kingdom, or in the same Colony, Plantation, Island or Territory as the said Port shall be in, on Failure whereof such Ship or Vessel shall to all Intents and Purposes be considered and deemed and taken to be a Ship or Vessel not duly registered.

XXVII. And be it further enacted, That the Owner or Owners of all such Ships and Vessels as shall be taken by any of His Majesty's Ships or Vessels of War, or by any private or other Ship or Vessel, and condemned as lawful Prize in any Court of Admiralty, or of such Ships or Vessels as shall be condemned in any competent Court for Breach of the Laws for the Prevention of the Slave Trade, shall, upon registering such Ship or Vessel, before he or they shall obtain such Certificate as aforesaid, produce to the proper Officers of His Majesty's Customs a Certificate of the Condemnation of such Ship or Vessel, under the Hand and Seal of the Judge of the Court in which such Ship or Vessel shall have been condemned (which Certificate such Judge is hereby authorized and required to grant), and also a true and exact Account in Writing of all the Particulars contained in the Certificate hereinbefore

hereinbefore set forth, to be made and subscribed by One or more skilful Person or Persons to be appointed by the Court, then and there to survey such Ship or Vessel, and shall also make Oath before the said Officer (which he is hereby authorized and required to administer), that such Ship or Vessel is the same Vessel which is mentioned in the Certificate of the Judge aforesaid.

Oath of Identity of Ship.

Prize Vessels not to be registered at Guernsey, Jersey, or Man.

Where to be registered.

Transfers of Interest by Bill of Sale.

Bill of Sale not void by Error in Recital of Certificate, &c.

In what Case Property in Ships considered as divided into Sixty four Shares.

Oath upon First Registry to state Number of Shares held by each Owner.

Smaller Portions may be conveyed without Stamp.

XXVIII. Provided always, and be it further enacted, That no Ship or Vessel which shall be taken and condemned as Prize in any Court of Admiralty as aforesaid, or other competent Court, shall be registered in the Islands of *Guernsey*, *Jersey* or the *Isle of Man*, although belonging to His Majesty's Subjects residing in those Islands, or in some One or other of them; but the same shall be registered either at *Southampton*, *Weymouth*, *Exeter*, *Plymouth*, *Falmouth*, *Liverpool* or *Whitehaven*, by the Collector and Comptroller at such Ports respectively; who are hereby authorized and required to register such Ship or Vessel, and to grant a Certificate thereof, in the Form and under the Regulations and Restrictions in this Act contained.

XXIX. And be it further enacted, That when and so often as the Property in any Ship or Vessel, or any Part thereof, belonging to any of His Majesty's Subjects, shall, after Registry thereof, be sold to any other or others of His Majesty's Subjects, the same shall be transferred by Bill of Sale, or other Instrument in Writing, containing a Recital of the Certificate of Registry of such Ship or Vessel, or the principal Contents thereof, otherwise such Transfer shall not be valid or effectual for any Purpose whatever, either in Law or in Equity: Provided always, that no Bill of Sale shall be deemed void by reason of any Error in such Recital, or by the Recital of any former Certificate of Registry instead of the existing Certificate, provided the Identity of the Ship or Vessel therein intended be effectually proved thereby.

XXX. And be it further enacted, That the Property in every Ship or Vessel of which there are more than One Owner shall be taken and considered to be divided into Sixty four Parts or Shares; and the Proportion held by each Owner shall be described in the Registry as being a certain Number of Sixty fourth Parts or Shares; and that no Person shall be entitled to be registered as an Owner of any Ship or Vessel, in respect of any Proportion of such Ship or Vessel, which shall not be an integral Sixty fourth Part or Share of the same: Provided always, that upon the first Registry of any Ship or Vessel, after the said Thirty first Day of *December* One thousand eight hundred and twenty three, the Owner or Owners who shall take and subscribe the Oath required by this Act before Registry be made, shall also declare upon Oath the Number of such Parts or Shares then held by each Owner, and the same shall be so registered accordingly: Provided always, that if it shall at any Time happen that the Property of any Owner or Owners in any Ship or Vessel cannot be reduced by Division into any Number of integral Sixty fourth Parts or Shares, it shall and may be lawful for the Owner or Owners of such fractional Parts as shall be over and above such Number of integral Sixty fourth Parts or Shares, into which such Property in any Ship or Vessel can be reduced by Division, to transfer the same one to another, or jointly, to any new Owner, by Memorandum

randum upon their respective Bills of Sale, or by fresh Bill of Sale, without such Transfer being liable to any Stamp Duty: Provided also, that the Right of such Owner or Owners to such fractional Parts, shall not be affected by reason of the same not having been registered: Provided also, that it shall be lawful for any Number of such Owners named and described in such Registry, being Partners in any House or Copartnership actually carrying on Trade in any Part of His Majesty's Dominions, to hold any Ship or Vessel, or any Share or Shares of any Ship or Vessel, in the Name of such House or Copartnership as joint Owners thereof, without distinguishing the proportionate Interest of each of such Owners; and that such Ship or Vessel, or the Share or Shares thereof so held in Copartnership, shall be deemed and taken to be Partnership Property to all Intents and Purposes, and shall be governed by the same Rules, both in Law and Equity, as relate to and govern all other Partnership Property in any other Goods, Chattels and Effects whatsoever.

Proviso for
Joint Stock
Companies.

XXXI. And be it further enacted, That no greater Number than Thirty two Persons shall be entitled to be the legal Owners at one and the same Time of any Ship or Vessel, as Tenants in Common, or to be registered as such: Provided always, that nothing herein contained shall affect the equitable Title of Minors, Heirs, Legatees, Creditors or others, exceeding that Number, duly represented by or holding from any of the Persons within the said Number, registered as legal Owners of any Share or Shares of such Ship or Vessel: Provided also, that if it shall be proved to the Satisfaction of the Commissioners of His Majesty's Customs that any Number of Persons have associated themselves as a joint Stock Company, for the Purpose of owning any Ship or Vessel, or any Number of Ships or Vessels, as the joint Property of such Company, and that such Company have duly elected or appointed any Number not less than Three of the Members of the same to be Trustees of the Property in such Ship or Vessel, or Ships or Vessels so owned by such Company, it shall be lawful for such Trustees, or any Three of them, with the Permission of such Commissioners, to take the Oath required by this Act before Registry be made, except that instead of stating therein the Names and Descriptions of the other Owners, they shall state the Name and Description of the Company to which such Ship or Vessel, or Ships or Vessels, shall in such Manner belong: Provided also, that if it shall become necessary to register any Ship or Vessel, or Ships or Vessels, belonging to any Corporate Body in the United Kingdom, the Oath required by this Act to be taken before Registry be made, shall be taken by the Secretary or other proper Officer of such Corporate Body, who shall in such Oath declare the Name and Description of such Corporate Body, instead of the Names and Descriptions of the Owners of such Ship or Vessel.

Only 32 Per-
sons to be
Owners at
One Time.

Proviso for
equitable Title
of Heirs, &c.

Trustees may
apply to have
Registry made.

Proviso for
Corporate
Bodies.

XXXII. And be it further enacted, That whenever any Ship or Vessel, which shall have been registered before the said Thirty first Day of December One thousand eight hundred and twenty three, shall be registered *de novo*, the Number of such Shares held by each Owner shall be registered as far as the same be practicable; and to that Intent the Owner or Owners who shall take

Number of
Shares of Ships
registered be-
fore 31st Dec.
1823, to be
registered *de
novo* under this
Act.

take and subscribe the Oath required by this Act before Registry be made, shall produce the Bills of Sale or other Titles of themselves and of the other Owners, in order that the Number of such Shares held by each of them may be ascertained and registered accordingly; and if the Registry of such Ship or Vessel then in force shall be the First Registry, and the Shares of any of the Owners shall remain the same as they were at the Time of such Registry, and the Owner or Owners or any One of them who shall attend to take and subscribe the Oath required by this Act before Registry be made, shall be the same as was or were the Owner or Owners, or one of them, who took and subscribed such Oath before such First Registry was made, such original Owner or Owners, instead of producing the Bills of Sale, shall declare upon Oath, to the best of his or their Knowledge and Belief, the Number of such Shares held by him or them, and by any other original Owner or Owners, whose proportionate Property in such Ship or Vessel shall have remained unchanged: Provided always, that if at the Time of such Registry *de novo*, such Owner or Owners shall make Oath, that he and they and each of them are unable to produce the Bill or Bills of Sale, or to give any certain Account or Proof of the Share or Shares of the other previous Owners, or some or any One of them, it shall be lawful for the Collector and Comptroller to register such Ship or Vessel, without requiring the Share or Shares of such Owner or Owners to be declared and specified.

Oath by Owners.

If Shares of Owners cannot be ascertained, Registry may be made without stating them.

Within Two Years all Shares to be registered;

unless Commissioners give further Time.

No Stamp Duty on First Registry, or new Mediterranean Pass.

Bills of Sale not effectual until produced to Officers of Customs, and

XXXIII. Provided also, and be it further enacted, That from and after the Expiration of Two Years from the said Thirty first Day of *December* One thousand eight hundred and twenty three, or from and after the First Arrival and Entry of any Ship or Vessel, after the Expiration of such Two Years, at the Port to which she belongs, or at any other Port which shall be in the same Part of the United Kingdom, or in the same Colony, Plantation, Island or Territory as the said Port shall be in, no Certificate of Registry shall be in force, except such as shall be granted under the Authority of this Act, and in which the Share or Shares hereinbefore described held by each Owner shall be set forth; unless it shall be certified thereon by the Collector and Comptroller of the Port to which such Ship or Vessel belong, that farther Time has been granted by the Commissioners of His Majesty's Customs, for ascertaining and registering the Number or Numbers of such Shares as cannot then be ascertained.

XXXIV. And be it further enacted, That upon the First Registry in Compliance with this Act, of any Ship or Vessel which had been before registered, no Stamp Duty shall be charged upon the Bond therein required to be given; and if the Certificate of such former Registry then delivered up to be cancelled shall have a *Mediterranean* Pass attached thereto, no Stamp Duty shall be charged on account of the new *Mediterranean* Pass, which shall be obtained in lieu of the one so delivered up and cancelled.

XXXV. And be it further enacted, That no Bill of Sale or other Instrument in Writing shall be valid and effectual to pass the Property in any Ship or Vessel or in any Share thereof, or for any other Purpose, until such Bill of Sale or other Instrument in Writing

Writing shall have been produced to the Collector and Comptroller of the Port to which such Ship or Vessel belongs, and until the Collector and Comptroller shall have entered in the Book of Registry of such Ship or Vessel, and which they are hereby required to do upon the Production of the Bill of Sale or other Instrument for that Purpose, the Name, Residence and Description of the Vendor or Mortgagor, or of each Vendor or Mortgagor, if more than One, the Number of Shares transferred, the Name, Residence and Description of the Purchaser or Mortgagee, or of each Purchaser or Mortgagee, if more than One, and the Date of the Bill of Sale or other Instrument, and of the Production of it; and further, the said Collector and Comptroller shall and they are hereby required to indorse the aforesaid Particulars of such Bill of Sale or other Instrument on the Certificate of Registry of the said Ship or Vessel, when the same shall be produced to them for that Purpose, in Manner and to the Effect following; *videlicet*,

entered in the
Book of Re-
gistry.

' Custom House [*Port and Date; Name, Residence and Description of Vendor or Mortgagor*] has transferred by [*Bill of Sale or other Instrument*] dated [*Date; Number of Shares*] to [*Name, Residence and Description of Purchaser or Mortgagee.*]

' A. B. Collector.
' C. D. Comptroller.'

And forthwith to give Notice thereof to the Commissioners of Customs: And in case the Collector and Comptroller shall be desired so to do, and the Bill of Sale or other Instrument shall be produced to them for that Purpose, then the said Collector and Comptroller are hereby required to certify, by Indorsement upon the said Bill of Sale or other Instrument, that the Particulars before mentioned have been so entered in the Book of Registry, and indorsed upon the Certificate of Registry as aforesaid.

Notice thereof
to Commission-
ers of Customs.

XXXVI. And be it further enacted, That when and so soon as the Particulars of any Bill of Sale or other Instrument, by which any Ship or Vessel, or any Share or Shares thereof, shall be transferred, shall have been so entered in the Book of Registry as aforesaid, the said Bill of Sale or other Instrument shall be valid and effectual to pass the Property thereby intended to be transferred, as against all and every Person and Persons whatsoever, and to all Intents and Purposes, except as against such subsequent Purchasers and Mortgagees who shall first procure the Indorsement to be made upon the Certificate of Registry of such Ship or Vessel in manner hereinafter mentioned.

Upon Entry,
Bill of Sale to
be valid.

XXXVII. And be it further enacted, That when and after the Particulars of any Bill of Sale or other Instrument, by which any Ship or Vessel, or any Share or Shares thereof, shall be transferred, shall have been so entered in the Book of Registry as aforesaid, the Collector and Comptroller shall not enter in the Book of Registry the Particulars of any other Bill of Sale or Instrument purporting to be a Transfer by the same Vendor or Mortgagor, or Vendors or Mortgagors, of the same Ship or Vessel, Share or Shares thereof, to any other Person or Persons, unless Thirty Days shall elapse from the Day on which the Particulars

Exception.

When a Bill of
Sale has been
entered for
Shares of Ships
in Port, or ab-
sent from Port,
Thirty Days
must elapse as
herein mention-
ed in each Case
before any other
Bill of Sale
shall be entered.

culars of the former Bill of Sale or other Instrument were entered in the Book of Registry ; or in case the Ship or Vessel was absent from the Port to which she belonged at the Time when the Particulars of such former Bill of Sale or other Instrument were entered in the Book of Registry, then unless Thirty Days shall have elapsed from the Day on which the Ship or Vessel arrived at the Port to which the same belonged ; and in case the Particulars of Two or more such Bills of Sale or other Instruments as aforesaid shall at any Time have been entered in the Book of Registry of the said Ship or Vessel, the Collector and Comptroller shall not enter in the Book of Registry the Particulars of any other Bill of Sale or other Instrument as aforesaid, unless Thirty Days shall in like manner have elapsed from the Day on which the Particulars of the last of such Bills of Sale or other Instrument were entered in the Books of Registry, or from the Day on which the Ship or Vessel arrived at the Port to which she belonged, in case of her Absence as aforesaid ; and in every Case where there shall at any Time happen to be Two or more Transfers by the same Owner or Owners of the same Property, in any Ship or Vessel entered in the Book of Registry as aforesaid, the Collector and Comptroller are hereby required to indorse upon the Certificate of Registry of such Ship or Vessel the Particulars of that Bill of Sale or other Instrument under which the Person or Persons claims or claim Property ; who shall produce the Certificate of Registry for that Purpose within Thirty Days next after the Entry of his said Bill of Sale or other Instrument in the Book of Registry as aforesaid, or within Thirty Days next after the Return of the said Ship or Vessel to the Port to which she belongs, in case of her Absence at the Time of such Entry as aforesaid ; and in case no Person or Persons shall produce the Certificate of Registry within either of the said Spaces of Thirty Days, then it shall be lawful for the Collector and Comptroller, and they are hereby required to indorse upon the Certificate of Registry the Particulars of the Bill of Sale or other Instrument to such Person or Persons as shall first produce the Certificate of Registry for that Purpose, it being the true Intent and Meaning of this Act that the several Purchasers and Mortgagees of such Ship or Vessel, Share or Shares thereof, when more than One appear to claim the same Property, shall have Priority one over the other, not according to the respective Times when the Particulars of the Bill of Sale or other Instrument by which such Property was transferred to them were entered in the Book of Registry as aforesaid, but according to the Time when the Indorsement is made upon the Certificate of Registry as aforesaid : Provided always, that if the Certificate of Registry shall be lost or mislaid, or shall be detained by any Person whatever, so that the Indorsement cannot, in due Time, be made thereon, and Proof thereof shall be made by the Purchaser or Mortgagee, or his known Agent, to the Satisfaction of the Commissioners of His Majesty's Customs, it shall be lawful for the said Commissioners to grant such further Time as to them shall appear necessary for the Recovery of the Certificate of Registry, or for the Registry *de novo* of the said Ship or Vessel, under the Provisions of this Act ; and thereupon the Collector and Comptroller shall make :

Proviso where Two or more Transfers by the same Owner of the same Property.

How Priorities of Purchasers and Mortgagees ascertained.

Proviso for Certificate lost or mislaid.

Memo

Memorandum in the Book of Registers of the further Time so granted; and during such Time no other Bill of Sale shall be entered for the Transfer of the same Ship or Vessel, or the same Share or Shares thereof.

XXXVIII. And be it further enacted, That if the Certificate of Registry of such Ship or Vessel shall be produced to the Collector and Comptroller of any Port where she may then be, after any such Bill of Sale shall have been recorded at the Port to which she belongs, together with such Bill of Sale, containing a Notification of such Record, signed by the Collector and Comptroller of such Port as before directed, it shall be lawful for the Collector and Comptroller of such other Port to indorse on such Certificate of Registry, being required so to do, the Transfer mentioned in such Bill of Sale; and such Collector and Comptroller shall give Notice thereof to the Collector and Comptroller of the Port to which such Ship or Vessel belongs, who shall record the same in like manner as if they had made such Indorsement themselves, but inserting the Name of the Port at which such Indorsement was made: Provided always, that the Collector and Comptroller of such other Port shall first give Notice to the Collector and Comptroller of the Port to which such Ship or Vessel belongs, of such Requisition made to them, to indorse the Certificate of Registry; and the Collector and Comptroller of the Port to which such Ship or Vessel belongs shall thereupon send Information to the Collector and Comptroller of such other Port, whether any and what other Bill or Bills of Sale have been recorded in the Book of the Registry of such Ship or Vessel; and the Collector and Comptroller of such other Port having such Information shall proceed in manner directed by this Act, in all respects to the indorsing of the Certificate of Registry, as they would do if such Port were the Port to which such Vessel belonged.

XXXIX. And be it further enacted, That if it shall become necessary to register any Ship or Vessel *de novo*, and any Share or Shares of such Ship or Vessel shall have been sold since she was last registered, and the Transfer of such Share or Shares shall not have been recorded and indorsed, in manner hereinbefore directed, the Bill of Sale thereof shall be produced to the Collector and Comptroller of His Majesty's Customs, who are to make Registry of such Ship or Vessel, otherwise such Sale shall not be noticed in such Registry *de novo*, except as hereinafter excepted: Provided always, that upon the future Production of such Bill of Sale, and of the existing Certificate of Registry, such Transfer shall and may be recorded and indorsed, as well after such Registry *de novo* as before.

XL. And be it further enacted, That if upon any Change of Property in any Ship or Vessel, the Owner or Owners shall desire to have the same registered *de novo*, although not required by this Act, and the Owner, or proper Number of Owners, shall attend at the Custom House at the Port to which such Ship or Vessel belongs for that Purpose, it shall be lawful for the Collector and Comptroller of His Majesty's Customs at such Port, to make Registry *de novo* of such Ship or Vessel at the same Port, and to grant a Certificate thereof, the several Requisites hereinbefore

In what Case Collector may indorse Transfer on Certificate of Registry.

Previous Notice to be given to Officers at the Port of Registry.

If, upon Registry *de novo*, Bill of Sale not recorded, it is to be produced.

Proviso.

Upon Change of Property, Registry *de novo* may be granted if desired, although not required by Law.

in this Act mentioned and directed being first duly observed and complied with.

‘ XLI. And Whereas great Inconvenience hath arisen from the
 ‘ registering Officers being served with Subpœnas requiring them
 ‘ to bring with them, and produce on Trials in Courts of Law
 ‘ relative to the Ownery of Vessels, or otherwise, the Oaths or
 ‘ Affidavits required to be taken by the Owners thereof, prior to
 ‘ the registering thereof, and the Books of Registry, or Copies
 ‘ or Extracts therefrom: And Whereas it would tend much to
 ‘ the Dispatch of Business, if the Attendance of such registering
 ‘ Officers with the same upon such Trials were dispensed with;’

Copies of Oaths
 and Extracts
 from Books of
 Registry ad-
 mitted in Evi-
 dence.

Be it therefore enacted, That the Collector and Comptroller of His Majesty's Customs at any Port or Place, and the Person or Persons acting for them respectively, shall, upon every reasonable Request by any Person or Persons whomsoever, produce and exhibit for his, her or their Inspection and Examination, any Oath or Affidavit taken or sworn by any such Owner or Owners, Proprietor or Proprietors, and also any Register or Entry in any Book or Books of Registry required by this Act to be made or kept relative to any Ship or Vessel, and shall upon every reasonable Request by any Person or Persons whomsoever permit him, her or them to take a Copy or Copies, or an Extract or Extracts thereof respectively; and that the Copy or Copies of any such Oath or Affidavit, Register or Entry, shall, upon being proved to be a true Copy or Copies thereof respectively, be allowed and received as Evidence upon every Trial at Law, without the Production of the Original or Originals, and without the Testimony or Attendance of any Collector or Comptroller, or other Person or Persons acting for them respectively, in all Cases, as fully and to all Intents and Purposes as such Original or Originals, if produced by any Collector or Collectors, Comptroller or Comptrollers, or other Person or Persons acting for them, could or might legally be admitted or received in Evidence.

Proof of Truth
 of Copy.

XLII. And be it further enacted, That if the Ship or Vessel, or the Share or Shares of any Owner thereof, who may be out of the Kingdom, shall be sold in his Absence by his known Agent or Correspondent, under his Directions either expressed or implied, and acting for his Interest in that Behalf, and such Agent or Correspondent who shall have executed a Bill of Sale to the Purchaser of the whole of such Ship or Vessel, or of any Share or Shares thereof, shall not have received a legal Power to execute the same, it shall be lawful for the Commissioners of His Majesty's Customs, upon Application made to them, and Proof to their Satisfaction of the fair Dealings of the Parties, to permit such Transfer to be registered, if Registry *de novo* be necessary, or to be recorded and indorsed, as the Case may be, in manner directed by this Act, as if such legal Power had been produced; and if it shall happen that any Bill of Sale cannot be produced, or if, by reason of Distance of Time or the Absence or Death of Parties concerned, it cannot be proved that a Bill of Sale for any Share or Shares in any Ship or Vessel had been executed, and Registry *de novo* of such Ship or Vessel shall have become necessary, it shall be lawful for the Commissioners of His Majesty's Customs, upon Proof to their Satisfaction of the fair Dealings of the

If Vessels or
 Shares sold in
 Absence of
 Owners without
 formal Powers,

Commissioners
 may permit Re-
 cord of such
 Sales or Regis-
 try *de novo*;

and in other
 Cases where
 Bills of Sale
 cannot be pro-
 duced;
 Security being
 given to produce
 legal Powers,

the

the Parties, to permit such Ship or Vessel to be registered *de novo*, in like manner as if a Bill of Sale for the Transfer of such Share or Shares had been produced: Provided always, that in any of the Cases herein mentioned good and sufficient Security shall be given to produce a legal Power or Bill of Sale, within a reasonable Time, or to abide the future Claims of the absent Owner, his Heirs and Successors, as the Case may be; and at the future Request of the Party whose Property has been so transferred, without the Production of a Bill of Sale from him or from his lawful Attorney, such Bond shall be available for the Protection of his Interest, in addition to any Powers or Rights which he may have in Law or Equity against the Ship or Vessel, or against the Parties concerned, until he shall have received full Indemnity for any Loss or Injury sustained by him.

or abide future Claims.

XLIII. And be it further enacted, That when any Transfer of any Ship or Vessel, or of any Share or Shares thereof shall be made only as a Security for the Payment of a Debt or Debts, either by way of Mortgage or of Assignment to a Trustee or Trustees, for the Purpose of selling the same for the Payment of any Debt or Debts, then and in every such Case the Collector and Comptroller of the Port where the Ship or Vessel is registered shall, in the Entry in the Book of Registry, and also in the Indorsement on the Certificate of Registry in manner hereinbefore directed, state and express that such Transfer was made only as a Security for the Payment of a Debt or Debts, or by way of Mortgage or to that Effect; and the Person or Persons to whom such Transfer shall be made, or any other Person or Persons claiming under him or them as a Mortgagee or Mortgagees, or a Trustee or Trustees only, shall not by reason thereof be deemed to be the Owner or Owners of such Ship or Vessel, Share or Shares thereof, nor shall the Person or Persons making such Transfer be deemed, by reason thereof, to have ceased to be an Owner or Owners of such Ship or Vessel, any more than if no such Transfer had been made, except so far as may be necessary for the Purpose of rendering the Ship or Vessel, Share or Shares so transferred, available by Sale or otherwise, for the Payment of the Debt or Debts for securing the Payment of which such Transfer shall have been made.

Transfer by way of Mortgage.

Mortgagee not deemed an Owner, nor Mortgageor as having ceased to be Owner.

7th. 10. 30

XLIV. And be it further enacted, That when any Transfer of any Ship or Vessel, or of any Share or Shares thereof, shall have been made as a Security for the Payment of any Debt or Debts, either by way of Mortgage or of Assignment as aforesaid, and such Transfer shall have been duly registered according to the Provisions of this Act, the Right or Interest of the Mortgagee or other Assignee as aforesaid shall not be in any manner affected by any Act or Acts of Bankruptcy committed by such Mortgageor or Assignor, Mortgageors or Assignors, after the Time when such Mortgage or Assignment shall have been so registered as aforesaid, notwithstanding such Mortgageor or Assignor, Mortgageors or Assignors, at the Time he or they shall so become Bankrupt as aforesaid, shall have in his or their Possession, Order and Disposition, and shall be the reputed Owner or Owners of the said Ship or Vessel, or the Share or Shares thereof, so by him or them mortgaged or assigned as aforesaid; but that such Mortgage or

Transfers of Ships for Security of Debts being registered, Proviso for Rights of Mortgagee where not affected by any Act of Bankruptcy by Mortgageor, &c.

other Assignment shall take place of and be preferred to any Right, Claim or Interest, which may belong to the Assignee or Assignees of such Bankrupt or Bankrupts in such Ship or Vessel, Share or Shares thereof, any Law or Statute to the contrary thereof notwithstanding.

Commissioners in Scotland, &c. to transmit Copies of Certificates to Commissioners in England.

XLV. And be it also further enacted, That the Commissioners of His Majesty's Customs in *Scotland* and *Ireland* respectively shall transmit, at the End of every Month in each Year, to the Commissioners of His Majesty's Customs in *England*, true and exact Copies of all such Certificates as shall be granted by them, or by any Officer or Officers within the Limits of their Commission, in pursuance of this Act.

Governors of Plantations, &c. may cause Proceedings in Suits to be stayed;

XLVI. And be it further enacted, That it shall and may be lawful for any Governor, Lieutenant Governor, or Commander in Chief of any of His Majesty's Colonies, Plantations, Islands or Territories, and they are hereby respectively authorized and required, if any Suit, Information, Libel or other Prosecution or Proceeding of any Nature or Kind whatever, shall have been commenced, or shall hereafter be commenced, in any Court whatever in any of the said Colonies, Plantations, Islands or Territories respectively, touching the Force and Effect of any Register granted to any Ship or Vessel upon a Representation made to any such Governor, Lieutenant Governor, or Commander in Chief, to cause all Proceedings thereon to be stayed if he shall see just Cause so to do, until His Majesty's Pleasure shall be known and certified to him by His Majesty, by and with the Advice of His Majesty's Privy Council; and such Governor, Lieutenant Governor or Commander in Chief, is hereby required to transmit to One of His Majesty's Principal Secretaries of State, to be laid before His Majesty in Council, an authenticated Copy of the Proceedings in every such Case, together with his Reasons for causing the same to be stayed, and such Documents (properly verified) as he may judge necessary for the Information of His Majesty.

and transmit to Secretary of State authenticated Copy of Proceedings.

Making false Oath, Perjury.

XLVII. And be it further enacted, That if any Person or Persons shall falsely make Oath to any of the Matters hereinbefore required to be so verified, such Person or Persons shall suffer the like Pains and Penalties as are incurred by Persons committing wilful and corrupt Perjury; and that if any Person or Persons shall counterfeit, erase, alter or falsify any Certificate or other Instrument in Writing, required or directed to be obtained, granted or produced by this Act, or shall knowingly or wilfully make use of any Certificate or other Instrument so counterfeited, erased, altered or falsified, or shall wilfully grant such Certificate or other Instrument in Writing, knowing it to be false, such Person or Persons shall, for every such Offence, forfeit the Sum of Five hundred Pounds.

Falsifying Documents.

Penalty 500l.
How Penalties recovered,

XLVIII. And be it further enacted, That all the Penalties and Forfeitures inflicted and incurred by this Act shall and may be sued for, prosecuted and recovered in such Courts, and be disposed of in such Manner, and by such Ways, Means and Methods, as any Penalties or Forfeitures inflicted, or which may be incurred for any Offence committed against the Laws of Customs, may now legally be sued for, prosecuted, recovered and disposed of; and that the Officer or Officers concerned in Seizures or Prosecutions

and Officers Shares of Seizures, &c.

under this Act shall be entitled to and receive the same Share of the Produce arising from such Seizures, as in the Case of Seizures for unlawful Importation, and to such Share of the Produce arising from any pecuniary Fine or Penalty for any Offence against this Act, as any Officer or Officers is or are now by any Law or Regulation entitled to upon Prosecutions for pecuniary Penalties.

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

Act may be altered, &c. this Session.

[Ships registered in India pursuant to this Act to have Privileges to which other Vessels are entitled. See Cap. 80. ante, § 19.]

C A P. XLII.

An Act to amend the several Acts for the Assistance of Trade and Manufactures, and the Support of Commercial Credit, in Ireland.

[27th June 1823.]

WHEREAS by an Act made in the last Session of Parliament, intituled *An Act to amend an Act made in this present Session of Parliament, for amending an Act made in the First Year of His present Majesty's Reign, for the Assistance of Trade and Manufactures in Ireland, by authorizing the Advance of certain Sums for the Support of Commercial Credit there;* it is, amongst other Things, enacted, that it should be lawful for the Commissioners for the Execution of the said Acts to require and take Security for the Repayment of any Loan granted under the said Acts, by Mortgages or Assignments of, or other competent Assurances upon the Freehold or Leasehold Estate or Estates of any Principal or Surety; and that all such Mortgages, Assignments, or other Real Securities, should be respectively granted and made to and vested in such Commissioners for the Time being: And Whereas it is expedient to make further Provision with respect to such Mortgages and Securities, 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 in all Cases in which any Mortgage or Assignment of, or any Assurance upon any Freehold or Leasehold Estate has been or shall be made to or vested in the Commissioners for the Execution of the said Acts for the Time being, under or by virtue of the said recited Act of the last Session of Parliament, the Mortgagor or Mortgagors, or other Person or Persons making such Mortgage, Assignment or Assurance, shall continue liable to the Payment of all Rents and other Charges issuing or payable, or charged or chargeable out of or upon the Estate or Estates so mortgaged, assigned or assured, so long as such Mortgagor or Mortgagors, or other Person or Persons, shall be allowed to remain in Possession of such Estate or Estates, and the Receipt of the Rents and Profits thereof, and until such Estate or Estates shall be taken Possession of, and the Rents and Profits thereof shall be actually received by or for the Use of the said Commissioners; and

3G.4. c.118.

§ 6.

Mortgagors of Estates vested in Commissioners under recited Act to continue liable to Rents and Charges thereon, so long as they are allowed to hold Possession.

and that until Possession of such Estate or Estates, and of the Rents and Profits thereof, shall be actually taken and had by or on Behalf of the said Commissioners for the Time being, such Commissioners shall not be subject or liable to the Payment of any Rents or other Charges whatsoever, issuing or payable, or charged or chargeable out of or upon any such Estate or Estates; and that such Commissioners now or for the Time being, nor any of them, shall not in any Case be or become personally or individually responsible for or liable to the Payment of any Rents or other Charges whatsoever issuing or payable as aforesaid, by reason of their acting as such Commissioners only, and not having any personal or private Interest in any such Estate or Estates; any thing in the said recited Acts, or any of them, or any Act, Law, Usage or Custom to the contrary in any wise notwithstanding.

Commissioners
not to be per-
sonally liable.

1 G. 4. c. 39.

After Payment
of Arrears of
Interest at 6l.
per Cent. under
recited Act, and
Certificate
thereof granted
by the Com-
missioners, the
Loans shall
bear only 5l.
per Cent. in
future.

‘ II. And Whereas in Cases in which Loans have been advanced by the said Commissioners under the said recited Act of the First Year of His present Majesty’s Reign, or of some Act for amending the same, the Repayment thereof has been stipulated for, with Interest at the Rate of Six Pounds *per Centum per Annum*: And Whereas it may be expedient to reduce the Rate of Interest to the Rate of Five Pounds *per Centum per Annum*, (being the Rate directed to be taken on all Loans advanced from and after the passing and under the Authority of the said hereinbefore recited Act of the last Session of Parliament,) upon the Terms and subject to the Conditions hereafter mentioned;’ Be it therefore further enacted, That any Parties or Persons to whom any Loan or Loans have been advanced under the Provisions of the said recited Act of the First Year of His present Majesty’s Reign, or of any Act for amending the same, repayable with Interest at the Rate of Six Pounds *per Centum per Annum*, and who shall pay, or cause to be paid, all Arrears of Principal and Interest which may have accrued due on the Loan or Loans advanced to them respectively, (according to the Provisions of the several Securities, or according to any Conditions of Extension entered into by them respectively,) on the Day of Payment named in their respective Securities or Conditions of Extension, and which may follow next after the passing of this Act, or on any subsequent Day of Payment named in such Securities or Conditions of Extension respectively, shall, from and after the Payment of such Arrears of Principal and Interest, be entitled to receive a Certificate under the Hands of any Three or more of the said Commissioners for the Execution of the said recited Acts, and which Certificate the said Commissioners are hereby authorized and empowered to grant, certifying such Payment, and which Certificate shall bear Date on the Day of such Payment, and shall be in such Form as the said Commissioners may direct; and from and after the Date of such Certificate, and by virtue thereof, the Parties or Persons receiving the same shall be chargeable only, except as hereinafter mentioned, with Interest at the Rate of Five Pounds *per Centum per Annum* on the Loan or Loans advanced to them respectively, or such Part thereof as may remain unpaid, and shall, on the future Payment of Interest at the Rate of Five Pounds *per Centum per Annum*, except as aforesaid, on such Loan
or

or Loans, or the Part thereof remaining unpaid as aforesaid, be entitled to receive such and the like Acquittances and Discharges in all respects as if such Parties or Persons respectively had continued to pay Interest at the Rate of Six Pounds *per Centum per Annum*, according to the Provisions of their several Securities and the said several Acts; any thing contained in the Securities given by the said Parties or Persons respectively to the said Commissioners under the said several Acts or any of them, or any thing in the said several Acts or any of them contained, except as aforesaid, to the contrary in anywise notwithstanding.

III. Provided nevertheless, and be it further enacted, That in case it shall happen that any Parties or Persons, who may obtain a Reduction of the Rate of Interest so payable by them respectively in manner aforesaid, shall, after such Reduction made, and such Certificate granted as last aforesaid, make Default in all or any of the Instalments which may thenceforth become due on their respective Loans, so as to render it necessary for the Commissioners for the Execution of the said several Acts to put in force any of the Provisions made by the said several Acts, or any of them, for the Recovery and Receipt of any Loans or Advances made in pursuance thereof; then and in every such Case it shall be lawful for such Commissioners, and they are hereby required to proceed against the Parties or Persons respectively so making such Default in manner provided by the said several Acts, for the whole or any Part of the Loan due from them respectively, together with Interest at the Rate of Six Pounds *per Centum per Annum* from the happening of such Default, and in such and the like manner in all respects as if no such Certificate had been granted as last aforesaid, and as if this Act had not been made; any thing herein contained to the contrary thereof in anywise notwithstanding.

IV. And be it further enacted, That from and after the Expiration of One Calendar Month next after the passing of this Act, no further Loan or Loans, or Sum or Sums of Money, shall be advanced for the Support of Commercial Credit in *Ireland*, under the said recited Acts, or any of them, any thing in the said recited Acts, or any of them, or in this Act, to the contrary in anywise notwithstanding; and that from and after the Expiration of the said Calendar Month next after the passing of this Act, so much and such Part of the Sum of Five hundred thousand Pounds, authorized to be advanced under the said recited Acts, or any of them, as shall not have been advanced for the Purposes of the said recited Act, (but not exceeding the Sum of One hundred thousand Pounds in the Whole,) shall and may be advanced under the Direction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for furthering the Purposes of an Act made in the Fifty seventh Year of the Reign of His late Majesty King *George* the Third, for authorizing the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, for the carrying on of Public Works and Fisheries in the United Kingdom, or of any Act or Acts for amending the same, either upon Loans or in Aid of any Presentment made by any Grand Jury in *Ireland*, for any new Line of Road, or for altering the Line or any Part of the Line of any Turnpike Road,

In case of Default in future Payments, Commissioners may proceed against Defaulters, and recover 6l. per Cent.

After One Month after the passing of this Act, no further Loan shall be advanced for Support of Commercial Credit in *Ireland*.

Balance of Grant how to be applied.

57 G.3. cc.34.
124.

or

or towards the Erection, or in Completion of any Harbour, Canal, Railway or any other Public Work under the Provisions of an Act made in the First Year of His present Majesty's Reign, for amending the said Act of the Fifty seventh Year of His late Majesty's Reign, and under any other Acts for the Advance of Money for carrying on Public Works, and for other Purposes, so far as the said Acts relate to *Ireland*.

1 G.4. c.81.

Presentments
may be levied
by Instalments.

V. Provided always, and be it enacted, That whenever any Presentment shall be made by any Grand Jury for any Road or other Public Work under the said recited Act of the First Year of His present Majesty's Reign, it shall and may be lawful for such Grand Jury to direct that the Amount of such Presentment shall be levied by such and so many Instalments as to such Grand Jury shall seem fit and proper; and in such Case it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the time being, to direct by his or their Warrant, if he or they shall so think fit, that a Sum equal to every such Instalment respectively shall be paid in Aid of any such Road, or other Public Work, as soon as it shall be ascertained and certified (in manner directed by the said recited Act) that the Amount of each Instalment hath been well and *bonâ fide* expended on and upon and towards the Execution or Completion of the Road or Work mentioned in such Presentment, or any Part or Parts thereof, in like manner and under such Rules and Regulations as are contained in the said recited Act with respect to any Sums, or any Part of any Sums, by the said Act authorized to be advanced or paid under the Orders and Directions of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*.

1 G.4. c.39.
When Estimates of Public Works are approved of, Lord Lieutenant may direct a Proportion of such Estimate to be paid in Aid thereof.

VI. And be it further enacted, That whenever the Plan and Estimate of any Harbour, Canal, Railway or other Public Work shall have been approved of and laid before the Commissioners for the Execution of the said Act of the First Year of His present Majesty's Reign, and certified by the said Commissioners to the Lord Lieutenant, in manner required by the said recited Act, it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, to direct by his or their Warrant, if he or they shall think fit, that a Sum equal to One Eighth Part of the Amount of such Estimate shall be paid in Aid of such Harbour, Canal, Railway or Public Work, as soon as it shall be ascertained in manner required by the said Act, that One Fourth Part of the Amount of such Estimate hath been well and *bonâ fide* expended in, upon and towards the Execution and Completion of the Work mentioned in such Estimate, in like manner and under all such Rules and Regulations as are mentioned in the said recited Act with respect to the Advancement of a Sum equal to the Moiety of such Estimate, or any Part of such Moiety.

C A P. XLIII.

An Act to regulate the Amount of Presentments by Grand Juries, for Payment of the Public Officers of the several Counties in *Ireland*. [27th June 1823.]

WHEREAS various Acts of Parliament have been from time to time passed, and are in force in *Ireland*, with respect to the Compensations to be granted by Presentments of Grand Juries, to the several Public Officers of Counties, Counties of Cities, and Counties of Towns in *Ireland*; under which the Amount of the Payments to such Public Officers are in some Instances uncertain, and in others have been found to be burthensome; and it is expedient that such Payments should in future be regulated 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 all Clerks of the Crown, Clerks of the Peace, Secretaries to Grand Juries, Sheriffs, Medical Officers of Prisons and all other Officers and Persons mentioned and specified in the Table to this Act annexed, for the Payment or Remuneration of whose Duties, Salaries or Expences any Presentment or Presentments is or are required to be made by Grand Juries, under any Act or Acts in force at the Time of the passing of this Act, shall from and after the passing of this Act be paid and remunerated for all such Duties, Services and Expences, by Annual Salaries only, payable Half Yearly at each several Assizes, by equal Moieties, and according to the Amount mentioned in the Table of Classification of Counties and Salaries of County Officers annexed to this Act; and that from and after the passing of this Act it shall not be lawful for any Grand Jury of any County, County of a City, or County of a Town, in any case to make Presentment of any Sum or Sums for any such Officer at the several Assizes to be held in any One Year in any such County, County of a City or County of a Town, other than the Amount of the Annual Salary payable to any such Officer under and by virtue of this Act; and that such Sum or Sums so presented, not exceeding in the whole such Annual Sum so respectively specified and set forth in such Table, shall be in full and complete Satisfaction and Remuneration for all Duties and Services to be done and performed, and for all Expences to be incurred by such Officers in the Execution of their several Offices, for which any Presentment may lawfully be made by any Grand Jury, under any Act or Acts in force immediately before the passing of this Act; any thing in any such Act or Acts, or any Law, Usage or Custom to the contrary in anywise notwithstanding.

II. Provided always, and be it enacted, That in case of any insufficient Discharge or Neglect of Duty by any such Officer or Officers, it shall and may be lawful for any Grand Jury of any County, County of a City or County of a Town in *Ireland*, at the several Assizes in any One Year, with the express Sanction of the Court, and not otherwise, to present any Sum or Sums, less in the whole than the Amount of the Annual Salary specified in the said Table, to be paid to any Officer or Officers in the said Table mentioned;

Certain Public Officers to be paid by Annual Salaries, as set forth in Table annexed.

Amount of such Annual Salary only to be presented;

and to be a Satisfaction for all Services and Expences.

Officers neglecting, Juries may make Presentments of Sums less than Annual Salaries, or refuse Presentments.

mentioned; and also to withhold and refuse to make any Presentment whatever, at any Assizes, for any such Officer or Officers, as shall seem fit to such Grand Jury in their Discretion, under the express Sanction of the Court, and not otherwise.

Additional Presentment in Cases of Special Commission or adjourned Assizes.

III. And be it further enacted, That in any County wherein a special Commission or adjourned Assize shall be held for the Trial of Offenders, the several Grand Juries at the Assizes next immediately ensuing shall, subject to the Provisions of this Act, make a further Presentment for the Clerks of the Crown, Sheriffs and Judges' Crier, equal to One Half of the Salary to which such Officers would have been entitled for One Year's Duty under this Act.

Affidavit of Emoluments to be made by Clerk of the Crown and Clerk of the Peace.

IV. And be it further enacted, That before any Clerk of the Crown or Clerk of the Peace shall be entitled to receive such Salary as is specified in the Schedule to this Act annexed, he shall, at each and every Assize after the next Summer Assizes, lay before the respective Grand Juries an Account verified on Oath, and sworn and read in open Court, setting forth the Total Amount of his Fees and other Emoluments, and distinguishing the several Sums paid and received under each separate Head of Service, and the Rates of Fees or Remunerations received on each.

Secretaries to Grand Juries to furnish Stationery.

V. And be it further enacted, That the Presentments to be made under this Act for the Secretaries to the several Grand Juries shall be in full Acquittance of all Demands to be made by such Secretaries for Stationery, which such Secretaries shall be bound to furnish to the several Grand Juries without further Charge, not however including the Expence of Printing, as regulated by Law.

Salaries in lieu of Fees presented for Gaolers, &c.

VI. And be it further enacted, That from and after the passing of this Act the several Grand Juries as aforesaid shall make Provision in Place of and as a Compensation for Fees, by way of Salary, and not otherwise, for the Keepers of Gaols, Penitentiaries and Bridewells, and Matrons and Turnkeys employed therein, within the several Counties, Counties of Cities and Counties of Towns specified in the Schedule annexed to this Act.

60 G. 3. & 1 G. 4. c. 11. § 34. repealed.

VII. And Whereas by an Act made in the First Year of His present Majesty's Reign, intituled *An Act for the better Regulation of Polls, and for making further Provisions touching the Election of Members to serve in Parliament for Ireland*, it was enacted, that it shall and may be lawful for the Grand Jury of every County, County of a Town, or County of a City, at every Spring Assizes, to present such Sum or Sums of Money as should be a proper Remuneration to the Clerk of the Peace for the Expence of printing the Registry Books of each such County; Be it therefore further enacted, That so much of the said Act shall be and is hereby repealed; and that it shall and may be lawful for the Grand Jury of every County, County of a Town and County of a City in *Ireland*, at every Spring Assizes, and they are hereby required, authorized and empowered, to present such Sum or Sums of Money as may be necessary to defray the Expence of printing the Registry Books in the Manner described in the said Act, to the Person or Persons who shall print the same, according to the Agreement entered into between such

Presentment for Expence of printing Registry Books under recited Act to Persons printing the same.

such Person or Persons and the Clerk of the Peace of any such County, in pursuance to the Provisions of the said Act.

VIII. And Whereas it is expedient that Provision should be made for the Payment of Coroners in manner hereinafter mentioned; 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 County in *Ireland*, at every Assizes or Presenting Term, to present any Sum not exceeding Five Guineas for each and every Inquest which any and every Coroner within such County (not exceeding the Number of Coroners specified in the Schedule to this Act annexed) shall have held upon the Body of any Person at any Time since the then last preceding Assizes or presenting Term; provided that no greater Sum than Thirty Guineas shall be presented at any one Assizes or Presenting Term as aforesaid, for the Remuneration of any one Coroner, in respect of all the Inquests which shall have been held within the County by such Coroner, since the then last preceding Assizes or Presenting Term; and that such Presentments shall be in lieu of the Presentments authorized by an Act made in the First Year of the Reign of His present Majesty, intituled *An Act to repeal an Act made in the Fiftieth Year of the Reign of His late Majesty, for regulating the Fees of Coroners in Ireland upon holding Inquisitions, and to make other Provisions for that Purpose*; and that all Sums so presented shall be levied and paid in such Manner, and under such Conditions, as are directed by the said recited Act with respect to the Presentments authorized by the said Act, and the Provisions of the said recited Act (except only so far as the same are altered by this Act) shall be applied to Presentments to be made for Coroners under this Act.

Coroners how to be paid.

Proviso.

1 G.4. c.28.

IX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Coroner in any County of a City in *Ireland* (who is now or shall be hereafter appointed a Coroner by virtue of the Charter of such County of a City) from receiving any Payment or Presentment to which he is entitled by virtue of any Local Acts relating to such County of a City; any thing in this Act contained to the contrary in anywise notwithstanding.

Proviso for Coroners receiving Payments under Local Acts.

X. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to repeal, alter or vary any of the Powers and Provisions contained in an Act passed in the Fifty second Year of the Reign of His late Majesty, intituled *An Act for erecting a Court House, County House or Sessions House, for the Use of the City and County of Londonderry*, so far as the same relate to the Salary payable to the Court House Keeper thereof.

Proviso for Salary of Court House Keeper of Londonderry, 53 G. 3. c. clxxxii.

XI. Provided also, and be it enacted, That nothing in this Act, or the Table thereto annexed, shall extend to the County of *Dublin*, or to the County of the City of *Dublin*.

and for Dublin;

XII. Provided always, and be it further enacted, That nothing in this Act shall be construed to alter or affect any Provisions relating to Clerks of the Peace in an Act, intituled *An Act for suppressing Insurrections and preventing Disturbances of the public Peace in Ireland*, or of any Act which may be passed for continuing the same Act.

and for 3 G.4. c.1. &c. relating to Clerks of the Peace.

TABLE

TABLE OF CLASSIFICATION OF COUNTIES, AND SALARIES OF COUNTY OFFICERS.

COUNTIES.	CLASS I.	CLASS II.	CLASS III.	CLASS IV.	COUNTY of CORK.	CITIES of Waterford, Limerick, Kilkenny, Galway.	Counties of Towns; Carrickfergus, Drogheda.	CITY of CORK.	Ist Class comprehends Tipperary, Down, Mayo, Galway, Antrim, Tyrone, Donegal, Derry, Limerick, Clare, Roscommon, Kerry, Armagh, Cavan, Monaghan, Meath.	IIId Class	IIIId Class	IVth Class	Cities and Towns; Ist Class	IIId Class
Clerks of Crown	£. 400	£. 350	£. 250	£. 200	£. 500	£. 80	£. 50	£. 200	-	-	-	-	-	-
Do. of Peace.	400	350	325	900	600	100	45	250	-	-	-	-	-	-
Secretaries to Grand Jury	220	200	150	190	350	40	90	190	-	-	-	-	-	-
Judges Criers	15	12	10	10	20	5	3	10	-	-	-	-	-	-
Do. at Sessions	20	15	12	10	30	10	6	20	-	-	-	-	-	-
Sheriffs	100	80	60	50	190	25	10	100	-	-	-	-	-	-
Court House Keeper in County Towns	15	15	10	10	20	10	10	20	-	-	-	-	-	-
Medical Officers of Prisons; viz. Physician, or Surgeon, or Apothecary; in the whole, exclusive of Bill for Medicines,	80	80	70	70	80	60	40	70	-	-	-	-	-	-
Number of Coroners not exceeding	4	3	2	2	4	—	—	—	-	-	-	-	-	-

For the Clerks of the Crown in the Towns of Youghal and Kinsale, to be presented by the Grand Jury of the County of Cork, £25.
 For the Clerks of the Peace for the Towns of Youghal and Kinsale, to be presented by the Grand Jury of the County of Cork, £25.

Note.—Whenever any Clerks of the Crown for the Counties in the First Class shall execute the Duty of his Office for more than one County of such Class, in every such Case the Salary for such Clerk of the Crown shall, for such Counties of the First Class, be presented at £350 only.

C A P. XLIV.

An Act to repeal the Duties and Drawbacks on Barilla imported into the United Kingdom, and to grant other Duties and Drawbacks in lieu thereof. [27th June 1823.]

WHEREAS it is expedient that the Duties of Customs payable upon the Importation into the United Kingdom of *Great Britain* and *Ireland* of Barilla, and the Drawbacks allowed thereon, should cease and determine; and that other Duties of Customs should be imposed and other Drawbacks allowed in lieu thereof: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Fifth Day of *July* One thousand eight hundred and twenty three (a), the several Duties of Customs payable under any Act or Acts in force immediately before the said Fifth Day of *July* One thousand eight hundred and twenty three, upon the Importation into the United Kingdom of *Great Britain* and *Ireland* of Barilla, and the several Drawbacks allowed on the Exportation of such Barilla, shall cease and determine; save and except in all Cases relating to the recovering and allowing any Arrears thereof respectively, which may at the Time of passing this Act remain unpaid or not allowed, or relating to any Fines, Penalties or Forfeitures in respect thereof, which shall have been incurred at any Time before the said Fifth Day of *July* One thousand eight hundred and twenty three.

59 G.S. c.52.

From July 5, 1823, the Duties payable on the Importation of Barilla and the Drawbacks on Exportation to cease, except Arrears, &c.

II. And be it further enacted, That from and after the Fifth Day of *July* One thousand eight hundred and twenty three, in lieu and instead of the several Duties of Customs hereby made to cease and determine, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, upon Barilla imported into the United Kingdom of *Great Britain* and *Ireland*, the several Duties of Customs as the same are respectively inserted or described and set forth in Figures in the Table to this Act annexed marked (A.); and that on the Exportation of such Barilla there shall also be paid and allowed the several Drawbacks of the several Duties of Customs as the same are also respectively inserted or described and set forth in Figures in the said Table marked (A.)

Instead of the Duties and Drawbacks repealed, those specified in Table (A.) to be paid.

III. And be it further enacted, That the Duties and Drawbacks by this Act imposed and allowed shall be under the Management of the Commissioners of the Customs, and shall be raised, levied, collected, paid, recovered and allowed in such and the like Manner, and by the same Means, Ways and Methods, as former Duties of Customs and Drawbacks of Duties of Customs upon Goods, Wares or Merchandize in general.

Under Commissioners of Customs.

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

Act may be altered, &c. this Session.

(a) [Deferred until 5th January 1824, see Cap. 57. post.]

TABLE

TABLE to which this Act refers.

TABLE (A.)			Duties.			Drawbacks.		
			£.	s.	d.	£.	s.	d.
BARILLA not containing a greater Proportion of Mineral Alkali than Twenty per Centum, in a British built Ship, the Cwt. -			—	8	6	—	4	3
in a Ship not British built, the Cwt. -			—	9	2	—	4	3
—— If containing more than Twenty per Centum and not exceeding Twenty five per Centum of such Alkali,								
in a British built Ship, the Cwt. -			—	11	3	—	5	7
in a Ship not British built, the Cwt. -			—	11	11	—	5	7
—— If containing more than Twenty five per Centum and not exceeding Thirty per Centum of such Alkali,								
in a British built Ship, the Cwt. -			—	14	6	—	7	3
in a Ship not British built, the Cwt. -			—	15	2	—	7	3
—— If containing more than Thirty per Centum and not exceeding Forty per Centum of such Alkali,								
in a British built Ship, the Cwt. -			—	18	6	—	9	3
in a Ship not British built, the Cwt. -			—	19	4	—	9	3
—— If containing more than Forty per Centum of such Alkali,								
in a British built Ship, the Cwt. -			1	2	4	—	11	3
in a Ship not British built, the Cwt. -			1	3	2	—	11	3

C A P. XLV.

An Act for allowing Persons to compound for their Assessed Taxes for the Remainder of the Periods of Composition limited by former Acts; and for giving Relief in certain Cases therein mentioned. [4th July 1825.]

1 & 2 G. 4.
c. 113.

‘ WHEREAS under and by virtue of an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to continue several Acts for the Relief of Persons compounding for their Assessed Taxes from an annual Assessment for a further Term, and to amend the Acts relating to Assessments, and Compositions of Assessed Taxes*; and of another Act passed in the Third Year of His said Majesty’s Reign, intituled *An Act to extend the Period allowed to Persons compounding for their Assessed Taxes, and to give further Relief in certain Cases therein mentioned*; all and every the Persons therein described were authorized to compound for the Duties on Houses, Windows and Lights, for the Term of Six Years, and other

3 G. 4. c. 50.

other Assessed Taxes therein enumerated for the Term of Five Years, to be respectively computed from the Fifth Day of April One thousand eight hundred and twenty two, on the Terms and Conditions, and under the Provisions contained in the said Acts, on such Persons giving the Notices of his, her or their Intention to compound, required by the said Acts, on or before certain Days, which have since elapsed: And Whereas it is expedient to extend the Provisions of the said Acts, for enabling Persons now to enter into Composition for the Remainder of the Periods therein limited, and which were unexpired on the Fifth Day of April One thousand eight hundred and twenty three, in the Manner herein provided; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall and may be lawful for any Person or Persons who shall be duly assessed to the said Rates and Duties, for the Year commencing the Fifth Day of April One thousand eight hundred and twenty three, and who shall give the Notice of their, his or her Intention to compound within the Time and in the Manner hereinafter provided, and they are hereby respectively declared to be competent to compound for the Rates and Duties assessed on their, his or her Dwelling House for the Term of Five Years, and for their, his or her other Assessed Taxes allowed to be compounded for by the said Acts, and therein particularly enumerated, for the Term of Four Years respectively, to commence from the Fifth Day of April One thousand eight hundred and twenty three, together with an additional annual Duty of One Shilling for every Twenty Shillings of the respective Amounts so assessed, and so after that Rate for any greater or lesser Sum than Twenty Shillings; and the Assessments so to be made and compounded for under this Act shall severally be and remain to the same annual Amount for the respective Periods last mentioned, to all Intents as if the said Duties had been compounded for under the said Acts.

II. And be it further enacted, That all and every Person and Persons desirous of compounding under this Act shall, on or before the First Day of September One thousand eight hundred and twenty three, deliver or cause to be delivered, free of Charge, to the Surveyors acting for the respective Districts comprizing the Parishes or Places wherein such Persons shall respectively reside, a Notice in Writing according to the Form in the Schedule to the said first mentioned Act annexed, marked Number 1, and in the Manner by the said Acts directed, declaring their, his or her Intention to compound under this Act, and which Notice shall be acted upon, observed and followed for the Purposes of Composition on a full and complete Assessment for the said Year, commencing from the Fifth Day of April One thousand eight hundred and twenty three; and the said Commissioners shall and are hereby authorized and required to contract with such Persons respectively under the Provisions in the said recited Acts and this Act respectively contained, for the Periods and in the Manner herein limited, and according to the Form of Contract

Persons may compound upon Assessments commencing 5th April 1823, in respect of Articles allowed by the former Acts.

Persons intending to compound under this Act, to give Notice required by 1 & 2 G. 4. c. 113. Sch. No. 1. on or before 1st Sept. 1823.

set forth in the Schedule to this Act annexed, *mutatis mutandis*, to all Intents as if such Notices had been delivered within the Times by the said Acts limited, and under the several Provisions thereof.

‘ III. And Whereas by reason of the Repeal of the Duties of ‘ Assessed Taxes in *Ireland*, Persons who have entered into Com- ‘ position in that Part of the United Kingdom, under the Pro- ‘ visions of the Act authorizing Compositions in *Ireland*, will, on ‘ their Removal to *Great Britain*, lose the Benefit of such ‘ Compositions in regard to any Increase of the Description of ‘ Articles so compounded for in *Ireland*; and it is expedient to ‘ give Relief to such Persons, by allowing them to compound ‘ under the Provisions of this Act, according to the Number and ‘ Extent only of the Articles compounded for in *Ireland*;’ Be it further enacted, That in every Case in which any Person or Persons so having compounded in *Ireland* shall, on the Occasion of their, his or her Residence in *Great Britain*, be desirous of retaining the Benefit of the same Contract of Composition entered into in *Ireland*, it shall be lawful for them, him or her so to do, and for that Purpose to annex to the said Notice of their, his or her Intention to compound under this Act, to be given within the Period and in Manner hereinbefore described, the original Contract of Composition entered into in *Ireland*, or a true Copy thereof, duly authenticated by the proper Officer in that behalf; and on the Receipt of such Notice and Contract, or a true Copy thereof, it shall and may be lawful for the respective Commissioners acting in the Execution of this Act in and for the District in which such Notice shall be delivered, and such Person shall reside, to make an Assessment of Duty on every such Person respectively, for the Year commencing from the Fifth Day of *April* One thousand eight hundred and twenty three, according to the Number only of the particular Articles so included in the said Contract of Composition, and which shall be deemed and taken in such Cases as a full Assessment, for the Purposes of Composition, for the like Description of Articles under this Act; and it shall thereupon be lawful for the said Commissioners to enter into a Contract of Composition with such Persons respectively, under the Provisions of this Act; and all such Compositions so to be entered into shall be of the same Force and Effect, and shall give the Person or Persons compounding the like Privileges and Advantages in respect of the same Description of Articles contained in such Composition, as would have been enjoyed under any other Contract authorized to be made by virtue of this Act: Provided nevertheless, that no such Contract so to be entered into as last aforesaid, and nothing herein contained, shall be construed to exempt any such Persons last mentioned from Assessment during the Continuance of their, his or her said Composition, by reason of their, his or her Residence in *Great Britain*, for and in respect of any Articles kept and used, and chargeable with any Duty under the said Acts, of a Description different from the Duties compounded for in *Ireland*, but such Persons respectively may, on giving Notice of their, his or her Intention in that Behalf, in the Manner hereinbefore directed, respectively compound under this Act for such other Articles, upon

Persons having compounded in *Ireland*, and coming to reside in *Great Britain*, may compound under this Act according to their former Compositions :

Composition not to exempt from Assessment for Articles of a different Description to those compounded for, but for which they may compound in One Contract.

upon and according to a full and true Return and Assessment for the same, to be made for the said Year, commencing as aforesaid, in the Manner directed by this Act in other Cases of Composition; and the whole of the Duties so to be compounded for shall and may in such Cases be included in one and the same Contract.

IV. And be it further enacted, That where any Person or Persons compounding under the said recited Acts or this Act shall have removed from the District in which such Composition shall have been entered into, to another Dwelling House and Place of Residence, and shall thereupon cease to have any Dwelling House or Place of Residence within the District in which they, he or she so compounded, the Annual Assessment payable on such Composition for the Year commencing from the Fifth Day of *April* next following such Removal, shall be transferred to the District in which such Person or Persons shall then reside; and it shall be lawful for the respective Commissioners acting in the Execution of the said Acts and of this Act, within and for the District to which such Person or Persons shall have so removed, and they are hereby required, upon receiving a Certificate thereof, and of the Amount of the Annual Assessment payable on any such Person's Contract of Composition in the former District, under the Hands of any Two of the Commissioners acting for such last mentioned District, (and which Certificate to be prepared under the Authority of the Commissioners for the Affairs of Taxes, the said Commissioners acting for the said District are hereby required to sign and cause to be delivered to the Surveyor for the same District from time to time, as soon as conveniently may be, after every such Removal,) to cause the several Amounts of the Duties and Instalments compounded for and payable from and after the Period last aforesaid, by any such Persons or Person, to be added to and charged in the Assessment of the Parish to which such Persons or Person shall have so removed, and in the Annual Duplicate of Assessment required to be made out by the said Commissioners under the said Acts for such last mentioned District; and all such Assessments and Instalments of Composition shall, when so transferred, be collected, levied and raised under the same Powers, and by the same Rules, Provisions, Ways and Means, as if the said Duties had been originally compounded for and made payable to the Collectors or Collector in the said last mentioned District, and as if the same originally formed Part of the Assessment of the Parish, Ward or Place to which the said Instalments shall have become transferred under the Authority of this Act, any thing in the said recited Acts or in any Contract contained to the contrary notwithstanding: Provided nevertheless, that nothing herein contained, notwithstanding the Transfer of the said future Instalments, shall prevent the raising and levying of all Arrears of Composition payable by the Persons last herein described, in the District from which they, he or she shall have so removed as aforesaid, or otherwise, up to the Fifth Day of *April* next following such Removal, by the same Powers and Provisions as the said Duties were recoverable before the passing of this Act; and all such future Instalments, until actually transferred to the

Where Persons compounding remove to other Districts, the Compositions may be transferred and collected in the District of actual Residence on Certificate.

All Instalments and Arrears arising within or prior to the Year of Removal to be paid in the former District.

Assessment of another Parish, Ward or Place, shall so in like Manner be raised and levied under the Provisions of the said Acts, as Part of the Assessments of the District in which such Compositions were entered into.

On Transfer of future Payments of Compositions to Assessment of Parish of Removal, Assessment therein may be discharged.

V. And be it further enacted, That in every Case when and as the future Instalments payable under any Composition shall have been transferred, and added to the Assessment of the Parish, Ward or Place, in the District to which any Person or Persons shall have removed under the Provisions last hereinbefore contained, and which shall be duly certified under the Authority of the Commissioners for the Affairs of Taxes, it shall be lawful for the Commissioners acting for the District from which the Person or Persons whose Composition shall be so transferred shall have ceased to reside, to discharge all such future Instalments so transferred, from the Assessment on the Parish, Ward or Place therewith before charged, and in the Duplicates of the said Duties to be prepared and transmitted from the said last mentioned District, under the Provisions of the said Acts.

The foregoing Provisions for Transfer of Composition to Places of Residence applied to further Removals by the same Persons during the Continuance of their Compositions.

VI. And be it further enacted, That in order to the due Collection and Payment of the Instalments on Compositions, to all Intents as Annual Assessments in the Districts in which the Persons chargeable shall reside during the Continuance of such Compositions, it shall and may be lawful for the respective Commissioners acting for any District from which any such Person shall again and from time to time remove, to observe and follow the like Provisions for transferring the Instalments due and payable on such Composition, for the Year commencing from the Fifth Day of *April* next following such Removal, to the District, Parish, Ward and Place to which such Person shall again remove, and for the Commissioners acting for the last mentioned District to add the same to the Assessment, and cause the same to be raised in such last mentioned District, by the same Ways and Means as are herein provided with respect to a first Removal; and all and every the said Provisions last herein contained, as applied to a first Removal, shall be observed, followed and applied to and upon every subsequent Removal of the same Person or Persons, as well for enforcing the Payment of all Arrears of the said Compositions, as for charging and raising the future Instalment or Instalments, as Part of the Assessment of the Parish, Ward or Place, to and in which the Person or Persons so compounding shall actually remove and reside, as for exonerating and discharging the Assessments and Duplicates for the Parish, Ward and Place from which such Person or Persons shall have so again removed.

Privileges here- in mentioned allowed to Persons having substituted and compounded for a Four Wheel Carriage in Place of a Two Wheel Carriage under c. 11. ante; and

VII. And be it further enacted, That where any Person or Persons having compounded under the said Acts for a Carriage with Two Wheels, shall have substituted a Four Wheel Carriage in lieu thereof, and have compounded for the same, and for Payment of the Difference of Duty, under the Power given for that Purpose by an Act passed in the last Session of Parliament, intituled *An Act for repealing certain of the Duties of Assessed Taxes, for reducing certain other of the said Duties, and for relieving Persons who have compounded for the same*, it shall be lawful for every such Person or Persons to have and enjoy the same

same Privileges during the Continuance of their, his or her said Contract, as they, he or she would have enjoyed under the said Acts, if they respectively had originally compounded for a Carriage with Four Wheels; and all and every Person or Persons who have or hath compounded under the said Acts, or who shall compound under this Act for a Male Servant or Male Servants, chargeable with Duty under Schedule (C.) Number 1. of an Act passed in the Fifty second Year of the Reign of His late Majesty King *George* the Third, may employ any Male Person or Male Persons, not being Servants to such Persons so compounding, as occasional Waiters, or in any of the Capacities enumerated in the said Schedule (C.) Number 1. free of any Duty, provided such respective Employments shall not exceed or extend beyond those allowed and defined by the Rules contained in the Schedule marked (C.) Number 3. of the said last mentioned Act, in respect of such Male Persons last mentioned; and all Assessments made or to be made on such Persons so compounding as last aforesaid, during the Continuance of his, her or their Composition, in respect of any such occasional Waiters or Male Persons aforesaid, shall be null and void.

VIII. And be it further enacted, That the several Persons who for the Time being shall be Commissioners for putting in Execution the Acts relating to Assessed Taxes, and the said recited Acts for compounding for the said Duties, shall be Commissioners for putting in Execution this Act, and the Powers herein referred to or contained, in all and every the respective Counties, Ridings, Divisions, Shires and Stewartries, Cities, Boroughs, Cinque Ports, Towns and Places in *Great Britain*; and the several Assessors, Collectors, Surveyors, Inspectors and Inspectors General for the Time being, appointed or to be appointed to put in Execution the said Acts, shall respectively be Assessors, Collectors, Surveyors, Inspectors and Inspectors General, to put in Execution this Act within the Limits of their respective Divisions, Districts and Places to which they are or shall be appointed; and the respective Commissioners and other Persons authorized by the said recited Acts to contract and agree for such Compositions, or to do or perform any other Matter or Thing for carrying the said recited Acts into Execution, shall severally and respectively contract and agree for the Compositions to be entered into under this Act, and do and perform all such other Matters and Things as are required to be done and performed in the Execution of this Act, within the Limits of their respective Jurisdictions; and all the Powers and Authorities given and granted to them by or under the said recited Acts, so far as they apply, and are not repugnant to the Provisions of this Act, shall and they are hereby declared to be levied and continued for and during the respective Terms herein limited, in as ample and effectual a Manner as if the same Powers and Authorities were expressly re-enacted by this Act, and shall severally be applied, construed, deemed and taken to belong to this Act, as Part thereof, in like Manner as if the same had been herein expressly given, granted, and applied by this Act; and the said Commissioners and others before mentioned are hereby empowered and required to do and perform all Things necessary for putting this Act in Execution, in the like

to Persons compounding for Male Servants, under Sch. (C.) 52 G. 3. c. 93.

Commissioners and other Officers acting under the former Composition Acts, to act in like Manner in the Execution of this Act.

and in as full and ample a Manner as they or any of them are or were or was authorized to put in Execution the said several recited Acts.

Provisions of former Composition Acts to remain in force, except as varied by this Act.

IX. And be it further enacted, That all and every the Provisions, Directions, Rules, Regulations, Methods, Clauses, Matters and Things contained in the said recited Acts, although expressly applied to the Compositions made under the said Acts, or either of them, shall severally and respectively be construed and deemed to apply to the Compositions to be entered into under this Act, and (except where other Provisions, Directions, Rules, Regulations, Methods, Clauses, Matters and Things are substituted in and by this Act,) shall severally and respectively be used and practised in ascertaining the Amount on which any Composition is to be made, and the additional Rate to be imposed thereon, and in doing and performing all other Matters and Things necessary for carrying this Act into Execution, and shall be construed, deemed, and taken to belong to this Act, as Part thereof, in like Manner as if the same were severally repeated in and expressly applied to the Provisions of this Act; and where other Provisions, Directions, Rules, Regulations, Methods, Clauses, Matters or Things are substituted by this Act, in lieu of any Provisions, Directions, Rules, Regulations, Methods, Clauses, Matters or Things contained in the said Acts, the same respectively shall be construed, used and practised in such Manner and to the like Effect in all respects, as if the said recited Acts and this Act had been incorporated, and as if this Act had expressly abrogated and made void the several Parts of the said recited Acts, in lieu whereof any Part or Parts of this Act are or is substituted.

X. And Whereas Doubts have arisen whether, under the Provisions of an Act passed in the present Session of Parliament, intituled *An Act for repealing certain of the Duties of Assessed Taxes, for reducing certain other of the said Duties, and for relieving Persons who have compounded for the same, the Duty of Three Shillings, theretofore chargeable under the Schedule marked (F.) of an Act passed in the Fifty second Year of the Reign of His late Majesty King George the Third (a), therein described, for Horses, Mares or Geldings being under the Height of Thirteen Hands, are wholly repealed, or reduced only; and it is reasonable and proper to remove such Doubts;* Be it further enacted, and it is hereby declared, That all and every the Provisions in the said Act contained, for repealing the several Duties of Three Shillings, and of Two Shillings and Ten Pence, and Two Pence, respectively, chargeable by the several Acts therein recited for and in respect of Horses, Mares, Geldings or Mules, shall be deemed and taken to extend to the Repeal of the said Duties of Three Shillings on all Horses, Mares or Geldings under the Height of Thirteen Hands in the said Schedule (F.) described; any thing in the said recited Acts contained to the contrary notwithstanding.

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

(a) [See Cap. 4. § 1. ante.]

52 G. S. c. 93.
Schedule (F.)
The Repeal of
the Duties of
3s. on Horses,
Mares and
Geldings, by
c. 11. § 2. ante,
declared to extend
to the same
Duty on
Ponies.

Act may be
altered, &c.
this Session.

The

The SCHEDULE to which this Act refers.

Form of Contract of Composition under the Act of the Fourth of George the Fourth.

		Amount of Duties.
		£. s. d.
Windows - - - No.		
Rent - - - Amount		
Total Amount of Duty - £		
Composition Duty of 5 per Cent.		
Total Amount of } - £		
Composition }		
ESTABLISHMENT.		Amount of Duties.
		£. s. d.
No.	Schedules.	
Servants - - -	C. No. 1.	
Male Persons - - -	C. No. 3.	
4 Wheel Carriages - - -	D. No. 1.	
2 Wheel Carriages - - -	D. No. 2.	
Tax Carts - - -	D. No. 4.	
Horses for riding - - -	E. No. 1.	
Race Horses - - -	E. No. 3.	
Dogs - - -	G. - - -	
Hair Powder - - -	I. - - -	
Armorial Bearings - - -	K. - - -	
Total Amount of Duties - £		
Composition Duty of 5 per Cent.		
Total Amount of Composition } - £		
for Establishment - }		
Do. - - - for House - - -		
Total Amount of } - £		
Composition }		

KNOW all Men, that we, Two of the Commissioners acting in the Execution of the Acts in relation to Assessed Taxes, for the Division of _____ in the County of _____ of _____ have contracted and agreed with _____ of _____ in the said Division in pursuance of an Act passed in the Fourth Year of George the Fourth, for the Composition of Assessed Taxes, as stated in the Margin hereof, and additional Rate; which several Amounts are to be paid to the Collectors of the said _____ or to the Collectors of any Parish or Place to which the said _____ shall remove, and to which any Part of the said Composition shall thereupon be transferred, under the Provision of the said Act, by Two Instalments; viz.

1st Instalment, on or before the Tenth Day of October:

2d Instalment, on or before the Fifth Day of April; and so yearly, during the respective Terms of Five Years and Four Years, from the Fifth Day of April One thousand eight hundred and twenty three, mentioned in the said Act.

The Condition of the above Composition is, That the above

named _____ shall duly pay or cause to be paid to the Collectors for the said Compositions, or one of them, on or before the Days above mentioned, upon Demand, the yearly Sum of _____ by Two Instalments in even Portions, taking their or his Receipt in Writing for the same, otherwise the said Composition shall be levied of the Goods and Chattels of the said _____ or sued for and recovered by any of the Ways and Means by which the Monies due on Assessments may be sued for and recovered.

Witness, _____ } Commissioners of the
 Clerk. } within Divisions.
 Witness, _____ }
 Clerk. } The Party hereto.

N. B. — With the Consent of the Commissioners, the Collector of the Parish may witness the Signature of the Party to the Contract.

C A P. XLVI.

An Act for repealing the Capital Punishments inflicted by several Acts of the Sixth and Twenty seventh Years of King *George* the Second, and of the Third, Fourth and Twenty second Years of King *George* the Third; and for providing other Punishments in lieu thereof, and in lieu of the Punishment of Frame breaking under an Act of the Twenty eighth Year of the same Reign. [4th July 1823.]

6 G.2. c.37.

‘ WHEREAS by an Act passed in the Sixth Year of the Reign
 ‘ of His late Majesty King *George* the Second, intituled *An*
 ‘ Act for making perpetual the several Acts therein mentioned, for the
 ‘ better Regulation of Juries, and for empowering the Justices of
 ‘ Session or Assizes for the Counties Palatine of Chester, Lan-
 ‘ caster and Durham, to appoint a Special Jury in Manner therein
 ‘ mentioned; and for continuing the Act for regulating the Manu-
 ‘ facture of Cloth in the West Riding of the County of York (except
 ‘ a Clause therein contained); and for continuing an Act for the
 ‘ more effectual punishing wicked and evil disposed Persons going
 ‘ armed in Disguise, and for other Purposes therein mentioned;
 ‘ and to prevent the cutting or breaking down the Bank of any
 ‘ River or any Sea Bank; and to prevent the malicious cutting off
 ‘ Hop Binds; and for continuing an Act made in the Thirteenth
 ‘ and Fourteenth Years of the Reign of King *Charles* the Second,
 ‘ for preventing Theft and Rapine upon the Northern Borders of
 ‘ England, and for reviving and continuing certain Clauses in Two
 ‘ other Acts made for the same Purpose, it is among other Things

§ 5.

‘ enacted, that if any Person or Persons shall unlawfully and
 ‘ maliciously break down or cut down the Bank or Banks of any
 ‘ River or any Sea Bank, whereby any Lands shall be overflowed
 ‘ or damaged, every Person so offending, being thereof lawfully
 ‘ convicted, shall be adjudged guilty of Felony, and shall suffer
 ‘ Death as in Cases of Felony without Benefit of Clergy: And
 ‘ Whereas by the same Act it is further enacted, that if any
 ‘ Person or Persons shall unlawfully and maliciously cut any
 ‘ Hop Binds growing on Poles in any Plantation of Hops, every
 ‘ Person or Persons so offending, being thereof lawfully con-
 ‘ victed, shall be adjudged guilty of Felony, and shall suffer Death
 ‘ as in Cases of Felony without Benefit of Clergy: And Whereas

27 G.2. c.19.

‘ by an Act passed in the Twenty seventh Year of the Reign of
 ‘ His said late Majesty, intituled *An Act for discharging the*
 ‘ Corporation of the Governor, Bailiffs and Commonalty of the
 ‘ Company of Conservators of the Great Level of the Fens, com-
 ‘ monly called Bedford Level, from a Debt due to the Duke of Bed-
 ‘ ford and Earl of Lincoln; and for enabling the Proprietors of
 ‘ Lands in the North Level, Part of the said Great Level, to
 ‘ raise Money to discharge the Proportion of the said North Level
 ‘ in the Debts of the said Corporation; and for ascertaining and
 ‘ appropriating the Taxes to be laid on the said North Level; and
 ‘ for the more effectual draining and preserving the said North
 ‘ Level, and divers Lands adjoining thereto, in the Manor of
 ‘ Crowland; it is among other Things enacted, that if any Per-

§ 49.

son

son or Persons shall maliciously cut, break down, burn, demolish or destroy any Bank, Mill, Engine, Flood Gate or Sluice, making or erecting, or made or erected, supported or maintained, for answering the Purposes specified in the said Act, every Person or Persons so offending, being thereof convicted, shall be guilty of Felony, and shall suffer Death as Felons without Benefit of Clergy: And Whereas by an Act passed in the Third Year of the Reign of His late Majesty King George the Third, intituled *An Act to empower the Commissioners or Governors of the Royal Hospital for Seamen at Greenwich, after defraying the necessary Expences thereof, to provide for such Seamen, worn out and become decrepit in the Service of their Country, who shall not be provided for within the said Hospital, and to enable them to receive such Pensions as shall be granted them by the said Commissioners or Governors in the most easy and convenient Manner, and for preventing Frauds and Abuses attending the same*, it is among other Things enacted, that whosoever willingly and knowingly shall personate or falsely assume the Name or Character of, or procure any other to personate or falsely to assume the Name and Character of any Person entitled or supposed to be entitled as an Out Pensioner to any Out Pension or Allowance of Money, from the Commissioners or Governors of the said Hospital, in order to receive the Money due or supposed to be due on such Out Pension, every such Person so offending, and being lawfully convicted of any such Offence or Offences, shall be deemed guilty of Felony, and suffer Death as a Felon without Benefit of Clergy: And Whereas it is expedient that a lesser Degree of Punishment should be provided for the several Offences created by the above 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 so much of the said recited Acts as excludes the Benefit of Clergy from Persons convicted of the Felonies thereby respectively created, shall be and the same are hereby repealed; and that from and after the passing of this Act, any Person convicted of the said Felonies, or any of them, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned only, or to be imprisoned and kept to hard Labour in the Common Gaol or House of Correction, for any Term not exceeding Seven Years.

3 G.3. c.16.

§ 6.

repealed; and
Offenders to be
liable to Trans-
portation.

II. And Whereas by an Act passed in the Fourth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for the better establishing a Manufactory of Cambricks and Lawns, or Goods of the kind usually known under those Denominations, now carrying on at Winchelsea in the County of Sussex, and for improving, regulating and extending the Manufactory of Cambricks and Lawns, or Goods of the kind usually known under those Denominations, in that Part of Great Britain called England*, Provision was made for the Capital Punishment of Persons convicted of divers Offences, in stealing, cutting and destroying Linen Yarn, Linen Cloth or Manufactures of Linen Yarn, and the Looms, Tools and Implements used therein: And

4 G.3. c.37.

§ 16.

Whereas

22 G.3. c.40.
§ 1, 2, 3.

‘ Whereas by an Act passed in the Twenty second Year of the
‘ Reign of His said late Majesty, intituled *An Act for punishing*
‘ *Persons wilfully and maliciously destroying any Woollen, Silk,*
‘ *Linen or Cotton Goods, or any Implements prepared for or used in*
‘ *the Manufacture thereof; and for repealing so much of Two Acts,*
‘ *made in the Twelfth Year of King George the First, and in the*
‘ *Sixth Year of His present Majesty, as relates to the Punishment*
‘ *of Persons destroying any Woollen or Silk Manufactures, or any*
‘ *Implements prepared for or used therein,* Provision was made for
‘ the Capital Punishment of Persons convicted of divers Offences,
‘ in destroying the Woollen, Silk, Linen and Cotton Manufactures,
‘ and the Tools, Tackle and Utensils used therein: And Whereas
‘ it is expedient to provide a lesser Degree of Punishment for
‘ such Offences, and to amend some Defects in the said Two
‘ Acts, and to incorporate therewith the Provision made by an

28 G.3. c.55.

‘ Act passed in the Twenty eighth Year of the Reign of His said
‘ late Majesty, intituled *An Act for the better and more effectual*
‘ *Protection of Stocking Frames, and the Machines or Engines an-*
‘ *nexed thereto or used therewith; and for the Punishment of*
‘ *Persons destroying or injuring of such Stocking Frames, Machines*
‘ *or Engines, and the Framework knitted Pieces, Stockings and other*
‘ *Articles and Goods used and made in the Hosiery or Framework*
‘ *knitted Manufactory; or breaking or destroying any Machinery*
‘ *contained in any Mill or Mills used or any way employed in pre-*
‘ *paring or spinning of Wool or Cotton for the Use of the Stocking*
‘ *Frame,* for the Punishment of Persons convicted of divers

§ 4.

‘ Offences, in cutting and destroying Framework knitted Pieces,
‘ Stockings and other like Articles, and breaking, destroying and
‘ damaging Frames, Machines, Engines, Tools, Instruments and
‘ Utensils used in the same Manufacture and Machinery in the
‘ said Act mentioned;’ Be it therefore further enacted, That from
and after the passing of this Act, the whole of the said recited
Act of the Twenty second Year aforesaid, except so much thereof
as repeals former Acts, and so much of the said recited Acts of
the Fourth and Twenty eighth Years aforesaid, as create Felonies,
in stealing, damaging or destroying Manufactures, Implements or
Machinery, shall be and the same are hereby repealed, save
only as to Offences committed before the passing of this Act, as to
which the said Three last recited Acts shall continue in force;
and that from and after the passing of this Act, if any Person shall
by Day or by Night break into any House, Shop or Building, or
enter by Force into any House, Shop or Building, with intent to
cut, break, destroy or damage, in the Loom or Frame, or on
any Machine or Engine, or on the Rack or Tenters, or in any
Stage, Process or Progress of Manufacture, any Woollen, Silk,
Linen or Cotton Goods, or any Goods of any one or more of those
Materials mixed with each other, or mixed with any other Ma-
terial; or to cut, break, destroy or damage any other Article of
the Woollen, Silk, Linen or Cotton Manufactures in the Loom or
Frame, or on any Machine or Engine, or on the Rack or Tenters,
or in any Stage, Process or Progress of Manufacture; or to cut,
break, destroy or damage any Warp or Shute of Woollen, Silk,
Linen or Cotton, or of any one or more of those Materials mixed
with each other, or mixed with any other Material, or any
Framework

22 G.3. c.40.
wholly repealed,
and 4 G.3.
c.37. 28 G.3.
c.55. in part
repealed.

Destroying
Woollen, Silk,
Linen or Cot-
ton Goods, &c.
in the Loom,
&c.

Framework knitted Piece, Stocking, Hose or Lace; or to burn, break, cut, destroy or damage any Loom, Frame, Machine, Engine, Rack, Tool, Tackle, Utensil, Instrument or Implement, whether fixed or moveable, prepared for or employed in carding, spinning, throwing, weaving, fulling, shearing or otherwise manufacturing or preparing any such Goods or Articles; or shall wilfully and maliciously, and without lawful Authority, cut, break, destroy or damage any such Woollen, Silk, Linen, Cotton or Mixed Goods, or Articles, in the Loom or Frame, or on any Machine or Engine, or on the Rack or Tenters, or in any Stage, Process or Progress of Manufacture; or burn, break, cut, destroy or damage any such Loom, Frame, Machine, Engine, Rack, Tool, Tackle, Utensil, Instrument or Implement as aforesaid; or counsel, procure, aid or abet the Commission of the said Offences, or of any of them; every Person so offending, being thereof lawfully convicted, shall be guilty of Felony, and shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned only, or to be imprisoned and kept to hard Labour in the Common Gaol or House of Correction, for any Term not exceeding Seven Years.

Transportation
or Imprisonment.

C A P. XLVII.

An Act for authorizing the Employment at Labour, in the Colonies, of Male Convicts under Sentence of Transportation. [4th July 1823.]

WHEREAS an Act was passed in the Fifty sixth Year of the Reign of His late Majesty King George the Third, intitled *An Act to amend several Laws relative to the Transportation of Offenders, to continue in force until the First Day of May One thousand eight hundred and twenty one*, which was, by an Act passed in the First and Second Years of His Majesty's Reign, continued for Two Years and to the End of the then next Session: And Whereas by the said first recited Act it was among other Things enacted, that it should be lawful for His Majesty, from time to time by an Order in Writing, to be notified by One of His Principal Secretaries of State, to direct the Removal of any Male Offenders who should be under Sentence of Death, but reprieved during His Majesty's Pleasure, or under Sentence or Order of Transportation, and who, having been examined by an experienced Surgeon or Apothecary, should appear to be free from any putrid or infectious Distemper, and fit to be removed from the Gaol or Prison in which such Offenders should be confined, to such Place of Confinement, within *England or Wales*, either at Land, or on board any Ship or Vessel to be provided by His Majesty in the *River Thames*, or any navigable or other River, or within the Limits of any Port or Harbour of *England or Wales*, as His Majesty should from time to time appoint, under the Management of a Superintendent and Overseer, to be appointed by His Majesty; and that every Offender who should be so removed, should continue in the said Place of Confinement, or be removed to and confined in any other such Place or Places as aforesaid, as

56 G. 3. c. 27.
§ 9.
1 & 2 G. 4.
c. 6.

His

25G.3. c.46.

His Majesty, by Order in Council, may direct Convicts to be employed in any Part of His Majesty's Dominions out of England, under a Superintendent and Overseer.

‘ His Majesty should from time to time appoint, until such Offender should be transported according to Law, or by the Expiration of the Term of such Transportation or otherwise, should be entitled to his Liberty, or until His Majesty should direct the Return of such Offender to the Gaol or Prison from which he should have been so removed; and it was further enacted, that the Superintendent or Overseer who should have the Custody of every such Offender should, during the Term of such Custody, have the same Powers over him as are incident to the Office of a Sheriff or Gaoler, and in like manner be answerable for any Escape of such Offender; and also during such Custody should see him fed and clothed, according to a Scale of Diet and Clothing to be fixed on, and notified in Writing by One of His Majesty's Principal Secretaries of State to the Superintendent, and should keep such Offender to Labour, at such Places and under such Regulations, Directions, Limitations and Restrictions, as His Majesty should from time to time, by any Order, to be directed to such Superintendent or Overseer for their Instruction, appoint: And Whereas by an Act passed in the Twenty fifth Year of the Reign of His said late Majesty, similar Provisions were made with respect to Male Offenders convicted in *Scotland*, which were by the said secondly recited Act continued for the same Term: And Whereas under the Provisions of the said Acts, many Male Convicts have been confined on board Ships or Vessels provided by His Majesty, in the River *Thames* and within the Limits of certain Ports or Harbours of *England*, and have been kept to Labour in some of His Majesty's Dock Yards, and on other Public Works of great Utility and Importance; wherefrom there have resulted not only great Advantage to the Public, but also considerable Reformation of many of the Offenders so kept to Labour: And Whereas Public Works of a similar Kind are and may hereafter be undertaken in other Parts of His Majesty's Dominions out of *England*, on which it may be expedient to employ Male Offenders convicted in *Great Britain*, being under Sentence or Order of Transportation, in the same manner as Male Offenders are employed in *England* under 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 it shall and may be lawful for His Majesty, by any Order or Orders in Council, to declare His Royal Will and Pleasure, that Male Offenders convicted in *Great Britain*, and being under Sentence or Order of Transportation, shall be kept to Labour in any Part of His Majesty's Dominions out of *England*, to be named in such Order or Orders in Council; and that whenever His Majesty's Will and Pleasure shall be so declared in Council, it shall be lawful for His Majesty, by an Order in Writing to be notified by One of His Majesty's Principal Secretaries of State, to direct the Removal and Confinement of any such Male Offender, either at Land or on board any Ship or Vessel to be provided by His Majesty, within the Limits of any Port or Harbour in that Part of His Majesty's Dominions which shall be named in such Order in Council, under the Management

Management of the Superintendant now being or hereafter to be appointed in *England*, and of an Overseer to be appointed by His Majesty for each Ship or Vessel or other Place of Confinement to be provided under this Act; and that every Offender who shall be so removed shall continue on board the Ship or Vessel or other Place of Confinement to be so provided, or any similar Ship or Vessel or other Place of Confinement to be from time to time provided by His Majesty, until His Majesty shall otherwise direct, or until the Offender shall be entitled to his Liberty.

II. And be it further enacted, That the Overseer to be appointed under this Act shall possess the same Powers and Authorities, and shall perform the same Duties, and shall be liable to the same Controul, as any Overseer appointed under the said first recited Act; provided, that the Oath thereby required to be by him taken, for verifying the Returns of Prisoners, shall be taken before a Judge or Justice of Peace of the Colony in which the Overseer shall be resident; and that the Superintendant shall make the same Reports and Returns respecting every such Offender, as respecting Offenders confined under the said first recited Act; and that every such Offender as aforesaid, confined under the Authority of this Act, shall be liable to the same Penalties and Punishments, for any Crime or Misconduct by him committed, whether on board such Ship or Vessel, or other Place of Confinement to be provided under the Authority of this Act, or on board any Ship or Vessel in which he shall be conveyed from *England*, to the Part of His Majesty's Dominions specified in any Order in Council to be made under the Authority of this Act, and for escaping from on board any of such Ships or Vessels, or other Place of Confinement, and being at large; and every Person rescuing, or attempting to rescue, or assisting in rescuing any such Offender confined under the Authority of this Act, shall be liable to the same Punishment as if such Offender had been confined under the said first recited Act.

III. And be it further enacted, That if any Suit or Action shall be prosecuted against any Person for any thing done in pursuance of this Act, such Person may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done by the Authority of this Act; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become Nonsuit, or discontinue his Action, after Issue joined, or if, upon a Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant shall recover Treble Costs, and have the like Remedy for the same as any Defendants have by Law in other Cases; and notwithstanding a Verdict shall be given to any Plaintiff in such Action or Suit as aforesaid, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be shall certify his Approbation of the Verdict.

IV. And be it further enacted, That all Actions, Suits and Prosecutions to be commenced against any Person or Persons, for any thing done in pursuance of this Act, shall be laid and tried in the Place where the Fact was committed, or if committed on the Seas, then in the County of *Middlesex*; and shall be commenced within

Overseer's Powers.

Superintendant to report.

Offender to be liable to same Penalties as under former Act.

Rescue.

In Action for executing Act. General Issue.

Treble Costs.

Limitation of Actions.

within Six Calendar Months after the Fact committed, and not otherwise.

Continuance
of Act.

V. And be it further enacted, That this Act shall continue and be in force during the Continuance of the said recited Act of the Fifty sixth Year of His late Majesty's Reign, and no longer.

C A P. XLVIII.

An Act for enabling Courts to abstain from pronouncing Sentence of Death in certain Capital Felonies.

[4th July 1823.]

‘ **W**HEREAS it is expedient that in all Cases of Felony not
‘ within the Benefit of Clergy, except Murder, the Court
‘ before which the Offender or Offenders shall be convicted shall
‘ be authorized to abstain from pronouncing Judgment of Death,
‘ whenever such Court shall be of Opinion that, under the par-
‘ ticular Circumstances of any Case, the Offender or Offenders is
‘ or are a fit and proper Subject or fit and proper Subjects to be
‘ recommended for the Royal Mercy:’ 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, whenever any
Persons shall be convicted of any Felony, except Murder, and
shall by Law be excluded the Benefit of Clergy in respect
thereof, and the Court before which such Offender shall be con-
victed shall be of Opinion that, under the particular Circumstances
of the case, such Offender is a fit and proper Subject to be re-
commended for the Royal Mercy, it shall and may be lawful for
such Court, if it shall think fit so to do, to direct the proper
Officer then being present in Court to require and ask, where-
upon such Officer shall require and ask, if such Offender hath
or knoweth any thing to say why Judgment of Death should not
be recorded against such Offender; and in case such Offender
shall not allege any Matter or Thing sufficient in Law to arrest
or bar such Judgment, the Court shall and may and is hereby
authorized to abstain from pronouncing Judgment of Death upon
such Offender; and instead of pronouncing such Judgment to
order the same to be entered of Record, and thereupon such
proper Officer as aforesaid shall and may and is hereby autho-
rized to enter Judgment of Death on Record against such Of-
fender, in the usual and accustomed Form, and in such and the
same Manner as is now used, and as if Judgment of Death
had actually been pronounced in open Court against such Of-
fender, by the Court before which such Offender shall have been
convicted.

Court may ab-
stain from pro-
nouncing Sen-
tence of Death
on Persons con-
victed of any
Felonies, ex-
cept Murder.

Record of
Judgment to
have same Ef-
fect as if pro-
nounced.

Act not to ex-
tend to Scot-
land.

II. And be it further enacted, That a Record of every such Judgment, so entered as aforesaid, shall have the like Effect to all Intents and Purposes, and be followed by all the same Consequences, as if such Judgment had actually been pronounced in open Court, and the Offender had been reprieved by the Court.

III. And be it further enacted, That nothing herein contained shall extend to that Part of the United Kingdom called *Scotland*.

C A P. XLIX.

An Act for regulating Turnpike Roads in that Part of *Great Britain* called *Scotland*. [4th July 1823.]

‘WHEREAS it is expedient that the Laws now in force for the general Regulation of Turnpike Roads in that Part of *Great Britain* called *Scotland* should be consolidated, and that further Regulations should be made in regard to the same; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, an Act passed in the Parliament of *Scotland*, in the Year of our Lord One thousand six hundred and sixty nine, intituled *Act for repairing Highways and Bridges*; and another Act passed in the Parliament of *Scotland*, in the Year of our Lord One thousand six hundred and seventy, intituled *Act concerning Highways*; and another Act passed in the Parliament of *Scotland*, in the Year of our Lord One thousand six hundred and eighty six, intituled *Additional Act anent Highways and Bridges*, and an Act passed in the Fifth Year of the Reign of His Majesty King *George* the First, intituled *An Act for amending and making more effectual the Laws for repairing the Highways, Bridges, and Ferries in that Part of Great Britain called Scotland*; and an Act passed in the Eleventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for widening the Highways in that Part of Great Britain called Scotland*; and an Act passed in the Twelfth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Regulation of Carters, Carriages and loaded Horses; and for removing Obstructions and Nuisances upon the Streets and Highways within that Part of Great Britain called Scotland*, so far as they relate to Turnpike Roads, shall be and the same are hereby repealed: Provided always, that the said recited Acts, notwithstanding hereof, shall remain in force as heretofore, as to all Roads not being Turnpike, to which they may relate.

‘II. And Whereas it is of great Importance that one uniform System should be adhered to in the Laws for regulating the Management and Maintenance of Turnpike Roads throughout that Part of *Great Britain* called *Scotland* ;’ Be it therefore enacted, That from and after the passing of this Act, all the Enactments, Provisions, Matters and Things in this Act contained, shall extend to all Acts of Parliament now in force, and to all Acts of Parliament which shall hereafter be passed for making, widening, turning, amending, repairing or maintaining any Turnpike Road in that Part of *Great Britain* called *Scotland* (save and except as to such Enactments, Provisions, Matters and Things as shall be expressly varied, altered or repealed by any such Act as shall be hereafter passed).

‘III. Provided always, and be it further enacted, That nothing in this Act contained shall extend to repeal, alter or affect the Enactments, Provisions and Regulations contained in an Act passed in the First Session of the Forty seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for*

Scotch Acts.

1669, c.16.

1670, c.9.

1686, c.8.

5 G.1. c.30.

11 G.3. c.53.

12 G.3. c.45.

Recited Acts, so far as they relate to Turnpike Roads, repealed.

Extending this Act to all Local Acts for making and repairing Turnpike Roads in Scotland.

Proviso for 47 G.3. sess.1. c.xi.

continuing the Term and enlarging the Powers of Two Acts passed in the Thirtieth and Thirty seventh Years of His present Majesty, for making and repairing certain Roads in the County of Fife, and for making and keeping in Repair several other Roads in the said County.

Qualification
of Trustees.

IV. And be it further enacted, That the Qualification of Trustees for carrying into Execution the Powers and Provisions of this Act, and of all Local Turnpike Acts of Parliament which are now in force, or which shall hereafter be in force in *Scotland*, shall be such as are or shall be enacted and contained in each such Local Turnpike Act respectively: Provided always, that no Person shall hereafter act as a Trustee in the Execution of any Act of Parliament for making, repairing or maintaining any Turnpike Road, unless (if so required by any Trustee then present) he hath taken, or shall, before he shall act as such Trustee, take and subscribe the Oath or Affirmation following, before any Two or more of the Trustees appointed or to be appointed by or in pursuance of such Act, who are hereby authorized and empowered to administer the same, in the Words or to the Effect following; (that is to say,)

Trustees to take
the following
Oath.

Oath.

‘ I do swear, [*or, being of the People called Quakers, do solemnly affirm,*] That I truly and *bonâ fide* am [*here insert the Qualification required by the Act, as the Case may be.*] ‘ So help me GOD.’
[*Or, being a Quaker, omit the Words ‘ So help me GOD.’*]

Trustees not to
act where inter-
ested, &c.

V. Provided also, and be it further enacted, That no Person appointed a Trustee by any Act for making, repairing or maintaining Turnpike Roads, shall be capable of acting as such in the Execution of any such Act, whilst he holds any Place or Employment of Profit under any such Act or this Act; or who shall be a Tacksman of the Tolls on any Turnpike Road, or of any Part thereof; and if any Person not being qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Oath hereinbefore mentioned, or being a Quaker, not having made and subscribed the Affirmation hereinbefore mentioned, if so required, shall nevertheless presume to act as a Trustee in the Execution of any such Act, (except in administering the Oath or Affirmation hereinbefore mentioned,) every such Person shall for every such Offence forfeit and pay the Sum of Twenty Pounds to any Person who shall prosecute for the same, to be recovered, with Expences, by summary Action before the Sheriff or Stewart of the Shire or Stewartry in which such Road is situated, or in the Court of Session; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Trustee in the Execution of any Act for making, repairing or maintaining Turnpike Roads; Provided nevertheless, that no Act or Proceeding touching the Execution of any such Act, which shall be done or performed by such unqualified or disqualified Person, previously to his being convicted of the Offence before mentioned, shall be thereby impeached or rendered nugatory;

Persons acting
not being quali-
fied.

Penalty 20l.

Proviso.

negatory; but all such Proceedings shall be as valid and effectual as if such Person had been duly qualified.

VI. And be it further enacted, That no Trustee appointed under any Turnpike Act, who is in the Commission of the Peace, shall be disqualified from acting as a Justice of the Peace in the Execution of any such Act, by reason of his being such Trustee.

Trustees may act as Justices.

VII. And be it further enacted, That no Lender of Money upon the Credit of the Tolls, or Assignee of any such Lender, nor any Person receiving Interest out of Tolls for any such Money lent, shall on that account only be deemed unqualified to act as a Trustee in the Execution of any such Act.

Lenders of Money not disqualified.

VIII. And be it further enacted, That the Trustees of Turnpike Roads, having met under Authority of an Act of Parliament by which they are appointed, may from time to time adjourn to meet at such Place and at such Time as the said Trustees or the major Part of them present at any Meeting shall appoint, and at all their several Meetings the Trustees shall pay and defray their own Expences; and all Orders and Determinations of the Trustees in the Execution of any such Act shall be made at Meetings to be held in pursuance thereof, and not otherwise (except in the Cases hereby otherwise particularly provided for), and that no Order or Determination shall be made, unless the major Part of the Trustees present shall concur therein; and that all Acts, Orders and Proceedings of the Trustees relating to any such Act, and all the Powers and Authorities hereby in them vested generally, shall be exercised by the major Part of the Trustees who shall be present at the respective Meetings to be held by virtue of any such Act, the whole Number present not being less than the Number directed by the Act under which such Trustees shall be appointed to be present to carry the Act into Execution; and that a Preses shall, in the first Place, be appointed at every Meeting to be held by virtue of any Turnpike Act, or of this Act, who, in case of an equal Number of Votes (including the Vote of the Preses), shall have the casting Vote; and that no Order or Determination at any Meeting of the said Trustees once made, agreed upon or entered into, shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to propose such Revocation or Alteration shall have been given at a previous Meeting holden for the same Road, and entered in the Book of Proceedings of such Meeting, and also by Two several Advertisements in some Newspaper usually circulated in the Shire or Stewartry in which such Road is situated, Ten Days at least previous to such subsequent Meeting, or by affixing such Notice for Two consecutive *Sundays* on the Church Doors of the Parish or Parishes within which such Road is situated, and on all the Toll Bars then erected upon such Road, Fourteen Days at least before such Meeting, of which Notice having been duly given, a Certificate by the Precenter or Toll Gatherer shall be sufficient Evidence.

Meetings of Trustees.

Majority to concur in all Acts.

No Order to be revoked unless Notice given.

IX. And be it further enacted, That it shall be lawful for any Two Trustees, or for the Clerk of the Trustees of any Turnpike Road, to call a General Meeting of the Trustees of such Road upon the Requisition in Writing of any Two Trustees, in which Requisition shall be stated the Purpose for which such Meeting

Two Trustees or the Clerk may call Meetings.

is called; and the Notice for calling such Meeting, in which shall be stated the Purpose thereof, shall be published Two several Times in some Newspaper usually circulated in the Shire or Stewartry in which the said Road is situated, or by affixing the same on the Toll Bars of such Road, at least Ten Days before such Meeting.

Power to name Committees.

X. And be it further enacted, That the Trustees acting under any Turnpike Act shall have Power at any General Meeting to divide the Road comprised in such Act into Districts, to name Committees of their Number, being qualified to act as Trustees under this Act and such Turnpike Act, for the more immediate Direction and Management of particular Parts of such Roads, and to give such Committees (whereof Three to be a Quorum) such Instructions and such Powers as they shall from time to time think fit and expedient.

Power to appoint Clerks, Collectors, Treasurers, &c.

XI. And be it further enacted, That it shall be lawful for the Trustees acting under any Turnpike Act, at any General Meeting, to appoint a Clerk and Treasurer, and also to appoint, if they shall think fit, a Superintendent for all or each or any Part of the Roads within their Trust, with remunerating Salaries to such Clerk, Treasurer and Superintendent, and to apportion such Salaries among the several different Roads within their Trusts; and that they shall also have Power in their District and Committee Meetings to appoint Clerks, Collectors, Treasurers, Surveyors and other Officers, with reasonable Salaries for their Trouble.

Treasurer to give Security upon entering Office.

XII. Provided always, and be it further enacted, That the Trustees of every Turnpike Road shall (unless where all the Monies collected on any such Turnpike Road shall be lodged, in an Account to be opened in the Name of the Trustees thereof, with the Bank of *Scotland*, the Royal Bank of *Scotland*, or the Bank of the *British Linen Company of Scotland*, or any of the Branches of the said Banks,) take sufficient Security from every Treasurer to be appointed by them for the Purposes of any Act of Parliament for making, repairing or maintaining any Turnpike Road, for the due and faithful Execution of his Office, before such Treasurer shall enter upon his Office; and if they shall so think proper, shall also take such Security from any other Officer to be appointed under or by virtue of this or such other Act, and shall limit the Sum beyond which he shall not retain any Money belonging to the Trustees.

Office of Treasurer and Clerk to be kept separate.

XIII. And be it further enacted, That it shall not hereafter be lawful for any Trustees or Commissioners to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of any Act or Acts of Parliament for repairing and maintaining any Turnpike Road, or the Partner of any such Clerk, to be or to hold the Offices of Clerk and Treasurer for the Purposes of such Act or Acts, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, to be the Treasurer and Clerk for the Purposes of such Act or Acts; and if any Person shall act in both the Capacities of Clerk and Treasurer, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk, in the Execution of this or any other Act, every Person shall for every such Offence

Acting jointly.

forfeit

forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall prosecute for the same, to be recovered with Expences by summary Action in the Court of Session.

Penalty 50l.

XIV. And be it further enacted, That all Orders and Proceedings of the Trustees of every Turnpike Road, together with the Names of the Trustees present at every Meeting, shall be entered in a Book to be kept by the Clerk to the said Trustees for that Purpose, and be signed by the Preses of the Meeting at which such Orders or Proceedings shall be from time to time made or had; and that such Book shall be open at all reasonable Times to the Inspection of any of the Trustees without Fee or Reward; and Extracts of such Proceedings, signed by the Clerk, shall bear Faith and be received in Evidence in the same manner as Extracts of Proceedings of Courts of Law in *Scotland*.

Orders and Proceedings to be entered in a Book.

Extracts thereof Evidence.

XV. And be it further enacted, That the Trustees of every Turnpike Road shall direct a Book to be provided and kept by their Clerk for the time being, in which Book such Clerk shall enter true and regular Accounts of all Sums of Money received and expended on account of the Road for which such Clerk shall act, and of the several Articles, Matters and Things for which such Sums of Money shall have been disbursed; and which Book shall at all reasonable Times be open to the Inspection of the said Trustees, or any Creditor on the Tolls collected and taken on the Road to which such Books relate, or any Person who shall be liable to pay any of the Tolls authorized to be taken on such Roads respectively; and the said Trustees and Creditors and other Persons, or any of them, may take Copies of the said Book or any Part thereof, without such Trustee or Creditor paying any thing for the same; and the said Book shall be produced by the said Clerk at all Meetings of the said Trustees; and in case any Clerk shall not permit or shall refuse to permit the said Trustees, Creditor or such other Person to inspect any such Book, or to take such Copies as aforesaid, or in case such Clerk shall refuse or neglect to produce such Book at any Meeting of the said Trustees, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and applied in the same manner as other Penalties are hereby directed to be recovered and applied; provided that every Person not being a Trustee or Creditor shall pay the Sum of Five Shillings to the Clerk for each such Inspection.

Books of Account to be kept, and to be open to the Inspection of Trustees and Creditors and others.

Clerk refusing Inspection, &c.

Penalty.

Persons not Trustees or Creditors to pay 5s. for Inspection.

Trustees may sue and be sued in the Name of their Clerk, &c.

XVI. And be it further enacted, That the Trustees of every Turnpike Road may sue and be sued in the Name of their Clerk or Treasurer for the time being; and that no Action to be brought or commenced by or against any Trustees of any Turnpike Road, by virtue of this or any other Act of Parliament, in the Name of their Clerk or Treasurer, shall cease by the Death or Removal of such Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees; but that the Clerk or Treasurer for the time to the said Trustees shall always be deemed to be the Pursuer or Defender (as the Case may be) in every such Action or Process: Provided always, that all Expences of Process or Proceedings so incurred by such Clerk or Treasurer shall be reimbursed and paid out of the Trust Funds of the Turnpike Road for which he shall act.

Proviso for Expences incurred by Clerk or Treasurer.

Officers to
account.

XVII. And be it further enacted, That all such Officers as shall be appointed by any Trustees of any Turnpike Road shall, as often as required by the Trustees, render and give to them, or to such Person as they shall for that Purpose appoint, a true, exact and perfect Account in Writing under their respective Hands, with the proper Vouchers, of all Monies, which they shall respectively, to the Time of rendering such Accounts, have received, paid and disbursed by virtue of this or any Turnpike Act, or for or on account or by reason of their respective Offices; and in case any Money so received by any such Officer shall remain in his Hands, the same shall be paid to the Trustees, or to such Person as they shall in Writing under their Hands authorize and empower to receive the same; and if any such Officer shall refuse or wilfully neglect to render and give such Account, or to produce and deliver up such Vouchers, or shall for the Space of Fourteen Days after being thereunto required by the said Trustees so refuse or neglect to render and give up to them, or to such Person as they shall direct or appoint, all Books, Papers, Writings, Tools, Matters and Things in his Hands, Custody or Power belonging or relating to the Road for which he shall act, then it shall be lawful for the Sheriff or Stewart, or Justices of the Peace in Quarter Sessions assembled, for the Shire or Stewartry where the Officer so refusing or neglecting shall be or reside, upon Complaint made by or on behalf of the said Trustees, to hear and determine such Complaint in a summary Way, and to cause such Money as shall appear to be due and unpaid to be levied by Pounding and Sale of the Goods and Effects of such Officer, rendering to him the Surplus (if any) of the Money remaining due, after deducting the Expences of such Pounding and Sale; and if sufficient Goods and Effects cannot be found, or if it shall appear to any such Sheriff, Stewart or Justices assembled as aforesaid, that any such Officer shall have wilfully refused to give such Account, or to deliver up all or any Books, Papers, Writings, Tools, Matters and Things in his Custody or Power, relating to the Execution of his Office, such Sheriff, Stewart or Justices shall commit him to the House of Correction or Common Gaol of the Shire or Stewartry where such Offender shall be or reside, there to remain until he shall make and give a true and perfect Account, and verify the same in Manner aforesaid, and shall produce and deliver up the Vouchers relating thereto, and shall have paid the Money (if any) remaining in his Hands as aforesaid, according to the Direction of the Trustees, or shall have compounded with the said Trustees for such Money, and paid such Composition according to their Direction, which Composition all Trustees are hereby empowered to make and receive, or until he shall deliver up such Books, Papers and Writings, Tools, Matters and Things as aforesaid, or have given Satisfaction to the Trustees concerning the same; but no such Officer, who shall be committed on account of his not having sufficient Goods and Effects as aforesaid, shall be detained in Prison by virtue of this Act for any longer Time than Six Calendar Months.

Officers neglecting, &c.

Sheriff or Quarter Sessions may hear and cause the Money due to be levied as herein mentioned;

and commit such Officer.

Length of Imprisonment.

Accounts to be annually audited.

XVIII. And be it further enacted, That the Trustees of every Turnpike Road shall, and they are hereby required, either by themselves or some Committee of their Number, annually to examine

examine the Vouchers, and audit and settle the Accounts of the respective Clerks and Treasurers appointed by them, and to examine into the State of the Revenues and Debts, distinguishing Bonded from Floating Debts, of the several Roads for which they shall act as Trustees, and to make up Abstracts of such Accounts, which Abstracts shall contain a Statement of the Revenues and Debts of the Trust, and also an Account of all Bonds given by the Trustees, and the Dates thereof; which said Abstracts of Accounts and Statements shall be signed by not less than Three of the Trustees.

XIX. And be it further enacted, That no Tacksman of Tolls, or Toll Gatherer, or other Person, except in the Cases hereinafter mentioned, who shall hold any Place of Profit under any Trustees of any Turnpike Road, shall sell any Wine, Ale, Spirituous Liquors or Provisions by Retail: Provided always, that where any Toll Bar is situated in any remote Part of the Country, and the Trustees of the Turnpike Road on which such Toll Bar is placed shall represent to the Justices of the Peace for the Shire or Stewartry in their Quarter Sessions assembled, that it will be convenient to Travellers using such Road, that such Tacksman of the Tolls or Toll Gatherer, or other Person stationed at such Toll Bar, should be licensed to sell Provisions and Ale and Spirituous Liquors by Retail, it shall be lawful for the said Justices to grant to the Tacksman, Toll Gatherer or other Person stationed at such Toll Bar, a Licence, in the Form granted by Justices to Publicans; and such Tacksman, Toll Gatherer or other Person may thereon receive the other Licences granted to Publicans by the Commissioners of Excise, which said Excise Licences the said Commissioners, or the Person by them authorized to grant the same, are hereby empowered to grant; any thing in an Act passed in the Thirty third Year of the Reign of His late Majesty, intituled *An Act for repealing the Duties on Coals, Culm and Cinders brought or carried Coastwise into Scotland, and for granting other Duties on Licences to sell certain distilled Spirituous Liquors in lieu thereof*, or in any other Act of Parliament to the contrary notwithstanding; and after obtaining such Licences, it shall be lawful for such Tacksman or Toll Gatherer, or other Person to whom the same shall be granted, to hold such Place of Profit as Tacksman or Toll Gatherer, and at the same Time to exercise the Trade of a Victualler at such Toll House, and to sell by Retail the Articles specified in such Licences, for the Time for which such Licences shall be granted; and every such Tacksman or Toll Gatherer, or other Person so obtaining such Licences, shall be subject and liable to such and the like Pains, Penalties and Forfeitures, Rules, Regulations and Restrictions, as any other Person licensed to deal in Ale or other Spirituous Liquors is or may be subject and liable to by Law.

XX. And be it further enacted, That it shall be lawful for the Trustees of Turnpike Roads to accept Subscriptions for such Sum of Money as may be requisite for the making or maintaining any particular Part of the said Roads, and for securing the Repayment thereof, with Interest, to assign the Tolls authorized to be levied on any of the said Roads; and that it shall also be lawful for the said Trustees to contract and agree with the Person subscribing

Persons holding Places (Exception) not to sell Wine, &c.

Justices may grant a Licence in certain Cases.

Form of Licence.

33 G.3. c.69.

Person licensed subject to existing Laws.

Trustees may accept of Subscriptions for making particular Parts of Roads.

Money as aforesaid, for making or maintaining the said Roads, or any particular Part thereof as aforesaid, to apply the same in making and maintaining such Parts of such Roads; and they are hereby required to lay out and apply the Money so lent for that express Purpose accordingly.

Payment of Subscriptions enforced.

XXI. And be it further enacted, That if any Person who has subscribed or shall subscribe towards the making and maintaining the Roads by any Act intended to be made and repaired, shall, after Forty Days' Notice given by any Person authorized by the said Trustees to receive and recover the Subscription Money, neglect or refuse to pay the Sum by him or her subscribed, to the Person so authorized, it shall be lawful to such Person, and he is hereby required to sue for and recover the said Subscription Money, in any Court competent in Scotland.

Power to Trustees to borrow Money.

XXII. And be it further enacted, That it shall be lawful for the Trustees of every Turnpike Road to borrow and take up at Interest, on the Credit of the Tolls arising on such Road, such Sum of Money as they shall from time to time respectively think proper, and to assign the Tolls on such Road, or any Part or Parts thereof, (the Expences of which Assigment to be paid out of the Tolls,) as a Security to any Person, or his Trustees, who shall advance such Sum of Money; which Assigment shall be in the Words or to the Effect following; (that is to say,)

Form of Assigment.

‘ BY virtue of an Act passed in the Year of the Reign of _____ intitled [*here set forth the Title of the Act or Acts*], We, a Quorum of the Trustees for executing the said Act [*or Acts*] in Consideration of the Sum of _____ Sterling advanced and paid to the Treasurer of the said Trustees, do hereby grant and assign unto *A. B.* and his Executors and Assignees, [*here specify the Matter assigned,*] to be had and holden from this _____ Day of _____ for and during the Residue of the Term for which the said Tolls are granted by the said Act, unless the said Sum of _____ with Interest after the Rate of _____ per Centum per Annum, shall be sooner paid and discharged.’

Copies thereof entered.

And Copies of such Assignations shall be entered by the Clerk to the said Trustees in the said Book of Orders and Proceedings; and it shall be lawful for all Persons respectively, to whom any Assigment of Tolls shall be made as aforesaid, or who shall be from time to time entitled to the Money thereby secured, to transfer, by Indorsation on such Assigment, his, her or their Right and Interest in and to such Assigment of Tolls, and the Principal Money and Interest thereby secured, to any other Person whomsoever; and such Assigment, with Notice to the Clerk of the said Trustees, and Entry thereof in their Books of Proceedings, shall be equivalent to and have all the Effects of an intimated Assigment as affording a Preference; and every Indorsee may in like manner indorse the same; and such Indorsation, with Notice thereof, entered as aforesaid, shall have all the Effects of an intimated Assigment, and so *toties quoties*; and all Persons to whom any such Assigment or Indorsation shall be made as aforesaid shall, in Proportion to the Sum of Money thereby

Effect thereof with Notice.

thereby secured, be Creditors on the Tolls by such Act granted, in equal Degree one with another, or in such Order as shall be agreed upon and stipulated by the said Trustees at the Time of the Advance of their respective Shares.

XXIII. And be it further enacted, That it shall also be lawful for the Trustees of every Turnpike Road to borrow on Liferent Annuity, and to assign the Toll Dues leviabie on the same to the Lender of the Money, for and during the Residue of the Term for which the said Toll Dues are granted, such Sums as they shall from time to time think proper; and it shall be lawful for the Grantee of such Annuity to transfer the same in like manner by Indorsation, which, with Notice to the Clerk, and Entry in the Books of the Trustees, shall be equivalent to an intimated Assignment as affording a Preference; and that such Indorsee shall have also Power to transfer in like manner such Annuity, and so *toties quoties* during the Life of the Grantee thereof; and that the Person claiming the Payment of the same shall be at all times bound, if so required, to produce satisfactory Proof of the said Grantee having been alive up to the Date of such Claim: Provided always, that it shall not be lawful for the Trustees to give more than Ten *per Centum* on any Sum of Money so to be borrowed by the said Trustees on Annuity, or to grant any such Annuity on any Life under Fifty.

Trustees may borrow Money on Annuity.

Annuity transferable.

Not more than 10 per Cent. No Life under 50.

XXIV. And be it enacted, That the said Trustees shall not be held or adjudged to have rendered themselves personally liable for the Repayment of any Money borrowed, or Interest thereof, by reason of having signed the said Securities, but which Securities are to be held and considered as granted upon the sole Credit and Security of the Tolls; nor shall any Trustee or Subscriber be held personally liable upon any Pretext for Payment of any Sum which he shall not have bound himself to pay personally as an Individual, independent of his Office as a Trustee under any Turnpike Act of Parliament.

Trustees not personally liable.

XXV. And be it further enacted, That it shall and may be lawful for any Proprietor or Heir of Entail in Possession of any Entailed Estate, or the Tutor or Curator of such Proprietor or Heir of Entail who may be desirous of advancing or lending any Sum or Sums of Money for the Purposes of making or maintaining any Turnpike Road, or building any Bridge on the same, to be made or built subsequent to the passing of this Act, either to bind himself personally as a Trustee of such Turnpike Road, and also to bind the succeeding Heirs of Entail for the Repayment of any such Sum or Sums, to any Person or Persons who may advance the same to the Trustees of such Turnpike Road; or to advance such Sum or Sums, and to render the same a Burden upon the said entailed Estate and the succeeding Heirs of Entail; or, having advanced such Sum or Sums, to borrow the like Sum or Sums, and to bind himself or herself, and the said Estate, and the Heirs of Entail succeeding to him or her, for the same; and all Bonds and Obligations for Money so to be advanced or borrowed and applied, shall be held to bind such Proprietors in Cases where they have personally bound themselves, and also the Heirs of Entail in such Estates, for the Repayment of such Money; and such Bonds and Obligations shall be valid and effectual

Proprietors under Entail or their Curators may burden their Estates.

Proviso as to
the extent
thereof.

effectual against the Granters of the same, and also against the Heirs of Entail succeeding to them in such entailed Estates, and such Sums shall be and continue to be a real Burden on such Estates till repaid out of the Tolls and Duties levied on such Turnpike Road: Provided always, that the Share or Proportion of such Sum or Sums of Money to be so advanced or borrowed affecting such succeeding Heirs of Entail, shall not exceed One Year's free Rent of the entailed Lands of such Proprietor, situated in each Parish respectively through which any such Turnpike Road or any Part thereof shall run, or in which any such Bridge or any Part thereof shall be built; and that the Heir of Entail in Possession of such entailed Estates shall be obliged to keep down the Interest of such Sum or Sums of Money so advanced or borrowed, but it shall not be lawful to the Creditor or Creditors in right of any such Debt, to adjudge or otherwise evict the entailed Estate for Payment thereof or any Part thereof; provided also, that it shall and may be competent to such Creditor or Creditors to prosecute such Remedy or Remedies against the Rents thereof as are given and allowed by the Law of *Scotland* to heritable Creditors.

Proprietors of
entailed Estates
and Curators,
&c. may re-
nounce
Damages.

XXVI. And be it further enacted, That it shall be in the Power of Proprietors of entailed Estates, and of all Trustees, Tutors and Curators of any Person under any legal Disability or Incapacity, to give up and renounce every Claim of Damage or otherwise, competent to them, for such Ground and Materials as any Turnpike Road may occupy or require on their respective Properties, and that such Renunciation shall be equally binding on the Heirs of such Persons.

Taking off
Horses to avoid
Payment of
Toll or Penalty.

XXVII. And be it further enacted, That if any Person shall take off or cause to be taken off any Horse or other Beast of Draught from any Coach, Chaise, Waggon, Cart or other Carriage, at or before the same shall come to any Toll Bar, and after having passed such Toll Bar shall add or put on such Horse or other Beast of Draught to such Coach, Chaise, Waggon or other Carriage, with Intent to avoid any Toll payable or Penalty imposed by this or any Turnpike Act of Parliament, every Person so offending, and being convicted thereof before the Sheriff or Stewart, or any Justice of the Peace for the Shire or Stewartry where the Offence shall be committed, upon the Oath of any credible Witness or other competent Evidence, shall forfeit and pay any Sum not exceeding Forty Shillings for each Offence.

Penalty.

Power to erect
Weighing Ma-
chines.

XXVIII. And be it further enacted, That it shall be lawful for any Turnpike Trustees to erect Weighing Machines on any convenient Part of any Turnpike Road, so as not to interrupt the travelling along the same; and to direct all Waggons, Carts or other Carriages carrying any Load, and which shall come within One hundred Yards of the said Machine, to be weighed thereat, together with the Loading thereof.

Unloading
Goods, &c. to
evade Toll.

XXIX. And be it further enacted, That if any Person shall unload or cause to be unladen any Goods, Wares or Merchandize, from any Horse or other Beast of Burden, Waggon, Cart or other Carriage, at or before the same shall come to any Toll Bar or Weighing Engine erected in pursuance of any Turnpike Act or of this Act, or shall load or lay upon such Horse or other Beast
of

of Burden, Waggon, Cart or Carriage, after the same shall have passed any such Toll Bar or Weighing Engine, any Goods, Wares or Merchandize taken or unladen from any Horse or other Beast of Burden, Waggon, Cart or other Carriage, belonging to or hired or borrowed by any Person, in order to avoid the Payment of Tolls payable for Overweight; every Person so offending as aforesaid, and being thereof lawfully convicted before the Sheriff or Stewart or any Justice of the Peace for the Shire or Stewartry where the Offence shall be committed, upon the Oath of any credible Witness, or other competent Evidence, shall forfeit and pay a Sum not exceeding Forty Shillings for each Offence.

XXX. And be it further enacted, That the Keeper of every Toll Bar where any Weighing Engine shall be erected, or any other Person appointed by the Trustees of any Turnpike Road to the Care of such Weighing Engine, shall weigh all such Waggon, Carts or other such Carriages which shall pass loaded through such Bars respectively, and which he shall believe to carry greater Weights than are allowed to pass without paying additional Toll; and if any Tollkeeper, or Person so appointed, shall knowingly permit any such Waggon, Cart or other such Carriage to pass through any such Toll Bar with greater Weights than are allowed by any Act of Parliament to be carried without Payment of additional Toll on the Road on which such Bar or Weighing Engine shall be placed without weighing the same, and receiving such additional Tolls as aforesaid, he shall for every such Offence forfeit a Sum not exceeding Five Pounds; and if the Owner or Driver of any Waggon or Cart shall refuse to allow the same to be weighed, or shall resist any Toll Keeper or Toll Gatherer in weighing the same, every Owner or Driver so offending shall forfeit and pay a Sum not exceeding Five Pounds.

XXXI. And be it further enacted, That it shall be lawful for any Trustee or Surveyor of any Turnpike Road, if he shall suspect any such Connivance or Neglect as aforesaid, to cause any Waggon, Cart or other Carriage which shall have passed through any Toll Bar where any Weighing Engine shall be erected, and shall not have passed above Two hundred Yards beyond such Toll Bar, to return to such Weighing Engine, and be there weighed with the Loading which passed through such Toll Bar, in the Presence of such Trustee or Surveyor, upon requiring the Driver thereof to drive such Carriage back to such Weighing Engine, and upon paying or tendering to him the Sum of One Shilling for so doing, which shall be returned to the Person paying the same if upon weighing such Carriage and the Loading thereof it shall be found above the Weight allowed to be carried on such Carriage without Payment of additional Toll; and if the Driver of any such Carriage, being so requested to return with his Carriage to such Weighing Engine, shall neglect or refuse so to do, he shall forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for any Peace Officer or any other Person being then present, upon such Neglect or Refusal, to drive and take such Carriage back to such Weighing Engine, in order to be weighed as aforesaid.

XXXII. Provided also, and be it further enacted, That when Two or more Turnpike Roads meet at or near the same Place, it shall

Penalty.

Duty of Tollkeeper as to weighing.

Tollkeeper neglecting to weigh, &c. and on Drivers of Waggon resisting the weighing, &c.

Penalty.

Trustees, &c. may cause Carriages to be weighed.

Driver refusing to have Goods, &c. weighed.

Penalty.

Where Turnpike Roads

shall

under different Trusts meet, Trustees may fix on a Place for Weighing Engine.

shall be lawful for the Trustees of such Turnpike Roads respectively, at a Meeting to be held for that Purpose, to fix upon some convenient Place to erect a Weighing Engine upon, which will accommodate all such Turnpike Roads, and by Agreement amongst themselves at such Meeting to proportion the Expences which may attend the making, erecting, maintaining and keeping in repair such Weighing Engine, and likewise to proportion the Money arising from Forfeitures to be incurred for Overweight at such Weighing Engine amongst all such Turnpike Roads, in such manner as to them shall appear just and reasonable.

Turning out of the Way to avoid having Carriage weighed.

XXXIII. And be it further enacted, That if the Owner or Driver of any Waggon, Cart or other Carriage, travelling on any Turnpike Road where any Weighing Engine is erected, shall drive or turn out of the same, in order to avoid having the same weighed, every such Owner or Driver, convicted of such Offence before the Sheriff or Stewart, or any Justice of the Peace for the Shire or Stewartry where such Offence shall be committed, upon the Oath of any credible Witness, or other competent Evidence, shall forfeit, if he be the Owner, any Sum not exceeding Five Pounds, and if he be the Driver and not the Owner, any Sum not exceeding Forty Shillings, upon Conviction for every such Offence.

Penalty.

Tolls upon Carriages affixed to others.

XXXIV. And be it further enacted, That where any Carriage whatsoever, with Four Wheels, shall pass through any Toll Bar affixed to any Waggon or Cart, it shall be liable to the same Toll as if it had passed through drawn by Two Horses; and in case any Carriage whatsoever, with Two Wheels only, shall pass through any Toll Bar so affixed to any Waggon or Cart as aforesaid, it shall be liable to the same Toll as it would have been if passing through and drawn by One Horse only; and where any Horse shall be fastened to, but not used in drawing any Waggon, Cart or other Carriage, such Horse shall not be liable to a higher Toll than a single Horse laden or unladen, as the Case may be.

Royal Family exempt from Tolls.

XXXV. And be it further enacted, That no Toll shall be demanded or taken on any Turnpike Road for any Horses or Carriages attending His Majesty or any of the Royal Family, or returning therefrom.

Exemptions from Tolls.

XXXVI. And be it further enacted, That no Toll shall be demanded or taken at any Toll Bar from any Person for any Horse or other Beast of Draught, or for any Waggon, Cart or other Carriage, employed in carrying or conveying, or going empty to fetch, carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Materials for making or maintaining any Turnpike Road or Highway, or for building, rebuilding or repairing any Bridge or Toll House on any Turnpike Road or Highway; or for any Horse or other Beast of Draught, or Carriage employed in carrying or conveying, having been employed only in carrying or conveying on the same Day, on the Turnpike Road on which such Gate is placed, any Ploughs, Harrows or other Implements of Husbandry, (unless laden also with some other Thing not hereby exempted from Toll), or any Hay, Straw or Dung, Fodder for Cattle, and Corn in the Straw, or other Produce of such Farm, from one Part of any Farm to another; or for any Horses or other Beasts of Husbandry

Materials for Roads and Bridges.

Implements of Husbandry, and Produce.

(Exception.)

Husbandry going to or returning from Plough or Harrow, or to or from Pasture or Watering Place, or going to be or returning from being shod or farried at their usual Smithy; or from any Person going to or returning from his, her or their usual Place of Religious Worship tolerated by Law, on *Sundays*, or on any Day on which Divine Service is by Authority ordered to be celebrated; nor from any Clergyman going to or returning from visiting any sick Parishioner, or on other his parochial Duty within his Parish; nor shall any Toll be exacted within the Parish from any Person attending or returning from having attended the Funeral of any Person who shall die and be buried within the Parish; or for any Horse or other Beast of Draught, Waggon, Cart or other Carriage, employed only in carrying or conveying Criminals or Vagrants sent by Warrants or legal Passes, or returning empty after having been so employed; or for any Horse or other Beast of Draught or Burden, or Carriage of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses, under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching or guarding such Mails or Expresses, or in returning back from conveying the same, except in so far as such Horse or other Beast of Draught or Carriage are specially made liable to the Payment of Tolls and Duties by virtue of an Act made in the Fifty third Year of the Reign of His late Majesty King George the Third, intituled *An Act to repeal the Exemption from Toll granted for or in respect of Carriages with more than Two Wheels carrying the Mail in Scotland; and for granting a Rate for Postage as an Indemnity for the Loss which may arise to the Revenue of the Post Office from the Payment of such Tolls*; nor shall any Toll be demanded or taken for the Horse of any Officers or Soldiers on their March or on Duty, or for any Horse or other Beast, or any Waggon, Cart or other Carriage, employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying any sick, wounded or disabled Officers or Soldiers; or for any Waggon, Cart or other Carriage whatsoever, nor for any Horse or other Beast of Draught drawing the same, employed in conveying any Ordnance, or Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning empty from having been so employed; or for any Carriage conveying Volunteer Infantry, or for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exercise, Inspection or Review, or on other Public Duty, provided that such Person shall be dressed in the Uniform of his Corps, and shall have his Arms, Furniture and Accoutrements according to the Regulations of such Corps at the Time of claiming the Exemption; or for any Horses or Carriages which shall only cross any Turnpike Road, or shall not pass above One hundred Yards thereon: Provided always, that if any Person shall, by any fraudulent or colusive

Horses going to or from ploughing, &c.

Going, &c. to Church.

Clergymen.

Funerals, Conveying Vagrants, &c.

Letters and Mails with Expresses.

53 G.3. c.68.

Horses on Military Duty, &c.

Waggons, &c. conveying Ordnance, &c.

Yeomanry, Volunteers, &c.

Horses crossing or not travelling above 100 Yards on Road.

Evasion.

Penalty.

Proviso for
existing Leases
of Tolls.

Carriages con-
veying King's
Stores, &c. ex-
empt from Pe-
nalties for Over-
weight.

Post Horses
having passed
through any
Gate, may re-
turn Toll free
before Nine in
the Morning of
the following
Day.

Horses having
passed through
a Gate and re-
turning draw-
ing a Carriage,
the Toll paid on
the Horses to
be deducted.

lusive Means whatsoever, claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall forfeit and pay a Sum not exceeding Five Pounds, which shall be applied to the Use of such Road; and in all Cases the Proof of Exemption shall be upon the Person claiming the same: Provided also, that nothing herein contained shall affect the Exemptions in any Lease of Tolls executed under any Local Act, prior to the passing of this Act, in such Cases where Tolls have been let, subject to fewer or less Exemptions than the Exemptions hereby granted.

XXXVII. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Cart or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, or Barrack, or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any additional Toll, Penalty or Forfeiture for Overweight; nor shall any such Waggon, Cart or other Carriage, or the Horse or Horses drawing the same, while so employed, be stopped or detained by reason of any Weight in any such Waggon, Cart or other Carriage, or of being drawn by any Number of Horses or other Beasts of Draught; but it shall be lawful for the Owner or Driver of any such Waggon, Cart or other Carriage, to put any Number of Horses or other Beasts of Draught to such Waggon, Cart or other Carriage; any thing in any Act or Acts of Parliament relating to Turnpike Roads to the contrary notwithstanding.

XXXVIII. And be it further enacted, That all Horses travelling for Hire under the Post Horse Duties Acts, having passed through any Turnpike Gate erected or to be erected on any Turnpike Road drawing any Carriage in respect of which any Toll shall have been paid, on returning through the Turnpike Gate at which the Toll shall have been paid, and the other Gates (if any) cleared by such Payment, either without such Carriage, or drawing such Carriage, the same being empty, and without a Ticket denoting a fresh Hiring, shall be permitted to pass Toll free, although such Horses or Carriage shall not have passed through such Turnpike Road on the same Day; provided that such Horses so travelling shall return before Nine of the Clock of the Morning succeeding the Day on which they first passed the Turnpike Gate at which the Toll shall have been paid.

XXXIX. And be it further enacted, That where any Horse or Horses as last aforesaid shall pass through any Turnpike Gate on any Road not drawing any Carriage, and a Toll shall be paid on such Horse or Horses at such Turnpike Gate, and the same Horse or Horses shall return drawing any Carriage on the same Day, or before Nine of the Clock of the Morning succeeding the Day on which they first passed such Gate, the Toll paid on such Horse or Horses on their originally passing shall be deducted from the Toll payable on the same when drawing the Carriage to which they shall be attached on their Return, so that no higher Toll shall on the whole be taken than if such Horse or Horses had in the first place passed through such Turnpike Gate drawing the said Carriage.

XL. And

XL. And be it further enacted, That the Tolls made payable by any local Turnpike Act shall be paid for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, Diligence, Van, Caravan or Stage Waggon or other Stage Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads, or any of them.

Stage Coaches, &c. to pay for every Time of passing.

XLI. Provided also, and be it further enacted, That the Tolls made payable by any local Turnpike Act shall be paid for and in respect of all Horses or Beasts of Draught let out to Hire, and drawing any Post Chaise or other Carriage, every Time of passing along the said Roads, or any of them, whenever any new Hiring thereof shall take place, and a Ticket denoting such Hiring shall be produced.

Horses hired drawing Post Chaises, &c. subject to Toll each new Hiring.

XLII. And be it further enacted, That the Trustees of every Turnpike Road shall put up and continue at every Toll Bar a printed Schedule or Table, containing the Name of the Toll Bar where the same shall be affixed, with a List of the Tolls payable at every such Bar, and also the Name of any other Bar which shall be cleared by the Payment of Toll at the Bar where such Table of Tolls shall be affixed; and shall provide Tickets denoting the Payment of Toll, and mentioning the Bar so cleared, one of which Tickets shall be delivered to the Person paying the Toll, and which shall also have printed or written thereon the Day of the Month on which the same is delivered; and on the Production of such Ticket at any Bar cleared by the Payment of the Toll at the Bar where such Ticket was delivered, the Person producing the same shall pass through such Bar without paying any additional Toll: Provided always, that if no such Schedule or Table as aforesaid shall be put up and continued at any Toll Bar, it shall not be lawful to collect any Toll at such Toll Bar.

Trustees to put up a Table of the Tolls at every Toll Bar; or no Toll to be collected.

XLIII. And be it further enacted, That if any Person subject to the Payment of any Toll under and by virtue of any Act of Parliament for making or maintaining any Turnpike Road, shall, after Demand thereof made, wilfully neglect or refuse to pay the same, it shall be lawful for the Person authorized to collect such Tolls, taking such Assistance as shall be necessary, to seize and poind any Horse, Beast, Cattle, Carriage or other Thing, upon or in respect of which any such Toll is imposed, or any Carriage in respect of the Horses or other Beasts of Draught drawing the Carriage on which such Toll is imposed, or any of the Goods or Effects of the Person so neglecting or refusing to pay (except the Bridle or Reins of any Horse or other Beast separate from the Horse or Beast); and if the Toll, or any Part thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure and Poining, shall not be paid within the Space of Four Days next after such Seizure and Poining, the Person so seizing and poinding may, with the Authority of the Sheriff, Stewart or any Justice of the Peace for the Shire or Stewartry, who are hereby empowered to grant such Authority, sell by public Roup any Horse, Beast, Cattle, Carriage or Thing so seized and poinded, or a sufficient Part thereof, returning the Surplus of the Money (if any) arising from such Sale, and what shall remain unsold, to the Owner thereof, after such Tolls, and the reasonable

For Recovery of Tolls.

Seizure of Horses, Carriages, &c. by Toll Gatherer.

Sale by public Roup.

reasonable Charges occasioned by such Seizure, Poinding and Sale, shall be deducted.

For settling
Disputes con-
cerning Tolls.

XLIV. And be it further enacted, That if any Dispute shall arise about the Amount of the Tolls due, or the Expences of keeping or selling any Articles poinded for Nonpayment of any Tolls, it shall be lawful for the Toll Gatherer, or the Person poinding, to retain such Articles, or the Money arising from the Sale thereof (as the Case may be), until the Amount of the Tolls due, and the Expences of keeping and selling the Articles as aforesaid, be ascertained by the Sheriff or Stewart, or any Justice of the Peace for the Shire or Stewartry wherein the Toll Bar at which the Toll in dispute shall be payable shall be situate, who, upon Complaint made for that Purpose, shall in a summary Manner determine the Amount of the Tolls due, and shall adjudge such Expences to either Party as to the said Sheriff, Stewart or Justices shall appear right and proper.

Evading Tolls.

XLV. And be it further enacted, That if any Person shall, with any Horse, Cattle, Beast or Carriage, pass from any Turnpike Road over any Land near or adjoining thereto, (not being a public Highway), and such Person not being the Proprietor or Occupier, or Servant or One of the Family of the Proprietor or Occupier of such Land, with Intent to evade the Payment of the Tolls granted by any Act of Parliament; or if any Proprietor or Occupier of any such Land shall knowingly or willingly permit any Person (except as aforesaid) so to pass over such Land with such Intent; or if any Person other than the Toll Gatherers shall give, or if any Person shall receive from any Person other than the Toll Gatherers, or forge, counterfeit or alter any Note or Ticket directed to be given, with Intent to evade the Payment of the Tolls; or if any Person shall fraudulently or forcibly pass through any Toll Bar as aforesaid, or shall leave, before coming to any Toll Bar, any Horse, Cattle, Beast or Carriage whatsoever, by reason whereof the Payment of any Tolls or Duties shall be avoided or lessened; or if any Person shall do any other Act whatever, in order to evade the Payment of any of the Tolls, and whereby the same shall be evaded, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Unduly giving
or receiving or
counterfeiting
Tickets, &c.

Penalty.

Trustees may
compound for
Tolls.

XLVI. And be it further enacted, That it shall be lawful for the Trustees of every Turnpike Road, previous to letting the Tolls, to compound and agree, for any Term not exceeding One Year at any one Time, with any Person using such Road, for the passing of their Horses, Cattle or Carriages through any of the Toll Bars to be erected on such Road, or on the Sides thereof; which Composition shall be paid in advance; and in default thereof, the Composition or Agreement with the Person making such default shall thenceforth be void; and all such Composition Money shall be paid and applied in such Manner as the Tolls are directed to be paid and applied: Provided nevertheless, that it shall not be lawful for the Tacksman or Toll Gatherer to compound with any Person for the Payment of any Tolls, or to accept any lower Tolls than those settled by the Trustees of any Turnpike Road to be taken, or pay back or return any Sum of Money to Persons frequenting any Turnpike Road and paying the Tolls thereon, with the Intent of avoiding the Provisions of this Act or any

Tacksman or
Toll Gatherers
compounding
for Tolls.

any Turnpike Act, under a Penalty for each such Offence of Twenty Pounds.

XLVII. And be it further enacted, That it shall be lawful for the Trustees of every Turnpike Road, at a Meeting to be held for that Purpose, (of which One Calendar Month's Notice shall be given in Writing, to be affixed on all the Toll Bars upon such Roads, or by Advertisement in some public Newspaper generally circulated in that Part of the Country,) from time to time to lessen and reduce the Tolls granted by any Turnpike Act, or to take down and remove any Toll Bar erected across or at the Side of any Turnpike Road, or to grant Exemption at the same, for and during such Time as a Majority of the said Trustees, being a Quorum, shall think proper; and in like manner to advance any of the Tolls so reduced, so that the several and respective Tolls do not exceed the Tolls allowed to be demanded and taken by such Turnpike Act, and again to erect the Toll Bar that may have been so taken down, and again to collect Tolls thereat; provided nevertheless, that where the whole Money borrowed on the sole Credit of the Tolls granted by any such Act shall not have been discharged, no such Tolls shall be reduced, nor such Toll Bar removed, nor such Exemption from Tolls be granted, without the Consent in Writing of the Persons entitled to Three Fourths of the Money remaining due upon such respective Tolls.

XLVIII. And be it further enacted, That no Toll Bar shall hereafter be erected across or on the Side of any Turnpike Road, unless the same be ordered by the Trustees at a Meeting, of which Fourteen Days' public Notice shall have been given in some Newspaper usually circulated in the Shire or Stewartry in which such Road is situated, or by affixing the same upon all the Toll Bars erected on such Road, which shall not be farther distant than Six Miles from the Place where such Toll Bar is proposed to be erected, and also on the Church Doors of the Parish within which such Toll Bar is proposed to be erected, and unless a Majority of the Trustees present shall sign the said Order at such Meeting.

XLIX. And be it further enacted, That if the Trustees of any Turnpike Road shall erect any Toll Bar where they have not any Power by virtue of any Act of Parliament so to do, it shall be lawful for the Sheriff or Stewart, or the Justices of the Peace in Quarter Sessions assembled, for the Shire or Stewartry where any such Bar is erected, upon Complaint in a summary Way to hear and determine therein, and to order such Bar to be removed.

L. And be it further enacted, That it shall be lawful for any Two Trustees of any Turnpike Road, upon the Death of any Person appointed to collect the Tolls upon such Turnpike Road for the Trustees of such Road, to appoint some other fit Person in his Place until the next Meeting of the Trustees of such Road; and that if any Person who shall be discharged from his Office by the Trustees shall refuse to deliver up the Possession of the House, Gardens and Pertinents which he enjoyed in right of his Appointment to that Office, within Three Days after Notice of his Discharge shall be given to him or left at his House, or if the Wife or Family of any such Person who shall die as aforesaid shall

Penalty 20l.
Trustees may reduce Tolls, and may remove Toll Bars;

and afterwards may advance Tolls and replace Toll Bars.

Restriction on setting up Toll Bars.

Gates erected contrary to Law may be removed.

On Death of Collector, Trustees may nominate another till next Meeting. Collector, &c. refusing to deliver Possession, Sheriff or Justice may give Possession.

refuse

refuse to deliver up the Possession of such House, Garden and Pertinents within Three Days after such new Appointment shall be made as aforesaid, it shall be lawful for the Sheriff, Stewart or any Justice of the Peace for the Shire or Stewartry where such Toll House shall be, by Warrant under his Hand, to order a Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House and Premises in the Day Time, and to remove the Persons who shall be found therein, together with their Goods, out of such House, and to put the Person appointed to collect the Tolls at such Place into the Possession thereof.

Carts, &c. with-
out Owner's
Name to pay
Double Toll.

LI. And be it further enacted, That where any Owner of any Coach, Chaise or such other Carriage, and of any Waggon, Cart or such other Carriage, as is hereinafter directed to have the Owner's Name painted upon it, shall fail to have his Name and Place of Abode painted in legible Characters upon some conspicuous Part of such Carriages respectively, in manner hereinafter directed, the Tacksman of the Tolls or the Toll Gatherer shall, under a Penalty of not exceeding Forty Shillings for each Omission, demand and take, at any Bar on any Turnpike Road, before any such Carriage respectively shall pass through such Bar, Double the Tolls otherwise leviabie for such Carriages as aforesaid.

Toll Gatherers
to put up their
Names, and
Table of Tolls
on the Front
of the Toll
Houses.

LII. And be it further enacted, That every Toll Gatherer appointed by the Trustees or Tacksman on every Turnpike Road shall place on some conspicuous Part of the Fronts of their several Toll Houses his or her Christian and Surname, painted in Black on a Board with a White Ground, each of the Letters of such Name to be at least Two Inches in Length, and of a Breadth in Proportion; and that such Board shall remain at such Toll House during the whole of the Time that the Person whose Name shall be expressed thereon shall be on Duty thereat; and every Tacksman or Toll Gatherer shall place on the Front of the Toll House the printed Schedule or Table hereinbefore directed to be provided by the Trustees; and if any Tacksman or Gatherer shall not place such Board or Schedule or Table respectively, and keep the same there during the Time such Person shall be such Tacksman or Gatherer, or shall demand or take a greater or less Toll than such Tacksman or Gatherer shall be authorized to do, or shall demand or take a Toll from any Person who shall be exempt from the Payment thereof, and who shall claim such Exemption, or shall refuse to permit any Person to read such Board, Schedule or Table, or shall refuse to tell his or her Christian and Surname to any Person who shall demand the same, on being paid the said Tolls, or shall give a false Name, or shall refuse or neglect to give a Ticket denoting the Payment of the Tolls, and naming and specifying the several Toll Bars freed by such Payment, or upon the legal Toll being paid or tendered, shall unnecessarily detain or wilfully obstruct any Passenger from passing through any Toll Bar, or shall make use of any scurrilous or abusive Language to any Trustee, Surveyor, Traveller or Passenger, or offend against the Provisions of any Turnpike Act or of this Act, such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Neglecting and
otherwise of-
fending as here-
in mentioned.

Penalty.

LIII. Pro-

LIII. Provided always, and be it enacted, That in case any Toll Gatherer, or Person acting as such, shall offend against any of the Provisions of any Turnpike Act or of this Act, whereby any Penalty shall be incurred, and shall abscond or absent himself or herself so as not to be found, then it shall be lawful for the Sheriff or Stewart, or any Justices of the Peace before whom any such Toll Gatherer or Person shall be convicted of any such Offence, to order and adjudge that the Penalty incurred as aforesaid shall be paid by the Tacksman of the Tolls under whom such Gatherer or other Person shall act; all which Penalties shall be levied, recovered and applied in manner hereinafter directed.

If Toll Gatherers offending abscond, Penalties to be levied on Tacksman of Tolls.

LIV. And be it further enacted, That it shall be lawful for the Trustees of every Turnpike Road, at a Meeting appointed for the Purpose, to let by public Roup the Tolls of the several Bars erected upon their respective Turnpike Roads: Provided always, in case no Bidder shall offer, or in case the said Tolls shall not be let by public Roup, it shall then be lawful for the said Trustees to let the same by private Tender; provided also, that no Tolls upon any Turnpike Road shall be let for a longer Time than Three Years, and that at all such Lettings the Trustees shall be entitled to bid for the Tolls so to be let, either by themselves or their Clerk or Treasurer, or any other Person by them respectively authorized.

Powers for Trustees to let by public Roup the Tolls.

Not for more than Three Years.

LV. Provided always, That it shall be lawful for the said Trustees to enter into any Agreement with His Majesty's Postmaster General, as to the Amount of Tolls that shall be paid for any Mail Coach travelling along any such Turnpike Road, without any Limitation as to the Amount of the Tolls to be payable, or the Number of Years for which such Agreement shall subsist.

Trustees may agree with Postmaster General.

LVI. And be it further enacted, That the Trustees of all Turnpike Roads shall have Power and they are hereby authorized to widen and extend all Turnpike Roads now existing, and all Highways now existing and which shall hereafter be made Turnpike, so that the same shall be in all Places Twenty Feet in Width of clear passable Road, Twenty Feet being hereby declared to be the least legal Breadth of a Turnpike Road; and no such Trustees shall pay any thing for any Ground necessary to make any such Turnpike Road of such legal Breadth; reserving his Claim of Damages to the Proprietor, for any Fences which may be altered or removed by widening such Road as aforesaid.

Power to widen Roads to 20 Feet without Compensation.

Proviso.

LVII. And be it enacted, That the Trustees of all Turnpike Roads shall have Power and they are hereby authorized, if they shall see fit, to widen any Turnpike Road to the Width of Forty Feet of clear passable Road, exclusive of the Bank or Ditch on either Side thereof, on making full Satisfaction to the Proprietors and Occupiers of any Land, Ground or other Premises taken for the Purpose of such widening, for the Land or Ground so to be taken over and above the Width of Twenty Feet as aforesaid, in manner hereinafter directed.

And to widen to 40 Feet Breadth on making Compensation;

LVIII. And be it further enacted, That it shall be lawful for the Trustees of any Turnpike Road to treat, contract and agree for, and they are hereby empowered to take and acquire, and it shall be lawful for all Bodies Politic or Corporate, Heirs of Entail or Trustees, as also Guardians, Tutors and Curators of every

Lands may be purchased for improving the Road.

Person whatsoever, under any legal Disability or Incapacity, to sell, feu, let and convey all such Lands or Buildings as shall by such Trustees of Turnpike Roads be deemed necessary to be purchased or acquired by them for the Purpose of widening, diverting, altering or improving such Roads, or for Toll Houses and Gardens, or for making convenient Places for turning Carriages at Weighing Engines, or for storing Materials or otherwise; or to treat, contract and agree for the Compensation for any Loss or Damage any Proprietor or Occupier, or any other Person, may sustain by any Operation of such Trustees of Turnpike Roads; such Trustees making such Satisfaction to the Proprietor and Occupier of such Lands or Buildings so to be taken or acquired, as shall be agreed upon between the Trustees of the Turnpike Roads and such Proprietor or Occupier, or as shall be awarded in manner hereinafter mentioned.

Satisfaction by Trustees to Occupiers, &c.

When Persons interested neglect or refuse to treat, Value ascertained by Jury.

Sheriff to summon a Jury to fix Value of Lands and Houses.

LIX. And be it further enacted, That in case the Proprietor of any Lands or Buildings as aforesaid shall refuse to treat, or shall not be satisfied with the Price offered him by the Trustees of any Turnpike Road, it shall be lawful for such Trustees to make Application to the Sheriff or Stewart of the Shire or Stewartry where such Lands or Buildings lie, to summon a Jury of Nine indifferent Persons (a Majority of whom shall determine), in order to value the Lands or Buildings necessary to be taken and used as aforesaid, and the Loss or Damage ensuing from the altering or removing of Fences; and the said Sheriff or Stewart is hereby empowered and required, upon such Application, to give Fifteen Days Notice thereof to the Proprietor and Occupier of such Lands or Buildings, and afterwards to issue his Precept in the usual Manner for calling together a Jury, who being duly sworn, the said Sheriff or Stewart shall proceed to examine upon Oath in his Presence, and the Presence of the Jury, such Witnesses as shall be summoned by either Party, and upon their Depositions, or other competent Evidence, such Jury shall determine the Price or Damages to be paid by such Trustees; and in estimating the Sums to be paid to the Proprietors and Occupiers of Lands and Buildings as aforesaid, and in making up their Verdict, the said Jury shall have right and they are hereby empowered to take under their Consideration all Circumstances, particularly the Advantages arising to the Proprietors and Occupiers by new or altered Roads; and in ascertaining the Value of the Fences which it may be necessary to pull down, the Jury shall have power to direct such Fences as may thereby become useless to be taken down and removed by the said Trustees, upon Payment of such Allowance for the same as the said Jury may determine; and it shall be optional to the Proprietors and Occupiers, either to accept of the Allowance so awarded, or to retain the Materials of the said Fences to their own private Use; and after a Verdict is pronounced as aforesaid, the said Sheriff or Stewart is hereby required to adjudge Payment of the Value and Amount of the Loss or Damage awarded to the Persons having a Right thereto, and upon Payment being made by the said Trustees of the same, or Consignation of such Sum in the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British Linen Company of Scotland*, in manner by this Act directed, such Trustees shall have a Right

Sheriff or Stewart to adjudge Payment of Sum adjudged by Jury.

Right to take the said Lands and Buildings; and the said Proceedings and Orders of the said Sheriff or Stewart shall be final, and not be subject to Review by Advocation or Suspension, or by Reduction to or by any Court whatever, any Law or Usage to the contrary notwithstanding.

Proceedings final.

LX. Provided always, and be it enacted, That in the Event that such Jury shall award a greater Compensation than the Trustees shall have offered, but less than the Proprietor or Occupier shall have required, the Expence of the Proceedings shall be borne by such Trustees and the said Proprietor or Occupier equally; but in case the said Jury shall award to such Proprietor or Occupier the Sum so required, or any greater Sum, the whole of the said Expence shall be paid by such Trustees; and on the other Hand, if the said Jury shall award the Sum offered by such Trustees, or a less Sum, the whole of the said Expence shall be paid by the said Proprietor or Occupier: Provided always, that in all Cases where any Person shall, by reason of Absence, be prevented from treating with such Trustees, such Expence as aforesaid shall be paid by such Trustees.

Expences of Proceedings how paid.

LXI. And be it enacted, That if any Person summoned as a Juryman under the Authority of any Sheriff or Stewart, in any Matter arising out of this Act or any Turnpike Act, shall neglect or fail to appear, and shall without lawful Excuse refuse to act as a Juryman, such Sheriff or Stewart may fine every such Person for every such Offence in any Sum not exceeding Five Pounds Sterling.

Jurymen refusing to act.

LXII. And be it further enacted, That all Lands and Buildings, which may be required by the Trustees of any Turnpike Act under the Authority of the same, shall become the Property of the said Trustees by the simple Discharge of the agreed Price or appraised Value thereof, or by Consignation of the said Price or Value in the Bank of Scotland, the Royal Bank of Scotland, or the British Linen Company, and it shall be sufficient to record the Discharge or the Voucher of Consignation in the Sheriff's Court Books of the Shire or Stewartry in which such Lands are situated; whereupon such Trustees may take and use the said Lands and Buildings, and hold the same as validly as if the respective Proprietors thereof had executed in their Favour regular Dispositions of the same, and Infeoftments had followed thereon.

Penalty.

How Trustees to acquire Property in Lands and Buildings required by them.

LXIII. And be it further enacted, That when any new Turnpike Road shall be made and completed in lieu of the old Road, and such old Road shall have thereby become useless, it shall be lawful for such Trustees to make Application to the Justices of the Peace for the Shire or Stewartry in which such old Road lies, to have the same shut up; of which Application Fifteen Days' Notice shall be given by Advertisement in some one Newspaper generally circulated in the Shire or Stewartry, or upon each of the Toll Bars on the said Road; and such Justices shall make such Order therein as to them shall seem just; and all such Parts of such Roads as are by such Justices authorized to be shut up (except where the same may be given in Exchange by such Trustees to the Proprietors of Lands or Buildings taken for the Purposes of the new Road, by way of simple Exchange, without further Conveyance,) shall be vested in and shall be sold by such Trustees

In what Cases where old Highways stopped up, and Road is to be sold.

Vested in Trustees for Sale.

in manner hereinafter mentioned, for the best Price that can be gotten for the same ; but if such old Road shall lead to any Place which cannot, in the Opinion of the said Justices, be conveniently accommodated with a Passage from such new Road, then the old Road shall be sold, subject to the Right of Way to such Place ; but all Mines, Minerals and Fossils lying under the same shall continue the Property of the Person who would from time to time have been entitled to the same if such old Road had continued.

Proviso for
Mines, &c.

Toll Houses
become useless
may be sold.

When any
Parts of the old
Road are to be
sold, the first
Offer to be
made to the
original and
then to adjoining
Owners.

Purchaser not
answerable for
Misapplication
of Money.

Application of
Compensation
where amount-
ing to or ex-
ceeding 200l.

LXIV. And be it further enacted, That it shall in like manner be lawful for the said Trustees of any Turnpike Road to dispose of and convey to the Purchaser of the same any Toll House or other Building belonging to the said Trustees as shall by them be adjudged to have become useless.

LXV. Provided always, and be it further enacted, That the said Trustees, before they shall sell and dispose of any Piece of Ground, or any Toll House not wanted for the Purposes of any Turnpike Road, to any Person, shall first offer the same to the Person of whom the same shall have been purchased, his Heirs or Successors, of that Land, and then to the Person whose Lands shall adjoin thereto, and if such Person shall refuse (except on account of the Price thereof) to purchase the same, on Oath being made before One of His Majesty's Justices of the Peace for the Shire or Stewartry where such Ground is situate, by some Person in no way interested in such Ground, stating that such Offer was made by such Trustees, and was refused, such Oath shall be sufficient Proof that such Offer was made and refused ; but in case such Person shall agree to purchase such Ground, but shall not agree with respect to the Price, it shall be determined by a Jury in manner hereinbefore directed, and the Money to arise from such Sale shall be applied to the Purposes of the Act for repairing and maintaining such Turnpike Road ; but the Purchaser shall not be answerable or accountable for any Misapplication of such Money.

LXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements or Heritages, purchased, taken or used by virtue of the Powers of this Act, or any Turnpike Act, for the Purposes of any Turnpike Road, or for the Purpose of being added to any Minister's Glebe as hereinafter directed, which are held under Entail, or are subject to Liferents, Annuities or other Incumbrances, or shall belong to any Incorporation, married Woman, Infant, Lunatic or Person or Persons under any legal Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds Sterling, under the Direction and by the Authority of the Court of Session, be with all convenient Speed paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British Linen Company*, 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, Tenements or Heritages, in the Redemption or Purchase of the Land Tax, or discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be

be paid, affecting the same Lands, Tenements or Heritages, or affecting other Lands, Tenements or Heritages 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 Lands, Tenements or Heritages, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, in the same Manner as the Lands, Tenements or Heritages 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 Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements and Heritages so hereby directed to be purchased, in case such Purchase or Settlement were made.

LXVII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements or Heritages so purchased, taken or used for the Purposes aforesaid, and belonging to any Incorporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds Sterling, and not less than the Sum of Twenty Pounds Sterling, 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 Heritages so purchased, taken or used, or of his, her or their Tutors or Curators, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, under the like Direction and Authority, be paid into either of the said Banks, and be placed to his or their 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 Three or more of the Trustees of the Turnpike Road or Roads on account of which such Money shall have been agreed or awarded to be paid, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating or approving Parties,) in order that such principal Money, and the Interest arising therefrom, may be applied in any Manner hereinbefore directed, so far as the Case be applicable.

LXVIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds Sterling, 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 Heritages so purchased, taken or used for the Purposes of this Act, in such Manner as such Trustees of any Turnpike Road as aforesaid, or any Two or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her or their Tutors and Curators, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application of
Compensation
where less than
200l. and not
less than 20l.

Application
where the
Money is less
than 20l.

In case of not making out Titles, &c.

Purchase Money to be paid into the Bank, subject to the Order of the Court of Session.

Cashiers of Banks to give Receipts for the same.

Where Question touching Right to such Money, the Persons who shall have been in Possession of Premises deemed entitled.

The Court may order reason-

LXIX. And be it further enacted, That in case any Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements or Heritages to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements or Heritages be not known or discovered, then and in every such Case it shall and may be lawful to and for such Trustees of any Turnpike Road or Roads as aforesaid, or any Two or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British Linen Company*, to the Credit of the Parties interested in the said Lands, Tenements or Heritages (describing them), subject to the Order, Controul and Disposition of the Court of Session; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Petition, shall be and is hereby empowered, in a summary way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British Linen Company*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

LXX. 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 said Banks in pursuance of this Act, for the Purchase of any Lands, Tenements or Heritages, or of any Estate, Right or Interest in any Lands, Tenements or Heritages, to be purchased in pursuance thereof, the Person or Persons who shall have been in Possession of such Lands, Tenements or Heritages, 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 Heritages, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Session; and such Money, and the Interest thereof, shall be paid, applied and disposed of accordingly, unless it shall 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 Heritages, or to some Estate or Interest therein.

LXXI. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Corporation

ration entitled to any Lands or Heritages to be purchased under the Authority of any Turnpike Act or of this Act, the Purchase Money for the same shall be required to be paid into the said Banks, and to be applied in the Purchase of other Lands or Heritages to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from time to time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Expences of obtaining such Order, to be paid by the said Trustees out of the Purchase Money of the Lands or Heritages acquired by them, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

LXXII. And be it further enacted, That in altering the Course of any Turnpike Road, or widening the same, it shall be in the Power of the Trustees of such Road to cause the same to be carried through any Minister's Glebe, Fifteen Days' previous Notice of their Intention so to do being given to the Minister of the Parish, and the Clerk of the Presbytery of the Bounds: Provided always, that such Quantity of Ground shall be laid to the Glebe lying most contiguous and convenient thereto, as shall be a sufficient Compensation for that taken for the said Road; which Grounds such Trustees shall have Power to purchase from the contiguous Proprietor or Occupier, who shall in like Manner be empowered and bound to sell such Land, whether the same be under Entail or otherwise; and in case of any Difference with regard to the Amount of such Compensation, or the Price to be paid to such Proprietor or Occupier, Application shall be made to the Sheriff or Stewart of the Shire or Stewartry, who shall summon a Jury, and determine the same, in like Manner as is hereinbefore directed in regard to Lands to be taken for the Purposes of altering or widening Turnpike Roads; and upon such Determination, and upon Payment being made by such Trustees of such Price to the Proprietor or Occupier of the Ground, or Consignation thereof in any of the said Banks, such Trustees shall from thenceforth have a Right to cause the Addition to be made to the Glebe, and to take and use the Part of the Glebe necessary for the Purpose of altering or widening such Roads; and the Proceedings and Order of the said Sheriff or Stewart shall be final and conclusive, and shall not be removable to any other Court by Advocation, Suspension or Reduction, or otherwise.

LXXIII. Provided always, and be it declared and enacted, That in every Case where it may be necessary to exchange or take Ground as hereinbefore allowed for the Purposes of Turnpike Roads, or for making a Compensation for Glebes, the same shall not affect, alter or diminish the valued Rent of the Lands from which such Ground shall be so taken.

LXXIV. And be it further enacted, That it shall not be lawful for the Trustees of any Turnpike Road, in altering or diverting the Course of any Part of the Turnpike Road under their Care and Management, to deviate over any inclosed Lands or Grounds more than One hundred Yards from the Line or Course of such Turnpike Road, or to take down or remove any Dwelling House or other Building, the Side Walls of which exceed Twenty Feet

able Expences of Purchases to be paid by the Trustees.

Power on Notice to carry Roads through Ministers' Glebes, making Addition to Glebe in Proportion to Ground taken off.

In case of Dispute as to Price,

Jury to be summoned.

Proceedings of Sheriff, &c. final.

Valued Rent not altered in respect of Ground taken.

Trustees not to deviate more than One hundred Yards from present Line of Road, nor make use of Garden,

&c. without
Consent of
Owner.

Proviso for
former Acts.

Power to Trus-
tees to get
Materials.

Trustees to
tender Damage
done.

Exception of
certain Lands,
&c.

Trustees to
make or
tender Satis-
faction to
Owner.

in Height, or to take in or make use of any Policy, Orchard, Garden, the Contents of which exceed Half an Acre, Lawn, planted Walk or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, without the Consent in Writing of the Owner thereof, or of his Agent or Factor: Provided always, that nothing herein contained shall extend or be deemed, taken or construed to extend to revoke, limit, abridge, alter or vary any Powers or Authorities contained in any Act or Acts of Parliament existing and in force at the passing of this Act for making, altering or diverting any Turnpike Road or the Course thereof, to be made or diverted and maintained under the Authority of such Acts, but the same Powers and Authorities shall and may be used, exercised and carried into Effect by the Trustees appointed by such Acts, fully and effectually, any thing herein contained to the contrary notwithstanding.

LXXV. And be it further enacted, That it shall be lawful for the Trustees of every Turnpike Road, or any Person authorized by them, to search for, dig and carry away Materials for making or repairing such Turnpike Road, and the Footpaths thereof, or building or repairing any Toll House, Bridge or any other Work connected with such Road, from any Common Land or Waste, without paying any thing for such Materials, and to carry away the same through the Ground of any Person, without being deemed a Trespasser, such Trustees and other Persons filling up the Pits or Quarries, levelling the Grounds wherefrom such Materials shall be taken, or fencing off such Pits or Quarries, so that the same shall not be dangerous to any Person or Cattle, and paying for or tendering the Damage done by going through and over any inclosed or Arable Lands for or with such Materials, such Damages to be ascertained as hereinafter mentioned; and also that it shall be lawful for such Trustees and other Persons to search for, dig and carry away any such Materials, in or out of the Land of any Person where the same may be found, within any Parish in which any Part of the Turnpike Road is situate, or in any adjoining Parish, (such Materials not having been dug or raised for the private Use of the Owner of such Land, and such Land not being an Orchard, Garden, Lawn, Policy, Nursery for Trees, planted Walk or Avenue to any House, nor any inclosed Ground planted as an Ornament or Shelter to a House, and unless where Materials have been taken by the said Trustees previous to the passing of this Act,) making or tendering such Satisfaction for Stones taken from Quarries let for Hire, and for the Surface Damage done to the Owner or Occupier of the Lands from whence the same shall be dug and carried away, or over which the same shall be carried, as such Trustees shall judge reasonable; and also to land on and carry through or over any inclosed Lands, (not being a Garden, Lawn, planted Walk, Policy, Orchard, Avenue to a House or Nursery for Trees, nor any inclosed Ground planted as an Ornament or Shelter to a House,) or over any open uncultivated Land, or any Common, any Materials for making or repairing any such Road, or for building or repairing any Toll House, Bridge or other Work connected with such Road, paying or tendering for the Damage done in landing on or going over any inclosed Lands, for or with such Materials, such Sum of Money
as

as such Trustees shall judge reasonable; and in case such Trustees, and the Proprietor and Occupier of such Lands, shall differ as to the Amount of such Payments and Damages as aforesaid, the Sheriff, Stewart or Two Justices of the Peace for the Shire or Stewartry wherein the Place from whence such Materials shall have been taken, or on which the same shall have been landed or carried, shall be situate, on Three Days' Notice thereof being given in Writing, by either Party to the other, shall hear and determine the Amount of such Payments and Damages, and the Expenses attending the same.

If Difference as to Compensation, Proceedings.

LXXVI. And be it further enacted, That when the Materials for making or repairing any Turnpike Roads cannot elsewhere be got within a reasonable Distance from the same, it shall be lawful for any Trustee or Person acting under the Authority of any Turnpike Act, or of this Act, to search for, dig and carry away any Materials for making or repairing any Turnpike Road, or for building or repairing any Toll House, Bridge or other Work connected with any Turnpike Road, out of any inclosed or Arable Land, or from the Sea Shore, or out of any River or Watercourse, Notice in Writing, signed by Two Trustees, having been given to the Proprietor or Occupier of the Land or of the Lands on each Side of any River or Watercourse from which it is intended to take such Materials, or his or her known Agent, or left at the usual Place of Abode of such Proprietor or Occupier, to appear before any Two Justices of the Peace acting for the Shire or Stewartry where the said Lands, River or Watercourse shall be situated, and if such River or Watercourse is the Boundary of Two Shires or Stewartries, then before Two Justices of either Shire or Stewartry, to show Cause why such Materials shall not be had therefrom; and in case such Proprietor, Agent or Occupier shall attend pursuant to such Notice, but shall not show sufficient Cause to the contrary, such Justices may authorize such Trustees, or other Persons, to search for, dig and carry away such Materials, at such Time as to such Justices shall seem proper; and if such Proprietor, Agent or Occupier shall neglect or refuse to appear, such Justices may (upon Proof on Oath of the Service of such Notice) make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Proprietor, Occupier or Agent had attended; and the Order of such Justices shall be final and conclusive.

Notice to be given before Materials taken from Arable Lands, Sea Shore, River or Watercourse.

Occupier, &c. not showing Cause on Notice.

Order final.

LXXVII. Provided always, and be it further enacted, That it shall be lawful for the Trustees of any Turnpike Road to purchase, feu or rent any Land for the Purpose of getting Materials for the Repair or Use of any Turnpike Road, and at any Time afterwards to sell the Land so purchased by Public Roup, provided that the said Trustees shall dispose of the same in manner hereinbefore directed in respect to Land not wanted for the Purposes of any Turnpike Road.

Power to contract for Lands to get Materials.

LXXVIII. And be it further enacted, That it shall not be lawful for any Person to take away any Materials which shall have been procured or provided or used for the Repair or Use of any Turnpike Road, or to take any Materials out of any Quarry which shall have been opened by any Turnpike Trustees for the Purpose of getting Materials for any Turnpike Road, so as

Taking away Materials provided for the Roads.

Penalty.

as to interrupt or interfere with the Workings carried on by such Trustees, and every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds; provided that nothing herein contained shall prevent the Owner of any Quarry to take and carry away Materials from the same for his own Use solely.

Power to make Footpaths, and to use adjoining Ground as a temporary Road, on Re-compence.

LXXIX. And be it further enacted, That it shall be lawful for the Trustees of any Turnpike Road to make and keep in repair Footpaths on the Sides of the same, on making full Satisfaction to the Proprietors and Occupiers of Ground taken for the same, when the Road shall exceed Twenty Feet in Width; and also to make a Road through the Grounds adjoining to any ruinous or narrow Part of any Turnpike Road, (not being the Site or Ground whereon any House stands, nor being a Garden, Lawn, Policy, planted Walk or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees,) to be made use of as a Public Highway, whilst the old Road is repairing or widening, making Re-compence to the Proprietor and Occupier of such Grounds, for the Damages they may thereby sustain; and in case such Trustees and such Proprietor or Occupier shall differ as to the Amount of such Damages, it shall be lawful for the Sheriff, Stewart or any Two Justices of the Peace for the Shire or Stewartry, on Three Days' Notice in Writing being given by either Party to the other, to determine the Damages to be paid to such Proprietor or Occupier, in manner hereinbefore directed.

If Difference as to Re-compence.

Sheriff, &c. to determine 'on Notice.

Trustees to make Side Drains.

LXXX. And be it further enacted, That it shall be lawful for the Trustees of every Turnpike Road to make sufficient Side Drains on any such Road, with Power to conduct the Water therefrom into any adjoining Land, Ditch or Watercourse (such Land not being the Site of any House or Garden), in such Manner as shall be least injurious to the Proprietor or Occupier of such Land; the said Side Drains to be maintained at the Expence of the Trustees.

Trustees to make Ditches;

LXXXI. And be it further enacted, That it shall be lawful for the Trustees of every Turnpike Road to make sufficient Ditches along the Sides of any such Road, provided that if the Land is inclosed on the Side of such Turnpike Road, such Ditch shall be made on the Field Side of the Fence, and with Power to make proper Ditches and Outlets from the said Side Ditches through any Lands adjoining any such Turnpike Road (not being the Site of any House or Garden) in such Manner as shall be least injurious to the Proprietor or Occupier of such Land; and after such Side Ditches or other Ditches or Outlets are made, the Proprietor or Occupier of such Land (unless such Land be uninclosed and waste), shall be obliged in all Times thereafter to keep clear such Side Ditches, or other Ditches or Outlets, as well as all Ditches already made along the Sides of any Turnpike Road, when so required by the said Trustees or their Surveyor; and in case the Proprietor or Occupier shall neglect or refuse to cleanse such Side Ditches or other Ditches or Outlets when duly required by such Trustees or Surveyors, such Trustees or Surveyors shall have Power to cleanse such Side Ditches or other Ditches or Outlets, and levy the Expence thereof on the Proprietor or Occupier of such Grounds in manner as other Penalties

and may keep the same clean, &c.

Penalties by this Act imposed: Provided always, that nothing herein contained shall prohibit any Proprietor or Occupier from substituting, to the Satisfaction of the Trustees, any other equally effectual Ditch or Outlet in place of that constructed by the Trustees.

Owners may substitute Ditches.

LXXXII. And be it further enacted, That where any other Turnpike Road, Highway or private Road, or any Passage, shall be made from any Turnpike Road over or into the adjoining Lands, or where any House shall be built along the Side of any Turnpike Road, the Trustees of such other Turnpike Road, Highway, and the Proprietor or Occupier of such private Road, Land or Houses, shall build sufficient Conduits or Bridges, to the Satisfaction of the said Turnpike Trustees, over the Side Drains and Ditches of any such Turnpike Road, opposite to any such other Turnpike Road, Highway, private Road, Passage or House, and thereafter maintain and uphold the same; and in case the Trustees of such other Turnpike Road, or of such Highway, or the Proprietor or Occupier of such private Road, Passage or House shall neglect or refuse to maintain the said Conduits or Bridges, it shall be lawful for such Turnpike Trustees to repair the same, and charge such Persons respectively with the Expence thereof, and levy the same as other Penalties by this Act imposed: Provided also, that where any other Turnpike Road, Highway, private Road or Passage shall be so made from any Turnpike Road, or where any House shall be so built, the Trustees of such other Turnpike Road or Highway, Proprietor or Occupier, shall construct the said Road, Passage or House respectively, in such Manner that the Communication between the same respectively and any Turnpike Road shall be made on a Level with such last mentioned Turnpike Road; and the Trustees of such other Turnpike Road or Highway, Proprietor or Occupier, shall not construct any Mound, sloping Bank or make any Projection into or upon the Sides of any Turnpike Road; nor shall cut or slope away any Part of the Sides of any Turnpike Road; and if the Trustees of such other Turnpike Road or Highway, Proprietor or Occupier, shall act contrary hereto, it shall be lawful for the Trustees of any Turnpike Road to remove such Obstruction, and repair such Defects, at the Expence of such Trustees, Proprietor or Occupier respectively, and recover such Expences in the same Manner as Penalties by this Act imposed are authorized to be levied.

Bridges to be made over Side Ditches.

Proviso.

Trustees acting unduly, Proceedings.

LXXXIII. And be it further enacted, That it shall not be lawful for any Person to turn any Water or conduct any Drain across any Turnpike Road, except in the Manner prescribed by the Trustees of such Turnpike Road; and every such Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, besides the Expences which such Trustees may be at in repairing the Injuries occasioned thereby.

Turning Water, &c. on the Roads.

Penalty.

LXXXIV. And be it further enacted, That it shall not be lawful for any Person to lay any Timber or Stones, (excepting Timber, Stones and other Materials for building or repairing any Houses or Walls immediately adjoining the Sides of any Turnpike Road, and which may occupy One Fourth Part of such Road only,) or any Dung, Ashes, Rubbish, Scourings of Ditches

Persons laying Timber, &c. on Roads. (Exception.)

or

Penalty.

Occupier of
Lands not
erecting Fence,
&c. as herein
mentioned.

Penalty.

Owners of ad-
joining Lands
to cut Hedges
and Branches
of Trees ob-
structing Road.

If neglected for
Ten Days, Sur-
veyor may com-
plain to a Jus-
tice, &c.

Order by Jus-
tice.

Neglect after
Order.
Penalty.

or any other Matter or Thing upon any such Turnpike Road, or upon any Street of any Town or Village which forms a Part of such Turnpike Road, and which is maintained by the Trustees of such Road, or upon the Side Drains or Ditches thereof, and every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds; and it shall moreover be lawful for the said Trustees or their Surveyor, or other Person appointed by them, *brevis manu*, to seize and carry off any such Matter as aforesaid, and dispose of the same in such Manner as the Trustees shall direct: Provided always, that when the Proprietor or Occupier of any Lands or Houses immediately adjoining any Turnpike Road shall lay down any Materials for building or repairing any House or Wall as aforesaid, such Proprietor or Occupier shall erect such Fence round such Materials, and shall fix and light Lamps thereon in such Manner as the Trustees of such Road may require; and such Proprietor or Occupier, on failing to comply with such Requisition as aforesaid, shall forfeit and pay any Sum not exceeding Five Pounds for every Day he shall continue to so offend.

LXXXV. And be it further enacted, That the Owners or Occupiers of the Lands next adjoining to every Turnpike Road shall cut, prune and trim their Hedges to the Height of Six Feet from the Surface of the Ground, and also cut down, prune or lop the Branches of Trees, Bushes and Shrubs growing in or near such Hedges or other Fences adjacent thereto, (such Fences, Trees, Bushes or Shrubs not being in any Garden, Orchard, Plantation, Walk or Avenue to a House, nor any Tree, Bush or Shrub, being an Ornament or Shelter to a House, unless the same shall hang over the Road or any Part thereof in such a Manner as to impede or annoy any Carriage or Person travelling thereon,) in such Manner that the Turnpike Road shall not be prejudiced by the Shade thereof, and that the Sun and Wind may not be excluded from such Turnpike Road to the Damage thereof; and that if such Owner or Occupier shall not, within Ten Days after Notice given by the Surveyor for that Purpose, cut, prune and trim such Hedges, or cut down, prune or trim such Branches of Trees, Bushes and Shrubs, in manner aforesaid, it shall and may be lawful for the said Surveyor, and he is hereby required to make Complaint to the Sheriff, Stewart or some Justice of the Peace of the Shire or Stewartry where such Turnpike Road shall lie, who shall summon the Occupier of such Lands before him, to answer the said Complaint; and if it shall appear to such Justice that such Occupier has not complied with the Requisites of this Act in that Behalf, it shall and may be lawful for such Justice, upon hearing the Surveyor and Occupier of such Land, or his Agent (or in Default of his or her Appearance, upon having due Proof of the Service of such Summons), and considering the Circumstances of the Case, to order such Hedge to be cut, trimmed and pruned, and such Branches of Trees, Bushes and Shrubs to be cut down or pruned or trimmed, in such Manner as may best answer the Purposes aforesaid; and if the Occupier of such Lands shall not obey such Order within Ten Days after it shall have been made, and he or she shall have had due Notice thereof, he or she shall forfeit the Sum of Two Shillings

Shillings for every Twenty four Feet in Length of such Hedge which shall be so neglected to be cut, trimmed and pruned, and the Sum of Two Pence for every Tree, Bush or Shrub, which shall be so directed to be cut down, pruned or trimmed; and the Surveyor, in case of such Default made by the Occupier, shall and he is hereby required to cut, prune and trim such Hedges, and to cut down, prune or trim such Branches of Trees, Bushes and Shrubs in the Manner directed by such Order, and such Occupier shall be charged with and pay, over and above the said Penalties, the Charges and Expences of doing the same, to be recovered in the same Manner as other Penalties by this Act imposed.

Hedges, &c. may be trimmed at Expence of Defaulter.

LXXXVI. Provided always, and be it further enacted, That no Person or Persons shall be compelled, nor any Surveyor permitted, by virtue of this Act, to cut or prune any Hedge at any other Time than between the last Day of *September* and the last Day of *March*, nor to cut down, prune or lop the Branches of any ornamental Trees, (unless the same shall hang over the Road, or any Part thereof, so as to impede or annoy any Carriage or Person travelling thereon,) if the Proprietor of the Lands shall become bound to pay the additional Expences which their remaining unlopped may occasion the said Trustees in keeping any such Road in repair.

Time of cutting or pruning Hedges.

Proprietors may preserve ornamental Trees, as herein mentioned.

LXXXVII. And be it further enacted, That if any Person shall fill up or obstruct any Ditch at the Side of any Turnpike Road, or any Ditch used for conveying Water from the said Road, or shall encroach by making any Dwelling House or other Building, or any Hedge, Ditch or other Fence, or in any other Manner whatever on any Turnpike Road, or shall make any Drain, Gutter, Sink or Watercourse across, or otherwise break up the Surface of any Turnpike Road, without the Consent in Writing of the Trustees of such Road, or of their Surveyor; or in ploughing or harrowing the adjacent uninclosed Lands, shall turn any Horse, Plough or Harrow in or upon such Road, or the Side Ditches thereof, such Person shall forfeit for every such Offence a Sum not exceeding Five Pounds; and it shall be lawful for the Trustees of any such Road, to cause such Dwelling House or other Building, Hedge, Ditch or Fence, Drain, Sink, Watercourse, Gutter or other Encroachment to be taken down or filled up at the Expence of the Person so offending; and it shall be lawful for the Sheriff or Stewart, or any Two Justices of the Peace of the Shire or Stewartry where such Offence shall be committed, upon Proof of the Fact, to grant a Warrant for levying the Expences of taking down or filling up such Dwelling House or other Building, Hedges, Ditches, Drains or other Encroachments as aforesaid, over and above the Penalties hereby imposed, by Pounding and Sale of the Offender's Goods and Effects, rendering the Surplus (if any) to the Owner.

Persons making Encroachments.

Penalty; and Encroachments may be removed.

Warrant for that Purpose.

LXXXVIII. And be it further enacted, That after the passing of this Act, no Houses or other Buildings shall be erected, nor any Inclosures made along the Sides of any Turnpike Road, within the Distance of Twenty five Feet from the Centre thereof, and no Place out of which the Trustees of any Turnpike Road have been in the Use of taking Materials previous to the passing this Act,

Notice of building and inclosing on the Sides of the Roads to be given to Trustees.

Act, shall be inclosed, until the Proprietor or Occupier of the Lands shall have given One Month's previous Notice at least of his Intention, to the Trustees of the said Road; and if he fail so to do, he shall not be entitled to any Compensation for the Value of the said Houses, Buildings or Inclosures, in case the said Trustees shall at any future Time think it necessary to demolish the same for the Purpose of widening the Road; nor shall the inclosing of such Place, out of which Materials shall have been taken as aforesaid, preclude the Trustees of any Turnpike Road from re-opening and using the same; and the said Notice shall be given to the Trustees by a Letter addressed to their Clerk, who shall lay the same before the next General Meeting or adjourned General Meeting; and the said Meeting is hereby required to insert a Copy of the said Letter in their Minutes.

How Notice
to be given.

Milestones and
Direction Posts
to be erected.

LXXXIX. And be it further enacted, That the Trustees of every Turnpike Road shall cause Stones or Posts to be set up, on or near the Sides of every Turnpike Road, at the Distance of One Mile from each other, denoting the Distance of such Stone or Post from some Town or Place, to or from which such Road shall lead, and also Direction Posts at the several Highways or Turnpike Roads leading out of or crossing any such Road, with Inscriptions thereon, denoting to what Places such Road respectively leads; and if any Person shall wilfully break, cut down, pull up or damage any such Posts or Stones, or shall obliterate, deface, spoil or destroy any of the Letters, Figures or Marks which shall be inscribed or painted thereon, and be thereof convicted before the Sheriff, Stewart or any Justice of the Peace for the Shire or Stewartry where such Offence shall be committed, or the Offender shall be found or reside, or by the Oath of One credible Witness, or other competent Evidence, such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Penalty.

Persons com-
mitting Nui-
sances as herein
mentioned.

XC. And be it further enacted, That if any Person or Persons shall ride upon any Footpath or Causeway by the Side of any Turnpike Road, made or set apart for the Use or Accommodation of Foot Passengers, or shall lead or drive any Horse, Ass, Mule, Swine or Cattle or Carriage of any Description, or any Wheelbarrow, Truck or Sledge or any single Wheel of any Waggon, Cart or Carriage apart therefrom, upon any such Footpath or Causeway, or shall cause any Injury or Damage to be done to the same, or the Hedges, Posts, Rails or Fences thereof, or shall wilfully pull down or damage any Bridge, Wall, or any other Building or Erection made by the Trustees or Commissioners of any Turnpike Road, or repaired or repairable by them, or shall haul or draw, or cause to be hauled or drawn, upon any Part of such Turnpike Road, any Timber, Stone or other Thing, otherwise than upon Wheeled Carriages, or shall suffer any Timber, Stone or other Thing which shall be carried principally or in part upon Wheeled Carriages, to drag or trail upon such Road to the Prejudice thereof; or shall use any Tipstick, Joggle or other Instrument for the Purpose of retarding the Descent of any Cart or other Carriage down any Hill, in such Manner as to destroy, injure or disturb the Surface of any Turnpike Road; or shall in or upon such Road, or by the Side or Sides thereof, or in any exposed

exposed Situation near thereto, kill, slaughter, singe, scald, burn, dress or cut up any Beast, Swine, Calf, Lamb or other Cattle; or if any Person driving any Horse or other Beast on the said Road, carrying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place such Bar or Rod, Basket or Pannier, Matter or Thing, so that the same or any of them shall project more than Thirty Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast or Carriage travelling along such Turnpike Road; or if any Hawker, Higgler, Gipseyp or other Person or Persons travelling with any Machine, Vehicle, Cart or other Carriage, with or without any Horse, Mule or Ass, shall pitch any Tent, or encamp upon or by the Sides of any Part of any Turnpike Road; or if any Blacksmith, or other Person occupying a Blacksmith's Shop situate near any Turnpike Road, and having a Window or Windows fronting the said Road, shall not, by good and close Shutters every Evening after it becomes Twilight, bar and prevent the Light from such Shop shining into or upon the said Road; or shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to or wantonly let of or throw any Squib, Rocket, Serpent or other Firework whatsoever, within Eighty Feet of the Centre of such Road; or bait or run for the Purpose of baiting any Bull, or play at Foot Ball, Tennis, Fives, Cricket or any other Game or Games, upon such Road, or on the Side or Sides thereof, or in any exposed Situation near thereto, to the Annoyance of any Passenger or Passengers; or if any Person shall leave any Waggon, Wain, Cart or other Carriage whatever upon such Road, or on the Side or Sides thereof, without any proper Person in the sole Custody or Care thereof, longer than may be necessary to load or unload the same, except in Cases of Accident, and in Cases of Accident for a longer Time than may be necessary to remove the same, or shall not place such Waggon, Wain or other Carriage during the Time of loading or unloading the same, or of taking Refreshment, as near to One Side of the Road as conveniently may be, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or shall lay any Timber, Stone, Hay, Straw, Dung, Manure, Soil, Ashes, Rubbish or other Matter or Thing whatsoever upon such Road, or on the Side or Sides thereof, or the Footpaths or Causeways adjoining, to the Prejudice of such Road or Footways, or to the Prejudice, Annoyance, Interruption or personal Danger of any Person or Persons travelling thereon; or shall suffer any Water, Filth, Dirt or other offensive Matter or Thing whatsoever to run or flow into or upon such Road or Footpaths from any House, Building, Erection, Lands or Premises adjacent thereto; or if any Person driving any Pigs or Swine upon such Road shall suffer such Pigs or Swine to root up or damage such Road, or the Fences, Hedges, Banks or Cope on either Side thereof respectively; or if any Person shall, after having blocked or stopped any Cart, Waggon or other Carriage in going up a Hill or rising Ground, cause or suffer to be or remain on such Road the Stone or other Thing with which such Cart or other Carriage shall have been blocked or stopped; or if any Person, or Persons shall pull down, damage, injure or destroy any

any Lamp or Lamp Post put up, erected or placed in or near the Side of any Turnpike Road or Toll House erected thereon, or shall extinguish the Light of any such Lamp, every Person offending in any of the Cases aforesaid shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings, over and above such Damages occasioned thereby.

Penalty.

Drivers offend-
ing as herein
mentioned.

XCI. And be it further enacted, That if the Driver of any Carriage used for carrying Goods on any Turnpike Road, shall ride on the Shafts, or on any other Part of such Carriage, without having some Person guiding the Beasts of Draught drawing the same, or without having and holding double Reins attached to each Side of the Bridle of each Beast of Draught drawing such Carriage; or if the Person driving any Sort of Carriage shall not keep to the Left or Near Side of such Road on meeting or on being overtaken by any other Carriage, or if such Person shall wilfully prevent any other Person passing him, such Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, over and above the Damages occasioned thereby and Expences.

Penalty.

Surveyors, &c.
leaving Nuis-
ances on
Roads.

XCII. And be it further enacted, That if the Surveyor of the Trustees of any Turnpike Road, or any Contractor or other Person in their Employment, shall lay on any Part of any such Road any Heap of Stones or other Materials for the Repair thereof, and shall permit the same to remain longer than necessary for the breaking and spreading of such Materials, or shall lay on any such Road any Matter or Thing, or shall knowingly permit to remain on any Part of any such Road any Matter or Thing which may endanger the Safety of any Passenger, or shall dig any Pit, or make any Cut on any Turnpike Road, without sufficiently fencing the same, such Person shall for each such Offence forfeit and pay a Sum not exceeding Five Pounds over and above the Damages occasioned thereby and Expences; and that it shall be lawful for any Person travelling along any Turnpike Road to prosecute such Surveyor, Contractor or other Person in the Employment of the Trustees, so offending in manner hereinafter provided.

Proprietor to
fence Pits.

XCIII. And be it further enacted, That if the Proprietor or Occupier of any Lands adjacent to any Turnpike Road shall dig any Pit or make any Cut upon or within Twelve Feet of the Side of any such Road, and shall leave the same unfenced so as to be dangerous to Travellers, and shall not fence the same when required so to do by the Trustees of such Road, or the Procurator Fiscal of the Shire or Stewartry within which the said Pit or Cut is situated, such Proprietor or Occupier shall forfeit and pay any Sum not exceeding Five Pounds for every Day the said Pit or Cut shall continue to be unfenced after the Elapse of Three Days after Notice shall have been given as aforesaid; and it shall then be lawful for the said Trustees or Procurator Fiscal to order the same to be fenced at the Expence of such Proprietor or Occupier, to be recovered as other Penalties by this Act directed.

Animals
pastured on
Roads.

XCIV. And be it further enacted, That if any Horse, Cattle, Ass, Sheep, Swine or other Beast of any Kind, shall be pastured or left or found straying on any Turnpike Road, or the Sides of the

the same, where such Road shall be inclosed, (except on such Parts of any Road as lead or pass through or over any Common or Waste or uninclosed Ground,) it shall be lawful for any Trustee of such Road, or the Surveyor of such Trustees, or any other Person authorized by them, *brevi manu*, to seize and detain the same, until the Owner thereof shall for every such Animal pay a Sum not exceeding Five Shillings and Expences; and in case the said Penalty and Expences shall not be paid within Three Days after Notice of such Detention shall be given on the Two nearest Toll Bars on the said Road where such Animal shall be found, the said Surveyor or other Person shall sell the same, with the Authority of the Sheriff, Stewart or any Justice of the Peace for the Shire or Stewartry, who are hereby empowered to grant such Authority, and after deducting the Amount of the said Penalty and Expences, shall pay the Surplus, if any, to the Owner of such Animal so detained.

Seized and detained until Penalty paid.

Sold upon Notice.

XCV. And be it further enacted, That every Person in ploughing any uninclosed Land adjoining any Turnpike Road shall make Hedge Ridges along the Sides of such Road of the Breadth of Twelve Feet at the least, under a Penalty not exceeding Five Pounds, to be levied as other Penalties by this Act directed.

Side Ridges to be made.

Penalty.

XCVI. And be it further enacted, That no Gate of any Park, Field or Inclosure whatsoever, shall be made to open into or towards any Part of any Turnpike Road, or of any Footpath belonging thereto, or be suffered so to open, except the Hanging Post thereof shall be fixed or placed so far from the Centre of any Part of such Turnpike Road, as that no Part of such Gate shall, when open, project over any Part of such Turnpike Road, or any Footpath belonging thereto; and the Occupier of any Park, Field or Inclosure, having any Gate opening outwards, contrary to the Meaning of this Act, shall, within Six Days after Notice to him or her given, either personally or in Writing, from the Trustees of any Turnpike Road, or their Surveyor, cause such Gate to be hung so that no Part of the Gate, when open, shall project over any Part of such Turnpike Road, or any Footpath belonging thereto; and if such Occupier fail so to do, the Surveyor of any such Turnpike Road shall cause the Gate to be hung as hereinbefore directed, and charge the Expence of making such Alteration and hanging such Gate against the said Occupier, who shall also forfeit and pay a further Sum not exceeding Five Pounds for such Neglect, to be fixed by the Sheriff, Stewart or any Two Justices of the Peace for the Shire or Stewartry in which such Gate is situated.

Gates to open Inwards.

On Neglect, Surveyor to act at Expence of Occupier.

Penalty ascertained by Sheriff, &c.

XCVII. And be it further enacted, That the Trustees of every Turnpike Road shall cut or cause to be cut all Weeds growing on the same, or the Sides thereof, when inclosed, at a proper Season of the Year, in order to prevent such Weeds coming into Seed, and if they fail so to do for Eight Days after being required by the Proprietor or Occupier of the adjoining Lands, by Notice in Writing given to their Clerk or Surveyor, such Proprietor or Occupier may cut the same, and charge the Expence thereof against the said Trustees, and recover the same as Penalties by this Act directed, *mutatis mutandis*.

Weeds to be cut.

Trustees to erect Parapets on Sides of Bridges, &c.

Process and Expences

Parishes to defray Damages when Offender cannot be discovered.

Proceedings.

Windmill, &c. erected within One hundred Yards of Road. Penalty.

Skinner's Washing Pond. Penalty.

Proviso.

XCVIII. And be it further enacted, That the Trustees of every Turnpike Road shall erect sufficient Parapet Walls, Mounds or Fences along the Sides of all Bridges, Embankments or other such dangerous Parts of the said Roads, and if they shall fail therein, it shall be lawful for the Procurator Fiscal of the Shire or Stewartry in which such Road is situated, or any Commissioner of Supply for the Shire or Stewartry in which such Road is situated, upon finding Security to pay Expences of Process if he shall fail in his Action, to prosecute the Trustees of any such Turnpike Road before the Sheriff or Stewart of the Shire or Stewartry in which such Road is situated, who shall judge and determine therein in a summary Manner, and upon finding the Complaint well founded, may oblige the said Trustees to remedy the Matter complained of, and adjudge to the Prosecutor full Expences of Process; but if such Prosecution shall be found groundless, the private Prosecutor shall be liable in Expences.

XCIX. And be it further enacted, That it shall be lawful for the Trustees of every Turnpike Road, where the Parapet of any Bridge, or any Toll House, Toll Bar, Fence, Milestone, Direction Post or any Erection, Building, Matter or Thing belonging to the said Trustees, shall be destroyed or injured, and the Person so offending cannot be discovered and convicted, to complain to the Sheriff, Stewart or any Two Justices of the Peace of the Shire or Stewartry in which such Damage shall have been committed, having previously given Notice in Writing of their Intention of making such Complaint on the Church Door of the Parish in which the said Damage shall have been committed for Two consecutive *Sundays*, and which Complaint the said Sheriff, Stewart or Justices shall hear in a summary Way; and if they shall sustain the same, they shall have Power to assess the Amount of such Damage upon the Proprietors, Occupiers and such other Persons of the Parish wherein such Damage shall have been committed as aforesaid, as are liable for the Payment of the Conversion Money leviable for Statute Labour in the Shire or Stewartry in which such Parish is situated; which Assessment shall be levied by the said Trustees upon the same Persons, in the same Proportions, with the same Relief to Landlords against Tenants, in the same Manner and with the same Powers as are provided and contained in the Acts of Parliament for regulating and converting the Statute Labour of the Shire or Stewartry in which the Parish where such Damages shall be so committed as aforesaid is situated.

C. And be it further enacted, That no Person shall hereafter erect any Windmill, Watermill or Limekiln within the Distance of One hundred Yards from any Part of any Turnpike Road, under the Penalty of Five Pounds for every Day such Windmill, Watermill or Limekiln shall continue, unless the same shall be so placed or screened as to prevent Damage or Detriment to any Traveller on such Turnpike Road; nor shall any Person hereafter place any Skinner's Washing Pond within the Distance of One hundred Yards from any Part of any Turnpike Road, under a Penalty not exceeding Five Pounds for every Day any such Nuisance shall continue: Provided always, that nothing herein contained shall be construed to render legal the Re-erection or Continuance of any

any Windmill, Watermill, Limekiln or Skinner's Washing Pond, in any Case where by the Common Law the same shall be a public or private Nuisance.

CI. And be it further enacted, That the Owner of every Waggon or Cart, and also of every Coach, Post Chaise or other Carriage, let either in the Whole or in Part to hire, shall paint in a straight Line, upon some conspicuous Part on the off or right Side of his Waggon or Cart, and upon the Pannels of the Doors of all such Coaches, Post Chaises or other Carriages, before the same shall be used upon any Turnpike Road, the Christian and Surname and Place of Abode of such Person, or the Christian and Surname and Place of Abode of the principal Partner or Owner thereof, in large legible Roman Letters, either of a dark Colour upon a light Ground, or of a light Colour on a dark Ground, not less than One Inch in Height, with Numbers, beginning with Number One, where more of such Carriages respectively than One shall belong to the same Owner, and proceeding in regular Progression, and continue the same thereupon so long as such Carriage shall be used upon any Turnpike Road; and every Owner of any such Carriage as aforesaid using or allowing the same to be used upon any Turnpike Road without the Names and Descriptions painted thereon respectively as aforesaid, or who shall paint or cause to be painted any false or fictitious Name or Place of Abode on such Carriage, shall forfeit for every such Offence a Sum not exceeding Five Pounds; and every Person driving any Coach or Post Chaise let for Hire, Waggon, Cart or other Carriage, without the Name or Description of the Owner painted thereon as hereinbefore directed, or with a false or fictitious Name, or with the Name painted in inverted Characters, or placed in an inverted Position, or who shall refuse to stop and permit such Name to be read by any Person requiring him so to do, shall forfeit for each such Offence any Sum not exceeding Forty Shillings, to be recovered as other Penalties by this Act directed.

CII. And be it further enacted, That it shall be lawful for any One Person to act as the Driver of Two Carts on any Turnpike Road, and for such Carts to pass and travel on any Turnpike Road, being only under the Care and Superintendence of such single Person: Provided always, that the hinder of such Carts, when under the Care of only One Person, shall not be drawn by more than One Horse, and that the Horse of the hinder Cart shall be attached by a Rein to the Back of the Cart which shall be foremost, and follow in the same Line therewith, the Horse drawing such last Cart never being permitted to be further from the foremost Cart than Four Feet; and in case the said Horse shall not be so attached, the Driver of such Carts shall for each such Offence forfeit a Sum not exceeding Forty Shillings, to be recovered as other Penalties are by this Act authorized to be recovered.

CIII. And be it further enacted, That no Waggon or Cart travelling on any Turnpike Road shall be driven by any Person who shall not be of the full Age of Thirteen Years, under a Penalty for each such Offence not exceeding Forty Shillings, to be paid by the Owner of such Waggon or Cart.

Owners of
Waggons and
Carriages, &c.
to cause their
Names to be
painted thereon.

Neglecting, or
painting false
Name, &c.

Penalty.
Driving such
Carriage.

Penalty.

One Driver
may take
Charge of
Two Carts.

Proviso.

Penalty.

Children driv-
ing Carts, &c.
Penalty on
Owner.

Trustees may direct Prosecutions for Nuisances, &c.

CIV. And be it further enacted, That the Trustees of every Turnpike Road, at any of their General or Adjourned Meetings, may direct Prosecutions to be raised against the Offender for any Nuisance or other Offence done or committed upon any of the Turnpike Roads under their Care respectively, at the Expence of the Turnpike Funds, to be allowed by such Trustees at some subsequent Meeting.

Witnesses not attending when summoned.

CV. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Sheriff or Stewart, or before any Justice of the Peace, touching any Matter relating to or contained in any Act of Parliament relating to Turnpike Roads or this Act, either on the Part of the Prosecutor or the Person accused, and shall refuse or neglect to appear at the Time and Place for that Purpose appointed, after having been paid or tendered a reasonable Sum for his or her Expences, without a reasonable Excuse for such Refusal or Neglect, then such Person shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Penalty.

Resisting Execution of Act, assaulting Collectors, or rescuing Cattle, &c. distrained.

CVI. And be it further enacted, That in case any Person shall resist or forcibly oppose any Person employed in the due Execution of this Act, or any Act made for making or maintaining any Turnpike Road, or shall assault any Surveyor or any Tacksmen or Toll Gatherer in the Execution of his or their Office, or shall pass through any Toll Bar or Fence set up under the Authority of any Act of Parliament for making or maintaining any Turnpike Road, without paying the Toll appointed to be paid at such Bar, or shall make any Rescue of Cattle or other Goods distrained by virtue of this Act, or of any Act for making and maintaining any Turnpike Road, every such Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds, at the Discretion of the Sheriff, Stewart or Justices of the Peace before whom such Person shall be convicted of any such Offence.

Penalty.

For securing transient Offenders.

CVII. And Whereas Offences may be committed against this Act, or other Acts for making and maintaining Turnpike Roads, by Persons unknown to the Toll Gatherers or other Officers; Be it therefore further enacted, That it shall be lawful for any of the Trustees of any Turnpike Road, or any of their Clerks or other Toll Gatherers, Surveyors or other Officers respectively, and such other Person as any of them shall call to their Assistance, without any Warrant or other Authority than this Act, *brevi manu*, to seize and detain any unknown Person who shall commit any Offence, either prohibited by this Act, or by any Act of Parliament for making or maintaining any Turnpike Road, and take such Person before the Sheriff, Stewart or nearest Justice of the Peace for the Shire or Stewartry where the Offence shall have been committed, or where such Offender shall be seized and apprehended, who shall forthwith examine, and discharge or commit such Person till Caution *de Judicio Sisti* be found, as the Case may require.

Prosecutors may recover by Action, &c.

CVIII. And be it further enacted, That every Person who shall prosecute for any Expence, Toll Duty, Penalty, Forfeiture or Fine imposed by this or any Act of Parliament made for making or maintaining any Turnpike Road, for the Recovery of which no parti-

particular Mode is directed, shall prosecute for and recover the same before the Sheriff or Stewart or the Justices of the Peace of the Shire or Stewartry in which such Penalty, Forfeiture or Fine has been incurred, or where the Offender shall reside, subject to Appeal in Manner hereinafter mentioned.

CIX. And be it further enacted, That all Expences, and also all Penalties, Forfeitures and Fines by this Act directed to be paid or inflicted, (the Manner of levying, recovering and applying whereof is not herein otherwise directed,) shall, upon Proof of the Offences respectively before the Sheriff, Stewart or any Two Justices of the Peace for the Shire or Stewartry where the Offence shall have been committed, or where the Offender may reside (as the Case may require), either by the Confession of the Party offending, or by the Oath of any credible Witness, or other competent Evidence, be levied, together with the Expences attending the Information and Conviction, by Poinding and Sale of the Goods and Effects of the Party offending, by Warrant under the Hand of such Sheriff, Stewart or Justices, (which Warrant such Sheriff, Stewart or Justices are hereby empowered to grant,) and the Surplus (if any) after deducting such Expences, Penalties, Forfeitures and Fines, and the Charges of such Poinding and Sale, shall be returned unto the Owner of such Goods and Effects; and in case such Expences, Fines, Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Sheriff, Stewart or Justices to order the Offender so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant or Poinding, unless the Offender shall give sufficient Security, to the Satisfaction of such Sheriff, Stewart or Justices, for his or her Appearance before such Sheriff, Stewart or Justices, on such Day as shall be appointed for the Return of such Warrant of Poinding, which Security the said Sheriff, Stewart or Justices are hereby empowered to take by Bond of Caution or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Goods and Effects can be found, then it shall be lawful for the said Sheriff, Stewart or Justices, and they are hereby authorized and required, by Warrant under their Hand, to cause such Offender to be committed to the Common Gaol or House of Correction of the Shire or Stewartry where the Offender shall be or reside, there to remain for any Time not exceeding Three Months, unless such Expences, Penalties, Forfeitures and Fines, and all reasonable Charges attending the same, shall be sooner paid; and the Monies recovered or levied for such Expences shall be applied to the Payment of the same respectively; and the Monies arising by such Penalties, Forfeitures and Fines respectively, when paid, if not otherwise directed to be applied by this Act, or the Act under which the same shall have been incurred, shall be paid to the Trustees for making and maintaining the Road on which such Offence shall have been committed, or to their Treasurer, and applied and disposed of for the Purposes of the said Road.

CX. And be it further enacted, That in recovering the different Penalties imposed by this Act or any Turnpike Act, it shall be lawful for the Sheriff, Stewart or Justice before whom any Complaint for the Recovery thereof may be brought, to proceed, if

Recovery and Application of Penalties.

Poinding and Sale of Goods.

Offender detained unless Security given.

If not sufficient Goods.

Offender committed unless Penalties, Expences, &c. paid.

Application of Monies so raised. Penalties, &c.

Recovery by summary Process.

under all Circumstances there shall be Cause, in a summary Way, and to grant Warrant for bringing the Parties complained upon before them for Examination, and on Confession or Probation by the Oath of any credible Witness or other competent Evidence, to proceed to determine thereon, without any written Pleadings or Record of Evidence, it being hereby provided that a Record shall be preserved of the Charge and of the Judgment pronounced.

Appeal.

CXI. Provided always, and be it further enacted, That any Person who shall think himself or herself aggrieved by any Proceedings to be had before any Justice or Justices of the Peace in the Execution of this Act, for which no particular Relief has been hereby provided, may within Six Months after the Matter complained of shall be done, but not afterwards, appeal to the Justices of the Peace at the Quarter Sessions of the Shire or Stewartry where the Cause of Complaint shall have arisen, the Appellant giving Fifteen Days previous Notice of such Appeal to the Defender or Defenders, and to the Clerk of the said Trustees and the Clerk of the Justices of the Peace, which Justices shall have Authority to hear and determine the Matter in Dispute; and their Judgment therein shall be final, without being subject to Review by Advocation, Suspension, Reduction or otherwise.

Notice.

Judgment final.

Judgment of Sheriff, Stewart or Justices to be final.

CXII. And be it further enacted, That where by this Act the adjudging of any Penalty, Forfeiture, Fine or any other Matter is committed to the Sheriff, Stewart or the Justices of the Peace assembled in their Quarter Sessions of the several Shires and Stewartries in *Scotland*, the Judgment of such Sheriff, Stewart or Justices assembled as aforesaid, shall be final and conclusive, and shall not be subject to Review by Advocation or Suspension, or by Reduction, or by any Process of Law whatever, any Law or Usage to the contrary notwithstanding.

Limitation of Prosecutions.

CXIII. And be it further enacted, That all Prosecutions for the Penalties, Forfeitures and Fines imposed by this Act or any Turnpike Act, or for any Wrongs done or Injuries suffered in any Matter thereto relating, or for any Thing done in pursuance of any of the Powers by this Act or any Turnpike Act given and granted for any thing done in pursuance of this Act or any Turnpike Act, shall be commenced within Six Months after the Penalty, Forfeiture or Fine is incurred, or Wrong done, or Injury suffered, or Fact committed, and not afterwards.

Exception of Highland Commissioners' Roads and Glasgow and Carlisle Road.
43 G.3. c.80.

59 G.3. c.136.

CXIV. Provided always, That nothing herein contained shall be construed or taken to extend to any Road made under or by virtue of an Act passed in the Forty third Year of the Reign of His late Majesty, intituled *An Act for granting to His Majesty the Sum of Twenty thousand Pounds, to be issued and applied towards making Roads and building Bridges in the Highlands of Scotland; and for enabling the Proprietors of Land in Scotland to charge their Estates with a Proportion of the Expence of making and keeping in repair Roads and Bridges in the Highlands of Scotland*; or of an Act passed in the Fifty ninth Year of His said Majesty, intituled *An Act to repeal Two Acts made in the Fifty fourth and Fifty fifth Years of the Reign of His present Majesty, for maintaining and keeping in repair certain Roads and Bridges in Scotland; to provide more effectually for that Purpose; and for the Regulation*

lation of *Ferries* in Scotland; or of an Act passed in the Fifty sixth Year of the Reign of His said late Majesty, intituled *An Act for improving the Road from the City of Glasgow to the City of Carlisle*, or of Three several Acts amending the same, passed in the Fifty eighth and Fifty ninth Years of the Reign of His said late Majesty, and in the First and Second Years of the Reign of His present Majesty.

56 G.3. c.lxxxiii.
58 G.3. c.44.
59 G.3. c.xc.
1 & 2 G.4. c.cxxvii.

CXV. And be it further enacted, That it shall be lawful for the Sheriffs and Stewarts within their respective Shires and Stewartries to take Affidavits on Oath or Affirmation (which Oath or Affirmation such Sheriffs and Stewarts are hereby authorized to administer), of the Answers that may be given by the Proprietors and Occupiers of Lands, on Applications made to them for their Consent to such Bills; and every Affidavit of such Notices shall be in the Form following, as near as the Circumstances of the Case will admit :

Sheriffs, &c. empowered to take Affidavits of Notices.

‘ A. B. of maketh Oath, and saith [*or*, being One
‘ of the People called *Quakers*, upon his solemn Affirmation saith],
‘ That he did apply to , and did receive
‘ from the several Persons whose Names are contained in the
‘ Paper hereto annexed, whom he believes to be the Proprietors
‘ of the Lands through which the intended Turnpike Road is to
‘ be carried, the Answers set forth in the Paper hereunto annexed.
‘ (Signed) A. B.
‘ Sworn [*or* solemnly affirmed before me,] as
‘ witness my Hand, the Day of in
‘ the Year .

Form.

And no such Affidavit as aforesaid shall be subject or liable to any Stamp Duty now payable by any Act of Parliament, or which shall hereafter be imposed, unless specially named and made subject thereto by the Act of Parliament imposing the same; nor shall any Fee be charged by any Sheriff, Sheriff Clerk or other Officer, for administering or attesting the above Oaths or Affirmations.

Affidavit not subject to Stamp Duty.

CXVI. Provided always, and be it enacted, That Proof of the Hand Writing of any Sheriff or Stewart, before whom any such Affidavit shall be made as aforesaid, shall be sufficient Evidence of the Signature of such Sheriff or Stewart before any Committee of either House of Parliament, without any Witness being produced who was present at the Time when such Affidavit was made.

Proof of Hand Writing of Sheriff Evidence.

C A P. L.

An Act for the rebuilding of *London* Bridge, and for improving and making suitable Approaches thereto.

[4th July 1823.]

‘ WHEREAS the Mayor, and Commonalty and Citizens of
‘ the City of *London*, Time out of Mind have had, exercised
‘ and ought and have accustomed themselves to have and exercise
‘ the Office of Bailiff and Conservator of the Water of *Thames*,
‘ from the Town of *Staines*, in the County of *Middlesex*, unto
‘ *London* Bridge, and from thence to *Kendall* otherwise *Yenland*
‘ otherwise *Yeenleet*, towards the Sea, and their Title to the said
‘ Office has been confirmed by divers Charters and Acts of Par-

20 G. 2. c. 40.

3G. 4. c. cix.

liament: And Whereas the said Mayor, and Commonalty and Citizens of the City of *London* are seised of or entitled to certain Messuages, Lands and Hereditaments in the City of *London*, and in the Counties of *Surrey*, *Kent* and *Essex*, (which are commonly called "The Bridge House Estates of the City of *London*,") as Trustees for maintaining and repairing *London* Bridge; and the Rents and Profits of the said Estates are received by the Wardens or Keepers of *London* Bridge, on account of the said Mayor, and Commonalty and Citizens, and are (subject to certain Charges thereon now existing) applicable to the Repair and Support of the said Bridge: And Whereas an Act was passed in the Twenty ninth Year of the Reign of His Majesty King *George* the Second, intituled *An Act to improve, widen and enlarge the Passage over and through London Bridge*; and the Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, were thereby authorised and required to widen or enlarge One or more of the Arches of the said Bridge, as they should from time to time judge necessary and direct; and also from time to time to design, assign and lay out how and in what manner the Passage over and through the said Bridge should be widened, enlarged and rendered more safe and commodious: And Whereas in pursuance of the said Act Two of the Arches or Waterways of the said Bridge were converted into One; and the Passage over and through the said Bridge has been widened and improved: And Whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act for the Removal of the Waterworks at London Bridge*: And Whereas the great Fall of Water at certain Times of the Tide, occasioned by the large Starlings and numerous Piers of the said Bridge, renders the Navigation through the said Bridge dangerous and destructive to the Lives and Property of His Majesty's Subjects: And Whereas it is expedient that the said Bridge should be taken down, and that a new Bridge on a better Principle of Construction, should be erected upon or near to the Site of the present Bridge, and that convenient Approaches should be made thereto: And Whereas it is expedient that as large a Sum of Money should be raised on the Credit of the Rents and Profits of the Bridge House Estates, after appropriating thereof the Sum of Twelve thousand Pounds *per Annum* for the Purposes hereinafter mentioned, as the said Estates may prove to be adequate to bear the Charge of; and that the said Sum so to be raised, together with the Monies now invested in the Public Funds, and in the Hands of the said Wardens or Keepers of *London* Bridge, on account of the Rents and Profits of the said Estates, together with such other Sum or Sums of Money as may be advanced by 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*, in pursuance of this Act, should be applied to the Purposes hereinafter mentioned: But as the several Purposes aforesaid cannot be effected without the Aid of Parliament, may it please Your Majesty that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and

Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the said Mayor, Aldermen and Commons of the said City of London, in Common Council assembled, and they are hereby authorised and empowered to pull down and remove, or cause to be pulled down and removed, the said present Bridge, called London Bridge, and the Starlings and other Works belonging thereto, and to sell or cause to be sold the Materials of the said Bridge and Works to be pulled down and removed as aforesaid, or to retain such of them as they shall think proper for the Purposes of the new Bridge to be erected as hereinafter is mentioned; and the Monies to be produced by the Sale thereof (after deducting the Expences of pulling down and removing the said Bridge and Works, and of such Sale or Sales,) shall be applied and disposed of for or towards the Costs and Expences of erecting a new Bridge, in manner hereinafter mentioned.

Corporation of London empowered to pull down the present Bridge.

II. Provided always, and be it further enacted, That in case the said Mayor, Aldermen and Commons, in Common Council assembled, shall think it expedient that the new Bridge to be erected as hereinafter is mentioned should be built on the Western Side of the present Bridge, so as to render it unnecessary to remove the present Bridge for the Purpose of erecting the same, then and in such Case the said present Bridge shall not be pulled down or removed as aforesaid, until after the Passage over the said new Bridge shall have been opened, but shall remain and be used in the mean Time as a temporary Bridge.

Proviso for present Bridge remaining until new Bridge completed.

III. And be it further enacted, That in case the said Mayor, Aldermen and Commons, in Common Council assembled, shall think it expedient that the said new Bridge should be erected on the Site of the present Bridge, or so near thereto as to render it necessary to remove the said present Bridge, or any Part thereof, for the Purpose of erecting the same, then and in such Case, before the said present Bridge shall be pulled down as aforesaid, or rendered impassable, the said Mayor, Aldermen and Commons, in Common Council assembled, shall erect and build, or cause to be erected and built, and maintain or cause to be maintained, a temporary Bridge, with such Materials, upon such Construction and at such Place or Places, near to the present Bridge, as they shall judge to be most proper and convenient, and to open and make such Ways or Approaches thereto as they shall think proper; and when and so soon as the Passage over the new Bridge, to be erected as hereinafter is mentioned, shall be opened, they shall pull down and remove, or cause the said temporary Bridge to be pulled down and removed, and sell or cause to be sold the Materials thereof; and the Monies to be produced by the Sale thereof (after deducting the Expences of pulling down and removing the said temporary Bridge, and of such Sale or Sales,) shall be applied and disposed of for or towards the Payment of the Costs and Expences of building the said new Bridge.

Corporation, if necessary, to erect a temporary Bridge before the present Bridge be taken down.

When to be pulled down, and Materials sold.

IV. And be it further enacted, That it shall and may be lawful to and for the said Mayor, Aldermen and Commons of the City of London, in Common Council assembled, and they are hereby authorised, empowered and directed without Delay, to erect and build, or cause to be erected and built, and complete, maintain and

New Bridge to be built on the present Site, or within 180 Feet westward, and upon such

Plan, and in such Manner as herein mentioned.

and keep in repair a new Bridge across the said River *Thames*, upon the Site of the said present Bridge, or westward of the said present Bridge, within the Distance of One hundred and eighty Feet from the Western Side thereof, and to dig and make proper Foundations in the said River, and on the Lands and Grounds lying on each Side thereof, for the Piers and Abutments of the said Bridge, and to cut and level the Banks of the said River in such Manner as shall be necessary and proper for building the said Bridge, and to make proper Dams in the said River, and to execute all other Things, requisite and necessary, useful or convenient, for erecting and building, maintaining and supporting the said Bridge; and that the said Bridge shall be erected and built of the best Granite Stone, and other durable Materials, with Five Arches, of such Height, Width and Dimensions as are shown by the Model and the Plans and Specifications, as far as they relate to the Construction of the Bridge itself, designed by the late *John Rennie* Esquire, Civil Engineer, as exhibited to the Committee of the House of Commons, and deposited at the Office of Works at the Guildhall of the City of *London*: Provided always, that if it shall appear to the said Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, that any Alteration ought to be made in the Plan for the said Bridge, designed by the said *John Rennie* as aforesaid, or that a Bridge should be constructed upon any other Plan, and the same shall be approved by, and such Approval certified by Writing under the Hands of the said Commissioners of His Majesty's Treasury, or any Three or more of them, it shall and may be lawful to and for the said Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, and they are hereby required to make such Alteration accordingly, and to build a Bridge upon such altered or other Plan as aforesaid.

Proviso for Alteration of Plan.

Corporation to make convenient Approaches.

V. And be it further enacted, That in order to make convenient and suitable Approaches to the said intended new Bridge, on both Sides of the said River, it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and they are hereby authorised and empowered to design, lay out, widen, open and make, or cause to be designed, laid out, widened, opened and made, a spacious and convenient Street, Way or Passage, at each End of the said intended Bridge, and to lay out, or cause to be laid out, such Part thereof respectively for Carriages, and such Part for Foot Passengers as they shall think proper.

Engineer or Contractor to be employed, approved by the Treasury.

VI. And be it further enacted, That no Engineer shall be employed for the Superintendence of the Works, nor any Contractor employed in the Execution of the same, nor any Surety taken for the due Performance of the Work contracted to be done, without the Approbation in Writing of Three or more of the Lords Commissioners of His Majesty's Treasury.

Power to embank the River *Thames*.

VII. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, if it shall be deemed advantageous and expedient by the Engineer to be employed in the Erection of the said Bridge, to inclose and embank, or cause to be inclosed and embanked, in such Manner and under such Regulations as the said Engineer shall advise, out of the Monies to be applied to the Purposes of
this

this Act, so much of the Ground and Soil of the said River of *Thames*, on both Shores thereof as lies within the Distance of One hundred and eighty Feet from the Centre of the Abutment of the present Bridge on the West Side, and One hundred and ten Feet from the Centre of the said Abutment on the East Side thereof, so that the Front of the said Embankments, on each Side of the said intended Bridge, may be in straight Lines: Provided nevertheless, that before the said Mayor, Aldermen and Commons, in Common Council assembled, shall cause to be made such Part of the said Inclosure and Embankment as shall adjoin to any Wharfs or Grounds which shall not be taken for the Purposes of this Act, they shall cause a Plan and Specification of such Part of the Inclosure and Embankment intended to be made as shall adjoin to every such Wharf or Ground respectively, to be delivered to the Owner or Owners thereof respectively, or left upon the same Premises; and it shall be lawful for such Owners respectively at their own Expence, to enclose and embank, according to such Plan and Specification, so much of the said Ground and Soil of the said River as lies opposite and adjoins to their respective Wharfs or Grounds, upon giving or leaving a Notice in Writing of his and their Intention so to do, at the Office of the Comptroller of the Bridge House Estates for the Time being, within One Calendar Month next after such Plan and Specification of the proposed Embankment shall have been delivered or left as aforesaid; and the said Mayor, Aldermen and Commons, in Common Council assembled, shall not cause such Part of the said Embankment to be made, unless the said Owners respectively shall neglect to enclose and make such Embankment according to the said Plan and Specification, within the Space of Six Months next after such Plan and Specification shall have been delivered or left as aforesaid; and the Ground and Soil of the said River which shall be enclosed and embanked, in the Front of every or any Wharf or Ground, by the Owner or Owners thereof as aforesaid, and which shall be bounded on the East and West Sides thereof, by straight Lines, running at right Angles to and upon the said intended Front Line of the Embankment, and the Fee Simple and Inheritance thereof shall be and is hereby vested in the Owner or Owners of such Wharf or Ground, according to the same Estate, Trust or Interest therein, as such Owner or Owners respectively shall be entitled to in such Wharf or Ground; and the Ground and Soil of the said River, which shall be enclosed and embanked by the said Mayor, Aldermen and Commons, in Common Council assembled, out of the Monies to be applied for the Purposes of this Act, and the Fee Simple and Inheritance thereof, shall be and is hereby vested in the said Mayor, and Commonalty and Citizens, and their Successors, for the Purposes of this Act; and the said Mayor, and Commonalty and Citizens, shall sell and convey to the Owners of the Wharfs and Grounds, to which the same shall adjoin, such Part of such Embankments respectively as would have vested in such Owners respectively, if the same had been made by them under the Authority hereinbefore contained, at such Prices respectively as shall be agreed upon between such Owners respectively, and the said Mayor, Aldermen and Commons, in Common Council assembled; and in case they shall

Notice thereof.

Soil of the River
vested in Corporation
of London.

Jury to settle
Prices.

shall differ or not agree as to any such Price, within the Space of One Month next after such Embankment shall be made, then the same shall be adjusted and settled by a Jury, to be summoned as in Cases of Purchases made by the said Mayor, Aldermen and Commons as herein mentioned, *mutatis mutandis*; and if the Jury shall award any Compensation, such Owner or Owners shall not be entitled to the Possession of any Part of the Embankment so to be made as aforesaid until the Price agreed upon or settled for the same shall have been paid into the Chamber of *London*.

Power to stop
up Streets and
Ways.

VIII. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, to alter, divert, stop up or inclose such Streets, Courts, Alleys, Ways or Passages and void Ground, forming Part of the present Avenues or Approaches to the said Bridge, or near or adjoining to the intended Approaches to the said new Bridge, which now are or heretofore were used as Streets, Ways and Passages, or such Part and Parts thereof respectively as by the said Mayor, Aldermen and Commons, in Common Council assembled, shall be thought proper to be altered, diverted, stopped up or inclosed for the Purposes of this Act; and the Ground or Soil of such Streets, Courts, Alleys, Ways, Passages and void Ground, or Parts thereof respectively, as shall be stopped up and enclosed, and the Fee Simple and Inheritance thereof, shall be and is hereby vested in the said Mayor, and Commonalty and Citizens, and their Successors, for the Purposes of this Act.

Power to stop
up Ways during
the Execution
of the Act.

IX. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and they are hereby authorised and empowered, during the building of the said new Bridge, and making and improving of the said Approaches thereto, to stop up or cause to be stopped up all or any Part of the Carriage Ways of Streets and other Places within the Distance of Three hundred Yards from the present Bridge, which they shall think necessary; and for that Purpose to put up, or cause to be put up, sufficient Palisadoes, Bars, Posts and other Erections, and to make such Orders for regulating the Passage of all Carts, Carriages and Horses, as to them shall seem proper.

Streets may
be raised or
lowered.

X. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and they are hereby authorised and empowered to raise or lower, or cause to be raised or lowered, the Ground of the Streets and Ways to be made, widened, enlarged and improved as aforesaid, or any Part thereof respectively, as they shall judge necessary.

Compensation
to be made to
Owners of
Houses, &c.
for Loss or
Damage to
Premises by
Pavements
being raised
or lowered.

XI. Provided always, and be it further enacted, That in case any Injury or Damage, or Deterioration in Value, shall be occasioned to any Houses or Buildings, which shall not be purchased or taken as hereinafter is mentioned for the Purposes of this Act, by reason of the Pavements in the immediate Front thereof having been lowered or raised by virtue of this Act, such Sum or Sums of Money shall be paid out of the Monies to be applied for the Purposes of this Act, to the Body or Bodies, Person or Persons, who shall be Owners and Occupiers of such Houses and Buildings, in Satisfaction and Compensation for such Injury, Damage or Detriment,

Detriment, as shall be agreed upon between such Owners and Occupiers, and the said Mayor, Aldermen and Commons, in Common Council assembled; and in case such Owners and Occupiers, and the said Mayor, Aldermen and Commons, in Common Council assembled, shall not agree as to the Amount or Value of such Satisfaction or Compensation, then the same shall be ascertained and settled by the Verdict of a Jury, in Manner hereinafter **Jury.**
directed for ascertaining and settling the Value or Recompence for Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, Hereditaments and Premises to be taken or purchased for the Purposes of this Act.

XII. Provided always, and be it further enacted, That the said Mayor, Aldermen and Commons, in Common Council assembled, shall, out of the Monies to be applied to the Purposes of this Act, in a substantial and workmanlike Manner, fill in, or cause to be filled in, all and every the Vaults, Cellars and open Places over which it may be necessary for the Purposes aforesaid, or any of them, to new pave (except such as may be used again as Cellars, Vaults or Areas,) with good sound hard Brick Rubbish, to be well rammed down every Three or Four Inches thick to prevent the Ground from giving way; and out of such Monies well and effectually pave over all the said Ground, and the said Approaches, Streets or Ways, with a sufficient Quantity of Materials of proper Quality and Dimensions; and shall in like Manner out of such Monies reLay and repair all and every Part of the Streets, Ways and Passages which they shall disturb or alter in carrying the Purposes of this Act into Execution: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to charge the said Mayor, Aldermen and Commons, or the Monies to be applied for the Purposes of this Act, with repairing or making good such Pavement in future, but that from and after the same shall be so paved, relaid and repaired as aforesaid, the same shall for ever thereafter be kept in Repair by and at the Expence of the respective Wards to which the same shall respectively belong, or other the Commissioners or Persons liable to repair the same; and that the Right and Property of all Pavements, Stones and Bricks so to be laid as aforesaid, shall belong to and be the Property of the said respective Wards, Commissioners or Persons, in the same Manner as Things of a like Description in other Parts of the said Wards or Parishes respectively are now vested by Law. **How the Pavements to be laid and made.**
To be kept in Repair by the Wards, &c.

XIII. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and they are hereby authorised and empowered out of the Monies to be applied for the Purposes of this Act, to cause to be arched over or filled up all such Sewers and Drains, or Part or Parts thereof, which shall lie and be in or near the said new Bridge, temporary Bridge, Approaches, Streets or Ways, to be altered, diverted, widened, enlarged or improved, or stopped up or enclosed as aforesaid respectively, as shall appear necessary for completing the Purposes of this Act, so as that no public Sewer or Drain whatsoever, or any private Drain, shall be in anywise disturbed, injured or prejudiced, without another Drain or Sewer being made in lieu thereof, equally serviceable and convenient **Sewers or Drains to be arched over or filled up.**

New Sewers in the room of those filled up.

Proviso for Commissioners of Sewers of London, Surrey and Kent.

Power to alter Steps, Areas, Pipes, &c.

Ground laid into the Streets to form Part thereof.

Corporation empowered to land Materials within 300 Feet

venient to the Individual or Neighbourhood: Provided always, that at the Time of filling up any Sewer or Drain, or Part thereof as aforesaid, the said Mayor, Aldermen and Commons, in Common Council assembled, shall cause to be made and built other good and sufficient Sewers and Drains of the same or greater Size or Capacity, and upon the same or lower Levels than the Sewers or Drains which shall be filled up; and when made and completed, the said respective Sewers and Drains shall be under the Jurisdiction, Care, Management and Direction of the Commissioners of Sewers of the City of *London* or County of *Surrey*, according to their respective Jurisdictions: Provided always, that in case the Commissioners of Sewers for the City of *London*, or the Commissioners of Sewers for *Surrey* and *Kent*, shall require any Sewer or Drain, or Part or Parts of any Sewer or Drain within their respective Jurisdictions, that may be destroyed or altered under the Authority of this Act, to be rebuilt or remade of enlarged Capacity, and shall give Notice to the said Mayor, Aldermen and Commons of the City of *London*, or their Clerk of the Works for the Time being, of such their Desire before such Sewer or Drain shall be begun to be rebuilt or altered, then and in every such Case such Sewer or Drain shall be rebuilt or remade of such enlarged Dimensions as the Commissioners may require; and such Commissioners respectively requiring the same shall bear and pay the difference in Expence that may be occasioned by such enlarged Capacity.

XIV. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons in Common Council assembled, for the Purposes aforesaid, out of the Monies to be applied for the Purposes of this Act, to raise, sink or otherwise alter or cause to be altered the Position of any of the Steps, Areas, Cellar Windows and Watercourses, Pipes or Spouts belonging to any of the Houses, and also the Mains and the leaden or other Pipes, which, for the Purpose of conveying Water or Gas to any House or other Place, shall be laid into or from any Main or Pipe laid down by any of the Companies or Societies who furnish the Inhabitants with Water or Gas, and to remove all other Obstructions, so as the same respectively be done with as little Detriment and Inconvenience to the said Companies, Societies and Inhabitants, as the Circumstances of the Case will admit.

XV. And be it further enacted, That when the said Streets or Ways shall be altered, widened, enlarged and improved in pursuance of this Act, all the Ground, Land and Hereditaments which shall be laid open into the said Streets or Ways, and paved as aforesaid, shall form Part of the said Streets or Ways respectively, and shall be used by the Public accordingly; and the same and the sole Power and Authority of paving, repairing, cleansing, lighting and watching thereof, shall be under the Care, Management, Controul and Jurisdiction of the same Commissioners, Trustees and other Persons, as the other Streets and Ways in the Wards or Parishes in which the same respectively shall be situate.

XVI. And be it further enacted, That for the Purpose of taking down the said present Bridge, or any such temporary Bridge as aforesaid, or of making, erecting, building, maintaining, repairing and supporting the said new Bridge, and also the said temporary

temporary Bridge (if any), it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and they are hereby authorised and empowered to land, or cause to be landed on any Wharfs or Grounds on either Side of the said River, within Three hundred Feet of the Site of the said present Bridge, after Fourteen Days previous Notice in Writing shall have been given to the Occupier or Occupiers thereof, or left on the same Premises, the Materials of the said present Bridge, and any such temporary Bridge, and also all Materials and other Things to be used in and about the said new Bridge and temporary Bridge respectively, and there to work and use such Materials and Things, according as they the said Mayor, Aldermen and Commons, in Common Council assembled, and the Persons to be by them appointed, shall think proper, without any previous Agreement with the Owner or Owners of the Property on which such Materials and other Things shall be landed, worked or used, or of the Tenant or Tenants thereof, doing as little Damage as may be, and making such Satisfaction as hereinafter mentioned, to the respective Owners and Occupiers of all Wharfs and Grounds, Tenements and Hereditaments which shall be altered, damaged, spoiled, taken or made use of by Means or for the Purposes of this present Act.

of the present
Bridge on
Notice.

XVII. And be it further enacted, That the said Mayor, Aldermen and Commons, in Common Council assembled, be, and they are hereby empowered to take upon Lease, or to agree for the Use and Occupation of proper Places within Three hundred Feet of the said present Bridge, on either Side thereof, or of the said River, for the Purpose of depositing Stone, Timber and other Materials for building the said new Bridge or any temporary Bridge.

Places for
Materials.

XVIII. And be it further enacted, That for the Purpose of erecting and building the said new Bridge and temporary Bridge (if any) and making and improving the Approaches thereto respectively, or for other the Purposes of this Act, it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and they are hereby authorized and empowered to make and use, and cause to be taken and used, any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, and pull down and remove, or cause to be pulled down and removed, any such Wharfs, Warehouses, Houses or Buildings, including the Rectory or Parsonage House of the Parish of *Saint Magnus*, which it may be deemed necessary and expedient to take, use or pull down and remove for the Purpose of erecting and building the said Bridge and temporary Bridge (if any), and for making, widening and improving the Approaches and Avenues thereto respectively, upon giving Six Calendar Months' Notice in Writing of such their Intention to the Owner or Owners, Occupier or Occupiers thereof respectively, in Manner hereinafter directed.

Power to take
Wharfs and
Warehouses,
Houses and
Land.

Power to take
down Houses.

Notice.

XIX. Provided always, and be it further enacted, That no Wharf, Warehouse, House or Building, Garden, planted Walk or Yard belonging to a House, shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the Schedule hereunto annexed, without the Consent in Writing of the

No Wharf, &c.
taken without
Consent of
Owner.
Exception.

the Owner or Owners thereof being first had and obtained for that Purpose, except such as may be taken or required for the Purpose of landing and working such Materials and other Things as aforesaid.

Misnomer, or wrong Description in the Schedule, not to prevent the Execution of the Act.

XX. Provided always, and be it further enacted, That if any of the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments mentioned and described in the Schedule hereunto annexed, shall be inaccurately described, or the Names of any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, shall happen to be omitted or inaccurately decribed, and it shall appear to any Two or more Aldermen of the City of *London*, and be certified under their Hands, that such inaccurate Description proceeded from Mistake or erroneous Information, then and in such Case the same shall not prevent or retard the Execution of this Act; but the said Premises, and every Part thereof, shall and may be taken and used for and to the Purposes of this Act, as fully and effectually as if the same was or were properly described in the said Schedule.

Power to Corporation, their Surveyors, &c. to enter upon Houses, &c.

XXI. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and for their Surveyor or Surveyors, Officers and Workmen, from Time to Time at all reasonable Times in the Day, upon giving in Writing for the first Time Twenty four Hours' and afterwards from time to time Twelve Hours' previous Notice, to enter into and upon the said Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, authorized to be taken and used as aforesaid, or any of them, for the Purpose of surveying or valuing the said Premises, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty or Punishment on account of entering or continuing upon any Part or Parts of the said Wharfs, Warehouses, Houses, Buildings, Lands, Tenements and Hereditaments, for the Damages that shall be thereby occasioned.

Common Council empowered to treat for the Purchase of Houses, &c.

XXII. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and they are hereby empowered in the Name of the Mayor, and Commonalty and Citizens of the City of *London*, to treat and agree for the Purchase of any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, authorized to be taken and used by them as aforesaid, and of any subsisting Leases, Terms, Estates and Interests therein, and Charges thereon, or such of them, or such Part or Parts thereof respectively, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall think proper.

Power of purchasing limited to 10 Years.

XXIII. Provided always, and be it further enacted, That if the said Mayor, Aldermen and Commons, in Common Council assembled, shall not within the Space of Ten Years, to be computed from the passing of this Act, purchase or take the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Parts thereof respectively, which they are hereby empowered to take, use and purchase as aforesaid, (except such Houses and Buildings on or near the Western Side of *Gracechurch Street*, *Fish Street Hill*, or *High Street*, *Southwark*, which may

may be burned or fall down, or be pulled down, wholly or in Part, or agreed to be taken down as hereinafter is mentioned,) then and from thenceforth the Powers hereby granted to them for such Purpose (except as to such Houses and Buildings as aforesaid) shall cease, determine and be utterly void ; any Thing herein contained to the contrary in anywise notwithstanding.

XXIV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Guardians, Trustees and Feoffees in Trust for Charitable or other Purposes, Committees, Executors and Administrators, and all other Trustees and Persons whomsoever, not only for and on Behalf of their Heirs and Successors, but also for and on Behalf of their *cestui que* Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert or other Person or Persons whomsoever, and for all Femes Covert who are or shall be seised, possessed of or interested in their own Right, or entitled to Dower, or any other Interest therein, and also for the Rector for the Time being of the Parish of *Saint Magnus*, under the Sanction and Authority of the Lord Bishop of *London* for the Time being, the Patron and Ordinary of the said Rectory, and for all and every other Persons or Person whomsoever, who are, is or shall be seised or possessed of or interested in any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments authorized to be taken or used, which by the said Mayor, Aldermen and Commons, in Common Council assembled, shall be thought proper to be purchased for the Purposes of this Act, to contract for, sell and convey the same, and every or any Part thereof, to the Mayor, and Commonalty and Citizens of the City of *London* ; and that all Contracts, Agreements, Bargains, Sales, Conveyances and Assurances, Acts and Deeds, which shall be made by such Bodies Politic, Corporate or Collegiate, Trustee or Trustees, or the said Rector for the Time being, with the Sanction and Authority of the said Patron and Ordinary, or other Person or Persons as aforesaid, shall be valid and effectual in the Law to all Intents and Purposes whatsoever ; and all Bodies Politic, Corporate or Collegiate, and all Persons whomsoever so contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which he, she or they, or any of them, shall respectively make by virtue or in pursuance of this Act.

XXV. Provided always, and be it further enacted, That if any Body or Bodies Politic, Corporate or Collegiate, Trustee or Trustees, or other Person or Persons, shall be applied to, by or on Behalf of the said Mayor, Aldermen and Commons, in Common Council assembled, to treat for, sell, dispose of or convey any Part or Parts of any Wharf, Warehouse, House, Building, Land, Ground, Tenement or Hereditament, in the actual Occupation of one Person, or of several Persons jointly, and shall by Notice in Writing, to be left at the Office of the Comptroller of the Bridge House Estates of the said City, within Thirty Days after such Application, signify his, her or their Inclination or Desire to treat for, sell, dispose of and convey the whole of such House, Building, Land, Tenement or Hereditament, and it shall happen that the said Mayor, Aldermen and Commons, in Common Council assembled,

Bodies Politic, &c. Trustees and other Persons empowered to sell and convey, &c.

No Person compellable to sell Part of his Estate, if willing to sell the Whole.

bled, shall not think proper, or be willing to purchase the Whole of such Wharf, Warehouse, House, Building, Land, Tenement or Hereditament; then and in every such Case nothing in this Act shall extend or be construed to extend to compel the several Corporations or Persons interested therein to treat for, sell, dispose of or convey, or to authorize the said Mayor, Aldermen and Commons, in Common Council assembled, to take or use Part only, or less than the Whole of such House, Building, Land, Tenement or Hereditament; any Thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

Satisfaction to be made, and may be accepted.

XXVI. And be it further enacted, That all and every Body or Bodies Politic, Corporate or Collegiate, Trustee or Trustees, and the said Rector for the Time being of the Parish of *Saint Magnus*, with such Sanction and Authority as aforesaid, and other Person or Persons hereinbefore capacitated to contract for, sell and convey any such Wharfs, Warehouses, Houses, Buildings, Lands, Tenements or Hereditaments as aforesaid; and any other Owner or Owners of any such Wharfs, Warehouses, Houses, Buildings, Lands, Tenements or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, Charge or Charges thereon, may accept and receive such Satisfaction or Recompence for the Value thereof; and such Body or Bodies, Trustee or Trustees, Person or Persons, Owner or Owners, and also any Tenant or Tenants for a Year, or from Year to Year, or at Will, or other Occupier or Occupiers of any such Premises, may accept and receive such Compensation for such Good Will or Improvements as shall be lost, and for such Injury or Damage as shall be sustained, by raising or lowering the Pavements of the Streets, or placing Materials or otherwise, on account of the Execution of this Act, or in anywise relating thereto, as shall be agreed upon between them respectively and the said Mayor, Aldermen and Commons, in Common Council assembled; and in case the said Mayor, Aldermen and Commons, in Common Council assembled, and the said Parties interested in such Wharfs, Warehouses, Houses, Buildings, Lands, Tenements and Hereditaments, Good Will or Improvements, or sustaining such Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence or Compensation, the same respectively shall be ascertained and settled by a Jury in Manner hereinafter directed.

In case of Difference.

Jury.

When Parties refuse to accept Satisfaction, or to treat, or cannot be found, &c. the Court of Mayor and Aldermen or Sessions to issue a Precept for empanneling a Jury.

XXVII. And be it further enacted, That if any Body or Bodies Politic, Corporate or Collegiate, Trustee or Trustees, or the said Rector, or any other Person or Persons seised, possessed of or interested in any such Wharfs, Warehouses, Houses, Buildings, Lands, Tenements or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, as aforesaid, or any Occupier or Occupiers thereof, sustaining such Loss, Injury or Damage as aforesaid, for and on his, her or their Part or Parts, or for or on the Part of his, her or their *cestui que Trusts* or Wards, or of any other incapacitated Person or Persons as aforesaid, shall refuse to accept such Purchase Money, Satisfaction or Recompence, or other Compensation, as shall be offered by the said Mayor, Aldermen and Commons, in Common Council assembled, or any Person or Persons authorized by them on their Behalf; or if
any

any Body or Bodies Politic, Corporate or Collegiate; or any Person or Persons seised or possessed of or interested in any such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments as aforesaid, shall (upon Notice in Writing given to the principal Officer or Officers of such Body or Bodies Politic, Corporate or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place or Places of his, her or their Abode, or with the Tenant or Tenants, Occupier or Occupiers, of such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or affixed upon the same Premises for the Space of Fourteen Days next after such Notice,) neglect or refuse to treat or agree, or shall not agree, or by reason of Absence or Disability cannot agree with the said Mayor, Aldermen and Commons, in Common Council assembled; or with any Person or Persons authorized by them, for the Sale or Conveyance of such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or their respective Shares, Estates and Interests therein, or Charges thereon, 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 shall claim therein, to the Satisfaction of the said Mayor, Aldermen and Commons, in Common Council assembled, or of the Person or Persons so authorized by them; then and in every such Case, the Court of Mayor and Aldermen of the said City shall, and the said Court are hereby empowered from time to time to issue a Warrant or Warrants, Precept or Precepts, to the Sheriffs of the City of *London*, if such Wharfs, Warehouses, Houses, Buildings, Lands, Tenements or Hereditaments respectively shall be situate in the said City of *London*, and to the High Bailiff of the Borough of *Southwark*, if such Premises respectively shall be situate within the said Borough, commanding such Sheriffs or Bailiff to empanel, summon and return a Jury; and such Sheriffs or Bailiff are and is hereby authorized and required accordingly to empanel, summon and return Forty eight substantial and indifferent Persons, qualified to serve on Juries; and the Persons so to be empanelled, summoned and returned as aforesaid, are hereby required to come and appear before the said Court of Mayor and Aldermen of the City of *London*, to be holden in the outer Chamber of the Guildhall of the said City, according to the Custom of the said City, or before the said Mayor and Aldermen, at the General or any Special Sessions of the Peace for the Borough of *Southwark* (as the Case may require), at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend the said Court or Sessions from Day to Day until discharged; and out of such Persons so to be empanelled, summoned and returned, a Jury of Twelve Men shall be drawn, by some Person to be by the said Court or Sessions appointed, in such Manner as Juries for the Trial of Issues joined in His Majesty's Courts at *Westminster* are directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place appointed as aforesaid, some Person to be by the said Court or Sessions appointed shall return other substantial, honest and indifferent Men of the

Jury may be challenged.

View.

Verdict.

Verdict of Jury and Judgment thereon final.

Previous Notice being given to Parties interested.

Bystanders, or of others, who can be speedily procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at Liberty to challenge the Array; and the said Court of Mayor and Aldermen, or the said Mayor and Aldermen, at any such Sessions, are hereby authorized and empowered from time to time as Occasion shall require, by Precept or Precepts, to summon and call before them all and every or any 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 Court of Mayor and Aldermen, or Mayor and Aldermen at any such Sessions, if they think fit, shall and may, on the Application of either Party, likewise authorize the said Jury, or any Three or more of them, to view the Place or Places and Premises in question in such Manner as they shall direct; and the said Court of Mayor and Aldermen, or Mayor and Aldermen at any such Sessions, shall have Power to adjourn such Meeting from Day to Day as Occasion shall require, and to command such Jury, Witnesses and Parties to attend, until all such Affairs for which they were summoned shall be concluded; and the said Jury upon their Oaths (which Oaths, as well as the Oaths of such Person or Persons as shall be called upon to give Evidence, the said Court of Mayor and Aldermen, and Mayor and Aldermen at any such Sessions, are hereby empowered and required to administer,) shall inquire of, assess and ascertain, and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of, or a Satisfaction or Recompence for either the Entirety of such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or for any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, as in such Warrant or Warrants, Precept or Precepts shall be directed; and the Compensation which shall be made in respect of Good Will, Improvements or any Injury or Damage whatsoever to be lost or sustained as aforesaid, to any Body or Bodies, Person or Persons, as in such Warrant or Warrants, Precept or Precepts, shall be directed (the same respectively to be estimated by the said Jury in as just and liberal a Manner as if the Improvements authorized by this Act had never been in Contemplation); and the said Court of Mayor and Aldermen, or Mayor and Aldermen at such Sessions, shall give Judgment for such Purchase Money, Satisfaction, Recompence or Compensation so to be assessed, which said Verdict or Verdicts, and the said Judgment and Judgments thereupon, shall be binding and conclusive to all Intents and Purposes, upon all Bodies Politic, Corporate or Collegiate, and upon all Persons whomsoever, provided that Fourteen Days' Notice in Writing at the least of the Hour or Time and Place at which such Jury are so required to be returned and meet be given to the principal Officer or Officers of the Body or Bodies Politic, Corporate or Collegiate, or to the Trustee or Trustees, or other Person or Persons interested, or claiming so to be, by leaving such Notice at his, her or their last or usual Place or Places of Abode, or with

some

some Tenant or Occupier of some of the said Wharfs, Warehouses, Houses, Buildings, Lands, Tenements or Hereditaments, or be affixed upon the same; and the said Verdicts, Judgments and Determinations, and all other Proceedings of the said Court of Mayor and Aldermen, or Mayor and Aldermen at such Sessions 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 of London, or the Borough of *Southwark*, as the Case may require.

XXVIII. And be it further enacted, That the said Court of Mayor and Aldermen, or Mayor and Aldermen at such Sessions, and Juries shall award all Determination, Judgments and Verdicts which they shall make and give in Execution of the Powers hereby vested in them, concerning the Value of Wharfs, Warehouses, Houses, Buildings, Lands, Tenements and Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, separately and distinctly from the Consideration of any other Loss or Damages to be sustained by any Person or Persons, in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Wharfs, Warehouses, Houses, Buildings, Lands, Tenements and Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, Charge or Charges thereon, and the Money assessed or adjudged for such Loss or Damages as aforesaid, separately and apart from each other.

XXIX. And be it further enacted, That every such Jury and Jurymen as aforesaid shall be under and subject to the same Regulations, Pains and Penalties, as if such Jury or Jurymen had been returned for the Trial of any Issue, joined in any of His Majesty's Courts of Record at *Westminster*; and that all and every Person and Persons, who in any Examination to be taken by virtue of this Act shall wilfully give false Evidence before the said Court of Mayor and Aldermen, or Mayor and Aldermen at any such Sessions, or before any such Jury as aforesaid, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject to such Punishments and Disqualifications as any Person or Persons can or may be subject to for wilful and corrupt Perjury by the Laws and Statutes of this Realm.

XXX. And be it further enacted, That in case a Verdict shall be given for a greater Sum of Money as a Satisfaction or Compensation for any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or as a Compensation for any Good Will or Improvement, or any Loss or Damage to be sustained as aforesaid respectively, than shall have been offered by or on the Behalf of the said Mayor, Aldermen and Commons, in Common Council assembled, before the summoning of such Jury; or in case a Verdict shall be given for any Sum or Sums of Money as a Compensation for Good Will, Improvements, Loss or Damage, where no Compensation shall have been offered by or on the Behalf of the said Mayor, Aldermen and Commons, in Common Council assembled, previously to the summoning of such Jury; or in case by reason of Absence or other Impediment or Disability there

Verdict of Value of Lands and Damages to be ascertained separately.

Jury to be under the same Regulations as in the Courts at Westminster, and Persons guilty of Perjury may be prosecuted.

Expence of Juries provided for.

In what case borne by Corporation ;

by Parties equally ;

by Persons claiming Compensation.

What deemed Payment or Tender thereof.

Ten Days' Notice of Injury to be given, or Jury not allowed to award Compensation for same.

there shall not be found any Person or Persons at hand who may be legally capacitated to contract with and make Conveyances to or receive Compensation from the said Mayor, Aldermen and Commons, in Common Council assembled, when the Dispute is for such Compensation as aforesaid only as hereinbefore is mentioned, then and in every or any such Case all the reasonable Costs, Charges and Expences of causing and procuring such Recompence, Value or Compensation respectively, to be assessed and awarded as aforesaid, and of so assessing and awarding the same, shall be paid and borne by the said Mayor, Aldermen and Commons, in Common Council assembled, out of the Monies to be applied for the Purposes of this Act; but in case any Verdict shall be given for the same as or for a less Sum of Money than shall have been previously offered by or on the Behalf of the said Mayor, Aldermen and Commons, in Common Council assembled, then each of the said Parties shall pay their own Costs, Charges and Expences; but in case no Compensation shall be given by the Verdict (when the Dispute is for such Compensation as aforesaid only), or in case of such Refusal to treat or convey by any Body or Bodies, or by any Person or Persons whomsoever, who is or are by the Provisions of this Act or otherwise legally empowered to treat and convey, or receive such Compensation as aforesaid; then and in every or any such Case (except where by reason of Absence or otherwise any Person shall have been prevented from treating and agreeing as aforesaid, in which Case all such Costs, Charges and Expences are to be paid and borne by the said Mayor, Aldermen and Commons, in Common Council assembled,) all the reasonable Costs, Charges and Expences of causing and procuring such Value, Recompence or Compensation to be assessed and awarded as aforesaid, and of so assessing and awarding the same, shall be taxed by the Registrar or other proper Officer for the Time being of the said Court of Mayor and Aldermen, or of the said Sessions, and shall be borne and paid by the Body or Bodies, or Person or Persons entitled to or claiming such Value, Recompence or Compensation; and the said Mayor, Aldermen and Commons, in Common Council assembled, are hereby authorized and empowered to deduct and retain the said Costs, Charges and Expences out of the Sum or Sums of Money so to be assessed or awarded as aforesaid, or out of any Part thereof; and the Payment or Tender of the Remainder of all such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums so assessed or awarded as aforesaid.

XXXI. Provided always, That no Jury which shall be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Body or Bodies, Person or Persons, by way of Compensation for Good Will or Improvement, alleged to be lost, or any Injury or Damage alleged to have been sustained by him or them in Consequence of the Execution of any of the Powers of this Act, unless Notice in Writing, stating the Particulars of every such Claim, shall have been given or left by or on Behalf of such Body or Bodies, Person or Persons, at the Office of the said Comptroller of the Bridge House Estates, Ten Days at least before the Time of the Meeting of such Jury.

XXXII. And

XXXII. And be it further enacted, That the said Court of Mayor and Aldermen, and the said Mayor and Aldermen at any such Sessions, shall have Power and Authority from time to time to impose any reasonable Fine, not exceeding the Sum of Ten Pounds, on such Sheriff or Sheriffs, or Bailiff, or their or his Deputy or Deputies, or Agents respectively, making Default in the Premises, and on any of the Persons summoned and returned on any such Jury or Juries, who shall not appear, without some reasonable Excuse, or shall refuse to be sworn on the said Jury or Juries, or being so sworn, shall not give his or their Verdict, or otherwise neglect his Duty, and also on any Person or Persons summoned to give Evidence touching any of the Matters aforesaid, who shall not attend, having been paid or tendered a reasonable Sum for his, her or their Costs or Charges, or shall refuse to be sworn or to affirm, or to give his, her or their Evidence, and on any other Person or Persons who shall in any other Manner wilfully neglect his, her or their Duty in the Premises, contrary to the true Intent and Meaning of this Act, and from time to time to levy such Fine or Fines, by order of the said Court of Mayor and Aldermen, or Mayor and Aldermen at Sessions, by Distress and Sale of the Offender's Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner or Owners; and that a Copy of the Order of the said Court of Mayor and Aldermen, or Mayor and Aldermen at Sessions, signed by the Clerk of the Peace for the Time being of the City of London, or of the Borough of Southwark, (as the Case may require,) shall be sufficient Authority to the Person or Persons therein to be appointed, and to every other Person acting or aiding and assisting therein, to make such Distress and Sale; and all such Fines shall be paid to the Chamberlain of the said City for the Time being, to be applied for the Purposes of this Act.

Court may fine Sheriffs, Jurors or Witnesses, for not attending.

Levied by Distress.

Fines paid to Chamberlain.

XXXIII. And be it further enacted, That all such Verdicts, Judgments, Sentences, Determinations, Orders and other Proceedings of the said Court of Mayor and Aldermen, and Mayor and Aldermen at Sessions and Juries, as relate to or concern any of the Cases before mentioned, and all Receipts which the Cashier or Cashiers of the Bank shall give for any Sum or Sums of Money paid into the Bank, in Manner hereinafter mentioned, in consequence of any Verdict and Judgment, shall be entered among the Records of the said Court of Mayor and Aldermen, or Mayor and Aldermen at Sessions; and the said Verdicts, Judgments, Sentences, Decrees and Orders, and other Proceedings, shall be deemed and taken to be Records to all Intents and Purposes whatsoever, and the same, or true Copies thereof, shall be deemed and taken to be good and sufficient Evidence thereof in any Court or Courts of Law or Equity whatsoever; and all Persons shall and may have recourse to the same (*gratis*), and to take Copies thereof, paying for every Copy not exceeding Sixpence for every Seventy two Words, and so proportionably for any greater Number of Words.

Verdicts, Judgments and other Proceedings, to be entered among the Records.

Evidence.

XXXIV. And be it further enacted, That if any Body or Bodies, Person or Persons, seised or possessed of or interested in any such Wharfs, Warehouses, Houses, Buildings, Lands, Tenements

Premises to vest in the City, upon Payment of the Money.

accepted or awarded, where Conveyances cannot be obtained.

ments or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, as aforesaid, cannot be found, or shall not be known, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Mayor, Aldermen and Commons, in Common Council assembled, or shall refuse to execute a Conveyance or Conveyances thereof, then, and in any such Case, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed, or shall have been assessed and awarded by any Jury or Juries in Manner aforesaid, to be paid for the Purchase of or for the Value of the same Premises, into the Bank of *England*, as hereinafter directed and required (in case the same shall be requisite), for the Use of such Person or Persons, or of the unknown Person or Persons so interested in or entitled as aforesaid, such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Parts, Shares, Estates, Interests or Charges, and the Fee Simple and Inheritance thereof, together with the Yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand in Law or Equity, of the Body or Bodies, Person or Persons, or unknown Person or Persons, to whose Credit such Money shall be paid in, to and out of the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, Hereditaments and Premises to be purchased as aforesaid, shall vest in the said Mayor, and Commonalty and Citizens, and they shall be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Body or Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, or any other Conveyance or Assurance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim and Demand of the Body or Bodies, Person or Persons, or unknown Person or Persons, of, in or to the same Premises, to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person or Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, Expectancy or Contingency, and the Issue and Issues of such Person or Persons and every other Person whomsoever.

Payment to bar Title, Dower, Estates Tail, &c.

Application of Compensation when amounting to 200l.

XXXV. And be it further enacted, That if there shall be any Money to be paid for any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, taken or purchased by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate or Collegiate, or any Lunatic, Idiot, Feme Covert or *cestui que* Trust, or to any Body or Bodies, Person or Persons under any Disability or Incapacity whatsoever, or shall be limited in strict or other Settlement, 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

count there, *ex parte* the said Mayor and Commonalty and Citizens of the City of London, Trustees of London Bridge, 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 Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Wharfs, Warehouses, Houses, Buildings, Lands, Tenements and Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid affecting the same Wharfs, Warehouses, Houses, Buildings, Lands, Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Lands, Tenements or Hereditaments standing settled therewith, to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Part or Parts thereof, Shares, Estates, Interests or Charges, which shall be so taken or purchased as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined and capable of taking effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the 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 Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement were made.

XXXVI Provided always, and be it enacted, That if there shall be any Money to be paid for any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, taken or purchased as aforesaid, belonging to any Corporation, or any Person or Persons under any Disability or Incapacity as aforesaid, or which shall be limited in strict or other Settlement, which shall be less than the Sum of Two hundred Pounds, and which shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being, entitled to the Rents and Profits of the Wharfs, Warehouses, Houses,

Application where the Compensation shall be less than 200l. and exceed or be equal to 20l.

Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or Parts, Shares, Estates, Interests or Charges so taken or purchased, or of the Guardian or Guardians, Committee or Committees of such Person or Persons, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid in the Name and with the Privity 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 Body or Bodies, Person or Persons making such Option, and be approved of by the said Lord Mayor for the Time being, (such Nomination and Approbation to be signified in Writing, under the Hands and Seals of the nominating and approving Persons,) 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 and Approbation of the Court of Chancery.

Application where the Money is less than 20l.

XXXVII. Provided also, and be it enacted, That where such Money so to be paid as aforesaid shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, Parts, Shares, Estates, Interests and Charges, taken or purchased as aforesaid, in such Manner as the said Mayor, Aldermen and Commons, in Common Council assembled, shall think fit, or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid 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.

In case Parties shall refuse the Monies awarded, or Titles shall be deficient, the Money to be paid into the Bank.

XXXVIII. And be it further enacted, That in case the Body or Bodies, Person or Persons, to whom any Sum or Sums of Money shall be awarded for the Purchase of any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or any Parts, Shares, Estates or Interest therein, or Charge thereon, to be taken or purchased by virtue of this Act, shall refuse to accept the same, or to execute a proper Conveyance or proper Conveyances of the same Premises, or shall not be able to make a good Title to the same to the Satisfaction of the said Mayor, Aldermen and Commons, in Common Council assembled; or in case such Person or Persons to whom such Sum and Sums shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, Parts, Shares, Estates, Interests or Charges be not known or discovered, then and in every such Case it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Party or Parties interested in the said Wharfs, Warehouses,

Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, Parts, Shares, Estates, Interests or Charges (describing such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments); or if such Party or Parties shall not be known, then to the Credit of the then unknown Person or Persons interested in the said Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, Parts, Shares, Estates, Interests or Charges, (describing the same Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments,) subject to the Order, Controul and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Body or Bodies, Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall and is hereby empowered in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Body or Bodies, Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XXXIX. Provided always, and be it enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons, to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of or in Satisfaction for any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge or Interest in, to or upon any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, to be taken or purchased in pursuance of this Act, or of any Bank Annuities to be purchased with any such Money, or the Dividends and Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in the Possession of such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, Parts, Shares, Estates, Interests or Charges at the Time of such Purchase, and all Body or Bodies, Person or Persons, claiming under such Body or Bodies, Person or Persons, or under the Possession of such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, Parts, Shares, Estates, Interests or Charges, 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,

Court of Chancery empowered to make Order in respect thereof, on Motion or Petition.

In case of a Doubt upon the Title, the Interest of the Money paid into the Bank shall be paid to the Person who was in the Possession of the Premises when bought;

unless such Possession appear to Chancery to be wrongful.

The Court of Chancery may order Expences of Purchases to be paid.

Mortgagees on Tender of Principal and Interest to convey.

Notice of Re-
payment by
Mayor, &c.

ingly, 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 Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein, or Charge thereon.

XL. Provided also, and be it further enacted, That where, by reason of any Disability, or Incapacity of the Body or Bodies, Trustee or Trustees, or other Person or Persons entitled to any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be taken or purchased under the Authority of this Act, the Purchase or Compensation Money for the same shall be required to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of 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 Mayor, Aldermen and Commons, out of the Monies to be applied for the Purposes of this Act, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

XLI. And be it further enacted, That all and every Person or Persons who shall have any Mortgage or Mortgages, or be entitled to any Sum or Sums of Money due on Judgment or other Security, or otherwise charged on such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, as shall be taken or purchased by virtue of this Act, or any Parts or Shares thereof, not being in Possession thereof, or any Parts or Shares thereof, by virtue of such Mortgage or Mortgages, or Security or Securities, shall on the Tender of the Principal and Interest due thereon, together with the Amount of Six Calendar Months' Interest on the said Principal Money, by the said Mayor, Aldermen and Commons, in Common Council assembled, or by such Person or Persons as they shall appoint, immediately convey, assign, release and transfer, such Mortgage or Mortgages, Security or Securities, Charge or Charges, to the said Mayor, and Commonalty and Citizens, or such Person or Persons as the said Mayor, Aldermen and Commons, in Common Council assembled, shall appoint; or in case such Mortgagee or Mortgagees, or other Person or Persons, shall have Notice in Writing from the said Mayor, Aldermen and Commons, in Common Council assembled, or such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the Mortgage or Mortgages, Security or Securities, Charge or Charges, 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, Person or Persons, shall convey, assign, release

release and transfer his, her or their Interest in the Premises, to the said Mayor, and Commonalty and Citizens, or such Person or Persons as shall be appointed as aforesaid, in Trust for them; and in case such Mortgagee or Mortgagees, Person or Persons, shall refuse to convey, release or assign as aforesaid, on such Tender or Payment, then all Interest on every such Mortgage, Security or Charge, shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, Security or Securities, Charge or Charges, with all Interest due thereon, shall amount to more than the real Value of the said Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, or the Part or Parts thereof which shall be taken for the Purposes of this Act, such Value to be ascertained in Manner hereinbefore directed, then the said Mayor, Aldermen and Commons, in Common Council assembled, shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises, to be determined as aforesaid.

XLII. Provided always, and be it further enacted, That in case any such Mortgagee or other Person shall neglect or refuse to convey, or assign, or release, as aforesaid, then upon Payment of the Principal Money and Interest due on any such Mortgage, Security or Charge as aforesaid, into the Bank at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, or Person or Persons entitled thereto, the Cashier or Cashiers shall give a Receipt or Receipts for the said Money, in like Manner as hereinbefore directed, in case of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand whatsoever, of the said Mortgagee or Mortgagees, or other Person or Persons, and of all and every Person or Persons in Trust for him, her or them, shall vest in the Mayor, and Commonalty and Citizens, and they shall be deemed to be in the actual Possession of the Premises comprized in such Mortgage or Mortgages, to all Intents and Purposes whatsoever: Provided also, that if the Money and Interest due in respect of any Mortgage or Mortgages, Security or Securities, Charge or Charges, of the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Part or Parts thereof, which shall be purchased or taken by virtue of this Act, shall amount to more than the Value of the Premises charged therewith, or such of them, or of such Part or Parts thereof as shall be purchased or taken by virtue of this Act, such Mortgagee or Mortgagees, Person or Persons, shall, upon Payment or Tender of the Sum to be ascertained as the Value of the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Part or Parts thereof, to be taken or purchased as aforesaid, forthwith convey, assign, release and transfer, his, her or their Interest and Demand in and to the several Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Part or Parts thereof, to the said Mayor, and Commonalty and Citizens, or to such Person or Persons as shall be appointed as aforesaid; and in Default of so doing, and on Payment of such Money into the Bank of *England*, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers

Mortgagees refusing to convey, Proceedings.

Premises to vest in the City in case of Neglect or Refusal to convey, on Payment of Principal and Interest into the Bank.

Proviso where Money and Interest of greater Value than the Premises.

Cashier of
Bank to give
Receipts for
Monies so paid.

Cashiers of the Bank shall give such Receipt or Receipts as above mentioned, and thereupon all the Estate, Right, Title, Interest, Property, Claim and Demand whatsoever, of the said Mortgagee or Mortgagees, Person or Persons, as aforesaid, and of all and every Person and Persons in Trust for him, her or them, in the said Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Part or Parts thereof, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Mayor, and Commonalty and Citizens, and they shall be deemed to be in the actual Possession of the said Premises, to all Intents and Purposes whatsoever; and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee or Mortgagees.

In what case
Mortgagors, on
Payment of
Money award-
ed, to convey,
or be foreclosed.

XLIII. And be it further enacted, That if the Money and Interest due in respect of any Mortgage or Mortgages, Security or Securities, Charge or Charges, of any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Part or Parts thereof, which shall be taken or purchased by virtue of this Act, shall amount to more than the Value of the Premises charged therewith, or such of them, or such Part or Parts thereof, as shall be purchased or taken by virtue of this Act, the Mortgagor or Mortgagors, or other the Person or Persons entitled to the Redemption thereof, or to the same Premises subject thereto, shall, upon Payment or Tender of the Sum to be awarded or assessed as the Value of the Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Part or Parts thereof, to be purchased or taken as aforesaid, to such Mortgagee or Mortgagees, Person or Persons, entitled thereto, or into the Bank as aforesaid, forthwith, without any Consideration, convey, assign or release his, her or their Right, Equity of Redemption or Estate and Interest in such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or Part or Parts thereof, to the said Mayor, and Commonalty and Citizens, or to such Person or Persons as shall be appointed as aforesaid, and in Default of so doing shall be and are hereby barred and foreclosed from all Right or Equity of Redemption of and in the same Premises, and all the Estate, Right, Title, Interest, Property, Claim and Demand of him, her or them, and every Person and Persons, in Trust for him, her and them in the same Premises, shall vest in the said Mayor, and Commonalty and Citizens, and they shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever.

Possession to
be delivered up
on Six Calen-
dar Months'
Notice.

XLIV. And be it further enacted, That all and every Body and Bodies, Person and Persons, in the actual Possession of any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, or any Part thereof, to be taken or purchased by virtue of this Act, as Owner, Leaseholder, Tenant at Will or Lessee for a Year, or for any shorter Time, or otherwise, shall at the Expiration of Six Calendar Months from and after the next Quarter Day, after Notice in Writing from the said Mayor, Aldermen and Commons, in Common Council assembled, or their Agent duly authorized, shall have been left at or affixed upon

upon the same Premises, or so soon after as he, she or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Mayor, Aldermen and Commons, in Common Council assembled, or the Person or Persons authorized by them to take Possession thereof; and that in case any such Body or Bodies, Person or Persons, shall refuse to give up such Possession as aforesaid, then it shall be lawful for the said Court of Mayor and Aldermen to issue their Precept or Precepts to the Sheriffs of the said City of London, or to the High Bailiff of the Borough of *Southwark* (as the Case may require), to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriffs or Bailiff are and is hereby required to deliver such Possession accordingly of the said Premises, and to levy such Costs as shall accrue from the issuing of such Precept or Precepts on the Person or Persons so refusing to give up such Possession as aforesaid, by Distress and Sale of his, her or their Goods.

Costs.

XLV. Provided always, and be it further enacted, That in case any Tenant at Will, or Lessee for a Year, of any such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, Hereditaments and Premises, or any Part or Parts thereof, shall by virtue of this Act deliver up the Possession of the same before the Expiration of the Time for which he would otherwise have been authorized to keep Possession thereof, then and in every or any such Case such Sum or Sums of Money shall be paid to such Tenant at Will or Lessee for a Year, in Satisfaction and Compensation for delivering up Possession of the same Premises, as shall be agreed upon between such Tenant at Will or Lessee for a Year, and the said Mayor, Aldermen and Commons, in Common Council assembled; and in case such Tenant at Will or Lessee for a Year, and the said Mayor, Aldermen and Commons, in Common Council assembled, shall not agree as to the Amount or Value of such Satisfaction or Compensation, then the same shall be ascertained and settled by the Verdict of a Jury in Manner hereinbefore directed for ascertaining and settling the Value or Recompence for Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements, Hereditaments and Premises, to be taken or purchased for the Purposes of this Act: Provided always, that in case any Tenant at Will or Lessee for a Year, who shall be entitled to Compensation and Satisfaction by virtue of this Act, shall be desirous of delivering up the Possession of the Premises in his or her Possession at the Expiration of Six Calendar Months next after the next Quarter Day after such Notice shall have been left or affixed upon the same Premises for that Purpose as aforesaid, notwithstanding he or she may not be then required so to do, then and in every such Case the said Mayor, Aldermen and Commons, in Common Council assembled, shall immediately after the Expiration of the said Six Calendar Months, or so soon after as the same Sum or Sums of Money to be paid for Satisfaction or Compensation to such Tenant at Will or Lessee for a Year respectively shall be agreed upon or awarded, cause Possession to be taken of the same Premises, and

Tenants at Will, or Lessees for Years, quitting before they would be obliged to do by Law, to have Compensation.

If Difference, ascertained by Jury.

Proviso for Tenant giving up Possession at the End of Six Months from Quarter Day after Notice given.

and the Sum or Sums of Money so to be agreed upon or awarded for Compensation as aforesaid, to be thereupon paid.

Money to be paid or tendered before any Use is made of the Premises.

XLVI. Provided always, and be it further enacted, That all Sums of Money or other Consideration, Recompence or Satisfaction to be paid pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England*, as herein mentioned, before the said Mayor, Aldermen and Commons, in Common Council assembled, or any Person or Persons authorized by them, shall proceed to take Possession of or pull down any Wharf or Wharfs, Warehouse or Warehouses, House or Houses, or other Erections or Buildings, or to use the Ground or any other Tenements or Hereditaments comprized in or affected by such Agreement or Verdict respectively, or Part thereof, for any of the Purposes of this Act, except for landing, working and using Materials and Things as hereinbefore mentioned, unless Leave shall be given for that Purpose in Writing by the Owners or Occupiers of such Wharfs, Warehouses, Houses, Erections, Buildings, Lands, Grounds, Tenements or Hereditaments.

Power to clear the Ground, and sell old Materials.

XLVII. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and they are hereby empowered to pull down or cause to be pulled down all Wharfs, Warehouses, Houses and other Erections and Buildings, which shall be purchased or taken by virtue of this Act, or such of them, or such Part thereof, as they shall think proper to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased or taken by virtue of this Act, in such Manner as they shall think proper; and to sell or cause to be sold the Materials of the Wharfs, Warehouses, Houses and other Buildings, to be taken down and removed pursuant to this Act; and the Monies to be produced by the Sale thereof, (after deducting the Expences of pulling down such Wharfs, Warehouses, Houses and Buildings respectively, and of such Sale or Sales,) and also the Rents and Profits of the said Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements and Hereditaments, to be purchased or taken by virtue of this Act, until the same shall be pulled down or cleared, shall be applied and disposed of for or towards the Purposes of this Act or any of them.

Estates of Corporation, or Bridge House Estates, taken by virtue of the Act, to vest in the Mayor, &c. for the Purposes of the Act, discharged of Trusts.

XLVIII. And be it further enacted, That if any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, shall be taken or used for the Purposes of this Act, or any of them, which belong to the said Mayor, and Commonalty and Citizens in their own Right, or are vested in them as Part of the said Bridge House Estates as aforesaid; then and in such Case the Amount of the Satisfaction or Compensation to be paid in respect of the same shall be assessed and determined by a Jury in Manner hereinbefore mentioned, and paid into the Bank of *England*, and laid out and invested, and subsequently disposed of in like Manner as hereinbefore is directed in respect to Purchase Monies for Estates belonging to other Bodies Politic; and upon Payment of such Amount into the Bank, such Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Heredit-

Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, shall vest in the said Mayor, and Commonalty and Citizens, for the Purposes of this Act, freed from all Trusts, Claims and Demands whatsoever.

XLIX. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, to take or use for the Purposes of this Act the Burial Ground of the Parish of *Saint Magnus*, and to lay the same, or such Part thereof as shall be thought expedient, into the Street or Way; and at all Times thereafter the said Ground, or such Part thereof as shall be laid into the Street, shall be used by the Public accordingly, and the Residue (if any) of the said Ground and Soil thereof, and the Fee Simple and Inheritance of the same, shall be and are hereby vested in the said Mayor, and Commonalty and Citizens, and their Successors, for the Purposes of this Act.

Corporation empowered to take the Burial Ground of Saint Magnus.

L. And be it further enacted, That the said Mayor, Aldermen and Commons, in Common Council assembled, shall, and they are hereby empowered and required, out of the Monies to be applied for the Purposes of this Act, to purchase or otherwise provide a fit and convenient Piece or Parcel of Ground, equal in Quantity to, and within the Distance of One Mile from the said Burial Ground of the Parish of *Saint Magnus*, to be appropriated and used as and for a Burial Ground for the Parishioners of the said Parish of *Saint Magnus*, and to procure the same to be consecrated and settled for that Purpose in such Manner as the Lord Bishop of *London* for the Time being, or such Person as he shall appoint, shall direct, and to cause such new Burial Ground to be inclosed, on such Sides thereof as shall be necessary, with Iron Railing, and a proper Gate to be erected as an Entrance thereto, with a Lock and other Fastenings; and such new Burial Ground, and the Soil thereof, and the Freehold and Inheritance of the same, in Fee Simple, shall be vested in the same Manner, and shall be subject to the same peculiar Jurisdiction and Visitations as the present Burial Ground of the Parish of *Saint Magnus*.

Corporation to provide a new Burial Ground.

In whom and how the same is to vest.

Not to be taken until another provided.

LI. Provided also, and be it further enacted, That the said present Burial Ground of the Parish of *Saint Magnus* shall not be taken or applied for the Purposes of this Act until such new Burial Ground shall have been conveyed and effectually secured and procured to be consecrated and enclosed as aforesaid.

Graves to be disturbed as little as may be.

LII. And be it further enacted, That the Graves in the said present Burial Ground of the Parish of *Saint Magnus* aforesaid shall be as little disturbed, and as little Damage shall be done to the Grave Stones therein as reasonably may be.

Bodies disturbed to be removed as herein mentioned.

LIII. And be it further enacted, That whenever it shall be necessary, in pursuance and execution of this Act, to open and disturb any Grave or Graves, or any Burial Vault or Vaults in the said present Burial Ground of the Parish of *Saint Magnus* aforesaid, it shall be lawful for the Heirs, Executors, Administrators, Relations or Friends of any Person or Persons who shall have been interred or deposited in such Grave or Graves, Vault or Vaults, with the Consent of the Rector and Churchwardens of the said Parish, or the major Part of them, to remove and carry away the Remains of any such Person or Persons, and place the

Amount of Ex-
pences of Re-
moval, &c.

How the same
to be paid.

Grave Stones
to be removed.

Expence how
paid.

Corporation
empowered to
set back Houses
on the Western
Side of Grace-
church Street,
Fish Street
Hill and High
Street, South-
wark, when
burned or taken
down.

Corporation
empowered to
grant Building
Leases of
Ground not
wanted, which
they may think
proper to let.

same in such new Burial Ground, or any other Church Yard or consecrated Ground, in such Manner as the Lord Bishop of *London* for the Time being, or such Person as he may appoint, shall direct; and that the Expences of such removing, carrying away and placing (not exceeding in any One Case the Sum of Ten Pounds), shall be paid by the said Mayor, Aldermen and Commons, in Common Council assembled, out of the Monies to be applied for the Purposes of this Act; and that the Remains of such Person or Persons as shall have been interred or deposited in the Graves or Vaults so to be opened and disturbed as aforesaid, which shall not be removed or carried away as aforesaid, shall (except such Graves or Vaults shall be finally closed up), at the Expence of the said Mayor, Aldermen and Commons, in Common Council assembled, to be paid out of the Monies to be advanced by virtue of this Act, be removed from such Graves or Vaults into and be interred in such new Burial Ground as aforesaid, in such Manner as the Lord Bishop of *London* for the Time being, or such Person as he shall appoint, shall direct.

LIV. And be it further enacted, That the Grave Stones laid in the said Burial Ground of the Parish of *Saint Magnus* shall be removed into and put up and laid in such new Burial Ground as aforesaid, in such Manner as the said Lord Bishop of *London* for the Time being, or such Person as he shall appoint, shall direct, and the Expence thereof defrayed by the said Mayor, Aldermen and Commons, in Common Council assembled, out of the Monies to be advanced by virtue of this Act.

LV. And be it further enacted, That in case and often so as at any Time hereafter any House or Building situate between *Lombard Street* in the said City of *London*, and *Saint Margaret's Hill* in the Borough, on the Western Side of *Gracechurch Street*, *Fish Steect Hill* or *High Street*, *Southwark*, or any Street or Place leading into or adjoining the same, within Fifty Feet of the present Front of the Houses on the Western Side of the said Street or Ways respectively, shall be burnt down, or the same or more than One Third Part thereof shall be taken or pulled down for any Purpose whatsoever, or the Owner or Owners thereof shall be willing or agree to pull down the same, or a sufficient Part thereof, then and in any such Case it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, to take and lay open such Part of the Site thereof, and convert the same into Part of the said Street or Way as they shall think proper, for the Purpose of widening such Street or Way respectively, making Satisfaction to the Owner or Owners of such Houses or Buildings, in the same Manner as hereinbefore is directed in respect of the Hereditaments to be taken or purchased for the Purposes of this Act.

LVI. And be it further enacted, That in case any Ground or Hereditaments which shall be taken, purchased and cleared, by virtue of this Act, shall not be laid into and form Part of the said Streets or Ways, when widened and improved as aforesaid, then and in such Case it shall be lawful for the said Mayor, and Commonalty and Citizens of the said City of *London*, and they are hereby authorized and required, as soon as conveniently may be after the Houses and Buildings on such Ground and

Here-

Hereditaments as adjoin or abut on the Avenues or Approaches to the said Bridge, or any other Ground or Hereditaments, except such Parts thereof (if any) as may be appropriated for a new Burial Ground, which they shall think it expedient to let, shall be pulled down, by an Indenture or Indentures, under the Common Seal of the said City, to demise and lease all such Ground and Hereditaments, either altogether or in Parcels, to any Person or Persons who shall erect and build, or covenant and agree to erect and build thereon, or on any Part or Parts thereof, Houses, Erections and Buildings, of such Rate or Class, or respective Rates or Classes, of Buildings, upon such Plan and Elevation, or respective Plans and Elevations, of such Height or respective Heights, and with such Stories as the said Mayor, Aldermen and Commons, in Common Council assembled, shall think proper, for any Term or Number of Years to determine at or before the Expiration of Ninety nine Years from and after the passing of this Act, so as there be reserved in every such Demise or Lease such Yearly Rent or Rents, to be incident to the immediate Reversion of the Premises therein comprized, as to the said Mayor, Aldermen and Commons in Common Council assembled, shall seem reasonable, and so that in every such Demise or Lease there be contained a Covenant for the Payment of the Rent thereby to be reserved, and such other Covenants on the Part of the Tenant or Lessee, therein to be named, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall reasonably advise or require; and also a Clause in the Nature of a Condition of Re-entry on Non Payment of the Rent thereby to be reserved, or on Non Performance of the Covenants therein to be contained on the Part of the Tenant or Lessee to be observed and performed; and that every such Tenant or Lessee shall give such good and sufficient Security for the erecting, finishing and completing of every such House, Erection and Building, which he shall covenant or agree to erect, within the Time in which he shall have contracted to finish the same, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall order and direct.

LVII. And be it further enacted, That as soon as conveniently may be after the Houses, Erections and Buildings, to be erected and built as hereinbefore is mentioned, or any of them, shall be finished and completed, the said Mayor, Aldermen and Commons, in Common Council assembled, shall and they are hereby authorized to sell and dispose of, or cause to be sold and disposed of, the Ground Rents to be reserved by the Lease or Demise, or Leases or Demises, in pursuance of, or in consideration of which the same Houses respectively shall have been erected and built, and also the Reversion and Inheritance in Fee Simple in Possession (subject to such Lease or Demise, or Leases or Demises) of the Pieces or Parcels of Ground therein demised, and such Houses and other Buildings thereon, either altogether or in Parcels, by public Auction or private Contract, for such Price or Prices, or Sum or Sums of Money, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall think reasonable; and the said Mayor, and Commonalty and Citizens shall, and they are hereby empowered and required, at the Request, Costs and

Classes of Buildings.

Covenants to be contained in such Leases.

Tenant to give Security for finishing.

Corporation to sell the Ground Rents and Reversions of the Houses to be comprized in such Leases.

Charges of the Purchaser or Purchasers of the same Premises respectively, upon Payment of the Sum or Sums of Money agreed to be given for the same respectively, to the Chamberlain of the City of London for the Time being, to convey and assure the Piece or Parcel of Ground, or Pieces or Parcels of Ground, so purchased by such Purchaser or Purchasers respectively, together with the Houses, Erections and Buildings, then erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchaser or Purchasers respectively, his, her or their Heirs and Assigns respectively, or as he or they respectively shall in that Behalf order or direct, free from all Incumbrances whatsoever (except the Building Lease or Building Leases to be granted thereof by virtue of this Act).

Common Council empowered to sell any Ground which may not be wanted.

Proviso for previous Offer of Resale to the Person from whom Purchase was made.

In case of Difference,

Price settled by a Jury

In what Case Affidavit herein mentioned deemed Evidence that

LVIII. And be it further enacted, That it shall and may be lawful to and for the said Mayor, Aldermen and Commons, in Common Council assembled, to sell and dispose of, and by Indenture under their Common Seal, absolutely to grant and convey such Part or Parts of the said Ground not adjoining to or abutting upon the said Avenues or Approaches, or any other Hereditaments, which shall be taken or purchased by virtue of this Act, as they shall think not proper to let as aforesaid: Provided always, that the said Mayor, Aldermen and Commons, in Common Council assembled, before they shall sell and dispose of such Ground or Hereditaments, as shall have been purchased or taken for the Purposes of this Act, or any Estate or Interest therein, shall first offer to resell the same to the Body or Bodies, Person or Persons, from whom they shall have purchased the same, for such Estate or Interest as such Person or Persons had therein, and sold to the said Mayor, Aldermen and Commons, in Common Council assembled, if such Person or Persons shall be known, or can be found, for a proportionate Price; and in case the said Mayor, Aldermen and Commons, in Common Council assembled, and any such Person or Persons shall differ and not agree as to the Price or Prices thereof, and such Person or Persons shall nevertheless signify his, her or their Desire to purchase the same, by a Notice in Writing, to be given or left at the Office of the said Comptroller of the Bridge House Estates, within Fourteen Days after such Offer, at a Price to be adjusted and settled by a Jury, to be summoned, as in Cases of Purchases made by the said Mayor, Aldermen and Commons, in Common Council assembled, as herein mentioned, *mutatis mutandis*, such Notice shall be deemed an actual Contract for Purchase of the said Premises, as against the Party or Parties giving the same, at the Price which shall be adjusted and settled by such Jury; and in case such Person or Persons shall not be known and cannot be found, or shall not agree to repurchase such aforesaid Interest therein, or shall not give such Notice of his, her or their Intention of purchasing the same within Fourteen Days after such Offer, or in case the Owner or Owners of the Premises purchased were not found or known at the Time that the same were taken for the Purposes of this Act, then and in every such Case, an Affidavit being made and sworn before a Master or a Master Extraordinary in the High Court of Chancery, or before One of the Aldermen of the said City of London, by some competent Person or Persons, stating that

that such Person or Persons were not known and could not be found, or that such Offer was made by or on the Behalf of the said Mayor, Aldermen and Commons, in Common Council assembled, and was not then and thereupon agreed to by the Person or Persons to whom the same was so made, and that such Notice as aforesaid was given, or that the Owner or Owners thereof were unknown when the same Premises were purchased (as the Case may be), shall in all Courts be sufficient Evidence and Proof that such Person or Persons were not known or could not be found, or that such Offer was made and not agreed to by the Person or Persons to whom it was made, and that such Notice as aforesaid was not given, or that the Owner or Owners were unknown when the Premise were purchased (as the Case may be).

Owner of Premises was unknown when Purchase made, &c.

LIX. And be it further enacted, That the Receipt or Receipts of the said Chamberlain or his known Clerk, for any Purchase Monies, Rents or Profits, or other Sum or Sums of Money payable unto him by virtue of this Act, shall be a sufficient and effectual Discharge, or sufficient and effectual Discharges for the Money in such Receipt or Receipts expressed or acknowledged to be received; and that the Purchaser or Purchasers to whom the same respectively shall be given shall not afterwards be answerable or accountable for the Misapplication, or Non-application, or be in any wise obliged or concerned to see to the Application of the Money in such Receipt or Receipts expressed or acknowledged to be received.

Receipts of the Chamberlain or his Clerk, to be effectual Discharges.

LX. And be it further enacted, That any of the Monies to be paid into the Bank of *England* as Satisfaction or Compensation for any Wharfs, Warehouses, Houses, Buildings, Lands, Grounds, Tenements or Hereditaments, taken or used for the Purposes of this Act, which belong to the said Mayor, and Commonalty and Citizens in their own Right, or are vested in them as Part of the said Bridge House Estates as hereinbefore is mentioned, shall and may be laid out and invested under the Direction and Approbation of the said Court of Chancery, in Manner hereinbefore directed, in the Purchase of the Ground Rents and Reversions, Ground and Hereditaments authorized to be sold, as lastly hereinbefore is mentioned, or any of them.

Premises to be sold may be purchased with Money paid for Premises belonging to City, &c.

LXI. And be it further enacted, That all and every the Sum and Sums of Money which shall be received by the said Chamberlain from any Sale or Sales hereinbefore directed to be made, and also the Rents (if any) which shall be received from all the said Pieces or Parcels of Ground, so to be demised as aforesaid, or any of them, until the same shall be sold, shall (after Payment of the Costs and Expences of the said Sale or Sales which are hereby directed to be paid thereout) be applied in paying off the Monies to be advanced by virtue of this Act, as hereinafter is mentioned, or may be invested in Aid and Augmentation of the Sinking Fund intended to be established by and with the Residue or Surplus of the Yearly Sum of Twelve thousand Pounds, and such additional Sum, if any, as is hereinafter required to be set apart in the same Manner as hereinafter is directed concerning the same, or may be applied to any other the Purposes of this Act.

Purchase Monies and Rents to be applied to any of the Purposes of the Act.

Commissioners of Customs, &c. with Consent of Treasury, may remit Duties of Customs and Excise on Materials used for Building the new Bridge and Appurtenances.

LXII. And be it further enacted, That it shall be lawful for the Commissioners of Customs and Excise of *England, Ireland and Scotland* respectively, and with the Consent and under the Authority in Writing of the Lord High Treasurer of the United Kingdom of *Great Britain and Ireland*, or for any Three or more of the Commissioners of His Majesty's Treasury for the Time being respectively, to remit all or any Proportion of the Duties of Customs or Excise respectively, or to order the same to be drawn back or repaid, for, upon or in respect of any Stone, Bricks, Timber or other Materials, which shall be *bonâ fide* procured for and used in the building of the said Bridge and Appurtenances, under the Provisions of this Act; and such Duties shall in every such Case be remitted, drawn back or repaid, as the Case may be, under such Rules, Regulations and Restrictions, and in such Manner as shall be ordered and directed by the Lord High Treasurer, or any Three or more of the Commissioners of His Majesty's Treasury in that Behalf; any Thing in any Act or Acts of Parliament to the contrary notwithstanding.

Treasury to advance 150,000l. to the Corporation out of the Consolidated Fund for the Purposes of this Act.

LXIII. And for the more readily and effectually accomplishing the Purposes of this Act, be it further enacted, That there shall be advanced and paid from and out of all or any of the Duties, Revenues and Incomes composing the Fund called The Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, any Sum or Sums of Money, not exceeding in the Whole the Sum of One hundred and fifty thousand Pounds of lawful Money of *Great Britain*, the same to be paid by the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, to the Lord Mayor, Aldermen and Commons of the City of *London*, in Common Council assembled, or to the Chamberlain of the City of *London* for the Time being, free and clear of all Fees and Deductions whatsoever, from time to time, as the same may be required, not less than Ten thousand Pounds in the first Year after the passing of this Act, and not less than Twenty thousand Pounds in each succeeding Year, until the Whole of the said Sum of One hundred and fifty thousand Pounds shall be paid; and which Sum or Sums of Money shall be applied and disposed of by the said Mayor, Aldermen and Commons, in Common Council assembled, in, for and towards the Purposes of this Act or any of them.

Corporation empowered to raise Money on the Credit of the Bridge House Estates.

LXIV. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, and they are hereby authorized and empowered from time to time to raise any Sum or Sums of Money on the Credit of the Rents and Profits of the Messuages, Lands, Tenements and Hereditaments called The Bridge House Estates, to which they are entitled as Trustees as aforesaid, with their Appurtenances, by borrowing and taking up Money at Interest, by way of Mortgage, of the said Rents and Profits of the said Messuages, Lands, Tenements and Hereditaments, or any of them, or any Part thereof respectively, (subject to the Yearly Sum hereinafter directed to be set apart for Payment of the existing Charges on the said Estates, and for other Purposes hereinafter mentioned,) or by the Sale of Life Annuities, to be payable out of and charged upon the same Rents and Profits, or any of them, or any Part thereof, subject

subject as aforesaid, during the Life or Lives of the Purchaser or Purchasers thereof, or of such Person or Persons, either with or without Benefit of Survivorship, as shall be nominated by such Purchaser or Purchasers, or by the Sale of redeemable Annuities, to be payable out of and charged upon the same in Manner respectively hereinafter mentioned, or by more than One of or all the said Ways and Means, as to the said Mayor, Aldermen and Commons, in Common Council assembled, shall seem most expedient.

LXV. And be it further enacted, That for securing the Payment of the Sums of Money to be borrowed and taken up by way of Mortgage, at Interest as aforesaid, and the Interest thereof, it shall be lawful for the said Mayor, and Commonalty and Citizens, and they are hereby authorized and empowered by any Writing or Writings under their Common Seal, to mortgage, charge or demise the said Rents and Profits, or any Part or Parts thereof (subject as aforesaid), unto the Person or Persons who shall advance or lend such Sum or Sums of Money, or such other Person or Persons as they shall direct, as a Security or Securities for the Money so to be borrowed, with Interest for the same, and a separate and distinct Mortgage shall be made in respect of each and every Sum of Fifty Pounds so to be borrowed; and every such Mortgage shall be in the Words or to the Effect following; that is to say,

‘ **N**O. By virtue of an Act, made and passed in the Fourth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of the Act*], We, the Mayor, and Commonalty and Citizens of the City of *London*, in Consideration of the Sum of Fifty Pounds, advanced and lent by upon the Credit and for the Purposes of the said Act, and paid by him or her [*as the Case may be*] into the Chamber of the City of *London*, do grant, bargain, sell and demise unto the said Executors, Administrators and Assigns, such Proportion of the Rents and Profits of the Messuages, Lands and Hereditaments called *The Bridge House Estates* (subject to the Charges in the said Act mentioned), as the said Sum of Fifty Pounds doth or shall bear to the whole Sum borrowed by virtue of the said Act upon the Credit of the same Rents and Profits, to be had and holden from the Day of the Date of these Presents, until the said Sum of Fifty Pounds, with Interest for the same, after the Rate of *per Centum per Annum*, shall be fully repaid and satisfied. In Witness whereof, the said Mayor, and Commonalty and Citizens, have caused their Common Seal to be hereunto affixed the Day of in the Year of our Lord

And every such Mortgage shall be valid and effectual in the Law; and all such Mortgages shall be numbered, commencing with Number One, and so proceeding in arithmetical Progression ascending, whereof the Difference shall always be One in respect of every Sum of Fifty Pounds, for which a separate Mortgage shall be so granted as aforesaid.

Money may be raised by granting Annuities on Lives.

LXVI. Provided also, and be it further enacted, That in case the said Mayor, Aldermen and Commons, in Common Council assembled, shall think it advantageous to raise all or any Part of the Money to be borrowed or raised upon the Credit of the Rents and Profits of the Bridge House Estates under this Act, by the granting Annuities for Lives, it shall and may be lawful for the said Mayor, and Commonalty and Citizens, and they are hereby authorized and empowered, by Writing under the Common Seal of the said City, to grant One or more Annuity or Annuities to any Person or Persons, being a Subject or Subjects of this Realm, who shall advance and pay into the Chamber of the said City any Sum or Sums of Money, for the absolute Purchase of any such Annuity or Annuities; each of the said Annuities to be paid and payable during the Life of the Purchaser thereof, or of such other Person as shall be nominated by or on the Behalf of such Purchaser, at the Time of the Payment of his or her Purchase Money; and the Grant of every such Annuity shall be in the Words, or to the Effect following; (that is to say,

Form of Grant of Annuity.

‘ NO. By virtue of an Act made and passed in the Fourth Year of the Reign of King George the Fourth, intituled [*here set forth the Title of this Act*], We, the Mayor, and Commonalty and Citizens of the City of London, in Consideration of the Sum of in Hand paid by into the Chamber of the said City, for the Purposes of the said Act, do hereby grant unto the said Executors, Administrators and Assigns, One Annuity or Yearly Sum of out of such Proportion of the Rents and Profits of the Bridge House Estates (subject to the Charges in the said Act mentioned), as the Sum of doth or shall bear to the whole Sum borrowed by virtue of the said Act, on the Credit thereof, which Annuity or yearly Sum of shall be paid at the Office of the Chamberlain of the said City to the said or Assigns, during the Term of Life (or as the Case may be, to the said Executors, Administrators and Assigns, during the Life of), by Quarterly Payments, upon the Day of Day of Day of and Day of in every Year; and the first Quarterly Payment thereof shall be made upon the Day of next ensuing the Date of these Presents. In Witness whereof, the said Mayor, and Commonalty and Citizens, have caused their Common Seal to be hereunto affixed, the Day of in the Year of our Lord

Paid without Deduction.

And every such Grant shall be good, valid and effectual in the Law, and all Annuities to be granted as aforesaid shall be and are hereby charged upon, and shall be paid and payable, free from all Charges and Deductions, out of the said Rents and Profits.

Restriction as to Grants of Annuities.

LXVII. 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 or Rates than the following; (that is to say,) where the Age

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; where the Age of such Person shall not exceed Forty Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Ten Shillings for each One hundred Pounds of such Consideration Money; where the Age of such Person shall not exceed Forty five Years, the Annuity shall not exceed the Rate of Nine Pounds for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Fifty five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty Years, the Annuity shall not exceed the Rate of Eleven Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Sixty five Years, the Annuity shall not exceed the Rate of Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall not exceed Seventy Years, the Annuity shall not exceed the Rate of Fifteen Pounds One Shilling for each One hundred Pounds of the Consideration Money; and where the Age of such Person shall not exceed Seventy five Years, the Annuity shall not exceed the Rate of Eighteen Pounds Ten Shillings for each One hundred Pounds of the Consideration Money.

LXVIII. And be it further enacted, That it shall be lawful for the several Persons entitled for the Time being to any of the Mortgages for the Money which shall be borrowed, or to any of the Annuities which shall be granted as aforesaid, or their respective Executors, Administrators or Assigns (as the Case may be), at any Time, by Writing under their respective Hands and Seals, to assign or transfer the same to any Person or Persons being a Subject or Subjects of this Realm; and every such Assignment or Transfer shall be in the Form or to the Effect following; (that is to say,)

Mortgages and Annuities may be assigned.

‘ I, A. B. of _____ being entitled to the Sum
 ‘ of _____ [or, an Annuity of _____],
 ‘ by virtue of a Mortgage [or, Grant of an Annuity], bearing
 ‘ Date the _____ Day of _____
 ‘ in the Year of our Lord _____ under the Common
 ‘ Seal of the Mayor, and Commonalty and Citizens of the City
 ‘ of London, upon the Credit of the Rents and Profits of the
 ‘ Bridge House Estates, subject as therein mentioned, do hereby,
 ‘ in Consideration of the Sum of _____ to me
 ‘ paid by _____, assign and transfer unto the said
 ‘ _____, Executors, Administrators and Assigns, all
 ‘ my Right and Interest in and to the said Principal Sum of _____
 ‘ thereby secured, and all Interest now due and _____
 ‘ hereafter

Form of Assignment.

LXXI. And be it further enacted, That the said Mayor, Aldermen and Commons, in Common Council assembled, shall cause a Bond or Note, or other Security in Writing, under the Common Seal of the said City, to be delivered to every Person advancing any Part of the said Monies for the Payment of such Interest, in respect thereof, out of such Proportion of the Rents and Profits of the said Bridge House Estates, subject as aforesaid, as the Sum advanced shall bear to the whole Sum borrowed and to be borrowed by virtue of this Act, on the Credit thereof, until redeemed, as is hereinafter mentioned, which Bonds, Notes or other Securities, shall be assignable by Endorsement.

Common Council to cause Bonds or other Securities to be given, assignable by Endorsement.

LXXII. And be it further enacted, That the said Mayor, Aldermen and Commons, in Common Council assembled, shall give or cause to be given Notice in *The London Gazette*, and also in Two or more Daily Papers published in the City of London or Westminster, of their Intention to pay off such Bonds as shall by virtue of this Act be granted in respect of the said Sum and Sums of Money to be raised as aforesaid, and at the End of Six Calendar Months next after such Notice shall be given, upon Payment or Tender of the respective Principal Sums for which such Bonds shall have been given, together with Interest for the same respectively, up to the Day of such Payment or Tender, to or for the Person or Persons then entitled thereto, at the Office of the Chamberlain of the said City, the Interest payable to such Person or Persons respectively shall cease and determine: Provided nevertheless, that such Person or Persons, at any Time after such Notice shall have been given as aforesaid, shall, at the Expiration of Ten Days next after a Declaration in Writing of his, her or their Intention to receive the same, shall have been delivered at the said Office (such Declaration being delivered between the Hours of Ten in the Morning and Two in the Afternoon), be paid at the said Office the Sum or Sums of Money for which such Bond or Bonds respectively shall have been given, together with Interest for the same Bond or Bonds respectively, up to the Day expressed in such Declaration for receiving the same, and such Interest respectively shall, on the Day specified in such Declaration for Payment, cease and determine.

Upon Notice of paying off Bonds and Tender of Monies, Interest to cease.

LXXIII. And be it further enacted, That the said Chamberlain shall enter in a Book or Books kept for that Purpose the Mortgage or Mortgages, Bond or Bonds, and Annuity or Annuities, to be granted upon the Credit of the said Bridge House Estates, in pursuance of this Act, and all Assignments and Transfers thereof, expressing in Words at Length the Names, Surnames, Additions, Places of Abode and other Description of such Person or Persons, as shall from time to time be entitled to such Mortgage or Mortgages, Bond or Bonds; to which Book and Books all and every Person and Persons entitled to or interested in such Mortgages, Annuity or Annuities, shall at all reasonable Times in the Day Time have Access, with free Liberty to inspect the same without Fee or Reward.

Securities to be entered in Books,

and imported without Fee.

LXXIV. And be it further enacted, That the several Persons to whom any such Mortgages, or any such Grants of Annuities for Lives or Bonds, shall have been made as aforesaid, shall be severally

No Preference in Payment of Mortgages and Annuities.

severally entitled to their respective Quota of the said Rents and Profits, in proportion to the Annual Amount of the Interest of the Monies borrowed on Mortgage, and the Annual Amount of the said Annuities, without any Preference by reason of the Priority in Date of any such Mortgage or Grant, or on any other Account whatsoever.

12,000l. per Annum to be set apart out of the Rents, &c. of the Bridge House Estates. Application thereof.

LXXXV. And be it further enacted, That for providing a Fund for Payment of the existing Charges upon the said Bridge House Estates, the Expences of managing and improving the same, and the Current Expences of the said Bridge, and for making a Sinking Fund for discharging the Monies to be raised on the Credit of the Rents and Profits of the said Estates by virtue of this Act, the said Mayor, Aldermen and Commons, in Common Council assembled, shall and they are hereby authorized and required, yearly and every Year, by and out of the Rents and Profits of the said Bridge House Estates, to set apart, in the First Place, the Yearly Sum of Twelve thousand Pounds of lawful Money of *Great Britain*; and do and shall, by, with and out of the said Yearly Sum of Twelve thousand Pounds, in the first Place, pay, satisfy and discharge all the existing Charges on the said Bridge House Estates; and in the next Place do and shall apply the same in defraying the Expences of managing and improving the said Bridge House Estates, and the Current Charges and Expences of the said Bridge and of the Repairs thereof, and of lighting and watching the same, and all other Expences in anywise relating thereto; and do and shall, from time to time, pay and apply the Residue, which shall from time to time remain, of the said Yearly Sum of Twelve thousand Pounds, after answering the Purposes aforesaid, either in Discharge of any Sum or Sums of Money to be borrowed, or in the Redemption of any Annuities to be granted by virtue of this Act on the Credit of the said Rents and Profits, or at Interest upon any Real Security, or in the Purchase of Stock in any of the Public Funds, in the Name of the Chamberlain, Town Clerk and Comptroller of the Bridge House Estates of the said City of *London*, for the Time being; and from time to time, as and when the same shall become payable, to invest the Interest and Dividends of any Monies so put out at Interest or invested in such Funds, in any of the aforesaid Securities or Funds, and afterwards at such Time or Times as shall also be determined by the said Mayor, Aldermen and Commons, in Common Council assembled, to call in the said Monies, or to sell, assign, transfer and dispose of the said Securities or Stock, so to be purchased and accumulated, or any Part thereof, and to apply the Money arising thereby, and any Part of the Interest or Dividends thereof, which may not have been invested or laid out in the said Securities or Funds, in paying and discharging any Sum or Sums of Money, or redeeming any Annuity or Annuities as aforesaid.

Rents of the Bridge House Estates to be paid into the Chamber.

LXXXVI. And be it further enacted, That the said Wardens or Keepers of *London* Bridge shall and they are hereby required from time to time, so long as any Monies advanced by virtue of this Act upon the Security of the Rents and Profits of the said Bridge House Estates shall remain undischarged, subsisting or unredeemed, to pay into the Chamber of the said City the Rents and

and Profits of the said Bridge House Estates, or such of them, or such Part or Parts thereof, as the said Mayor, Aldermen and Commons of the said City of *London*, in Common Council assembled, shall from time to time direct, reserving the said Sum of Twelve thousand Pounds *per Annum* to be applied by them in the Manner hereinbefore directed.

LXXVII. And be it further enacted, That after setting apart the said Yearly Sum of Twelve thousand Pounds, the Residue which shall from time to time remain of the said Rents and Profits of the Bridge House Estates, shall be paid and applied in or towards the Discharge of the Interest of the Monies to be secured by Mortgage and of the Annuities to be granted on the Credit thereof, by virtue of this Act, as and when the same respectively shall become due; and the Residue or Surplus thereof, which shall remain from time to time after full Payment of the said Interest, shall and may be applied in paying off the Monies to be secured by Mortgage, or in Redemption of the Annuities to be granted by virtue of this Act, or may be invested in Aid and Augmentation of the Sinking Fund, intended to be established as hereinbefore is mentioned, by and with the Residue or Surplus of the said Yearly Sum of Twelve thousand Pounds, in the same Manner as hereinbefore is directed concerning the same.

LXXVIII. And be it further enacted, That the said Monies now in the Public Funds, or in the Possession of the said Wardens or Keepers of *London* Bridge, shall be applied in or towards Payment of the Costs, Charges and Expences incident to and to be incurred in or about the obtaining and passing of this Act, or in any wise relating thereto; and the Costs and Expences of all Surveys and Designs for the said new Bridge, and the said temporary Bridge, and the Costs and Expences of erecting the said temporary Bridge as aforesaid, and of taking down the said present Bridge and temporary Bridge, or other the Purposes of this Act.

LXXIX. And be it further enacted, That the said Monies now in the Public Funds or in the Possession of the said Wardens or Keepers as aforesaid, and all and every the Sum and Sums of Money to be raised on the Credit of the Rents and Profits of the said Bridge House Estates as aforesaid, and the Residue of the Rents and Profits of the said Bridge House Estates, after setting apart the said Yearly Sum of Twelve thousand Pounds, until any such Sum of Money shall be raised on the Credit thereof, (except such Part thereof, if any, as shall be applied in Satisfaction of such Costs, Charges and Expences, as aforesaid,) shall be applied in or towards the Erection, and building and completing of the said new Bridge; and if any Surplus thereof shall remain after the said Bridge shall have been completed the same shall be applied to the several other Purposes of this Act.

LXXX. And be it further enacted, That if any Monies to be raised by virtue of this Act shall be misapplied or converted to any other Use than the Purposes aforesaid, by the said Mayor, Aldermen and Commons, in Common Council assembled, or by the said Mayor, and Commonalty and Citizens for the Time being, or any of their Officers, or any other Person or Persons acting

How the Rents of Bridge House Estates, after setting apart the said Yearly Sum, to be applied.

Expences of Act, Designs, &c. and temporary Bridge, to be paid out of any Money.

Money raised on Bridge House Estates to be applied towards building the Bridge, and other Purposes of this Act.

The Corporation answerable in case of Misapplication.

acting under Colour of any Warrant, Power or Authority, by, from or under them respectively, then and in such Case the said Mayor, and Commonalty and Citizens, and their Successors, shall be answerable for the same, out of the Revenue of the said Corporation, in any Action or Actions to be brought by any of the Creditors of the said Mayor, and Commonalty and Citizens, claiming under or by virtue of this Act, or by the Successors, Executors, Administrators or Assigns, of any such Creditor or Creditors; which said Sum and Sums of Money so recovered shall be applied to the same Uses as the Money so misapplied or converted should or might have been applied to, if such Misapplication had not happened, except that the Costs of Suit shall be deducted and retained thereout, in the first Place, for the Benefit of him, her or them so suing.

Chamberlain to keep Account of Receipts and Disbursements.

LXXXI. And be it further enacted, That from time to time there shall be provided and kept by the Chamberlain of the said City for the Time being One or more Book or Books, in which all the Sum or Sums of Money which shall be raised or received by virtue of this Act, or otherwise received by him, shall from time to time, as the same shall be paid, be entered and set down; and wherein also all the Monies to be paid and disbursed out of the Sum or Sums of Money to be raised or received as aforesaid, shall from time to time be entered and set down; and such Entry shall express the Time when, the Occasion for which and the Names of the Persons to whom the same respectively shall be paid, and the Account of the Receipts and Application of the said Monies received from and to be raised on the Credit of the said Bridge House Estates, shall be kept separate and distinct from the Account of the Receipt and Application of the Sum or Sums of Money to be advanced by virtue of this Act.

Account of Bridge House Estates distinct.

Application of Monies laid before Parliament Yearly.

LXXXII. And be it further enacted, That there shall be Yearly laid before each House of Parliament a true Copy of the Receipts and Application of the Sums of Money which shall be raised and advanced respectively by virtue of this Act, and of the said Sinking Fund and the Accumulations thereof, and the Sum or Sums of Money (if any) paid off and discharged by and out of the same.

Corporation not liable in case the Funds, on the Credit of which the Sums of Money respectively shall be raised, should fail.

LXXXIII. Provided always, nevertheless, and be it further enacted, That nothing in this Act contained, nor any Mortgage, Bond, Note or Security, to be given by the said Mayor, and Commonalty and Citizens, for the Payment of any Sum or Sums of Money, to be raised or borrowed by virtue of this Act, and Interest thereon, or any Annuities to be granted in respect thereof, shall extend or be deemed or construed to extend to render the said Mayor, and Commonalty and Citizens, or their Successors, or their Estates, Revenues and Effects, subject or liable to the Payment of any Sum or Sums of Money, Interest or Annuities, secured or granted as hereinbefore is mentioned, or any Costs, Charges and Expences, occasioned by the Non Payment thereof, in case the Rents and Profits on the Credit of which the same Sums of Money respectively shall have been raised or granted shall happen to become insufficient; and that the said Mayor, and Commonalty and Citizens, and their Successors, shall not be liable to any Action or Suit in respect of any Mortgage, Bond,

Note or Security, to be given by them as aforesaid, excepting in case of Misapplication of any Sum or Sums of Money to be received by them by virtue of this Act, as hereinbefore is expressed; any Thing in this Act contained to the contrary thereof notwithstanding.

LXXXIV. And be it further enacted, That the said Mayor, and Commonalty and Citizens, and their Successors, and all Persons acting under their Direction or Authority, shall not be subject or liable to any Action, Suit, Indictment, Claim or Demand whatsoever, for or in respect or on account of any Damage or Injury which may arise to any Person or Persons, Body or Bodies, or his or their Houses, Lands, Estates, Vessels or Property, by reason or on account of the increased Rise of the Tide of the said River above the said Bridge, or the Alteration of the Channels or Currents of the said River, or of the Want of Water for navigating the same, nor for or by reason or on account of any other Matter or Thing occasioned by the Removal of the said present Bridge, nor to any Indictment, Action, Suit, Claim and Demand whatsoever, for any Nuisance, Obstruction or Injury, on account of the said Bridge, Approaches or other the Works to be executed under or by virtue of this Act, remaining unfinished, in case the Sum or Sums of Money to be raised and advanced by virtue of this Act shall be insufficient to complete the same.

LXXXV. And be it further enacted, That it shall and may be lawful to and for the said Mayor, Aldermen and Commons, in Common Council assembled, from time to time to appoint One or more Committee or Committees to manage and transact all or any of the Matters or Purposes which they the said Mayor, Aldermen and Commons, in Common Council assembled, are hereby required to do, execute or perform, which Committee or Committees shall have such or so many of the Powers and Authorities by this Act given to the said Mayor, Aldermen and Commons, in Common Council assembled, as the said Mayor, Aldermen and Commons, in Common Council assembled, shall think fit or proper to delegate to such Committee or Committees.

LXXXVI. Provided nevertheless, and be it further enacted, That if any Person, being a Member of the said Committee, shall be directly or indirectly interested or concerned in any Contract which shall be made or entered into, by or on Behalf of such Committee, for or concerning any of the Works to be performed or done in pursuance of this Act, or for or concerning any Materials to be used or employed therein, every such Contract shall be void; and the Person who, being a Member of such Committee, shall be so interested or concerned, shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, to be commenced within Six Calendar Months next after the Offence committed, in which Action or Suit respectively no Protection, Essoign or Wager of Law, or more than One Imparance shall be allowed.

LXXXVII. And be it further enacted, That the said Committee or Committees shall and may, and they are hereby authorized and empowered from time to time to employ any fit Person or Persons, whether

Corporation not to be liable for Damage occasioned by the Removal of the Bridge, nor for the Bridge being unfinished, if the Funds be insufficient.

Corporation to appoint Committee to carry the Act into Execution.

Persons interested not eligible for such Committee.

Penalty 100l.

Persons not Free of the City may be

employed by Committees.

whether free of the said City or not, in or about any of the Works, Matters or Things which they shall cause to be performed or done by virtue or in pursuance of this Act, and to contract for the Doing and Performance of such Works, Matters and Things, or any of them, with any Person or Persons, in such Manner as the said Committee or Committees shall think fit; and that no Person or Persons who shall be so employed or contracted with in, about or for any of the Purposes of this Act, nor any Person or Persons to be set to work by or under them, or any of them, shall, for any Act done or to be done in or about the Premises, be subject or liable to be sued for any Breach of the Custom of London, or for any Penalty inflicted by any Bye Law of the said City.

Directions for giving Notices for Contracts.

LXXXVIII. Provided always, and be it further enacted, That previous to the making of any such Contract, Notice shall be given in some of the Daily Newspapers, that such Committee intend to make such Contract, and that all Persons willing to engage therein may make Proposals to the said Committee, at a certain Time and Place in every such Notice to be specified; and all Contracts made, or to be made, in consequence of such Notice, shall specify the several Works to be done, and the Price or Prices to be paid for the same, and the Time or Times when the said Works are to be completed, together with the Penalty to be incurred in case of the Non Performance thereof; and the same shall be signed by the Clerk for the Time being of such Committee, as also by the Person or Persons contracting to perform such Works respectively, and shall be entered in a Book or Books to be kept for that Purpose by such Committee.

Corporation empowered to appoint Clerks and other Officers, taking Security;

LXXXIX. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, and they are hereby authorized and empowered respectively from time to time, to nominate and appoint such and so many Clerks, and other Officers and Servants, as they shall find necessary for the Purposes of this Act, and to take (if they shall think it necessary) such Security and Securities for the faithful Execution of such respective Offices as they the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, shall from time to time think fit; and out of the Money to be received by the said Mayor, and Commonalty and Citizens, and their Successors, by virtue of this Act, to pay or allow unto the Persons so to be appointed respectively, such Salaries, Allowances or Recompences yearly or otherwise, for their Time and Trouble, as to the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, shall seem meet and reasonable, and from time to time to remove or suspend them, or any of them, and appoint others in their or his Stead, or in the Room of such as shall die or become incapable of performing their respective Offices.

and to allow them Salaries;

and remove them.

Officers misapplying any of the said Monies.

XC. And be it further enacted, That if any Chamberlain of the said City of London, or any other Officer or Person, shall, after Receipt of any of the Monies raised or advanced in pursuance of this Act, divert or misapply the same, or any Part thereof, contrary

trary to the true Intent and Meaning of this Act, then such Chamberlain or other Officer, or Person or Persons aforesaid, so misapplying the said Money, shall forfeit Treble the Sum so misapplied, with full Costs of Suit; which said Forfeitures shall be recovered by the said Mayor, and Commonalty and Citizens, or their Successors, or by any of the Creditors of the said Mayor, and Commonalty and Citizens, or their Successors, claiming under or by virtue of this Act, or the Executors, Administrators or Assigns of any such Creditors, who shall sue for the same by any Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record, wherein no Essoign, Protection or Wager of Law shall be allowed.

Penalty.

XCI. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, and they are hereby empowered and required from time to time to cause such and so many Lamp Irons or Lamp Posts to be put up and affixed in, upon or along the Sides of the said Bridge, and the said temporary Bridge, if any, or upon any Wall or Pallisade adjoining to and connected with the said Bridge, as they shall think proper; and also to cause such Number of Lamps, of such Sizes and Sorts, to be provided and fixed, to put upon such Lamp Irons and Lamp Posts as they shall think necessary for lighting of the said Bridge, and every or any Part thereof, and shall cause the said Lamps to be kept lighted and burning from Sun setting to Sun rising throughout the Year.

Fixing Lamps.

XCII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down or otherwise damage or destroy any of the said Lamps, which shall be so erected or continued by the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, or any of the Posts, Irons or other Furniture thereof, or take away, or throw away any of the Oil from or out of the said Lamps, or extinguish any of the said Lamps when lighted, it shall be lawful for any One or more Alderman or Aldermen of the said City of London, and he and they is and are hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Party or Parties accused; and it shall be lawful for any Person or Persons whomsoever, who shall see such Offence committed, to apprehend, as also for any other Person or Persons to assist in apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him, her or them, into the Custody of a Peace Officer, in order to be secured and conveyed before any such Alderman or Aldermen, to be dealt with as hereinafter is directed; and the Party or Parties accused being brought before any such Alderman or Aldermen, or Oath being made before him or them that such Party or Parties cannot be found and apprehended, such Alderman or Aldermen shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either by his, her or their own Confession, or upon such Information as aforesaid, he, she or they so convicted, shall

Wilfully
damaging
Lamps, &c.Proceedings
against Of-
fenders.

forfeit for each Lamp, Furniture and Oil, so broken, damaged, destroyed, taken away, thrown out or extinguished as aforesaid, any Sum not exceeding Forty Shillings; and full Satisfaction shall be made to the said Mayor, Aldermen and Commons, in Common Council assembled, or to their Surveyor, by such Offender or Offenders, for the Damage so by him, her or them done as aforesaid; and in case any such Offender or Offenders shall not on Conviction pay such Forfeiture by him, her or them incurred, and make such Satisfaction as aforesaid, the Alderman or Aldermen before whom such Offender or Offenders shall be convicted, is and are hereby required to commit him, her or them, to the House of Correction for the said City, there to be kept to hard Labour for any Time not exceeding Six Calendar Months, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she or they shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; and if any Person shall negligently or accidentally break, throw down or otherwise damage, take away or waste any of the said Lamps or Oil, or any of the Posts, Irons or other Furniture thereof, and shall not upon Demand make Satisfaction to the said Mayor, and Commonalty and Citizens, or to their Surveyor, for the Damage by such Person so done, it shall be lawful for any Alderman of the said City, and he is hereby required, upon any Complaint to be made thereof, to summon the Party complained of, and upon his or her Appearance, or making Default to appear, (Oath being made that the Party complained of was served with such Summons, or that the same was left at his, her or their Dwelling House or Place of Abode, if known, or that he or she could not be found,) such Alderman shall proceed to examine the Matter of the said Complaint, and upon Proof thereof, either by the Confession of the Party complained of, or by the Oath of One or more credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of, and for the Damage so done by him, her or them, as to such Alderman shall appear just and reasonable, and shall cause the Sum so awarded in case the same shall not be paid forthwith, upon the making of such Award, to be levied by Distress and Sale of the Goods and Chattels of the Offender, rendering to him or her the Overplus (if any be), upon Demand, after the Charges of prosecuting such Complaint, and of such Distress and Sale, shall be deducted; and in case sufficient Distress cannot be found, such Alderman may commit the Party complained of to any Gaol or House of Correction for the City of London, for any Time not exceeding Six Calendar Months, or until he or she shall pay the Sum so awarded, together with the Costs and Charges as aforesaid.

Penalty.

Imprisonment.

Negligently
damaging
Lamps, &c.Alderman may
order Satis-
faction.Levied by
Distress.

Imprisonment.

Guarding and
Watching the
Bridge.

XCIH. And be it further enacted, That the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, are hereby empowered from time to time, if they see Occasion, to appoint such Number of fit and able bodied Men as they shall think proper, to be armed and clothed in such Manner as the said Mayor, Aldermen and Commons, in Common Council assembled, shall direct, to be employed as Watchmen, Guards or Patroles, either on Foot or

Horseback, upon the said Bridge, or temporary Bridge (if any), and to appoint any Person or Persons to be Superintendent or Superintendents thereof, and from time to time remove any of the said Superintendents, Watchmen, Guards or Patroles, and to appoint others in their Room, and from time to time to make such Rules, Orders and Regulations for the better governing the Superintendents, Watchmen, Guards or Patroles, and for the watching and guarding the said Bridge, and keeping the Peace thereon, as the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, shall think proper.

XCV. And be it further enacted, That the Superintendents, Watchmen, Guards and Patroles, shall use their best Endeavours to prevent Fires, Murders, Burglaries, Robberies, Disturbances, Obstructions, Stoppages, Breaches of the Peace and all Outrages, Misdemeanours and Disorders on or near to the said Bridge, and to that End are hereby jointly and severally empowered and required, without further Warrant, to arrest, apprehend and detain in the Watchhouse of the Ward of *Bridge*, or in any other Watchhouse or convenient Place, (whether provided or appointed by the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, or otherwise,) all Malefactors, Rogues, Vagabonds and other disorderly and suspicious Persons, who shall be found committing any Disorder or Offence, or loitering, wandering or wantonly or negligently obstructing the Passage, or misbehaving themselves, or whom the said Superintendents, Watchmen, Guards and Patroles shall have just cause or reason to suspect of any evil Design, and the Person or Persons so apprehended to convey as soon as conveniently may be, before One or more of the said Aldermen of the said City, to be examined and dealt with according to Law.

Duty of
Patrole and
Watchmen.

XCVI. And be it further enacted, That the Costs and Charges of erecting and maintaining the said Lamp Irons, Lamp Posts and Lamps, and the Purchase thereof, and of supplying, maintaining and repairing the same, and of keeping the same lighted as aforesaid, and also the Salaries, Wages and Expences of such Superintendents, Watchmen, Guards or Patroles as aforesaid, and of watching the said Bridge, shall be defrayed and paid out of the Estates and Revenues belonging to the said Bridge.

Lighting and
Watching paid
out of Bridge
House Estates.

XCVI. And Whereas by reason of pulling down Houses and Buildings in pursuance of this Act, there may be Deficiencies in the Produce of Watching, Paving, Cleansing and Lighting Rates, and the Land Tax, within the Ward of *Bridge*, and within the Parishes of *Saint Saviour* and *Saint Olave*, in the Town and Borough of *Southwark*; Be it therefore further enacted, That after the Occupier or Occupiers of any of the Houses and Buildings in the said Ward, and Town and Borough respectively, to be taken down for the Purposes of this Act, shall have quitted the Possession thereof, in pursuance of any Notice or Notices to be left at or affixed upon the same Premises as aforesaid, and until the whole of the Houses and Buildings intended to be built in the said Ward, and Town, and Borough or Parish respectively, upon the Ground fronting the Streets so to be made or altered as

Compensation
for Deficiencies
in Ward Rates
and Land Tax,
during the
Execution of
Act.

aforesaid, shall be completed and occupied, the said Mayor, Aldermen and Commons, in Common Council assembled, shall, out of the Monies to be applied for the Purposes of this Act, pay and make good all such Sum and Sums of Money as shall from time to time be deficient in respect to the Produce of the Assessment for the Watching and Paving, Cleansing and Lighting Rates, and Land Tax, within the said Ward, and in the said Town and Borough, or Parish respectively, by reason or means of the Alterations arising from the Want of Occupiers in, or the taking down of the said several Houses and Buildings respectively, to be computed according to the Produce of such several or the like Rates and Assessments, as near as the Nature of the Case will admit, in such Ward, and in the said Town and Borough or Parish respectively, from the Twenty fifth Day of *March* One thousand eight hundred and twenty two to the Twenty fifth Day of *March* One thousand eight hundred and twenty three; and the same shall be accordingly paid to the several Collectors of the said Rates and Taxes, and such Sum and Sums of Money to be paid and made good as aforesaid shall diminish in proportion to the Value of the Houses and Buildings which from time to time shall be erected and occupied.

‘ XCVII. And Whereas by reason of pulling down the Houses and Buildings aforesaid, and making the Alterations aforesaid, in pursuance of this Act, there may be Deficiencies in the Produce of the Church and Poor's Rates in the United Parishes of *Saint Magnus* and *Saint Margaret, London*, and the respective Parishes of *Saint Saviour* and *Saint Olave, Southwark* ; Be it therefore further enacted, That after the Occupier or Occupiers of any of the said Houses and Buildings in any of the said Parishes respectively to be taken down for the Purposes of this Act, shall have quitted the Possession thereof, in pursuance of any Notice or Notices to be left at or affixed upon the same Premises as aforesaid, and until the whole of the Houses and Buildings intended to be built in the said Parishes respectively upon the Ground fronting the Street so to be made or altered as aforesaid shall be completed and occupied, the said Mayor, Aldermen and Commons, in Common Council assembled, shall out of the said Monies to be applied for the Purposes of this Act pay and make good all such Sum and Sums of Money as shall from time to time be deficient in respect to the Produce of the Assessments for Church and Poor's Rates within such Parishes respectively, by reason or means of the Alterations arising from the Want of Occupiers in, or the taking down of the said several Houses and Buildings situated in such Parishes respectively, according to the Produce of such several Rates and Assessments respectively, in such Parishes respectively, from the said Twenty fifth Day of *March* One thousand eight hundred and twenty two to the said Twenty fifth Day of *March* One thousand eight hundred and twenty three, and the same shall be accordingly paid to the several Collectors of the said Rates, and such Sum and Sums of Money to be paid and made good as aforesaid shall diminish in proportion to the Value of the Houses and Buildings which from time to time shall be erected and occupied.

Compensation
for Deficiencies
in Parochial
Rates.

‘ XCVIII. And

XCVIII. And for indemnifying the Rectors of the respective Churches of the said United Parishes of *Saint Magnus* and *Saint Margaret*, and the respective Parishes of *Saint Saviour* and *Saint Olave*, and their respective Successors for the Time being, against such Loss as might otherwise accrue to them respectively by reason of taking down the said Houses and Buildings; Be it enacted, That after the Occupier or Occupiers of any of the said Houses and Buildings in the same Parishes respectively, to be taken down for the Purposes of this Act, shall have quitted the Possession thereof in pursuance of this Act as aforesaid, or in pursuance of any Notice or Notices to be left at or affixed upon the same Premises as aforesaid, and until the whole of the Houses and Buildings intended to be built in such Parishes respectively, upon the Ground fronting the Streets so to be made or altered as aforesaid, shall be completed and occupied, the Tithes or Yearly Sums of Money, or customary Payments in lieu of Tithes and Rectory Rates charged respectively, on such Houses or Buildings as shall be quitted as aforesaid for the Purposes of this Act, and all Arrears and growing Payments thereof, or Annual Sums of Money equal to the Loss in Tithes, or Sums of Money or customary Payments in lieu of Tithes, or Rectory Rates, which the said Rectors of the said Parishes respectively may sustain by the Want of Occupiers in or taking down of such Houses and Buildings respectively, shall be paid and payable out of the Monies to be applied to the Purposes of this Act to the respective Rectors of the said Parishes respectively, and their respective Successors for the Time being, clear of all Taxes and Deductions, at the Four most usual Feasts or Days of Payment in every Year; (that is to say,) the Twenty fifth Day of *March*, the Twenty fourth Day of *June*, the Twenty ninth Day of *September*, and the Twenty fifth Day of *December*, by equal Payments in every Year, the first Payment thereof respectively to be made on such of the said Feast Days as shall first and next happen after the Occupier or Occupiers of any of such Houses or Buildings, in such Parishes respectively, or any Part or Parts thereof, shall have quitted the same as aforesaid, together with all Arrears; and such Sum and Sums of Money to be paid and made good as aforesaid shall diminish in proportion to the Value of the Houses and Buildings which from time to time shall be erected and occupied.

Compensation for Tithes, until Houses, &c. are rebuilt.

XCIX. And be it further enacted, That in every or any Case in which by virtue of any Act or Acts of Parliament, Law or Custom, the present *London Bridge* is a boundary to the Extent of any Jurisdiction, Authority, District, Liberty or Privilege on the River *Thames*, the new Bridge intended to be built as aforesaid shall be the Boundary, and define the Limits thereof in the same Manner, to all Intents and Purposes, as the present Bridge would have done, if the same had not been pulled down.

New Bridge to mark the Extent of Jurisdiction.

C. And be it further enacted, That the Northern Half of the said intended Bridge, extending from the Abutment to the Centre thereof, shall be and be deemed to be in the said Parish of *Saint Magnus*, and that the Southern Half of the said intended Bridge, extending from the Abutment to the Centre thereof, shall, if all of the said Abutment shall be in the Parish of *Saint Olave*, or the

New Bridge to be in Parishes in which Abutments stand.

the Part thereof in that Parish shall be greater than the Part thereof in the Parish of *Saint Saviour*, be and be deemed to be in the Parish of *Saint Olave*; but if all the said Abutment shall be in the Parish of *Saint Saviour*, or the Part thereof in that Parish shall be greater than the Part thereof in the said Parish of *Saint Olave*, then the same shall be and be deemed in the said Parish of *Saint Saviour*.

To prevent various Nuisances herein mentioned.

† *Sic.*

CI. And be it further enacted, That if any Person or Persons shall upon the said intended Bridge, or any Carriageway or Footway within the Distance of Fifty Yards from either End thereof, run, draw, drive or carry thereon any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier or Carriage whatever, or roll any Cask or Tub, other than for the necessary loading or unloading thereof, unto, from or out of any Carriage or Cart, or wilfully ride, lead or drive any Horse or other Beast or Cattle whatever, on any Footway or Foot Pavement of the said Bridge, or within the Distance aforesaid, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding or driving, or leading, to go thereon, or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree or other Thing whatsoever, across any of the Highways, Footways or Foot Pavements of the said Bridge, or within the Distance aforesaid, or hold or set any Pole, Placard, Cask, Tub, Pail, Bucket, Stool, Basket, Bench or Stall, on or in any such Footway or Foot Pavement, or erect, set up, put or place any Blind, † Shade, or cause any Obstruction or Impediment in such Footway or Foot Pavement, or shall on the said Bridge, or in any Street or Place within the Distance aforesaid, from either End thereof, hoop, fire, cleanse, wash or scald any Cask or Tub, or hew, saw or cut any Stone, Wood or Timber, or bore any Timber, or make or repair, or wash or clean any Coach, Chaise, Waggon, Sledge or other Carriage, or the Wheel, Body, Springs or other Part of any Coach, Chaise, Waggon, Sledge or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot be conveniently removed for that Purpose,) or wet, slack or mix any Lime, or wet, mix or make any Mortar, or shoe, bleed or farry any Horse or other Beast, unless in case of sudden Accident, or clean, dress, drive or turn loose, any Horse or other Beast or Cattle, or shew or expose any Stallion or Stonehorse, or shew or expose, or exercise or expose to sale any Horse or other Beast, or kill or slaughter, or scald, singe, dress or cut up any Animal, either wholly or in part, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop or Shamble, into any of the Streets or Places within the Distance aforesaid from the said Bridge, or shall sell or assist in selling by Auction or Public Sale, any Cattle, Goods, Wares, Merchandize or Thing or Things whatsoever, or hang up or expose to sale, or cause or permit to be hanged up, placed or exposed to sale, any Goods, Wares or Merchandize whatever, or any Fruit, Vegetables or Garden Stuff, Butcher's Meat or other Matter or Thing, upon the said Bridge, or in, or upon, or so as to project over or upon the Footway or Carriageway of the said Streets or Places within the Distance aforesaid, or beyond the Line, or on the Outside of the Window or Windows of the House,
Shop

Shop or Place, at which the same shall be so hanged up, placed or exposed to sale, or so as to obstruct or incommode the Passage of any Person or Carriage, or leave open, after Sunset, the Door or Window of any Cellar, or other underground Room or Apartment, without having placed or left a sufficient Light therein to warn and prevent Persons passing in the Streets and public Places within the Distance aforesaid from the said Bridge from falling into such Cellars or other underground Rooms or Apartments, or bait or cause to be baited any Bull or other Animal, or throw at any Cock or Fowl in the Manner called Cock throwing, or set up any Fowl to be thrown at in such Manner, or play at Foot Ball, or at any other Game on the said Bridge, or within such Distance as aforesaid, to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers, or shall wilfully break, aid or abet, or assist in wilfully breaking any Glass or Window Panes, or Windows in or belonging to any Dwelling House or Building, or cause, make or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol or Blunderbuss, or other Fire Arms, or let off, set fire to or throw any Cracker, Squib, Rocket or other Fire Work, or shall occasion any other Kind of Obstruction or Annoyance in or upon the said Bridge, or any Street or Place within the Distance aforesaid, or shall obstruct or incommode, hinder or prevent the free Passage of any Footway or Causeway, or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing or going thereon; then and in every such Case every Person so offending shall forfeit any Sum not exceeding Five Pounds, and not less than Ten Shillings; and it shall and may be lawful to and for any Constable or other Peace Officer, or the Wardens or Keepers of the said Bridge, or any Officer or other Person acting by or under their Authority by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her or them before some Alderman or Aldermen of the said City, in order to his, her or their Conviction for such Offence.

Penalty.

CII. And be it further enacted, That if any Person or Persons shall draw or cause to be drawn upon the said Bridge 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 which shall be conveyed upon any Wheel Carriage to trail upon any Part of the said Bridge to the Prejudice thereof; every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Shillings.

Improperly drawing Timber or Stone.

Penalty.

CIII. And be it further enacted, That no Hackney Coach, Chariot, Cabriolet or other Carriage whatsoever licensed to ply for Hire, shall stand for Hire on the said intended Bridge, or within One hundred Feet from either End of the said Bridge; and if any such Coach or other Carriage shall stand upon the said Bridge, or in any of the Streets or Places aforesaid, contrary to this Act, the Driver or Drivers thereof shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, to be levied and recovered by such Ways and Methods as by the several Acts of Parliament in Force respecting Hackney Coaches Penalties for Offences are authorized to be levied and recovered.

Improper standing of Hackney Coaches, &c.

Penalty.

Assaulting
Officers, &c.

CIV. And be it further enacted, That if any Person or Persons shall assault, interrupt, hinder or disturb any Person or Persons whomsoever employed by the said Mayor, Aldermen and Commons, in Common Council assembled, in the Execution of any Part of this Act, every such Person shall, for any such Offence, forfeit and pay any Sum not exceeding Ten Pounds.

Penalty.

Burning tem-
porary Bridge.

CV. And be it further enacted, That if any Person or Persons shall wilfully and maliciously burn or destroy or attempt to burn or destroy any temporary Bridge to be erected as aforesaid, every such Person so offending, and being thereof legally convicted, shall be adjudged guilty of Felony, and shall be liable to be transported beyond the Seas for the Term of his or her natural Life, or for any Term of Years, as the Court before which any such Person shall be convicted shall adjudge.

Felony.

Powers of this
Act to cease
after Ten
Years.

CVI. And be it further enacted, That if the said Lord Mayor, Aldermen and Commons shall not, within Ten Years from and after the passing of this Act, complete the said Bridge, so as to make the same passable for Horses and Carriages, that then and from thenceforth all and singular the Powers and Authorities vested in them by this Act relating to the said Bridge shall cease and determine, to all Intents and Purposes whatsoever, save and except as to so much thereof as shall then have been completed.

Exception.

Recovery of
Penalties and
Forfeitures.

CVII. And be it further enacted, That all Penalties, Forfeitures and Fines by this Act inflicted or authorized to be imposed (the Manner of levying, recovering and applying whereof is not herein otherwise directed,) shall, upon Proof of the Offences respectively, before any Alderman or Justice of the Peace for the City, County, Liberty or Place where the Offence shall have been committed (as the Case may require), either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Alderman or Justice is in every Case hereby fully authorized to administer), be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Alderman or Justice (which Warrant such Alderman or Justice is hereby empowered and required to grant), and the Overplus (if any), after such Penalties, Forfeitures and Fines, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and in case such Fines, Penalties and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Alderman or Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Alderman or Justice, for his or their Appearance before such Alderman or Justice, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security; and which Security the said Alderman or Justice is hereby empowered to take, by way of Recognizance or otherwise; but if upon the Return of such

Distress.

Warrant

Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Alderman or Justice of the 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 the Common Gaol or House of Correction of the City, County, Liberty or Place where the Offender shall be or reside, 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 attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from time to time paid into the Chamber of the City of *London*, and applied and disposed of for the Purposes of this Act, or any of them.

Imprisonment.

CVIII. And be it further enacted, That it shall and may be lawful for any of the said Wardens or Keepers of *London* Bridge, Surveyors or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance (and which all Bye standers and other Persons on Demand are hereby required to give), without any Warrant or Authority than this Act, to seize or detain any Person or Persons being unknown to such Wardens or Keepers, Surveyors or other Officers, who shall commit any Offence or Offences against this Act, and take him, her or them before any Alderman or Aldermen, Justice or Justices of the Peace for the City, County, Liberty or Place, where the Offence or Offences shall be committed; or such Offender or Offenders shall be seized and apprehended, and such Alderman or Aldermen, Justice or Justices, shall and is hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

For securing transient Offenders.

CIX. Provided also, and be it further enacted, That it shall be lawful for any Alderman or Aldermen, Justice or Justices, by whom any Judgment, Sentence or Determination, shall be given, pronounced or made, concerning any Offence or Offences against this Act, from time to time, where he or they shall see cause to mitigate, compound or lessen any of the Penalties or Forfeitures by this Act inflicted for the same Offence or Offences, as he or they in his or their Discretion shall think fit, so as such Mitigation or Composition do not extend to remit above One Moiety of any Penalty or Forfeiture inflicted and directed to be levied by this Act; and that every such Mitigation or Composition shall be a sufficient Discharge to the Person or Persons offending respectively, for so much of the Penalty or Forfeiture, Penalties or Forfeitures, as shall be so remitted.

Power to mitigate Penalties and Forfeitures.

CX. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Alderman or Aldermen, Justice or Justices, from time to time, if he or they shall see cause, to adjudge that the said Mayor, Aldermen and Commons, in Common Council assembled, shall pay and apply such Part of the said Penalties and Forfeitures, or any of them, as the said Alderman or Aldermen, Justice or Justices, shall think fit, and for the Use of the Informer or Informers, or any Person or Persons (not being a Witness or Witnesses), taking, seizing or assisting therein, or any

Informer may have Part of Penalties.

any of them; any thing herein contained to the contrary notwithstanding.

Convictions to
be drawn up.

CXI. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Alderman or Aldermen, Justice or Justices, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; that is to say,

Form of Con-
viction.

‘ **B**E it remembered, That on the _____ Day of _____ in the Year of our Lord _____ *A. B.* is convicted before *C. D.* One [*or Two, as the Case may be,*] of the Aldermen of the City of *London*, or Justices for the Town and Borough of *Southwark*, [*specifying the Offence, and Time and Place when and where the same was committed, as the Case may be,*] contrary to the Form of the Statute made in the Fourth Year of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], and I [*or, we*] do adjudge, that he hath theretofore forfeited the Sum of [*here insert the Penalty*], or shall be committed to [*Place of Imprisonment*] for the Space of [*Time of Imprisonment*]. Given under my Hand and Seal [*or, our Hands and Seals*] the Day and Year first above written.’

Distress not to
be unlawful for
want of Form.

CXII. And be it further enacted, That when any Distress shall be made by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or want of Form in the Summons, Conviction or Warrant, or Distress, or in the Appointment of the Officer or Officers, or in any Proceeding relating thereto, nor shall the said Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall happen to be done in making the said Distress; but the Party or Parties aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage which he, she or they shall have sustained thereby, with usual Costs, and no more, in an Action of Trespass, or on the Case, at the Election of the Party or Parties so aggrieved.

Appeal.

CXIII. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Thing done in pursuance of this Act, and for which no particular Mode of Relief hath been already appointed, such Person or Persons may appeal, if the Cause of such Appeal shall arise in the City of *London*, to the Aldermen at their Quarter Sessions, to be holden for the said City of *London*; or if the Cause of Appeal shall arise within the Borough of *Southwark*, to the Aldermen at their General Sessions for the Borough of *Southwark*; or if the Cause of such Appeal shall arise within any other Place, to the Justices of the Peace of the General or Quarter Sessions to be holden for the Place where such Cause shall arise, within Three Calendar Months next after such Cause of Complaint shall arise, unless the same shall arise within Twenty one Days preceding such Sessions, in which Case such Appeal may be brought at the Second Sessions after such Cause shall arise; and the said Aldermen or Justices are hereby authorized and required to take Cognizance

nizance thereof, and to hear and determine such Complaint or Complaints, and shall and may, if they see Cause, by Order of such Sessions, mitigate at their Discretion all or any Part of the Penalties or Forfeitures laid upon or incurred by the Party or Parties complaining, or vacate or set aside the Conviction or Convictions, and set the Parties at liberty, or otherwise may ratify or confirm the same, with such Costs as to them in their Discretion shall seem reasonable, and to levy by their Order or Warrant such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same; and for want of sufficient Distress, to commit such Person or Persons to the common Gaol for the said City of *London*, or the Town and Borough of *Southwark*, or County or Place where the Cause of Appeal shall arise, for any Time not exceeding Three Calendar Months, or until Payment of such Costs: Provided always, that the Person or Persons so appealing as aforesaid shall and he, she and they are hereby required to give Notice in Writing of such his, her or their Intention of bringing or prosecuting such Appeal Fourteen Days before the said Quarter Sessions, and shall before such Notice given enter into a Recognizance before One or more Alderman or Aldermen of the City of *London*, or Justice or Justices of the Peace where the Cause of Appeal shall arise, in the Sum of Twenty Pounds, with Two sufficient Sureties in the Sum of Ten Pounds each, with condition to prosecute such Appeal, and to pay all Costs, in case such Appeal shall be determined against the Party or Parties so appealing.

Penalties may be mitigated.

Imprisonment.

CXIV. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for want of Form only, or be removed or removable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* (except as hereinbefore is mentioned); any Law or Statute to the contrary notwithstanding.

Proceedings not to be quashed for want of Form.

CXV. Provided always, and be it further enacted, That no Action or Suit shall be commenced or brought for any Thing done in pursuance of this Act, until Fourteen Days' Notice shall have been given, or after Satisfaction or Tender thereof shall have been made to the Party aggrieved, or after Three Calendar Months next after the Fact committed; and every Action or Suit shall be laid, brought and tried in the County, City or Place, where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may at his, her or their Election, plead specially or the General Issue, and give this Act or the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Fourteen Days' Notice thereof shall be given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other City or County than as aforesaid, then the

Limitation of Actions.

General Issue.

the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her or their Costs in any other Cases by Law.

Treble Costs.

Rights of His Majesty, and of the Corporation of London, not to be prejudiced.

CXVI. Provided also, and be it further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, or Authority of the King's Majesty, His Heirs or Successors, or of the Mayor, and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor of the said City for the Time being, or to prohibit, defeat, alter or diminish any Power, Authority or Jurisdiction, which at the Time of making this Act His Majesty, or the Mayor, and Commonalty and Citizens of the City of *London*, or the Lord Mayor of the said City for the Time being, as Conservator of the River of *Thames*, did or might lawfully claim, use or exercise; and further, that it shall be lawful for the Lord Mayor of the said City for the Time being, in like Manner as he hath used to do in other Cases, to enquire of, hear and determine, by Presentment or Indictment taken before him, as Conservator of the said River and Water, all Offences contrary to this Act; and upon Conviction of the Offender or Offenders to impose a Penalty or Penalties on him, her or them, not exceeding the Penalty or Penalties hereby inflicted for such Offence or Offences; but no Person shall be punished Twice for one and the same Offence.

Proviso for Commissioners of Sewers.

CXVII. Provided also, and be it further enacted, That nothing in this Act shall extend to prejudice, diminish, alter or take away any of the Rights, Powers or Authorities vested in the Commissioners of Sewers of the City of *London*, or the Commissioners of Sewers for the Limits extending from *East Moulsey* in the County of *Surrey*, to *Ravensbourne* in the County of *Kent*, except as hereinafter is enacted.

Proviso for Acts for paving Southwark.

CXVIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to give to or invest the said Mayor, Aldermen and Commons, in Common Council assembled, or any other Person or Persons whomsoever, with any Right, Power or Authority which may at all interfere with the Rights, Powers, Authorities or Provisions heretofore granted by an Act passed in the Sixth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for paving Streets and Lanes within the Town and Borough of Southwark, and certain Parts adjacent, in the County of Surrey, and for cleansing, lighting and watching the same; and also the Courts, Yards, Alleys and Passages thereto; and for preventing Annoyances therein*; and by an Act passed in the Eleventh Year of the Reign of His said late Majesty, intituled *An Act to explain and amend so much of an Act of the Sixth Year of His present Majesty for paving the Town and Borough of Southwark, in the County of Surrey, as relate to the Commissioners of Sewers; and for regulating the Manner of taxing Churches,*

6 G.3. c.24.

11 G.3. c.17.

Churches, and other Public Buildings, within the Limits of the said Act; and also by another Act passed in the Fifty second Year of the Reign of His said late Majesty, intituled An Act for better paving, cleansing, lighting and watching the Streets, Lanes and other public Passages and Places within the Manor of Southwark, otherwise called the Clink, or Bishop of Winchester's Liberty, in the Parish of Saint Saviour, Southwark, in the County of Surrey; and also an Act passed in the Twenty sixth Year of the Reign of His said late Majesty, intituled An Act for making, widening and keeping in Repair certain Roads in the Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey and Christ Church, in the County of Surrey; and for watching and lighting the said Roads; and also by an Act passed in the Twenty eighth Year of the Reign of His said late Majesty, intituled An Act for enabling the Commissioners for putting into Execution an Act made in the Sixth Year of the Reign of His present Majesty, for paving the Streets and Lanes within the Town and Borough of Southwark, and certain Parts adjacent, in the County of Surrey; and for cleansing, lighting and watching the same, and also the Courts, Yards, Alleys and Passages adjoining thereto, and for preventing Annoyances therein, to open, widen and better regulate the several Streets, Lanes and Passages within the East Division, in the said Act described; and also by another Act, passed in the Forty fourth Year of the Reign of His said late Majesty, intituled An Act for altering and amending an Act passed in the Sixth Year of the Reign of His present Majesty, for paving the Streets and Lanes within the Borough of Southwark, and certain Parts adjacent, in the County of Surrey, and for cleansing, lighting and watching the same; and also the Courts, Yards, Alleys and Passages adjoining thereto, and for preventing Annoyances therein, so far as the same relates to the West Division thereof, as therein mentioned; and by another Act, passed in the Forty seventh Year of His said late Majesty, intituled An Act for enlarging the Powers of an Act of the Twenty sixth Year of His present Majesty, for making and keeping in Repair certain Roads in the Parishes of Lambeth, Newington, Saint George Southwark, Bermondsey and Christ Church, in the County of Surrey, and for watching and lighting the same Roads; and also by an Act, passed in the Forty second Year of His said late Majesty, intituled An Act for repealing the Act passed in the Twenty fifth Year of the Reign of His present Majesty King George the Third, for more effectually repairing the Roads leading from the Stone's End, in Blackman Street, in the Borough of Southwark, in the County of Surrey, to Highgate, in the County of Sussex, and several other Roads therein mentioned, and for granting other Powers for those Purposes; but all the Rights, Powers and Authorities vested in the said several Commissioners for carrying the said several Acts into Execution shall be as good, valid and effectual as if this Act had not been made, save and except as in and by this Act is herein particularly otherwise declared and enacted.

52 G. 3. c. xiv.
26 G. 3. c. 131.
28 G. 3. c. 68.
44 G. 3. c. lxxxvi.
47 G. 3. sess. 2. c. cxv.
42 G. 3. c. lxxvi.

CXIX. 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.

SCHEDULE

SCHEDULE to which this Act refers.

No. of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
23	LONDON SIDE. Fish Street Hill (West Side)	Parish of Saint Magnus	William Hughes, William Joseph Stockdale, and Frederick Thorn- hills.	William Joseph Stockdale and Frederick Thorn- hills.
Ditto	Swan Tavern	Ditto - -	William Hughes, William Game.	William Game.
24	Fish Street Hill	Ditto - -	William Hughes, William Joseph Stockdale, and Frederick Thorn- hills, and William Parke.	William Parke.
26 } 27 } 28 }	Fish Street Hill and Upper Thames Street	{ Corporation of London (as Trustees) Mercers' Com- pany, James David- son, Fishmongers' Company }	James Davidson, Fishmongers' Com- pany.	James Davidson, William Parke.
121	Upper Thames Street	{ Corporation of London (as Trustees) Mercers' Com- pany, James David- son, Fishmongers' Company }	James Davidson, Fishmongers' Com- pany.	James Davidson, William Parke.
122	Upper Thames Street (North Side)	Fishmongers' Com- pany	Charles Danvers and Charles Clark.	Charles Danvers and Charles Clark.
123	Ditto 3 Tun Court (3 Tuns Public House)	Ditto - -	Goodwin, Skinner and Co.	John Pugh.
124	Upper Thames Street (North Side)	Parish of Saint Mag- nus	Jacob Wrench, Wil- liam Thatchell.	Thatchell and Clarke.
125	Ditto - -	William and Thomas Jones }	William and Thomas Jones }	William and Thomas Jones.
126	Ditto - -	Fishmongers' Company }	William and Thomas Jones }	William and Thomas Jones.
127 } 128 }	Ditto - -	Fruen Turner }	Francis Child.	William and Thomas Jones. Francis Child.
116 and wharf	Upper Thames Street (South Side)	Marmaduke Thomp- son	- - -	Marmaduke Thomp- son.
117	Ditto - -	Ditto - -	Philip Green, Philip Green and Daniel Green.	Philip Green, Philip Green and Daniel Green.
118	Ditto - -	Ditto - -	Philip Green, Philip Green and Daniel Green.	Philip Green, Philip Green and Daniel Green.
A	Church Yard Alley	Joseph Wallinger Church Yard of Saint Magnus.	Ditto - -	Ditto.
B	Ditto - -	Rectory House, the Reverend Thomas Leigh.	- - -	Empty.
3	Ditto - -	Corporation of Lon- don (as Trustees)	- - -	Robert Sharpe.
2	Ditto - -	Fishmongers' Com- pany	Corporation of Lon- don (as Trustees).	Richard Till.
1	Ditto - -	Ditto - -	Ditto - -	John Harris.
119	Upper Thames Street	Benjamin Hanson English	Henry Neal - -	Henry Neal and Thomas Budden.
A	Ditto (Engine House)	Corporation of Lon- don (as Trustees),	Corporation of Lon- don (as Trustees), Executors of Henry Roxby, Charles Armstrong.	} Charles Arm- strong.
120	Ditto - -	Corporation of Lon- don (as Trustees), Fishmongers' Com- pany	Corporation of Lon- don (as Trustees), Executors of Henry Roxby, Charles Armstrong.	

(continued)

No. of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
1	London Bridge Foot (North)	Corporation of London (as Trustees)	Francis Hall, George Frederick Merriman.	John Epps. Michael Slater and Inmates.
2	Ditto - -	Ditto - -	Charles Bartrum	Charles Bartrum.
3	Ditto - -	Ditto - -	Executors of Henry Roxby, Charles Armstrong.	Charles Armstrong.
A	Bridge Ward Watch-house			
B	- - - Mault's Wharf	Corporation of London (as Trustees) City of London	Bridge Ward Corporation of London (as Trustees).	Corporation of London (as Trustees).
C	- - -	Parish of St. Magnus	{ Charles Bentley, Daniel Francis Field, Stephen Child, Corporation of London (as Trustees).	Empty.
1	Lower Thames Street (North Side)	The Crown	William, Peter, James and Robert M'Andrew	William, Peter, James and Robert M'Andrew.
2	Ditto - -	John Thomas Bell	- - -	John Thomas Bell, and Andrew Forsyth.
	Ditto Fresh Wharf	The Crown	John Knill	John Knill, John Thomas Bell and William Miller.
119½	Ditto (North Side)	Adam Oldham James Magnall	- - -	Andrew Forsyth.
120	Ditto - -	Alexander Adam	- - -	Lydia Adam.
122	Ditto - -	William Freeman Read	William Knox Child	William Knox Child.
123	Ditto - -	William Child	- - -	John Knox Vade, Charles Smith.
124	Ditto - -	Ditto - -	- - -	William Child and William Knox Child.
126	Lower Thames Street (North Side)	City of London Parish of St. Magnus	Executors of Jacob Wrench.	Jacob George Wrench, John Wrench and Edward Wrench.
127	Ditto - -	Parish of St. Magnus	Executors of Jacob Wrench, Joseph York Hatton.	Joseph York Hatton.
30	Fish Street Hill, (East Side)	Ditto - -	Christ's Hospital, John Sharp.	John Sharp and Haddarzer Sharp.
32	Ditto - -	City of London, Parish of St. Magnus, Parish of St. Lawrence Pountney	John and Mary Sutherland, Richard Gibbs.	Richard Gibbs.
33	Ditto - -	The Crown	John Noble, John and Henry Gamble.	John and Henry Gamble.
325	SURREY SIDE. London Bridge Foot, South, in the City of London (West Side)	Corporation of London (as Trustees)	John Challenor	John Challenor.

(continued)

No. of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
324	London BridgeFoot, South, in the City of London (West Side)	Corporation of London (as Trustees)	Daniel Agace, Clarkson Palmer.	Clarkson Palmer.
323	Ditto - -	Ditto - -	Executors of Andrew Jordaine, Benjamin Shaw.	Executors of Andrew Jordaine, Benjamin Shaw.
322	High Street, Southwark (West Side)	John Haynes	Richard Harvey and John Haynes.	John Haynes and Timothy Richardson.
321	Ditto - -	Solomon Davies	- - -	Solomon Davies.
319	Ditto - Tumble Down Dick Public House	Ditto - -	William Cook	William Cook.
318	High Street, Southwark	Corporation of Salisbury	Executors of Thomas Evans, Joseph Ovenden.	Joseph Ovenden.
317	Ditto - -	Kennard Smith	William Willmott	William Willmott.
316	Ditto - -	Ditto - -	Joseph Parker	Joseph Parker.
315	Ditto - -	Parish of Ottery Saint Mary, Devon	Thomas Thomas	John York.
314	Ditto - -	Ditto - -	Ditto - -	Thomas Thomas.
	Pepper Alley (The Watermen's Arms, Pepper Alley Stairs)	Francis Bushell Reeston	Henry Haylyn, Thomas Clifford.	Thomas Clifford.
A	Ditto (Dye House, &c.)	Ditto - -	Henry Haylyn	Henry Haylyn, John Cannop.
B	Ditto (Warehouses)	Ditto - -	John Hopkins	John Rushby.
2	Pepper Alley	John Randall	- - -	Joseph Green.
1	Ditto - -	James Willis	- - -	Benjamin Dryer.
313	High Street, Southwark	Saint Thomas's Hospital.	George and John Alderson	George and John Alderson.
311	Ditto - -	William Taylor	James Pike, Thomas Wright.	Thomas Wright.
310	Ditto - -	Thomas L. Fish	Elizabeth Wright	Elizabeth Wright.
309	Ditto - -	William Taylor	John Smith	John Smith.
308	Ditto - -	— Taylor	Daniel Sharp, Richard Whitton, John Baily.	John Baily.
307	Ditto - -	Ditto - -	Elizabeth Smedley	Elizabeth Smedley.
306	Ditto - -	Ditto - -	George Hancock, William Must.	William Must.
305	Ditto - -	— Taylor	George Hancock, William Hall.	William Hall.
304	Ditto - -	Ditto - -	George Hancock, George Brown.	George Brown.
303	Ditto - -	Ditto - -	William Collis, Richard Woolven.	Richard Woolven.
302	Ditto - -	Ditto - -	Jane Tongue, Robert Boadman.	Robert Boadman.
301	Ditto - -	Ditto - -	Thomas Burdock	Thomas Burdock.
300 } 299 } 298 }	Ditto - -	{ Ditto - - } { — Doddington }	William Sentance, Daniel Garraway.	William Sentance.
298	Ditto - -	— Taylor	Thomas Burdock, John Wiggins, Sarah Best.	Sarah Best.
297	Ditto - -	— Taylor	John Sherring	John Sherring.
9	Chain Gate The Plough and Harrow Public House	The Parish of Saint Saviour	Aaron Williams	Aaron Williams.
8	Chain Gate	Ditto - -	John Joseph Calar and William Tyrrell.	John Joseph Calar and William Tyrrell.

(continued)

No. of House.	Situation.	Freeholders.	Leaseholders.	Ocupiers.
7	Chain Gate -	The Parish of Saint Saviour	James Macfarlin	James Macfarlin.
6	Ditto - -	Ditto - -	George Stringer	George Stringer.
5	Ditto - -	Ditto - -	Robert John Thompson.	Robert John Thompson.
296	High Street, South-wark	Benjamin Hanson English	Philip Kaltenback.	Philip Kaltenback, William Jones.
295	Ditto - -	Ditto - -	Connad Diederech O'Hage.	Joseph Rattenbury.
294	Ditto - -	Ditto - -	Ditto - -	Connad Diederech O'Hage.
293	Ditto - -	George Covey	William Pell	William Pell.
292	Ditto - -	John Ellis	Joseph Tanner Henry Clark	Henry Clark.
291	Ditto - -	Ditto - -	Joseph Tanner Thomas Harrison, James Spencer Knowles.	James Spencer Knowles.
35	High Street, South-wark (East Side)	Edward Polhill -	- -	Edward Polhill and John Jones.
34	Ditto - -	Parish of Saint Saviour	John Richardson	John Richardson.
33	Ditto - -	Ditto - -	Edward Dickenson, John Weslake.	John Weslake.
32	Ditto - -	— Browning -	Elizabeth Englefield, Jenkin Jones.	Jenkin Jones.
31 a	High Street, South-wark	Ditto - -	Elizabeth Englefield, William Whistler.	William Whistler.
31 A	Ditto - -	Ditto - -	Elizabeth Englefield, William Whistler, John Payne and Thomas Bridge Simpson.	John Payne and Thomas Bridge Simpson.
29	Ditto - -	Richard Crichton and Others	John Payne and Thomas Bridge Simpson.	John Payne and Thomas Bridge Simpson.
28	Ditto - -	Ditto - -	William Payne	William Payne.
27	Ditto - -	Saint Thomas's Hospital	William Henry Taylor.	William Henry Taylor.
26	Ditto - -	Benjamin Hanson and William Buden.	William Fall and Robert Thredder	William Fall and Robert Thredder.
25	Ditto - -	Ditto - -	Debora Timbs	Deborah Timbs, William Timbs.
24	Ditto - -	John Mills - -	Joseph Prestwick and John Blake-way	Joseph Prestwick and John Blake-way.
22 & 23	Ditto - -	William Monnery	- -	William Monnery.
19 & 20	Ditto - -	(The Crown and Chequers Wine Vaults) - -	William Baxter -	Thomas Wallis.
18	Ditto - -	Ditto - -	George Withers, George Anderton.	George Anderton.
17	Ditto - -	Peter Wyhants Broadley -	Thomas Wallis	Thomas Wallis.
15	Ditto - -	Thomas Bridge -	Thomas Bush and William Were.	Thomas Bush and William Were.
14	Ditto - -	David Davidson -	William Tipping	William Tipping.
13	Ditto - -	Christopher John Hoggins	Richard Manning, Sophia Butler,	Sophia Butler.

No. of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
12	High Street, Southwark - (Three Crowns Wine Vaults) -	Hannah Reynolds Robert Rowley	Richard Hicks	Richard Hicks.
11	Ditto -	John Muggeridge	Richard Manning	Richard Manning.
10	Ditto -	Daniel Alexander	Rice Robarts, George Dickens.	Empty.
9	Ditto -	David Davidson	Richard Manning, Thomas Closs.	Thomas Closs.
8½	Ditto -	Thomas Willis	George Bousfield and William Knott.	George Bousfield, William Knott and George Clements.
8	Ditto -	George Bousfield and William Knott	-	Ditto.
5	White Horse Court	Ditto	-	William Bruce.
6	Ditto -	Ditto	-	William Oyston.
7	High Street, Southwark -	Elizabeth Walkden	Joseph Hubert	Joseph Hubert.
6	Ditto -	Robert Thomas Kent	-	Robert Thomas Kent and William Ledger.
5	Ditto -	Ditto	Thomas Lewis and Charles Joseph Farn.	Thomas Lewis and Charles Joseph Farn.
253	Tooley Street, South Side -	Joseph Goodchild	-	Joseph Goodchild.
252	Ditto -	Ditto	-	William Morren and John Blay.
251	Ditto -	Henry Daws	James Barnes.	George Stacey.
250	Ditto -	Ditto	Samuel George Bennett	Samuel George Bennett.
249	Ditto -	Alfred Hooper	Samuel Beddome	Samuel Beddome.
248	Ditto -	James Dutton and William Smith	-	James Dutton and William Smith.
247	Ditto -	The Girdler's Company	Samuel Favell and William and John Bousefield.	Charles Catt.
246	Ditto -	Ditto	James Metcalfe	James Metcalfe.
245	Ditto -	Ditto	Thomas Martin	Thomas Martin.
244	Ditto -	Ditto	Thomas Edgington	Thomas Edgington.
243	Ditto -	Ditto	John Whittaker, Sarah Delahunt.	Sarah Delahunt.
242	Ditto - (The Mitre Wine Vaults)	John Rigge	William Holcombe, William Moffatt.	William Moffatt.
241	Ditto -	John Stephenson	Executors Elizabeth Fellows, Joseph York Hatton	Empty.
A	Ditto -	Fishmongers' Company	George Brown	Appleton and Woodford.
237	Ditto -	City of London (as Trustees)	Joseph Huffam	Thomas Edgington.
236	Ditto -	Ditto	Ditto	John Barker.
235	Ditto -	Ditto	Ditto	James Vogan.
234	Ditto (South Side)	City of London (as Trustees)	Joseph Huffam, William Salkeld, John Sheldon.	John Sheldon.
17	Ditto (North Side)	Drapers' Company	James Vogan	James Vogan.
16	Ditto -	Ditto	George Tucker Colman	George Tucker Colman.
15	Ditto -	Ditto	George Morris	George Howard.
14	Ditto -	Ditto	John Fimister	John Fimister.

(continued)

No. of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
13	Tooley Street (North Side) (The White Lion Public House)	Drapers' Company	Robert Wilson	Robert Wilson.
11	Ditto - - (The Roebuck Public House)	Ditto - -	James Runnicles	James Runnicles.
8	Topping's Wharf and Premises	Magdalen College, Cambridge	John Brown, John and Henry Scovell	John and Henry Scovell.
7	Tooley Street	City of London	John Hopkins	John Hopkins.
6	Ditto (North Side)	Tallow Chandlers' Company	John Hopkins	John Hopkins.
5	Ditto - -	Allison Marshall	- - -	Allison Marshall.
4	Ditto - -	Tallow Chandlers' Company	Benjamin Edgington	Benjamin Edgington.
3	Ditto - -	Joseph Thackrah	- - -	George Thackrah and Joshua Lockwood.
2	Ditto - -	Joseph Goodchild	Benjamin Clark and William Maynard Myers	Benjamin Clark and William Maynard Myers.
3	Ditto - -	Ditto - -	- - -	Joseph Goodchild, junior.
3 A	London Bridge Foot, South (East Side)	Corporation of London (as Trustees)	William and Michael Drew.	William and Michael Drew.
2	Ditto - -	Ditto - -	William and Michael Drew, George Edlin.	George Edlin.
1	Ditto - -	Ditto - -	William and Michael Drew, Thomas Ball.	Thomas Ball.
			Samuel Closs	Samuel Closs.

C A P. LI.

An Act to encourage the Consumption of Beer; and to amend the Laws for securing the Excise Duties thereon.

[8th July 1823.]

WHEREAS Strong Beer or Ale, or Beer or Ale above Sixteen Shillings the Barrel, exclusive of the Duty by Law imposed on such Beer or Ale, and not being Twopenny Ale mentioned and described in the Seventh Article of the Treaty of Union with Scotland, which shall be brewed in Great Britain by any Common Brewer, or other Person or Persons who shall sell or tap out Beer or Ale publicly or privately, is by Law subject to a Duty of Excise of Ten Shillings for every Barrel thereof; and Table Beer, or Beer or Ale of Sixteen Shillings the Barrel or under, exclusive of the Duty by Law imposed thereon, which shall be brewed in Great Britain by any Common Brewer, or other Person or Persons who shall sell or tap out Beer or Ale publicly or privately, is subject to an Excise Duty of Two Shillings for every Barrel thereof: And Whereas it is expedient, for supplying the Public with Beer or Ale of an intermediate Strength between Strong Beer and Table Beer, and subject to a proportionate Excise Duty, to make such Provision 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

Beer may be brewed and sold under the Provisions of this Act, subject to Duty of 5s. per Barrel.

Beer to be brewed in the Proportions herein mentioned with respect to Malt.

Beer may be sold in Quantities of Nine Gallons and under, at the Rates herein mentioned.

Beer of a greater Strength charged with Duty of 10s. per Barrel.

Beer brewed of any other Materials than herein described forfeited;

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 twenty three, it shall and may be lawful to and for any Person or Persons, under the Licences, Rules, Conditions and Restrictions hereinafter contained, to brew for sale and sell such Beer or Ale as is hereinafter mentioned, upon Payment of an Excise Duty for the same at and after the following Rate; (that is to say,) for every Barrel, containing Thirty six Gallons Ale Measure, of such Beer or Ale as is hereinafter mentioned, which shall be brewed in *Great Britain*, to be paid by the Brewer thereof, the Sum of Five Shillings, and so in Proportion for any greater or less Quantity thereof than a Barrel.

II. And be it further enacted, That all such Beer or Ale as shall be brewed or sold in *Great Britain* under the Provisions of this Act, shall be and the same is hereby required to be brewed in the Proportion of not less than Five Barrels, containing Thirty six Gallons Ale Measure each, of such Beer or Ale, nor more than Five and a Half of such Barrels, for and from each and every Quarter of Malt which shall be used for the Purpose of brewing such Beer or Ale, and every such Brewer and Brewers shall be charged by the proper Officer with such Duty as aforesaid, at and after the Rate of Five such Barrels as aforesaid at the least, for every Quarter of Malt so used by him, her or them in brewing, or which shall be found at any Time to be deficient in, and on taking an Account of his, her or their Malt Stock, as hereinafter mentioned, and for so much more Beer, not exceeding Five Barrels and a Half for every Quarter of Malt so used, as such Officer shall find and ascertain by or on his Survey to have been made by any such Brewer or Brewers, and so in proportion for any greater or less Quantity; and that all such Beer or Ale which shall be sold in any Quantity at one Time of Nine Gallons, or One Quarter of such Barrel thereof as aforesaid, or upwards, shall be sold at a Rate or Price not exceeding Twenty seven Shillings the Barrel, and so in proportion for any Quantity greater or less than a Barrel; and that all such Beer or Ale which shall be sold in any Quantity at one Time of less than Nine Gallons thereof, shall be sold at a Rate or Price not exceeding Ten Pence the Gallon, and so in proportion for any Quantity greater or less than a Gallon; and if any Person or Persons who shall make entry to brew such Beer or Ale as aforesaid under the Provisions of this Act, shall brew or cause or permit or suffer any Beer or Ale to be brewed of any greater or less Strength or Quantity than in the Proportions aforesaid, of not less than Five Barrels, containing Thirty six Gallons Ale Measure each, or more than Five and a Half of such Barrels, for and from each and every Quarter of Malt which shall be used for brewing such Beer or Ale, all such Beer or Ale brewed of greater Strength than as aforesaid shall be subject and liable to be charged and shall be charged with Duty at and after the Rate of Ten Shillings for every such Barrel thereof as aforesaid, and so in proportion for any Quantity greater or less than a Barrel; and if any such Person or Persons as aforesaid shall brew any Porter, or shall use, or cause or permit or suffer to be used, in the brewing of any such Beer or Ale as aforesaid, any other Material or Ingredients than Water, Malt, Hops and Yeast, or put into or mix with any such Beer or Ale, or the Wort

Wort or Worts thereof, any Water, or any other Material or Ingredient than Hops and the necessary Quantity of Yeast and Fining for such Beer, Ale or Worts respectively, all such Porter, and all such Beer, Ale and Worts respectively, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and every such Person or Persons so offending as aforesaid, either by brewing, or causing, permitting or suffering to be brewed, any Beer or Ale of greater or less Strength than as aforesaid, or by brewing any Porter, or by adulterating any such Beer, Ale or Worts as aforesaid, shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and if any Person or Persons shall sell, or cause or permit or suffer to be sold, any Beer or Ale brewed under the Provisions of this Act in any Quantity at one Time of Nine Gallons, or One Quarter of such Barrel thereof as aforesaid, or upwards, at a greater or higher Rate or Price than Twenty seven Shillings the Barrel, and so in proportion for any greater or less Quantity than a Barrel, or any Quantity of such Beer or Ale at one Time, less than Nine Gallons thereof, at a greater or higher Rate or Price than Ten Pence the Gallon, and so in proportion for any greater or less Quantity than a Gallon, every such Person shall for every such Offence forfeit and lose the Sum of Fifty Pounds.

III. Provided always, That whenever Malt or Hops shall rise to and be of such Price as, in the Judgment of the Commissioners of His Majesty's Treasury for the Time being, to require that the Brewers and Sellers of Beer or Ale brewed or sold under the Provisions of this Act should, according to the Intent and Meaning thereof, be allowed to sell such Beer or Ale at a higher Rate or higher Rates, Price or Prices, than are by this Act specified, it shall be lawful for the Commissioners of His Majesty's Treasury for the Time being, by any Warrant or Order signed by any Three or more of them, to authorize the Brewers of Beer or Ale under the Provisions of this Act, or the Retailers thereof, whilst the Price of Malt or Hops shall be so advanced, to sell such Beer or Ale at and after such greater or higher Rate or Rates, Price or Prices, as shall be limited and expressed in such Warrant or Order, without such Brewer or Brewers or other Person or Persons incurring any Penalty or Forfeiture in respect of such Sale or Sales, during the Time that any such Warrant or Order shall be in force and unrevoked or unaltered; any thing herein contained to the contrary thereof notwithstanding.

IV. And be it further enacted, That all and every Person or Persons who shall be desirous of brewing Beer or Ale under the Provisions of this Act, and shall make Entry of any House or Premises for that Purpose as hereinafter mentioned, shall, before he, she or they shall begin to brew any such Beer or Ale, take out and pay for an Excise Licence authorizing such Person or Persons to brew such Beer or Ale; and that every such Person and Persons so making Entry as aforesaid shall be subject and liable to, and shall pay Duty for every such Licence at and after the same Rate and Proportion which is by Law imposed on Licences to Common Brewers of Strong Beer; and every such Licence as aforesaid shall be granted at and for such Times, and under, subject and according to the several Laws and Regulations relating to Licences to be granted to Common Brewers of Strong Beer; and

and Penalty 200l.

Selling Beer at a higher Price than herein mentioned.

Penalty 50l.

When Malt or Hops rise in Price, Treasury may authorize Advance of Price of Beer or Ale.

Persons brewing such Beer to take out such Licences as Common Brewers of Strong Beer, and be subject to the same Regulations.

and every such Person and Persons so making Entry and taking out a Licence to brew under the Provisions of this Act, shall in all respects be subject and liable to the same Rules, Regulations, Restrictions, Conditions, Fines, Penalties and Forfeitures (except so far as is expressly altered by this Act) to which Common Brewers of Strong Beer are subject and liable by any Act or Acts of Parliament in force at or immediately before the passing of this Act.

No Allowances to Brewers taking out Licences under this Act.

Liberty to retail the Beer on their Premises, but no Consumption allowed thereon.

Penalty 100l.

Brewers of other Beer to brew Beer under this Act, upon taking out a separate Licence, and subject to certain Conditions, as to Distances, in respect of Storehouses, Cellars, &c.

V. And be it further enacted, That no Brewer or Brewers who shall make Entry and take out a Licence to brew under the Provisions of this Act shall be entitled to any Allowance or Abatement of the Duty hereby imposed, or on the Return of such Duty, for or in respect of Waste by Fillings and Leakage of such Beer or Ale, or any other Consideration whatsoever, or shall remove to, take or receive at his, her or their Premises entered for brewing Beer or Ale under the Provisions of this Act, any other Beer, Ale or Porter whatsoever; and that it shall and may be lawful for any such Brewer or Brewers to sell and retail such Beer or Ale at and from such entered Premises, where the same has been brewed, at and after such Rates and Prices respectively as aforesaid, in any Quantity, not being to be drank or consumed upon the Premises where sold, or in any Shop, House, Outhouse, Yard, Garden, Orchard or other Place adjoining the same, or belonging to or occupied by such Brewer or Brewers, or in which he, she or they shall have any Interest or Concern; and that if any Brewer or Brewers of such Beer or Ale as aforesaid shall remove to, take or receive, at his, her or their Premises entered for brewing Beer or Ale under the Provisions of this Act, any other Beer, Ale or Porter whatsoever, or shall sell or retail any such Beer or Ale at or from any Place or Places other than as aforesaid, and not being a Place duly entered for that Purpose as hereinafter mentioned, or to be drank or consumed upon the Premises where sold, or in any Shop, House, Outhouse, Yard, Garden, Orchard or other Place adjoining the same, or belonging to or occupied by such Brewer or Brewers, or in which he, she or they shall have any Interest or Concern, all and every such Brewer or Brewers as aforesaid so offending shall, for each and every such Offence respectively, forfeit and lose the Sum of One hundred Pounds.

VI. And be it further enacted, That it shall and may be lawful for any Person or Persons to brew any Beer, Ale or Porter under the Provisions of any Act or Acts of Parliament in force at or immediately before the passing of this Act, and also to brew Beer or Ale under the Provisions of this Act, upon taking out distinct and separate Licences for that Purpose, without incurring any of the Penalties or Forfeitures imposed by this Act for having in his Possession for Sale, at the same Time, Beer or Ale brewed under the Provisions of this Act, and also any other Beer, Ale or Porter: Provided always, that no Brewer or Brewers who shall make Entry to brew under the Provisions of this Act shall be a Maltster or Maker of Malt, or interested or concerned in the making of Malt, within the Distance of One Quarter of a Mile in a direct Line from the Premises entered by him, her or them for brewing Beer or Ale under the Provisions of this Act; and provided, that no such Brewer or Brewers, who shall also be a Brewer or Brewers

of other Beer, Ale or Porter, shall carry on, or be interested or concerned in carrying on such several Breweries together, or within the Distance of Two hundred Yards in a direct Line of each other; or shall at the same Time have or take into his, her or their Custody or Possession, any Beer or Ale brewed under the Provisions of this Act, and also any other Beer, Ale or Porter brewed under the Provisions of any other Act or Acts of Parliament in force at or immediately before the passing of this Act, in the same Place, Room, Storehouse or Cellar, or in any separate Places, Rooms, Storehouses or Cellars, at a less Distance from each other than Two hundred Yards in a direct Line; and if any Person or Persons shall brew any Beer or Ale under the Provisions of this Act, and also any other Beer, Ale or Porter, without taking out such distinct and separate Licences for the same as aforesaid, or shall brew any Beer or Ale under the Provisions of this Act, and shall at the same Time be a Maltster or Maker of Malt, or be interested or concerned in the making of Malt, within the Distance of a Quarter of a Mile in a direct Line from the Premises by him, her or them entered for brewing Beer or Ale under the Provisions of this Act, or shall brew any Beer or Ale under the Provisions of this Act, and also be a Brewer or Brewers of any other Beer, Ale or Porter, and shall carry on, or be interested or concerned in carrying on such several Breweries together, or within the Distance of Two hundred Yards in a direct Line of each other, or shall at the same Time have, or take into his, her or their Custody or Possession, any Beer or Ale brewed under the Provisions of this Act, and also any other Beer, Ale or Porter at the same Place, Room, Storehouse or Cellar, or at any separate Places, Rooms, Storehouses or Cellars, within the Distance of Two hundred Yards in a direct Line of each other; every such Person or Persons so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds; and all such Beer found in the Custody or Possession of such Person or Persons so offending shall be forfeited, and shall and may be seized by any Officer or Officers of Excise.

VII. And be it further enacted, That it shall and may be lawful for all and every Person and Persons to make Entry as hereinafter mentioned, of any Place, Room, Storehouse, Cellar, Shop, House or Outhouse, for the Sale and Retail of Beer or Ale brewed under the Provisions of this Act, detached from the entered Premises where the same is brewed, and to take out an Excise Licence under the Provisions of this Act, authorizing such Person or Persons to sell by retail, under the Conditions and Restrictions herein contained, any Beer or Ale brewed under the Provisions of this Act; which Licence shall be granted in Manner hereinafter mentioned; (that is to say,) if any such Licence shall be taken out within the Limits of the Chief Office of Excise in *London*, the same shall be granted under the Hands and Seals of Two or more of the Commissioners of Excise in *England* for the Time being, or of such Persons as they the said Commissioners of Excise, or the major Part of them for the Time being, shall from time to time direct or employ for that Purpose; and if any such Licence shall be taken out in any Part of *England* not within the said Limits, the same shall be granted under the re-

**Proviso as to
Brewers being
Maltsters at the
same Time.**

**Persons offend-
ing.
Penalty 200l.
&c.**

**Sellers at other
Places than
Brewery to be
licensed.**

**Licences w
to be take**

spective Hands and Seals of the several Collectors and Supervisors of Excise within their respective Collections and Districts; and in case any such Licence shall be taken out within the Limits of the City of *Edinburgh*, the same shall be granted under the Hands and Seals of Two or more of the Commissioners of Excise in *Scotland* for the Time being; or if any such Licence shall be taken out in that Part of *Great Britain* called *Scotland*, out of the said Limits of the City of *Edinburgh*, then the same shall be granted under the respective Hands and Seals of the several Collectors and Supervisors of Excise in *Scotland*, within their respective Collections and Districts; and the said Commissioners of Excise in *England* and *Scotland* respectively, or any Two or more of them respectively, and the Person to be directed or employed by the said Commissioners in *England* or *Scotland* respectively, or the major Part of them, and also all such Collectors and Supervisors, are hereby authorized and required to grant such Licences to the Persons who shall apply for the same, on the Person or Persons so applying first paying for such Licence a Duty of Twenty one Shillings, to be applied and accounted for as hereinafter directed; and that every such Licence shall expire at the End of Twelve Calendar Months after the Day on which such Licence shall be dated; Provided that no such Licence shall authorize the Person or Persons taking out the same to sell any Beer or Ale brewed under the Provisions of this Act, to be drank or consumed upon the Premises where sold, or in any Shop, House, Outhouse, Yard, Garden, Orchard or other Place adjoining the same or belonging to or occupied by the Person or Persons taking out such Licence, or in which he, she or they shall have any Concern, or to sell, deal in or retail any other Beer or Ale or Porter whatsoever, or shall entitle such Person or Persons to any Licence to sell or retail Cyder, Wine or Spirits; any thing in any other Act or Acts of Parliament to the contrary thereof notwithstanding.

Licence Duty.

Such Licence not to authorize the selling of Beer to be drank on the Premises.

Licences to be renewed.

Retailing without Licence, or without renewing the same.

Retailing Beer without Licence, or selling to be drank on the Premises, &c.

VIII. And be it further enacted, That no such Person or Persons shall sell any Beer or Ale, brewed under the Provisions of this Act, in any Place, Room, Storehouse, Cellar, Shop, House or Outhouse, whether entered or not entered for that Purpose, detached from the entered Premises where the same was brewed, after the Expiration of such his, her or their Excise Retail Licence; and every such Person and Persons shall take out a fresh Retail Licence for that Purpose in the Manner hereinbefore directed, before the Expiration of such former Retail Licence, and so in like Manner renew every such Licence from Year to Year; and if any Person or Persons shall sell any Beer or Ale, brewed under the Provisions of this Act, at any Place, Room, Storehouse, Cellar, Shop, House or Outhouse detached from the entered Premises where the same was brewed, without first taking out an Excise Retail Licence authorizing him, her or them so to do, or without renewing the same as is herein in that Behalf directed, or shall sell any such Beer or Ale to be drank or consumed upon the Premises where sold, or in any Shop, House, Outhouse, Yard, Garden, Orchard or other Place adjoining the same, or belonging to or occupied by the Person or Persons taking out such Licence, or in which he, she or they shall have any Interest or Concern,

Concern, or shall sell, deal in or retail any other Beer or Ale or Porter whatsoever ; every such Person so offending shall for every such Offence forfeit and lose the Sum of Fifty Pounds: Provided always, that Persons trading in Partnership and in One House or Shop only, shall not be obliged to take out more than One Licence in any One Year, for selling any such Beer or Ale brewed under the Provisions of this Act, and that no One Licence which shall be granted by virtue of this Act shall authorize or empower any Person or Persons to sell any such Beer or Ale, brewed under the Provisions of this Act, in any other Place, Room, Storehouse, Cellar, Shop, House or Outhouse, than the Place, Room, Storehouse, Cellar, Shop, House or Outhouse, whereof Entry in Writing shall be made at the Office of Excise, in the Name or Names of such Person or Persons for selling such Beer or Ale brewed under the Provisions of this Act, at the Time of granting such Licence, and in respect whereof such Licence shall be granted.

Penalty 50l.

One Licence sufficient for Persons trading in Partnership.

Licence good only for Places entered.

IX. 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 *Scotland*, shall be under the Management of the Commissioners of Excise in *Scotland* for the Time being.

Duties under Management of Commissioners of Excise.

X. And be it further enacted, That the several Duties and Sums of Money above mentioned and hereby imposed and made payable as aforesaid, shall and may be respectively raised, levied, collected, answered, paid, recovered and adjudged, mitigated and allowed, in such and the like Manner, and in or by any or either of the general or special Means, Ways or Methods by which any other Duties of Excise on Beer respectively are or may be raised, levied, collected, answered, paid, recovered, adjudged, mitigated or allowed (except so far as is expressly altered by this Act); and the Brewers, Retailers and Persons respectively before mentioned, shall be and the same are hereby made subject to all and every the Conditions, Regulations, Rules, Restrictions and Forfeitures, to which Brewers, Dealers in and Retailers of Beer, are subject (except as aforesaid); and also to all and every the special Conditions, Rules, Regulations, Restrictions and Forfeitures respectively, to which Brewers, Dealers in and Retailers of Beer respectively, are subject or liable (except as aforesaid), by any Act or Acts of Parliament in force immediately before the passing of this Act relating to other Duties of Excise on Beer; and all and every Pain, Penalty, Fine or Forfeiture (except as aforesaid), of any Nature or Kind whatever, for any Offence whatever, committed against or in breach of any Act or Acts of Parliament in force immediately before the passing of this Act, made for securing the Revenue of Excise on Beer, or for the Regulation or Improvement thereof, and the several Clauses, Powers and Directions therein contained (except as aforesaid), shall and are hereby directed and declared to extend to, and shall be respectively applied, practised and put in Execution for and in respect of the several Duties of Excise and Sums of Money hereby charged and made payable respectively, in as full and ample Manner (except as aforesaid) to all Intents and Purposes

Duties how to be levied.

Former Acts in force.

poses whatever, as if all and every the said Acts, Clauses, Provisions, Powers, Directions, Fines, Pains, Penalties or Forfeitures, were particularly repeated and re-enacted in the Body of this Act.

Duties carried to Consolidated Fund.

XI. And be it further enacted, That all the Monies arising by the Duties and several Sums of Money by this Act imposed and made payable as aforesaid, the necessary Charges of raising and accounting for the same excepted, shall from time to time be paid into the Receipt of His Majesty's Exchequer at *Westminster*, and the said Money so paid into the Receipt of the Exchequer as aforesaid shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

In Entry of Premises, Places and Utensils to be distinguished by Letters and Numbers.

XII. And be it further enacted, That every Person and Persons who shall make, or shall be by Law required to make Entry of any Building, Place or Utensil for the Brewing or Sale of Beer or Ale under the Provisions of this Act, or for the Purpose of carrying on any Trade or Business subject to the Survey of the Officers of Excise, shall in every such Entry distinguish and describe every such Building, Place and Utensil, by a particular Letter or Number, and shall paint such respective Letter or Number in a large and distinct Character upon some convenient and conspicuous Part of the Walls or Doors of every such Building or Place respectively, and upon some convenient and conspicuous Part of every such Utensil, and keep and continue the same so painted, and from time to time, when Occasion may require, or when requested by the Supervisor of Excise of the District where situated, renew the same so long as the Entry thereof remains uncancelled, so that such Letter or Number so painted may be easily and readily observed and known by the Officers of Excise from time to time attending to survey the same; and that wherever any such Person or Persons shall use or employ in his, her or their entered Buildings or Places any fixed Pipe or Pipes, he, she or they shall, at the Time of making his, her or their Entry of the Places and Utensils as aforesaid, deliver with such Entry, and as Part thereof, a Drawing or Drawings, Description or Descriptions, distinctly shewing and exhibiting or explaining the Course, Direction, Construction and Use of all and every such Pipe and Pipes respectively, and of all and every Branch and Branches thereof, and of all and every Cock and Cocks thereon, together with the Place or Places, and Utensil or Utensils respectively from and to or with which the same lead or communicate; and that if any Building, Place or Utensil shall at any Time be found to be used by any Person or Persons for any such Purpose as aforesaid without being so entered, described or distinguished as aforesaid, or without such Letter or Number being so distinctly painted and continued thereon as aforesaid, or any Pipe or Pipes be found without being so shewn in such Drawing or Drawings, or so described as aforesaid, or different from or disagreeing with such Drawing or Drawings, Description or Descriptions as aforesaid, every such Person or Persons using the same shall for every such Offence forfeit and lose over and above all other Penalties, the Sum of Two hundred Pounds: Provided always, that no Person or Persons whatsoever shall newly erect, set up, enter or shall make use of any House or Place whatsoever in *Great Britain*, for the brewing of Beer or Ale

Drawings of Pipes used, to be delivered with Entry of Places.

Buildings used and not entered or distinguished as above.

Penalty 200l.
No Houses for the Brewing or Sale of Beer

Ale under the Provisions of this Act, within the Distance of One hundred Yards in a direct Line from any House or Place which for Three Months immediately preceding shall have been and shall be at that Time licensed, entered and used for the Purpose of brewing any other Beer, Ale or Porter for Sale, under the Provisions of any other Act or Acts of Parliament whatsoever; nor shall any Person or Persons whatsoever newly erect, set up, enter or make use of any Place or House whatsoever in *Great Britain*, for brewing or making any other Beer, Ale or Porter for Sale, within the Distance of Two hundred Yards in a direct Line from any House or Place which for Three Months immediately preceding shall have been and shall at that Time be licensed, entered and used for the Purpose of brewing Beer or Ale under the Provisions of this Act; nor shall any Person or Persons newly erect, set up, enter or make use of any Place, Room, Storehouse, Cellar, Shop, House or Outhouse within *Great Britain*, for selling or retailing any Beer or Ale brewed under the Provisions of this Act, within the Distance of Twenty Yards in a direct Line from any House or Premises which for Three Months immediately preceding shall have been and shall at that Time be licensed, entered and used for selling or retailing any other Beer, Ale or Porter; nor shall any Person or Persons newly erect, set up, enter or make use of any House or Premises for selling or retailing any other Beer, Ale or Porter within the Distance of Twenty Yards of any Place, Room, Storehouse, Cellar, Shop, House or Outhouse, which for Three Months immediately preceding shall have been and shall at that Time be licensed, entered and used for the Sale and Retail of Beer or Ale brewed under the Provisions of this Act; on Pain of the Person or Persons so offending forfeiting, in each and every such Case, the Sum of Fifty Pounds for every Week that such House or Place shall be erected, set up, entered or used respectively as aforesaid, contrary to this Act; and all and every Entries or Entry of any such House or Premises so entered and made use of contrary to the true Intent and Meaning of this Act shall be null and void to all Intents and Purposes whatsoever.

XIII. And be it further enacted, That every Person and Persons who shall make Entry of any Buildings or Premises for brewing Beer or Ale under the Provisions of this Act, shall specify and distinguish in such Entry the Room, Storehouse or Place, Rooms, Storehouses or Places, in which he, she or they shall intend to store or keep the Malt for such brewing, and shall from time to time, when and so often as he, she and they shall receive any Malt, store, lodge and place the same in one or more of such entered Rooms, Storehouses or other Places, and shall use or employ no other Malt, ground or unground, for brewing Beer or Ale under the Provisions of this Act, than such as shall be taken by him, her or them, as hereinafter mentioned, from one or more of such entered Rooms, Storehouses or Places for that Purpose, and of which Entry shall on the same Day be made in the Book hereinafter mentioned; and if any such Person or Persons as aforesaid shall not make such Entry as aforesaid, or specify and distinguish every such Room, Storehouse or Place as aforesaid, or shall receive or take into, or have in his, her or their Possession any Malt, ground or unground, for brewing, without such

Malt,

under this Act to be used within a certain Distance of any House or Premises used for brewing or selling any other Beer, and vice versa.

Penalty.

Brewer to enter Places for keeping Malt.

Receiving into or taking Malt from Places not entered.

Malt, ground or unground, being lodged, put or placed by him, her or them in one or more of such Rooms, Storehouses or Places entered for that Purpose as aforesaid, and entered in such Book as hereinafter mentioned, or shall use or employ any Malt, ground or unground, in or for such brewing as aforesaid, without taking the same from one or more of such entered Rooms, Storehouses or other Places as aforesaid, and making Entry thereof in such Book as is hereinafter mentioned, every such Person or Persons so offending as aforesaid shall forfeit and lose for every such Offence the Sum of Two hundred Pounds.

Penalty 200l.

The different Quantities of Malt received and used by such Brewers to be entered in a Book kept by them.

XIV. And be it further enacted, That every Brewer and Brewers of Beer or Ale under the Provisions of this Act shall keep a Book to be delivered to him by the proper Officer of Excise for that Purpose; which Book shall be prepared with proper and distinct Columns for entering Accounts of all the Malt which shall be taken or received by or into the Custody or Possession of any such Brewer or Brewers, to be used, and which shall be used by him, her or them in the brewing of such Beer or Ale as aforesaid; and every such Brewer and Brewers shall, under the Date and on the same Day on which he, she or they shall take or receive any Malt, ground or unground, into his, her or their Custody or Possession for brewing, write and enter, or cause to be written and entered in such Book as aforesaid, and in the proper Columns prepared for such Purposes respectively, a true and particular Account of the Number of Bushels of Malt, distinguishing the same whether ground or unground, which he, she or they shall take or receive into his, her or their Custody or Possession for brewing as aforesaid; and shall also write and enter, or cause to be written and entered as aforesaid, the Christian and Surnames, and Place or Places of Abode of the Person or Persons of whom such Malt was purchased, or from whom such Malt was received; and shall also write and enter, or cause to be written and entered as aforesaid, an Account of the Quantity of such Malt in Bushels, and distinguishing whether ground or unground, which shall from time to time be used at such Brewery in the brewing or making of such Beer or Ale, and make every such last mentioned Entry in such Book under the Date and on the same Day in which such Malt was so used; and if any such Brewer or Brewers shall neglect or refuse to make or cause to be made any such Entry or Entries as aforesaid, or shall cancel, obliterate or alter, or cause or suffer to be cancelled, obliterated or altered, any such Entry or Entries, or shall make any untrue Entry or Entries therein, or shall at any Time withhold, conceal or make away with any such Book or any Part thereof, every such Brewer or Brewers so offending shall for each and every such Offence forfeit and lose the Sum of One hundred Pounds.

Neglect of Entry, &c.

Penalty 100l.

Books to be open to Inspection of Officers.

XV. And be it further enacted, That all and every such Book or Books shall at all Times be produced to and left open to the free Inspection of the proper Officer or Officers of Excise, who shall be permitted to examine and cast up and make Copies or Extracts from the Entries contained therein, and to insert therein the Time of such Inspection or Examination, and sign his or their Names thereto, and to take away any such Book and deliver any such Trader a new Book of a similar Kind at his free Will and

and Pleasure; and if any Person or Persons shall by any Act, Matter or Thing, or by any Art or Contrivance, obstruct or hinder, or cause, or permit or suffer to be obstructed or hindered, any Officer of Excise therein, or in the Performance and Execution of any of the Powers and Authorities by this Act given, or of his Duty in respect thereof, every Person and Persons so offending shall for every such Offence forfeit and lose the Sum of Two hundred Pounds.

Obstructing
Officers.

Penalty 200l.

XVI. And be it further enacted, That all and every such Brewer or Brewers shall, when and so often as he, she or they shall be thereto required by any Officer or Officers of Excise, cast or place, or cause to be cast or placed, all the Malt in his, her or their Custody or Possession, in or into such regular Form as may enable the Officer or Officers of Excise conveniently to gauge and ascertain the true Quantity thereof; and if upon such Admeasurement thereof the Quantity of Malt then in Stock shall be found to disagree with the Quantity which such Brewer or Brewers ought to have in his, her or their Custody or Possession, according to the true Balance or Result drawn from casting up and adjusting such Book or Books as aforesaid and the Entries therein, and allowing for so much as shall in and by the aforesaid Book or Books and the Entries therein appear to have been used for the Purpose of brewing such Beer as aforesaid, then and in every such Case every such Brewer and Brewers as aforesaid, the Quantity of whose Malt then in Stock shall be found so to disagree as aforesaid, or who, upon being thereunto required as aforesaid, shall neglect or refuse to cast or place, or cause to be cast or placed, all or any such Malt as aforesaid in his, her or their Custody or Possession, in or into such regular Form as aforesaid, shall for every such Offence respectively forfeit and lose the Sum of Two hundred Pounds.

Malt in Stock
to be laid regularly and even,
to enable the
Officers to
gauge the same.

Penalty 200l.

XVII. And be it further enacted, That all and every Brewer or Brewers shall, before the Officers take any such Account of Malt as aforesaid, be required by the proper Officer of Excise, and be permitted to make due Entries in such Book or Books as aforesaid, of all Malt which he, she or they may have received into his, her or their Custody or Possession, or may have used in the brewing or making of Beer in the Course of the Day in which such Account is proposed or intended to be taken; and if any Dispute shall arise between any such Brewer or Brewers and the proper Officer or Officers of Excise, respecting the true Quantity of Malt in Stock so taken an Account of as aforesaid, such Brewer or Brewers shall have the Option of and be allowed immediately and with all due Diligence and Dispatch, to measure the same in the Presence of such Officer or Officers of Excise, by a just and correct *Winchester* Bushel Measure of the Dimensions prescribed by Law, to be provided by such Brewer or Brewers, and the Quantity ascertained by such Admeasurement shall be taken to be the true Quantity of the Malt in Stock in the Custody or Possession of such Brewer or Brewers; any thing in this or in any other Act or Acts of Parliament to the contrary in anywise notwithstanding.

Book to be
filled up before
cast up by
Officer.

Brewer may re-
quire Malt in
Stock to be
measured if he
disputes the
Accuracy of
Officer's
Gauge.

XVIII. And be it further enacted, That on every Brewing by any Brewer or Brewers under the Provisions of this Act, the whole

Worts to be of
one Quality,

and Beer not to be cleansed, kept or stored, in any Cask exceeding a Butt, or before the same shall have been entered, inched and gauged by the Officer.

whole of the Worts made on and by such Brewing shall be collected and mixed together by such Brewer and Brewers, and made of one and the same Quality, before the same or any Part thereof shall be cleansed, removed or run from the fermenting Tun or Tuns; and no such Beer or Ale shall be put into or tanned, cleansed, kept or stored in any Cask, Vat or other Vessel exceeding the Content or Size of a Butt or Pipe of Three Barrels; and that before any such Cask, Vat or other Vessel shall be used for any such Purpose as aforesaid, the same shall be entered at the proper Office of Excise, and be truly gauged and inched to the Satisfaction of the proper Officer or Officers of Excise; and if any such Brewer or Brewers shall on any Brewing not collect and mix together the whole of the Worts made on and by such Brewing, and make the same of one and the same Quality, before the same or any Part thereof is cleansed, removed or run from the fermenting Tun or Tuns, or shall put into, or tun, cleanse, keep or store any such Beer or Ale in any Cask, Vat or other Vessel exceeding such Size as aforesaid, or shall make use of the same for any such Purpose before the same have been entered, gauged and inched as aforesaid, or afterwards alter by enlarging or diminishing the same without Notice thereof to the proper Officer, he, she or they shall for every such Offence forfeit and lose the Sum of One hundred Pounds; and every Cask, Vat or other Vessel which shall have been so used as aforesaid, with all the Beer contained therein, shall be forfeited, and shall and may be seized by any Officer of Excise.

Penalty 100l.
&c.

Brewers sending out Beer in Quantities of Four Gallons or upwards, to send out same in Casks marked as herein mentioned.

Penalty 50l.
But not where Casks produced by Persons to whom Beer is sold.

Brewers of this and all other Beer to make Declaration in Writing of the Strength and Quality of Beer brewed, after every Brewing.

XIX. And be it further enacted, That when and as often as any Beer or Ale brewed under the Provisions of this Act shall be sold and sent out or delivered for Consumption or otherwise, in any Quantity of Four Gallons or upwards, such Beer shall be sent out by the Brewer or Brewers thereof in a Cask on which shall be branded and permanently marked, in large and legible Letters, the Name of such Brewer or Brewers, and of the Place or Brewery where such Beer was Brewed, as well as the Numeral Figure 5, of the Length of Four Inches at the least, to denote the Quality of such Beer; and if any such Brewer or Brewers as aforesaid shall neglect or refuse to distinguish all such Beer when sold and sent out, or delivered in any such Quantity or Quantities as aforesaid, in a Cask which shall be so branded and marked as aforesaid, all and every such Brewer or Brewers shall for every such Offence forfeit and lose the Sum of Fifty Pounds: Provided always, that no such Brewer or Brewers shall be subject to any such Penalty as aforesaid in any Case where such Beer shall be taken away by the Person or Persons to whom the same may be sold, in any Cask produced by him, her or them, and then filled for such Purpose.

XX. And be it further enacted, That from and after the passing of this Act all and every Brewer and Brewers of Beer or Ale brewed under the Provisions of this Act, and all and every Brewer and Brewers of any other Beer, Ale, Porter or Table Beer for Sale, shall, before he, she or they shall cleanse or remove or run any Wort or Beer from the fermenting Tuns, or into any Cask or Vessel other than a known Tun, Cask or Vessel for fermenting Beer, and specially entered by such Brewer or Brewers for that Purpose,

Purpose, make or cause to be made in Writing, in the same Book or Paper in which every Brewer of Beer for Sale is now by Law required to give Notice of every intended Brewing of such Brewer, and of the Quantity of Malt by him intended to be used in such intended Brewing, and opposite the Entry of such Notice, and the Quantity of Malt therein mentioned and expressed, a Declaration of the whole Length or Quantity and Quality of all the Beer brewed by any such Brewer or Brewers at every such Brewing, such Declaration, when so made as aforesaid, being at the same Time signed by such Brewer, or by his Principal Servant, under whose Direction or Inspection such Beer, Ale, Porter or Table Beer respectively may have been brewed, the proper Handwriting of such Person being affixed and subscribed thereto; and that if any such Brewer or Brewers shall refuse or neglect to make and enter, or cause to be made and entered as aforesaid, such Declaration in Writing as aforesaid, or shall cancel, obliterate or alter, or cause or suffer or permit to be cancelled, obliterated or altered, any such Declaration or Entry as aforesaid, or if any such Brewer or Brewers, or their or any of their Servants as aforesaid, or any or either of them, shall make any untrue Declaration or Entry as aforesaid, or shall not at all Times keep such Book or Paper as aforesaid in some public and open Part of his, her or their entered Premises, ready for the Inspection of the Officers of Excise, or shall before such Declaration or Entry is so made as aforesaid, cleanse, remove or run away any of the Beer brewed at such Brewing from the fermenting Tuns, or into any Cask or Vessel other than a known Tun, Cask or Vessel for fermenting Beer, and specially entered by such Brewer or Brewers for that Purpose, all and every Brewer and Brewers so offending as aforesaid shall for every such Offence respectively forfeit and lose the Sum of Two hundred Pounds.

Not making Declaration, or altering same.

Penalty 200l.

XXI. And be it further enacted, That all Fines, Penalties and Forfeitures imposed by this Act shall be sued for, recovered, levied or mitigated, by such Ways, Means or Methods, as any Fine, Penalty or Forfeiture may be sued for, recovered, levied or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland* respectively; and that One Moiety of every such Fine, Penalty or Forfeiture shall be to His Majesty, His Heirs and Successors, and the other Moiety to him, her or them who shall discover, inform or sue for the same.

Recovery and Application of Penalties.

XXII. And be it further enacted, That this Act shall, where no special Day is mentioned for that Purpose, begin, commence and take effect from and after the Fifth Day of *July* One thousand eight hundred and twenty three.

Commencement of Act.

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

Act may be altered, &c. this Session.

C A P. LII,

An Act to alter and amend the Law relating to the Interment of the Remains of any Person found *Felo de se*.

[8th July 1823.]

Remains of Persons against whom a Finding of *Felo de se* is had to be privately buried in the Parish Churchyard.

‘ WHEREAS it is expedient that the Laws and Usages relating to the Interment of the Remains of Persons, against whom a Finding of *Felo de se* shall be had, should be altered and amended:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall not be lawful for any Coroner, or other Officer having Authority to hold Inquests, to issue any Warrant or other Process directing the Interment of the Remains of Persons, against whom a Finding of *Felo de se* shall be had, in any public Highway; but that such Coroner or other Officer shall give Directions for the private Interment of the Remains of such Person *Felo de se*, without any Stake being driven through the Body of such Person, in the Churchyard or other Burial Ground of the Parish or Place in which the Remains of such Person might by the Laws or Custom of *England* be interred if the Verdict of *Felo de se* had not been found against such Person; such Interment to be made within Twenty four Hours from the Finding of the Inquisition, and to take place between the Hours of Nine and Twelve at Night.

Rites of Christian Burial not to be performed. Proviso.

II. Provided nevertheless, That nothing herein contained shall authorize the performing of any of the Rites of Christian Burial on the Interment of the Remains of any such Person as aforesaid; nor shall any thing hereinbefore contained be taken to alter the Laws or Usages relating to the Burial of such Persons, except so far as relates to the Interment of such Remains in such Churchyard or Burial Ground, at such Time and in such Manner as aforesaid.

C A P. LIII.

An Act for extending the Benefit of Clergy to several Larcenies therein mentioned.

[8th July 1823.]

22 Car. 2. c. 5. § 3.

‘ WHEREAS by an Act passed in the Twenty second Year of the Reign of His late Majesty King *Charles* the Second, intituled *An Act for taking away the Benefit of Clergy from such as steal Cloth from the Rack, and from such as shall steal or imbezil His Majesty’s Ammunition and Stores*, the Benefit of Clergy is taken away from Persons convicted of cutting and taking, stealing or carrying away any Cloth or other Woollen Manufactures from the Rack or Tenter in the Night-time, or of stealing or imbezling any of His Majesty’s Sails, Cordage or any other His Majesty’s Naval Stores, to the Value of Twenty Shillings; provided that it shall be lawful for the Judges to grant a Reprieve for the staying of the Execution of such Offenders, and to cause them to be transported for the Space of Seven Years, and kept to hard Labour: And Whereas by an Act passed in the Tenth and Eleventh Years of the Reign of King

10 & 11 W. 3. c. 23. § 1.

' King *William the Third*, intituled *An Act for the better apprehending, prosecuting and punishing of Felons that commit Burglary, Housebreaking or Robbery, in Shops, Warehouses, Coachhouses or Stables, or that steal Horses*, as the same is altered by an Act passed in the First Year of His present Majesty's 1 G.4. c.117.
 ' Reign, the Benefit of Clergy is taken away from Persons convicted of privately and feloniously stealing any Goods, Wares or Merchandize of the Value of Fifteen Pounds, in any Shop, Warehouse, Coachhouse or Stable, or of assisting, hiring or commanding any Person to commit any such Offence: And Whereas by an Act passed in the Twenty fourth Year of the 24 G.2. c.45.
 ' Reign of King *George the Second*, intituled *An Act for the more effectual preventing of Robberies and Thefts upon any navigable Rivers, Ports of Entry or Discharge, Wharfs and Keys adjacent*, the Benefit of Clergy is taken away from Persons convicted of feloniously stealing any Goods, Wares or Merchandize of the Value of Forty Shillings in any Ship, Barge, Lighter, Boat or other Vessel or Craft, upon any navigable River, or in any Port of Entry or Discharge, or in any Creek belonging to any navigable River, Port of Entry or Discharge, within the Kingdom of *Great Britain*, or of feloniously stealing any Goods, Wares or Merchandize of the Value of Forty Shillings upon any Wharf or Key adjacent to any navigable River, Port of Entry or Discharge, or of being present, aiding and assisting in the committing any of the Offences aforesaid: And Whereas it is expedient that a lesser Degree of Punishment than that of Death should be provided for the Offences from which the Benefit of Clergy is so taken away as aforesaid, and that the same Punishment should be extended 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 so much of the said recited Acts as takes away the Benefit of Clergy from the Persons convicted of the Offences hereinbefore mentioned, shall be and the same are hereby repealed; and that from and after the passing of this Act, every Person who shall be lawfully convicted of cutting, taking, stealing or carrying away any Cloth or other Woollen Manufactures from the Rack or Tenters in the Night-time, or of stealing or embezzling His Majesty's Ammunition, Sails, Cordage or Naval or Military Stores, or of privately stealing any Goods or Chattels in any Shop, Warehouse, Coachhouse or Stable, or of stealing any Goods, Wares or Merchandize in any Ship, Barge, Lighter, Boat or other Vessel or Craft, upon any navigable River or Canal, or in any Port of Entry or Discharge, or in any Creek belonging to any such River, Canal or Port, or from any Dock, Wharf or Quay adjacent to any such River, Canal or Port, or of procuring, counselling, aiding or abetting any such Offender, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for any Term not less than Seven Years, or to be imprisoned only, or to be imprisoned and kept to hard Labour in the Common Gaol or House of Correction, for any Term not exceeding Seven Years.

Repealed as to
 Benefit of
 Clergy, and
 Offenders liable
 to Transport-
 ation or Im-
 prisonment-

C A P. LIV.

An Act for allowing the Benefit of Clergy to Persons convicted of certain Felonies under Two Acts, of the Ninth Year of King *George* the First and of the Twenty seventh Year of King *George* the Second; for making better Provision for the Punishment of Persons guilty of sending or delivering threatening Letters, and of Assaults with Intent to commit Robbery. [8th July 1823.]

9 G. 1. c. 22.

§ 1.

‘ WHEREAS by an Act passed in the Ninth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the more effectual punishing wicked and evil disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of His Majesty's Subjects, and for the more speedy bringing the Offenders to Justice*; it is among other things enacted, that if any Person or Persons being armed with Swords, Fire Arms or other offensive Weapons, and having his or their Faces blacked, or being otherwise disguised, shall appear in any Forest, Chase, Park, Paddock or Grounds inclosed with any Wall, Pale or other Fence, wherein any Deer have been or shall be usually kept, or in any Warren or Place where Hares or Conies have been or shall be usually kept, or in any High Road, Open Heath, Common or Down; or shall unlawfully and wilfully hunt, wound, kill, destroy or steal any Red or Fallow Deer, or unlawfully rob any Warren or Place where Conies or Hares are usually kept; or shall unlawfully steal or take away any Fish out of any River or Pond; or if any Person or Persons shall unlawfully and maliciously break down the Head or Mound of any Fish Pond, whereby the Fish shall be lost or destroyed, or shall forcibly rescue any Person being lawfully in Custody of any Officer or other Person for any of the Offences before mentioned; or if any Person or Persons shall, by Gift or Promise of Money, or other Reward, procure any of His Majesty's Subjects to join him or them in any such unlawful Act, every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony without Benefit of Clergy: And Whereas it is expedient that a lesser Degree of Punishment should be provided for the said recited Offences, and that the same Punishment should be extended to Persons accessory 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 so much of the said recited Act as excludes the Benefit of Clergy in the Cases aforesaid shall be and the same is hereby repealed; and that from and after the passing of this Act every Person duly convicted of the Felonies hereinbefore recited, or of any of them, or of procuring, counselling, aiding or abetting the Commission thereof, shall be liable, at the Discretion of the Court, to be transported beyond the Seas for the Term of Seven Years, or to be imprisoned only, or to be imprisoned and kept to hard Labour in the Common Gaol or House of Correction, for any Term not exceeding Three Years.

Repealed as to Benefit of Clergy, and Offenders to be transported or imprisoned.

‘ II. And

‘ II. And Whereas by the said recited Act it is further enacted, 9 G.1. c.22.
 ‘ that if any Person or Persons shall unlawfully and maliciously
 ‘ kill, maim or wound any Cattle, or cut down or otherwise des-
 ‘ troy any Trees planted in any Avenue, or growing in any
 ‘ Garden, Orchard or Plantation, for Ornament, Shelter or Profit,
 ‘ or shall forcibly rescue any Person being lawfully in Custody of
 ‘ any Officer or other Person for such Offence, or shall, by Gift
 ‘ or Promise of Money or other Reward, procure any of His
 ‘ Majesty’s Subjects to join him or them in any such unlawful Act,
 ‘ every Person so offending, being thereof lawfully convicted,
 ‘ shall be adjudged guilty of Felony, and shall suffer Death as in
 ‘ Case of Felony, without Benefit of Clergy : And Whereas it is
 ‘ expedient that a lesser Degree of Punishment should be provid-
 ‘ ed for the said last recited Offences, and that the same should
 ‘ be extended in the Manner hereinafter mentioned ;’ Be it there-
 fore further enacted, That so much of the said recited Act as is
 last hereinbefore recited shall be and the same is hereby repealed;
 save only as to Offences committed before the passing of this Act,
 as to which the said recited Act shall continue in force ; and that
 from and after the passing of this Act, if any Person shall unlaw-
 fully and designedly kill, maim or wound any Cattle, whether
 from Malice conceived against the Owner or otherwise, or shall
 unlawfully and maliciously cut down or otherwise destroy any
 Trees planted in any Avenue, or growing in any Garden, Or-
 chard, or Plantation for Ornament, Shelter or Profit, or shall pro-
 cure, counsel, aid or abet the Commission of the said Offences,
 or of any of them, or shall forcibly rescue any Person lawfully in
 Custody of any Officer or other Person, for any of the said Offences,
 every Person so offending, being thereof lawfully convicted,
 shall be adjudged guilty of Felony, and shall be liable, at the
 Discretion of the Court, to be transported beyond the Seas for
 Life, or for such Term not less than Seven Years, as the Court
 shall adjudge, or to be imprisoned only, or to be imprisoned and
 kept to hard Labour in the Common Gaol or House of Correction,
 for any Term not exceeding Seven Years.

**Killing or
 maiming Cattle,
 or destroying
 Trees, &c. and
 aiding, &c.**

**Transportation
 or Imprison-
 ment.**

‘ III. And Whereas by the said recited Act it is further en- 9 G.1. c.22.
 ‘ acted, that if any Person or Persons shall knowingly send any § 1. Threaten-
 ‘ Letter without any Name subscribed thereto, or signed with a ing Letters.
 ‘ fictitious Name, demanding Money, Venison or other valuable
 ‘ Thing, or shall forcibly rescue any Person being lawfully in
 ‘ Custody of any Officer or other Person for any such Offence, or
 ‘ shall, by Gift or Promise of Money or other Reward, procure
 ‘ any of His Majesty’s Subjects to join him or them in any such un-
 ‘ lawful Act, every Person so offending, being thereof lawfully
 ‘ convicted, shall be adjudged guilty of Felony, and shall suffer
 ‘ Death as in Cases of Felony without Benefit of Clergy : And
 ‘ Whereas by another Act, passed in the Twenty seventh Year of 27 G.2. c.15.
 ‘ the Reign of His late Majesty King George the Second, intituled
 ‘ *An Act to explain and amend an Act made in the Ninth Year of
 ‘ the Reign of His late Majesty King George the First, intituled
 ‘ “ An Act for the more effectual punishing wicked and evil disposed
 ‘ Persons going armed and disguised, and doing Injuries and Vio-
 ‘ lences to the Persons and Properties of His Majesty’s Subjects,
 ‘ and for the speedy bringing the Offenders to Justice,”* it is among
 ‘ other

50 G. 2. c. 24.

§ 1.

repealed, and
Persons send-
ing such Let-
ters, and their
Accessaries, to
be liable to

other Things enacted, that if any Person or Persons shall knowingly send any Letter, without any Name subscribed thereto, or signed with a fictitious Name or Names, Letter or Letters, threatening to kill or murder any of His Majesty's Subject or Subjects, or to burn their Houses, Outhouses, Barns, Stacks of Corn or Grain, Hay or Straw, though no Money or Venison or other valuable Thing shall be demanded in or by such Letter or Letters, or shall forcibly rescue any Person being lawfully in Custody of any Officer or other Person for the said Offence, every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony without Benefit of Clergy : And Whereas by another Act, passed in the Thirtieth Year of the Reign of His said late Majesty King George the Second, intituled *An Act for the more effectual Punishment of Persons who shall attain or attempt to attain Possession of Goods or Money by false or untrue Pretences, for preventing the unlawful pawning of Goods, for the easy Redemption of Goods pawned, and for preventing Gaming in Public Houses by Journey-men, Labourers, Servants and Apprentices*, it is among other Things enacted, that all Persons who shall knowingly send or deliver any Letter or Writing, with or without a Name or Names subscribed thereto, or signed with a fictitious Name or Names, Letter or Letters, threatening to accuse any Person of any Crime punishable by Law with Death, Transportation, Pillory or any other infamous Punishment, with a View or Intent to extort or gain Money, Goods, Wares or Merchandizes from the Person or Persons so threatened to be accused, shall be deemed Offenders against Law and the Public Peace; and the Court before whom such Offender or Offenders shall be tried, shall in case he, she or they shall be convicted of any of the said Offences, order such Offender or Offenders to be fined and imprisoned, or to be put in the Pillory or publicly whipped, or to be transported for the Term of Seven Years, as the Court in which any such Offender or Offenders shall be convicted shall think fit and order: And Whereas it is expedient that a lesser Degree of Punishment should be provided for the Offence of sending threatening Letters, in the Cases mentioned in the Two first recited Acts, and that the same Degree of Punishment should be inflicted in the Cases mentioned in the last recited Act, and be extended to Persons accessory to the said Offences; Be it therefore further enacted, That from and after the passing of this Act, so much of the said recited Acts of the Ninth Year of the Reign of King George the First, and of the Twenty seventh and Thirtieth Years of the Reign of King George the Second, as relates to the sending and delivering Letters in the Cases therein respectively mentioned, shall be, and the same is hereby repealed, save only as to Offences committed before the passing of this Act, as to which the said Acts shall continue in force; and that from and after the passing of this Act, if any Person shall knowingly and wilfully send or deliver any Letter or Writing, with or without any Name or Signature subscribed thereto, or with a fictitious Name or Signature, demanding Money or other valuable Thing, or threatening to kill or murder any of His Majesty's Subjects, or to burn or destroy his or their Houses, Outhouses, Barns, Stacks

Stacks of Corn or Grain, Hay or Straw, or shall knowingly and wilfully send or deliver any such Letter or Writing, threatening to accuse any of His Majesty's Subjects of any Crime punishable by Law with Death, Transportation or Pillory, or of any infamous Crime, with a View or Intent to extort or gain Money, Security for Money, Goods or Chattels, Wares or Merchandize, from the Person or Persons so threatened, or shall procure, counsel, aid or abet the Commission of the said Offences, or of any of them, or shall forcibly rescue any Person being lawfully in Custody of any Officer or other Person for any of the said Offences, every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for such Term, not less than Seven Years, as the Court shall adjudge, or to be imprisoned only, or to be imprisoned and kept to hard Labour in the Common Gaol or House of Correction, for any Term not exceeding Seven Years.

Transportation or Imprisonment.

IV. Provided always, and be it hereby declared, That nothing herein contained shall be construed to alter or affect the Remedy given by the said first recited Act to the Party damaged, by killing or maiming Cattle, or by cutting or destroying Trees, against the Inhabitants of the Hundred, but that the same Remedy shall remain in as full and ample Manner as before the passing of this Act.

Proviso for Remedy in respect of Cattle maimed, &c.

V. And Whereas it is expedient to make better Provision for the Punishment of Persons guilty of Offences against the Form of an Act made in the Seventh Year of the Reign of His Majesty King George the Second, intituled *An Act for the more effectual Punishment of Assaults with Intent to commit Robbery*, and to amend the said Act; Be it therefore enacted, That from and after the passing of this Act, the said last recited Act shall be and the same is hereby repealed, save only as to Offences committed before the passing of this Act, as to which the said Act shall continue in force; and that from and after the passing of this Act, if any Person shall maliciously assault any other Person with Intent to rob such other Person, or shall by Menaces or by Force maliciously demand Money, Security for Money, Goods or Chattels, Wares or Merchandize, of any other Person, with Intent to steal the same, or shall maliciously threaten to accuse any other Person of any Crime punishable by Law with Death, Transportation or Pillory, or of any infamous Crime, with a View or Intent to extort or gain Money, Security for Money, Goods or Chattels, Wares or Merchandize, from the Person so threatened; or shall procure, counsel, aid or abet the Commission of the said Offences, or of any of them; every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall be liable, at the Discretion of the Court, to be transported beyond the Seas for Life, or for such Term, not less than Seven Years, as the Court shall adjudge, or to be imprisoned and kept to hard Labour in the Common Gaol or House of Correction, for any Term not exceeding Seven Years.

7 G. 2. c. 21. repealed.

Assaults with Intent to commit Robbery, or threatening to accuse others of Crimes with Intent to extort Money, &c.

Transportation or Imprisonment.

C A P. LV.

An Act to consolidate and amend the several Acts now in force, so far as the same relate to the Election and Return of Members to serve in Parliament, for Counties of Cities and Counties of Towns in *Ireland*. [8th July 1823.]

‘ **W**HEREAS it is expedient to consolidate and amend the several Acts now in force, so far as the same relate to the Election and Return of Members to serve in Parliament for Counties of Cities and Counties of Towns 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 henceforth so much of an Act, passed in the Parliament of *Ireland* in the Thirty fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for regulating the Election of Members to serve in Parliament, and for repealing the several Acts therein mentioned*; and also so much of an Act, passed in the Thirty seventh Year of the Reign of King *George* the Third, intituled *An Act for the further Regulation of the Election of Members to serve in Parliament*; and also so much of an Act, passed in the Forty fifth Year of the Reign of King *George* the Third, intituled *An Act for amending an Act passed in the Parliament of Ireland, in the Thirty fifth Year of His present Majesty, for regulating the Election of Members to serve in Parliament, so far as relates to Freeholds under the Yearly Value of Twenty Pounds, and for making further and other Regulations relating thereto*; and also, so much of an Act, passed in the First Year of the Reign of King *George* the Fourth, intituled *An Act for the better Regulation of Polls, and for making further Provision touching the Election of Members to serve in Parliament for Ireland*, as relate to the Election of Members to serve in Parliament for any County of a City or County of a Town, shall be repealed.

35 G. 3. (I.)

37 G. 3. (I.)

45 G. 3. c. 59.
60 G. 3. &
1 G. 4. c. 11.
as to Election
of Members
for Counties
of Cities and
Counties of
Towns, re-
pealed.

Mayor or other
Chief Magis-
trate to hold
Sessions for
Registry of
Freeholders.

‘ II. And Whereas the Number of Justices who are empowered to act within several of the Counties of Cities or Counties of Towns in *Ireland*, agreeable to the Charters thereof, is extremely limited, and often confined 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;’ Be it further enacted, That in all Counties of Cities, and Counties of Towns in *Ireland*, on the Day immediately preceding the opening of each General Quarter Sessions of the Peace, unless such Day shall fall upon a *Sunday*, and in such Case on the Day next but one preceding the opening of each General Quarter Sessions of the Peace, and upon the Day immediately after the criminal and other Business of every such Sessions shall have been fully transacted, unless such Day shall fall upon a *Sunday*, and in such Case on the Second Day after such Business shall have been fully transacted, the Mayor or other Chief Magistrate of such County of a City or County of a Town, or his sufficient Deputy appointed by

‘ County of the Town, *as the Case may be*] of
 ‘ and that the said Freehold does not arise from a Rent-
 ‘ charge, nor have I procured it fraudulently, nor has it been
 ‘ granted fraudulently to me, or in exchange for a Freehold in
 ‘ any other County.’

Persons hold-
 ing Freeholds
 consisting of
 Rentcharge of
 50l. or 20l. to
 take the follow-
 ing Oath.

V. And be it further enacted, That when any Person seised of any Freehold in any County of a City or County of a Town, which Freehold shall consist of a Rentcharge, shall be desirous to register the same as being of the Value of Fifty Pounds, or Twenty Pounds, such Person shall in open Court, at some Sessions to be held as aforesaid, or Adjournment thereof, before the Mayor or other Chief Magistrate, or his Deputy, or before Two Justices of the Peace, or before the Recorder or Deputy Recorder presiding thereat, take and subscribe the following Oath, or, if a Quaker, the following Affirmation :

Form of Oath.

‘ I of in the County of
 ‘ or of the City or Town of
 ‘ [as the Case may be] do swear [or, if a Quaker, do
 ‘ affirm], That I am a Freeholder of and
 ‘ that I have a Freehold therein of the clear yearly Value of
 ‘ or [as the Case may be] at the least,
 ‘ above all Charges payable out of the same, consisting of a
 ‘ Rentcharge granted by Deed, bearing Date the
 ‘ Day of in the Year [if the same shall be
 ‘ granted by Deed, and in case it shall not be granted by Deed, then
 ‘ stating the Particulars of the Title of such Person to such Rent-
 ‘ charge on a House or Houses, or on Land, or both, or other
 ‘ Hereditaments, as the Case may be,] lying and being at or in
 ‘ [naming the Land out of which such Rentcharge shall arise, if the
 ‘ same shall arise out of Land, or the Street or Place where such
 ‘ House or Houses, or other Hereditaments, shall be situate, in case
 ‘ such Rentcharge shall arise out of any House or Houses, or other
 ‘ Hereditaments,] in the County of the City or County of the
 ‘ Town [as the Case may be] of , and that
 ‘ I am in the Possession thereof to the clear Amount of
 ‘ or [as the Case may be] yearly
 ‘ Value thereof, and am entitled to receive the same as it be-
 ‘ comes due.’

Freeholders
 under the Value
 of 20l. to take
 the following
 Oath.

VI. And be it further enacted, That every Person who shall be seised of a Freehold under the Value of Twenty Pounds in any County of a City or County of a Town, and who shall be desirous to register the same, shall in open Court, at some Sessions to be held aforesaid, or Adjournment thereof, before the Mayor or other Chief Magistrate, or his Deputy, or before Two Justices of the Peace, or before the Recorder or Deputy Recorder presiding thereat, produce the Deed, Lease or Instrument under which his Freehold shall arise, and shall take and subscribe the following Oath, or, if a Quaker, the following Affirmation :

Form of Oath.

‘ I of in the County of
 ‘ or of the City or Town of [as the
 ‘ Case may be] do swear, [or, if a Quaker, do affirm], That I am
 ‘ a Freeholder of and that I have a Freehold therein,
 ‘ arising from a House or Houses, or from Lands, or both, or
 ‘ other

' other Hereditaments [*as the Case may be*] of the clear yearly
 ' Value of Forty Shillings at the least, above all Charges payable
 ' out of the same, lying and being at or in [*naming the Land out*
 ' *of which such Freehold shall arise, if the same shall arise out of*
 ' *Land, or the Street or Place where such House or Houses or other*
 ' *Hereditaments shall be situate, in case such Freehold shall arise*
 ' *out of any House or Houses or other Hereditaments*] in the
 ' County of the City [*or, County of the Town, as the Case may*
 ' *be*] of _____ and that the said Freehold does not arise
 ' from a Rentcharge, and that the same arises by virtue of the
 ' Deed, or by virtue of the Lease, or by virtue of the Instrument,
 ' or by virtue of the Deed, Lease or Instrument [*using all or any*
 ' *or either of the said Terms, Deed, Lease or Instrument*] which
 ' I now produce, bearing Date the _____ Day of
 ' _____ in the Year of _____ for the Life
 ' or Lives of _____ [*or, in case the said Freehold be*
 ' *not for Life or Lives, then stating the Nature of his Tenure, as*
 ' *the Case may be*] at the yearly Rent of
 ' [*specifying the whole yearly Rent, or the yearly Rent per Acre, or*
 ' *such yearly Rent per Acre, together with the Number of Acres*]
 ' and that I am in the actual Occupation thereof by residing
 ' thereon, or by tilling or by grazing, or by both tilling and graz-
 ' ing [*or by all or any or either of the said Means, stating the same*
 ' *copulatively or disjunctively, as the Case may be*] to the Amount
 ' of at least Forty Shillings yearly Value thereof; and that the
 ' said Freehold is not let or agreed to be let to the Person or
 ' Persons who executed the said Deed, Lease or Instrument [*as*
 ' *the Case may be*], or to the Heirs or Assigns of such Person or
 ' Persons, or to any one in Trust for him, her or them, nor do I
 ' intend to let the same to such Person or Persons, or any of
 ' them; and that I have not agreed to let it for the Term for
 ' which I hold it, nor have I procured it fraudulently or in Ex-
 ' change for a Freehold in any other County.

' So help me GOD.'

And if the Freehold, in right of which any Person shall desire to
 qualify himself to vote, shall not arise by virtue of a Deed, Lease
 or Instrument, the Person desiring to register it shall describe the
 same in the Oath or Affirmation † so to be taken by him, according
 to the true State and Nature of his Tenure, in which Case the
 Words in the foregoing Oath, † importing that the same arises by
 virtue of a Deed, Lease or Instrument, shall be omitted, and such
 Description inserted in the Place thereof.

Freeholds not arising from a Deed or Lease, to be described in the Oath.

† Sic. No Tax, Cess, &c. deemed a Charge, &c.

VII. And be it further enacted, That no Public or Parli-
 amentary Tax, County, Church or Parish Cess, on any Townland
 or Division of any Parish or Barony, shall be deemed any Charge
 payable out of any Freehold Estate, within the Meaning of this
 Act, or any of the foregoing Oaths or Affirmations.

VIII. And be it further enacted, That every such Oath or
 Affirmation as is hereinbefore mentioned shall, when sworn or
 affirmed to, be signed by the said Mayor or other Chief Magis-
 trate or his Deputy, or before such Two Justices of the Peace,
 or before the Recorder or Deputy Recorder presiding at such
 Sessions as aforesaid, and shall be then and there delivered by
 such Mayor or other Chief Magistrate or his Deputy, or by such
 Justices

Oath to be signed by Mayor, &c. and delivered to Clerk of the Peace.

Justices of the Peace, or by the said Recorder or Deputy Recorder, to the Clerk of the Peace of such County of a City or County of a Town, to be filed and kept amongst the Records of the Court.

Where Freehold of yearly Value of 50l. and Freeholders take Oath as herein mentioned, such Oath may be produced at Sessions, &c. and be valid,

and kept amongst County Records.

Freeholders on actual Service in Army or Militia may register where they are quartered.

Certificate of Station of Corps, &c. Such Oath valid, and kept amongst County Records.

IX. And be it further enacted, That where the Freehold, whether consisting of a Rentcharge or not, shall be of the clear yearly Value of Fifty Pounds, and the Freeholder who shall be seised of the same shall take and subscribe the Oath or Affirmation (as the Case may be) respectively required as aforesaid to be by him taken for registering a Freehold (whether Rentcharge or not) as of the Value of Fifty Pounds, in any of the Courts of King's Bench, Common Pleas or Exchequer, in the City of *Dublin*, or at any Assizes, and the same shall be subscribed by one of the Judges of such Courts, or the Judge of Assize, such Oath or Affirmation so subscribed may be produced at any Sessions of the Peace as aforesaid, held in the County of the City or County of the Town where such Freehold lies, and when read aloud there in open Court, shall be signed by the Mayor or other Chief Magistrate or his Deputy, or by the Justices of the Peace, or by the Recorder or Deputy Recorder presiding there, and shall then be delivered by the Court to the acting Clerk of the Peace, to be filed and kept amongst the Records of such County of a City or County of a Town; and every such Oath or Affirmation so taken shall be of equal Effect for registering such Freehold, within the Meaning of this Act, as if it had been made at the Sessions of the Peace as aforesaid.

X. And be it enacted, That if any Person seised of a Freehold, whether consisting of a Rentcharge or not, shall be in actual Service, either in the Army or Militia, out of the County of a City or County of a Town where such Freehold lies, and shall take and subscribe the Oath or Affirmation required by this Act to be by him taken for registering such Freehold, at any Sessions of the Peace or Adjournment thereof held in the County, Town or City in which he shall be quartered or stationed, stating therein the Regiment, Battalion, Troop or Company (as the Case may be) to which he belongs, such Affidavit shall be subscribed by the Mayor or other Chief Magistrate or his Deputy, or by the Justices of the Peace, or by the Recorder or Deputy Recorder presiding thereat, and countersigned by the Clerk of the Peace for such County, Town or City, who shall certify that the Corps in which he serves is quartered or stationed therein; and such Oath or Affirmation so subscribed and countersigned may be produced at any Sessions of the Peace or Adjournment thereof, or at any Adjournment of an Adjournment, held in the County of the City or County of the Town in which such Freehold lies, and when read aloud therein in open Court shall be signed by the Mayor or other Chief Magistrate or his Deputy, or by the Justices of the Peace, or by the Recorder or Deputy Recorder presiding there, and shall be delivered to the acting Clerk of the Peace, to be filed and kept amongst the Records of the County; and every such Oath or Affirmation so taken shall be of equal Effect for registering such Freehold, as if it had been made at the Sessions of the Peace for the County of the City or County of the Town in which such Freehold is situated.

XI. Provided

XI. Provided always, and be it enacted, That the Mayor and other Chief Magistrate or his Deputy, or the Justice of the Peace, Recorder or Deputy Recorder presiding at such Sessions, shall not allow any Person to register his Freehold by virtue of any written Instrument, unless the same be stamped according to Law; and the Clerk of the Peace shall state in every Certificate to be provided by him, as aforesaid, of the Registry of a Freehold registered by virtue of a written Instrument, as of the Value of Forty Shillings only, that the same was registered by virtue of a written Instrument stamped according to Law.

Freeholds not to be registered, unless Instruments under which they arise be stamped.

XII. And be it further enacted, That every Clerk of the Peace for the County of a City or County of a Town shall give, immediately on the Registry of any Freehold as aforesaid, to every Person registering the same, if he shall demand it, a Form of Certificate, wherein it shall be certified that such Person hath duly registered such Freehold, and wherein shall be recited exactly the Oath or Affirmation made or taken by such Person, and such Certificate shall, if required by the Person registering such Freehold, be signed by the Mayor or other Chief Magistrate or his Deputy, or by the Justices of the Peace, or the Recorder or Deputy Recorder presiding at such Sessions as aforesaid; and such Certificate of Registry so signed as aforesaid shall be sufficient Evidence at any Election of the Registry of such Freehold, if such Certificate shall be without any Erasure or Interlineation; and the Clerk of the Peace shall be paid by such Freeholder for every such Form of Certificate the Sum of Three Pence.

Certificate of Registry to be given to Freeholder.

Fee to Clerk of the Peace thereon.

XIII. And be it further enacted, That the acting Clerk of the Peace at every Sessions of the Registry shall, within Ten Days after each Affidavit or Affirmation of Registry shall have been signed as aforesaid, enter in a Book or Books the Substance of every Affidavit or Affirmation, in the Form following:

Substance of Affidavit to be entered in Registry Book.

Form of Entry of Affidavit.

Number.	Name of Freeholder.	Place of Abode.	Situation of Freehold.	Name of Landlord.	Value of Freehold.	Names of Lives or other Tenure.	Date of Registry.

XIV. And be it further enacted, That every Deed, Lease or Instrument produced by any Person intending to register a Freehold under the Value of Twenty Pounds as aforesaid, shall be indorsed at the Time in open Court, by the acting Clerk of the Peace, with his Name, and the Day of the Month and Year, and the Clerk of the Peace shall then and there compare the Deed, Lease or Instrument, with the Affidavit of Registry.

Deed or Lease produced by Register indorsed by Clerk of the Peace.

XV. And be it further enacted, That the Registry of any Freehold shall not be impeached on account of any Irregularity in the holding

Registry not impeached for

Irregularity in holding Sessions.

holding or adjourning of any Sessions from whence the Sessions at which such Freehold shall have been registered shall have been adjourned, either directly or by any Adjournment or Adjournments, provided such latter Sessions shall have been duly and regularly held in all other respects.

Proviso for Franchises of Persons already registered.

XVI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to limit, abridge or defeat the Franchise of any Person or Persons who before the passing of this Act shall have duly registered his or their Freehold or Freeholds, under the Act or Acts in force at the Time of such Registry.

Mayor, &c. omitting to hold Sessions, or refusing to register Freeholds, &c.

XVII. And be it further enacted, That if the Mayor or other Chief Magistrate of any County of a City or County of a Town shall neglect or wilfully omit to hold any such Session by himself, or by his sufficient Deputy, in Manner and Form as hereinbefore directed, upon being required so to do by any Freeholder of any County of a City or County of a Town; or if any Mayor or other Chief Magistrate, or the Justices, Recorder or Deputy Recorder, presiding at any Sessions of the Peace to be held for any County of a City or County of a Town, shall omit or neglect, or wilfully refuse to register the Freehold of any Person duly qualified, who shall present himself for that Purpose to such Mayor or other Chief Magistrate, Justices, Recorder or Deputy Recorder, such Mayor or other Chief Magistrate, Justices, Recorder or Deputy Recorder so offending, shall forfeit the Sum of One hundred Pounds for each and every such Neglect of Duty; and that if the Clerk of the Peace for any County of a City or County of a Town shall neglect or omit to attend at any such Sessions of the Peace as aforesaid, upon due Notice being given to him of the holding of the same, by any Freeholder of such County of a City or County of a Town, or shall neglect or omit to do all or any of the Acts hereby required to be done by him for the Registry of Freeholders, such Clerk of the Peace shall for every such Offence forfeit the 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 to our Lord the King, and the other Moiety to him who shall sue for and recover the same.

Penalty 100l. Neglect of Duty by Clerk of the Peace,

Penalty 50l. How distributed.

Clerk of the Peace to make Entries of such Registers in alphabetical Books.

XVIII. And be it further enacted, That the Clerk of the Peace of every County of a City or County of a Town shall enter, in the Form hereinbefore appointed for the Entry of Freeholds, the Substance of every Affidavit of every Freeholder who shall have registered a Freehold for such County of a City or County of a Town, of Forty Shillings, or Twenty Pounds, from the First Day of *January* One thousand eight hundred and sixteen, and the Substance of every Affidavit of every Freeholder who shall have registered a Freehold for such County of a City or County of a Town, of Fifty Pounds; but such Entries shall be made in alphabetical Order, according to the Surnames of the Persons who shall have registered Freeholds, and in separate Books, having One Book for each Letter of the Alphabet; and each of such Books shall be divided into Three Parts, the First Part containing the Forty Shillings Freeholds registered from the First Day of *January* One thousand eight hundred and Sixteen, the Second containing

containing the Entries of Twenty Pounds Freeholds from the same Time, and the Third Part the Entries of Fifty Pounds Freeholds; and such Clerk of the Peace shall affix before each Name a Number, to shew how many have been registered of each Description of Freehold under each Letter of the Alphabet; and shall also affix before each Name the Number affixed thereto in the original Registry Book or Books; and the Clerk of the Peace of every County of a City or County of a Town shall from time to time enter in the same Manner and Form every Affidavit of Registry which shall hereafter be made.

XIX. And be it further enacted, That within One Calendar Month next after the First Day of *January* One thousand eight hundred and twenty four, every Clerk of the Peace shall cause to be printed in the cheapest Manner, and by Contract, not less than Fifty or more than Two hundred Copies of all Entries in the said Registry Books; and that every Clerk of the Peace shall, within One Calendar Month after the First Day of *January* One thousand eight hundred and twenty four, and within One Calendar Month after the First Day of *January* in every succeeding Year, cause to be printed not less than Fifty or more than Two hundred Copies of all Entries in the Registry Book of each County of a City or County of a Town, of all Affidavits or Affirmations of Persons who have registered their Votes within the Year then last past, ending on such First Day of *January* respectively; and that the Clerk of the Peace of every County of a City or County of a Town shall deliver in each Year one printed Copy of the Registry Books to each Justice of the Peace residing in such County of a City or County of a Town, and Six Copies thereof to each Member of Parliament for the Time being for such City or Town: Provided always, that the Clerk of the Peace shall not suffer the original Registry Books to be out of his Possession, but shall cause Copies of them to be made for the Purpose of printing the same.

Copies of Books of Registry to be printed.

One Copy delivered to Justice, and Six to each Member.

Clerk of Peace to keep Books.

XX. And be it further enacted, That every Clerk of the Peace of any County of a City or County of a Town shall from time to time, at the Request of any Freeholder of such County of a City or County of a Town, within Ten Days from such Request, deliver to such Person a true Copy of the Registry of all Freeholders which shall have been registered in such County of a City or County of a Town, as appearing on the original Registry Books, or a true Copy of the same as appearing in the alphabetical Books hereinbefore mentioned, or the Registry of any Freeholds, as appearing in any or either of the said Books, within any Period to be stated by the Freeholder making such Request, the said Clerk of the Peace receiving for the same at the Rate of Three Pence for every One hundred Persons' Names contained in the said Copy; and if any Clerk of the Peace shall omit to furnish a Copy of the Registry of any Freeholders as aforesaid, within the Time hereinbefore limited for such Purpose, on being paid at the Rate hereinbefore stated, such Clerk of the Peace shall for every such Offence forfeit the Sum of One hundred Pounds to any Person suing for the same.

Clerk of the Peace to furnish Copies of Entries in Registry Books.

Fee thereon.

Omitting to furnish Copy,

Penalty 100L.

XXI. And be it further enacted, That if any Clerk of the Peace shall omit or neglect to keep any of the Books hereby required, or

Clerk of Peace neglecting to keep Books, &c. to

Penalty 100l.
&c.

or to attend
Sessions, &c.

Penalty 50l.

Grand Juries
may present for
printing and
providing
Books.

No Freeholder
to vote unless
registered.

Time for re-
gistering Free-
holds of 20l. or
40s.

Freeholds of
50l. or 20l.
and Freeholds
let to Person
under whom
held, or for
Term for which
held.

No Vote unless
Freehold re-
gistered 12
Months.

In what cases
40s. Freeholder

to make due Entries therein in the Order and Form required, or to file any Oath and Affirmation delivered to him to be filed, and to preserve the same free from Erasure, Blot, Interlineation or Damage, he shall for every such Offence forfeit the Sum of One hundred Pounds, and be incapable of serving as a Clerk of the Peace for any County; and if he shall neglect or refuse to attend at any Sessions whereat Freeholders may be registered by virtue of this Act, or shall omit to give Copies of the Registry Books aforesaid, or any of them, or any Part thereof, within a reasonable Time after Demand, he shall forfeit for every such Offence the Sum of Fifty Pounds to any Person suing for the same.

XXII. And be it further enacted, That it shall and may be lawful for the Grand Jury of every County of a City or County of a Town, and they are hereby authorized, empowered and required to present such Sum or Sums of Money as shall be proper for the Expence of printing the aforesaid Books in the Manner and Form hereinbefore directed; such Grand Jury shall also present the Expences of providing the Registry and Alphabetical Books hereinbefore mentioned.

XXIII. And be it further enacted, That no Person shall be admitted to vote at any Election of a Member or Members to serve in Parliament for any County of a City or County of a Town, by virtue of a Freehold, unless such Freehold shall have been registered in Manner hereinbefore directed; and that no Person shall be admitted to vote at any such Election by virtue of a Freehold registered at the Value of Twenty Pounds or Forty Shillings, unless such Freehold shall have been registered within Eight Years preceding the Teste of the Writ for holding such Election; and that no Person who shall have registered any Freehold as of the Value of Fifty Pounds or Twenty Pounds, such Freehold not arising out of a Rentcharge, shall be admitted to vote at any such Election, unless such Freehold shall have been registered Six Months at the least before the Teste of the Writ for holding such Election; and if such Person shall have let or agreed to let the same to the Person or Persons from whom he holds it, or to the Heirs or Assigns of such Person or Persons, or to any One in Trust for him, her or them, or who has let or agreed to let the same, or more thereof than shall leave a Residue sufficient to constitute such Freehold, for the Term for which he holds it, then such Person shall not be permitted to vote at any such Election, unless he shall have registered such Freehold Twelve Calendar Months previous to the Teste of such Writ; and that no Person, having registered a Freehold arising out of a Rentcharge, shall be admitted to vote at any such Election, unless such Freehold shall have been registered Twelve Months at the least before the Teste of the Writ for holding such Election; and no Person, having registered a Freehold as of the Value of Forty Shillings, shall be admitted to vote at any such Election by virtue of any Freehold which shall be let or demised to the Person or Persons from whom he holds or derives the same, or to any Person in Trust for him or them, or to his or their Heirs or Assigns, or which shall be let or demised to any Person or Persons for the same Term for which he holds the same; and that no Person, having registered a Freehold as of the Value of Forty

Shillings, shall be admitted to vote at any such Election, unless such Freehold shall have been registered Twelve Calendar Months at the least before the Teste of the Writ for holding such Election, except such Freehold shall have come to him by Descent, Devise, Marriage or Marriage Settlement; and in case such Freehold shall have come to him by Descent, Devise, Marriage or Marriage Settlement, then such Person shall not be permitted to vote by virtue thereof, unless the same shall have been registered Six Calendar Months previous to the Teste of such Writ.

not admitted to vote.

Time for registering Freeholds by Descent.

XXIV. And be it further enacted, That no Person shall be admitted to vote at any Election of any Member or Members to serve in Parliament for any County of a City or County of a Town, by virtue of any Freehold granted fraudulently, or in Exchange for a Freehold in any other County, or in Consideration of any Increase of Rent out of any other Lands in the same or in any other County, held by such Person from the Grantor, though such Consideration be not expressed in the Deed or Grant.

No vote for Freeholds granted fraudulently, &c.

XXV. And be it further enacted, That no Person shall be admitted to vote at any Election of a Member or Members to serve in Parliament, who is under the Age of Twenty one Years.

Nor for Infants.

XXVI. And be it enacted, That if any Person or Persons shall fraudulently and knowingly grant any Interest importing to be a Freehold, which really is not so, with Intent to enable any Person to vote as a Freeholder at any Election of a Citizen or Citizens, by any County of a City or County of a Town, such Grant shall be good and valid against the Grantor thereof, for every Purpose but enabling the Grantee to vote.

Grants fraudulently made valid against Grantor.

XXVII. And be it further enacted, That if such Grantor shall be possessed only of a Term of Years therein, and shall demise the same, or any Part thereof, for a Life or Lives, with Intent to induce the Lessee therein to register such as a Freehold for any County of a City or County of a Town, or to vote as a Freeholder thereout, he shall forfeit the Sum of One hundred Pounds to any Person who shall sue for the same, by Action, Bill, Plaint or Information, in any Court of Law.

Unduly making Grants as Freehold.

Penalty 100L

XXVIII. And be it further enacted, That from and after the passing of this Act all Estates, Grants, and Conveyances whatsoever, made to any Person or Persons in any fraudulent or collusive Manner, on Purpose or with Intent to qualify him or them to give his or their Vote or Votes at any Election or Elections, Citizens for Counties of Cities, Burgesses for Counties of Towns, subject to Conditions or Agreements to defeat or determine such Estates, Grants and Conveyances, shall be deemed and taken against the Person or Persons who granted such Estate as free and absolute, and be holden and enjoyed by all and every Person and Persons to whom such Conveyance or Grant shall be made as aforesaid, freed and absolutely acquitted, exonerated and discharged of and from all Manner of Trusts, Conditions, Clauses of Re-entry, Powers of Revocation, Provisoes of Redemption, or other Defeazances whatsoever between or with the said Parties, or any other Person or Persons in Trust for them; and that all Bonds, Covenants, Collateral or other Securities, Contracts or Agreements between or with the said Parties, or any other Person or Persons in Trust for them, or any of them, for the redeeming,

Conveyances made fraudulently to qualify Voters deemed valid against Persons granting the same.

Covenants for Redemption void.

ing, revoking or defeating such Estate or Estates, or for the restoring or reconveying thereof, or any Part thereof, to any Person or Persons, in Trust for them or any of them, shall be null and void to all Intents and Purposes whatsoever; and that every Person who shall make and execute such Conveyance or Conveyances as aforesaid, or, being privy to such Purpose, shall devise or prepare the same, and every Person who, by Colour thereof, shall give any Vote at any Election for any such Member to serve in Parliament, shall for every such Grant and Conveyance so made or Vote so created or given, forfeit the Sum of One hundred Pounds Sterling to any Person who shall sue for the same, to be recovered by Information in any of His Majesty's Courts.

Executing or preparing such Conveyances, or voting under such,

Penalty 100l.

How far Trustees, &c. may vote.

Mortgagor may vote.

No register of Ecclesiastical Freeholds.

Proviso for Persons disposing of a Part of Freehold.

Town Clerk, &c. to keep Registry Book of Persons to whom Freedom granted;

and give Lists of Entries when required.

Fee thereon.

Neglect, Penalty 100l.

XXIX. And be it further enacted, That no Person shall be admitted to vote at any Election by reason of any Trust, Estate or Mortgage, unless such Trustee or Mortgagee shall have been in the actual Possession or Receipt of the Profits thereof, for his own Use, Twelve Calendar Months before the Teste of the Writ for holding such Election, and the Mortgagor or Cestuique Trust in Possession (or both, as the Case may be) may vote out of such Estate, notwithstanding such Mortgage or Trust: Provided always, that no Rector, Vicar or Curate, shall be obliged to register his Freehold arising from his Rectory, Vicarage, Curacy or other Ecclesiastical Preferment, or be precluded from voting at any Election on account of his not having registered the same: Provided always, that no Person shall be precluded from voting by virtue of any Freehold, on account of having sold, aliened or disposed of any Part of the Freehold he shall have registered between the Date of such Registry and the Day he shall offer his Vote, if he shall have retained thereof to the annual Value sworn in such Registry.

XXX. And be it further enacted, That the Town Clerk or other Officer of each County of a City or County of a Town in *Ireland*, who shall have Charge of the Books whereby it shall appear to what Persons the Freedoms of such City or Town shall be granted, and by which it shall appear what Persons have been declared entitled to their Freedom as of Right, shall keep a Book containing a List of the Names of the Persons elected or admitted Freemen, and of the Persons to whom all Freedoms shall be granted, and of the Persons who shall be declared entitled to their Freedom as of Right: and such Town Clerk or other Officer shall, at the Request of any Freeman of the said City or Town, within Ten Days from the Time of making such Request, deliver to such Person a List of the Names of the Persons elected or admitted Freemen, and of the Persons to whom such Freedoms shall be so granted, and of the Persons who shall be so declared entitled to their Freedom as of Right, within such Time as shall be specified by such Person, such Town Clerk or other Officer receiving for the same at the Rate of Three Pence for every Hundred Persons' Names contained in such List; and if any Town Clerk or other Officer as aforesaid shall omit to keep a Book containing the Entry of such Names, or shall omit to furnish a List of the Names of such Persons within the Time appointed for furnishing the same as aforesaid, after Request made as aforesaid, such Town Clerk or other Officer shall for every such Offence forfeit the Sum of One hundred Pounds to any Person suing for the same.

XXXI. And

XXXI. And be it further enacted, That any Mayor, Bailiff, Town Clerk or other Officer of any Corporation having a Right to return Members to Parliament, shall upon the Demand of any Candidate, Agent, or Freeman of such Corporation, on Payment of Two Shillings and Sixpence, permit such Freeman, between the Hours of Twelve at Noon and Three in the Afternoon, at any Time to inspect the Books and Papers wherein the Admission of Freemen shall be entered, and to have Copies or Minutes of the Admission of so many Freemen as such Candidate, Agent or Freeman shall think fit, upon Payment to such Mayor or other Officer of Two Shillings and Sixpence for every such Admission; and such Books and Papers shall, if demanded by such Candidate or his Agent or Freeman, be produced by such Mayor or other Officer; and if such Mayor or other Officer shall refuse or deny such Candidate, Agent or Freeman the Inspection of such Books and Papers at any Election, if demanded and paid for in the Manner hereinbefore set forth, such Mayor or other Officer shall for every such Offence forfeit the Sum of One hundred Pounds to him, her or them who shall sue for the same, to be recovered in Manner hereinafter mentioned.

Officers of Corporations to admit Candidates, &c. to inspect Books. Fee.

And give Copies.

Fee.

Refusal,

Penalty 100l.

XXXII. And be it further enacted, That no Person shall be admitted to vote as a Freeman at any Election of a Member to serve in Parliament, whose Freedom shall not have come to him by Service, Birthright or Marriage, unless he shall have been elected or admitted to his Freedom, or his Freedom shall have been granted to him, Six Calendar Months at the least before the Teste of the Writ for holding such Election.

In what Cases only Freemen entitled to vote.

XXXIII. And be it further enacted, That immediately after the Receipt of the Writ for making an Election for any County of a City or County of a Town, the Sheriffs or other Returning Officers of such County of a City or County of a Town shall and they are hereby required to indorse thereon the Date of receiving the same; and that such Sheriffs or other Returning Officers shall, within Two Days after the Receipt of such Writ, cause Proclamation of the Time and Place of holding such Election to be made, at the usual Place of holding such Elections, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon; and that the said Sheriffs or other Returning Officers on the same Day shall cause to be affixed on the Doors of the Court House of such County of a City or County of a Town, public Notice of a Special County Court to be there holden for the Purpose of such Election only, and which shall be holden on same Day (*Sunday, Christmas Day, and Good Friday* excepted,) nor later from the Day of making such Proclamation and affixing such Notice than Eight Days, nor sooner than Four Days.

Sheriffs to indorse Date of Receipt on Writs for Elections, and make Proclamation and affix Notice on the Court House.

XXXIV. And be it further enacted, That whenever in any County of a City or County of a Town the Number of Freeholders appearing by the Books of the Clerk of the Peace capable of voting at any Election for the same shall exceed Eight hundred Freeholders, it shall and may be lawful for the Returning Officers and they are hereby required to provide Two or more Places for the polling the Freeholders of such County of a City or County of a Town, and to make such Division or Divisions of the Freeholders of such County of a City or County of a Town, according to the

Whenever more than 800 Freeholders are registered in any County of a City or County of a Town, additional Places of polling provided, &c.

Deputies and
Poll Clerks to
be appointed.

First Letters of their Names, that it shall not be necessary for more than Eight hundred Freeholders to poll in any one Place of polling, but so as not to divide the Names beginning with the same Letter of the Alphabet; and such Returning Officers shall and they are hereby required to appoint as many Deputies and Poll Clerks as shall be necessary to take the Poll in such Places of polling, not exceeding One Deputy and One Poll Clerk for each Place of polling; provided, however, that no greater Number of polling Places shall be provided by such Returning Officers than One for every Eight hundred Freeholders, appearing by the Books of the Clerk of the Peace to be capable of voting at such Election.

When Freemen
exceed 1000,
Two Places of
polling to be
provided.

XXXV. And be it further enacted, That whenever, in any County of a City or County of a Town, the Number of Freemen appearing by the Grand Panel or Roll of Freemen of such County of a City or County of a Town, capable of voting at any Election for the same, shall exceed One thousand, it shall and may be lawful for the Sheriffs or other Returning Officers, and such Returning Officers are hereby required to provide Two Places for the polling of the Freemen of such County of a City or County of a Town; and that it shall and may be lawful for the Returning Officers, and they are hereby required to appoint as many Deputies and Poll Clerks as shall be necessary to take the Poll in such Places of polling, not exceeding One Deputy and One Poll Clerk for each Place of polling; the respective Places of polling of Freemen to be separate and distinct from the Places appointed for the polling of Freeholders; provided, however, that no greater Number of polling Places than Two shall be provided by such Returning Officers for such County of a City or County of a Town.

How Poll to
be taken.

When Polls to
begin, and how
long to continue
and when to
conclude.

XXXVI. And be it enacted, That every Poll which shall be demanded at any Election of a Member or Members to serve in Parliament for any County of a City or County of a Town in *Ireland* shall commence on the Day upon which the same shall be demanded, or upon the next Day after at farthest (unless such Day shall happen to be a *Sunday*, *Christmas Day* or *Good Friday*, and in such Case on the Day next after), and shall be duly and regularly proceeded in from Day to Day, for so many Hours of each polling Day as the Returning Officer or Officers is or are by this Act directed to keep the Poll open (*Sundays*, *Christmas Day* and *Good Friday* always and only excepted), until the same be finished, but so that no Poll for the Election of a Member or Members to serve in Parliament for any County of a City or County of a Town in *Ireland* shall continue more than Fifteen Days at the most (*Sundays*, *Christmas Day* and *Good Friday* always excepted); and if such Poll shall continue until the Fifteenth Day, then the same shall be finally closed at or before the Hour of Three o'Clock in the Afternoon of the same Day; and the Returning Officer or Officers at every such Election shall, immediately after the final Close of the Poll, truly, fairly and publicly declare the Name or Names of the Person or Persons who hath or have the Majority of Votes on such Poll, and shall forthwith make a Return of such Person or Persons.

Return made
on 15th Day.

XXXVII. And

XXXVII. And be it further enacted, That every Returning Officer shall, before the Commencement of polling, take and subscribe in open Court the Oath following, which every Justice of the Peace is hereby required and authorized to administer :

Returning
Officer to take
the following
Oath :

‘ I A. B. do swear, That I will honestly, impartially and without Favour to any Candidate, take the Poll at this Election; and that I have not directly or indirectly received, nor will I hereafter directly or indirectly receive any Money, Gift, Reward, Promise, Contract or Security for Money or other Reward, for or in respect of the Conduct which I shall observe during the ensuing Poll, or the Return which I shall make at the Close thereof, except the Expenses of erecting Booths, hiring Buildings, keeping them in Repair and the Payment of Clerks and Deputies, and Counsel for my Assistance; and that I will return such Person or Persons as shall appear, to the best of my Judgment, at the Close of the Poll, to have the Majority of legal Votes.’

And that every Deputy appointed by virtue of this Act shall, before he proceeds to take the Poll, take and subscribe, in open Court, the Oath following, in the Presence of the Returning Officer or Officers, who is and are hereby required and empowered to administer the same :

Deputies to
take the follow-
ing Oath :

‘ I A. B. do swear, That I will honestly, impartially and without Favour to any Candidate, take the Poll at this Election; and that I have not directly or indirectly received, nor will I hereafter directly or indirectly receive any Money, Gift, Reward, Promise, Contract or Security for Money or other Reward, for or in respect of the Conduct I shall observe during the ensuing Poll; and that I will make a fair and true Return of all such Persons as shall tender their Votes before me, to be by me taken to the Returning Officer or Officers by whom I am appointed, whenever and as often as I shall be thereunto required by him or them.’

And a Memorandum of every of the said Oaths being taken shall be entered on the Poll Book.

XXXVIII. And be it further enacted, That every Person whom any Returning Officer at any Election for a Member to serve in Parliament for any County of a City or County of a Town shall employ to act as Clerk for taking the Poll of Freeholders shall, before his beginning to take such Poll, take an Oath in the Form following :

Oath of Clerk
for taking Poll
of Freeholders ;

‘ I A. B. do swear, That I will at this Election of a Member [or, Members, as the Case may be,] to serve in Parliament for the County of the City or the County of the Town [as the Case may be], of truly and indifferently take the Poll, and set down the Number opposite to the Name of each Freeholder, in the Registry Book, his Name and the Place of his Abode, and the Situation and the Value of his Freehold, and for whom he shall poll.’

Which Oath every Returning Officer is hereby authorized and empowered to administer; and every such Clerk of the Peace † shall enter in a Book, to be provided for that Purpose, the Number which

his Duty.
† Sic.

which shall appear in the alphabetical Registry Book opposite to the Name of each Freeholder who shall tender his Vote, or offer to poll at such Election, in the Booth to which such Clerk shall be appointed, the Name of such Freeholder, and the Place of his Abode, the Situation and Value of his Freehold, and for whom he shall vote.

Oath of Clerk
taking Poll of
Freemen ;

XXXIX. And be it further enacted, That every Person whom any Returning Officer, at any Election for a Member to serve in Parliament for any County of a City or County of a Town, shall employ to act as a Clerk for taking the Poll of Freemen, shall, before his beginning to take such Poll, take an Oath in the Form following :

‘ I A. B. do swear, That I will at this Election of a Member or Members [*as the Case may be*] to serve in Parliament for the County of the City or County of the Town [*as the Case may be*], of _____ truly and indifferently take the Poll, and set down the Name and the Place of Abode of each Freeman, and for whom he shall poll.’

his Duty.

Which Oath every Returning Officer is hereby authorized and required to administer ; and every such Clerk shall enter in a Book to be provided for that Purpose, the Name and the Place of Abode of each Freeman who shall tender his Vote, or offer to poll at such Election, in the Booth for which such Clerk shall be appointed, the Place of Abode of such Freeman, and for whom he shall vote.

Sheriff to attend
at a Booth se-
parate from
polling Booths,
to decide dis-
puted Ques-
tions.

XL. And be it further enacted, That it shall and may be lawful to and for the Sheriff and other Returning Officers, at any Election for a Member to serve in Parliament for any County of a City or County of a Town, and they are hereby required to erect a Booth or hire a Building, unless there shall already be some fit and convenient Place for the Purpose, wherein they may and shall decide all the disputed Questions, and all the Objections to Votes that may be referred to them, and which Booth or Building, or other Place, shall be separate from and exclusive of the Number of Booths or Buildings, or other Places necessary for the polling of the Electors ; and such Returning Officers, or One of them, is and are hereby required to give his or their constant Attendance in such separate Booth, Building, or other Place, in which the polling shall continue each Day.

Deputy Sheriffs
to appoint In-
spector and
Agent, and
Clerk for check-
ing Poll Clerk.

XLI. And be it further enacted, That the respective Deputies to be appointed by the Sheriffs or other Returning Officers, in Manner herein mentioned, shall appoint in each Place of polling such One Person for each Candidate as shall be nominated to him by such Candidate, to be an Inspector of the Clerk appointed for taking the Poll, and the Agent of such Candidate in such Place of polling ; and shall also appoint such One other Person for each Candidate as shall be nominated by such Candidate, to be a Clerk for keeping a Cheque Book of the Poll Book in such Place of polling.

Deputies may
be removed, &c.

XLII. And be it further enacted, That the Sheriffs, or other Returning Officers of every County of a City or County of a Town, may from time to time during every Election remove any Deputy who shall be appointed in Manner herein directed, and appoint another

another in his Room, or may change any Deputy from one Booth or Building to another, as such Returning Officers shall † think fit : Provided always, that every such Removal or new Appointment of a Deputy, or Change from one Booth or Building to another, shall be made publicly, and proclaimed in the Place where such Deputy shall take the Poll, by the Returning Officer or Officers, or some Person to be for that Purpose appointed by him or them.

† Sic.

XLIII. And be it further enacted, That it shall and may be lawful to and for the Officers at any Election for a County of a City or County of a Town in *Ireland*, and they are hereby required, on the Demand in Writing of any Candidate, to appoint a sufficient Number of competent Persons to act as Interpreters, in order to translate faithfully such Oaths, Affirmations and such Questions and Answers as are required to be taken, made, asked or given, at any such Election; and that every such Interpreter shall, immediately after such Appointment and before he shall proceed to act under such Appointment, take the following Oath; and every Returning Officer is hereby required and empowered to administer the same :

On Demand of Candidates, Returning Officers to appoint Interpreters.

‘ I *A. B* do swear, That I will faithfully interpret such Oaths, Affirmations, Questions and Answers, as I shall be directed to interpret by the Returning Officer or Officers, and his or their Deputy or Deputies [*as the Case may be*].

Oath of Interpreter.

And that every such Person so appointed for the Purpose aforesaid shall be entitled to receive the Sum of Ten Shillings for each Day of his Attendance.

Allowance.

XLIV. And be it further enacted, That the Clerk of the Peace, at every Election of a Member to serve in Parliament for any County of a City or County of a Town in *Ireland*, shall appoint, or in Failure thereof, the Sheriffs or other inferior Officers thereof shall appoint a Deputy Clerk of the Peace, who shall attend with the original Registry Book or Books in which the Entries of the Registry of all Freeholds shall be first entered at the Booth to be provided for the Sheriffs or other Returning Officers, as hereby directed, and also a Deputy Clerk of the Peace, and also an Assistant to such Deputy, to be present in each Place of polling of Freeholders; and such Deputy shall take with him into such Place of polling such of the alphabetical Registry Books belonging to the County of a City or County of a Town, as shall contain the Names of the Freeholders to be polled in such Place of polling, and the original Affidavits or Affirmations which shall have been made by the Persons capable of voting in such Place of polling respectively; which Affidavits or Affirmations the Clerk of the Peace is hereby required to have arranged alphabetically in separate Parcels (one or more for each Letter of the Alphabet), and indorsed with the Names of the Persons by whom the same were respectively made, and also with the Number of the Entry of each Affidavit or Affirmation in the original Registry Book or Books; and that in those Cases wherein a Certificate of Registry shall not be produced by the Person tendering his Vote or offering to poll, such Deputy shall, on the Demand of the Returning Officer's Deputy, produce the original Affidavit or Affirmation of the Registry of such Person; and that such Deputy Clerk of the Peace shall be entitled to receive the Sum of Ten Shillings and no more, for

Clerk of the Peace to appoint Deputy to attend at Election with Registry Books and original Affidavits of Registry alphabetically arranged, &c.

Allowance to Deputy.

Altering &c.
Affidavits,
Penalty 10l.

Deputy Town
Clerk to attend
Sheriffs with
Books contain-
ing Entries of
Grants of Ad-
missions to
Freedoms.

Allowance for
Attendance,

† S^c.

Town Clerk to
provide Copy
of Grand Panel
of Freemen for
each polling
Place ;

and appoint
Deputy to at-
tend.

Allowance for
Attendance.

Oath of not
having voted
before and of
being of Age,
to be put, if
required.

each Day of his Attendance, any Act to the contrary notwithstanding ; and such Assistant to such Deputy shall be entitled to receive the Sum of Five Shillings for each Day of his Attendance ; and that if such Deputy or such Assistant to such Deputy shall alter, deface, destroy or lose any Affidavit or Affirmation of Registry committed to his Care, he shall forfeit the Sum of Ten Pounds for every such Offence, to any Person suing for the same, by Action of Debt, at any General Quarter Sessions of the Peace.

XLV. And be it further enacted, That at every Election of a Member to serve in Parliament for any County of a City or County of a Town in *Ireland*, the Town Clerk or other Officer having Charge of the Books relating to the granting or electing of or Admissions to Freedoms for such County of a City or County of a Town shall appoint, or in Failure thereof the Sheriffs or other Returning Officers shall appoint a Deputy Town Clerk or other such Officer as shall have Charge of such Books, and such Deputy so appointed shall attend in the Place appointed for the Attendance of such Sheriffs or other Returning Officers, and shall take such Books with him thereto ; and in case the Sheriffs or other Returning Officer shall deem it expedient to refer to any of the Entries contained in such Books, such Deputy Town Clerk or other Officer shall produce the same to such Sheriff or other Returning Officer ; and such Deputy Town Clerk or other Returning Officer † shall be entitled to receive the Sum of Ten Shillings, and no more, for each Day of his Attendance.

XLVI. And be it further enacted, That at every Election for a Member to serve in Parliament for a County of a City or County of a Town in *Ireland*, the Town Clerk or other Officer having Charge of the Grand Panel or Roll of Freemen of such County of a City or County of a Town, shall provide a Copy of such Grand Panel or Roll of Freemen for each Place of polling Freemen at such Election ; and shall appoint, or in failure thereof, the Sheriffs or other Returning Officers of such County of a City or County of a Town shall appoint a Deputy Town Clerk or other Officer, having Charge of such Grand Panel or Roll of Freemen for each Place of polling Freemen at such Election ; and such Deputy so appointed shall take with him to such Place of polling a Copy of such Grand Panel or Roll of Freemen, and shall produce and refer to the same, as shall be directed by the Sheriffs or other Returning Officers or their Deputy, presiding in such Place of polling ; and each of such Deputies shall be entitled to receive the Sum of Ten Shillings and no more for each Day of his Attendance.

XLVII. And be it further enacted, That at every Election of a Member or Members to serve in Parliament for any County of a City or County of a Town, the Returning Officer's Deputy shall, if required by any Candidate or the Inspector of any Candidate so to do, in Person administer, in the Place of polling in which he presides, an Oath, in the following Form, to every Person separately who shall tender his Vote or offer to poll at such Election, and immediately after the Production of the Certificate or Affidavit of Registry, when any such Person offers to vote by virtue of a Freehold ; (that is to say,)

‘ I A. B.

‘ I A. B. do swear, [or being a Quaker or Moravian, do solemnly affirm,] That I will true answer make to all such Questions as the Sheriffs, or other Returning Officer’s Deputy [as the Case may be], presiding in this Booth, shall demand of me; and I do also swear, [or, being One of the People called Quakers or Moravians, do solemnly affirm,] That I have not polled before at this Election, and that I am, as I believe, Twenty one Years of Age. ‘ So help me GOD.’

Oath.

XLVIII. And be it further enacted, That at every such Election for a County of a City or County of a Town, the Returning Officer’s Deputy shall if required by any Candidate, or the Inspector of any Candidate so to do, also administer, in the Place of polling in which he presides, an Oath in the following Form, to every Person separately who shall tender his Vote, or offer to poll at such Election, before such Person shall be permitted to poll :

Oath of not having received Reward for voting to be administered, if required.

‘ I A. B. do swear, [or, being of the People called Quakers, I A. B. do solemnly affirm,] I have not received or had myself, or any Person whatsoever in Trust for me, or for my Use and Benefit, or for the Use and Benefit of any of my Family or Kindred, to my Knowledge or Belief, directly or indirectly, any Sum or Sums of Money, Office, Place or Employment, Gift or Reward, or any Promise or Security for any Money, Office or Employment, in order to give my Vote at this Election.’

Oath.

XLIX. And be it further enacted, That in every Case in which any Person shall tender his Vote, or offer to poll at any Election for a Member to serve in Parliament for a County of a City or a County of a Town, by virtue of a Freehold, the Returning Officer shall, in the first Place, refer to the Entry of the Registry of the Affidavit or Affirmation, in the alphabetical Book furnished by the Clerk of the Peace in which the same shall be contained, and write down opposite to the same the Initial Letters of his Name, and then he shall refer to the Certificate or Affidavit of the Registry of the same; and that if any such Person shall produce a Certificate of the Registry of his Freehold corresponding with such Entry of the original Affidavit or Affirmation, without any Erasure or Interlineation therein, signed as required by Law, such Certificate shall, without further Proof, be deemed of equal Authenticity with the original Oath or Affirmation, and conclusive Evidence that such Person so tendering his Vote, or offering to poll, had registered such Freehold, and the Returning Officer’s Deputy shall write down the Initials of his Name upon the Margin of such Certificate; and that in all Cases wherein no such Certificate shall be produced by the Person tendering his Vote, or offering to poll, or wherein such Certificate, if produced, shall appear to the Returning Officer’s Deputy not to be in Manner and Form as aforesaid, it shall and may be lawful for the Returning Officer’s Deputy, and he is hereby required to direct the Deputy Clerk of the Peace to produce the original Affidavit or Affirmation of the Registry of the Freehold of such Person so tendering his Vote, or offering to poll.

Deputy to refer to Registry Book, and Certificate of Registry deemed conclusive Evidence, and in default thereof, the original Affidavit.

Proviso where no Certificate or informal Certificate produced.

When Entry of Freehold appears in Registry, vote to be taken unless Oaths required or Objections made; without referring to Affidavit, &c.

L. And be it further enacted, That whenever the Entry of the Affidavit or Affirmation shall appear in the Registry Book, and that any such Person shall have produced such a Certificate of Registry as is hereinbefore described, or that the original Affidavit or Registry shall have been produced by the Deputy Clerk of the Peace, and that such Person so tendering his Vote, or offering to poll, shall have taken the Oaths aforesaid, if required so to do, such Deputy shall then ask such Person for whom he votes, and the Vote of such Person shall be entered on the Poll Book according to his Answer, unless such Deputy shall be required by any Candidate, or the Agent of any Candidate, to put to such Person the Questions hereinafter mentioned, or unless an Objection be made to such Vote in Manner herein directed: Provided always, that it shall and may be lawful to and for the Returning Officer's Deputy to take the Vote of any Person tendering his Vote, or offering to poll, whose Freehold appears on the Registry Book, without referring to the Certificate or Affidavit or Affirmation of Registry, if he be not required by any Candidate, or any Inspector of any Candidate, so to do.

Questions to be put by Deputy of Returning Officer to Voters and to Freeholders, if required.

LI. And be it enacted, That the Returning Officer's Deputy shall, if required by any Candidate or the Agent of any Candidate so to do, put the following Questions, and no others, to any Person tendering his Vote, or offering to poll at any Election for a Member to serve in Parliament for a County of a City or County of a Town in *Ireland*, without allowing any Person to interrupt him:

1. What is your Name?
2. Where do you reside?
3. Do you swear that you are possessed of a Freehold in the County of the City or County of the Town of [*naming the County of a City or County of a Town for which the Election is held*]?
4. Where is such Freehold situated?

And that the Returning Officer's Deputy shall then, if required by any Candidate or the Inspector of any Candidate so to do, refer to the Certificate of Registry, if one be produced by the Person tendering his Vote or offering to poll, or if none be produced, to the original Affidavit of Registry, and then shall immediately ask, if required by any Candidate or the Inspector of any Candidate so to do, without making or allowing any other Person to make any Comments or Observations upon the said Certificate or Affidavit, the following Questions: †

† *Sic.*

5. Is the Freehold described in this Certificate or Affidavit of Registry [*as the Case may be*] the same Freehold which you now swear you are possessed of, or by virtue of which you now offer to vote?

And that in case it shall appear to the Returning Officer's Deputy, from the Certificate or Affidavit of Registry, that any Person shall tender his Vote or offer to poll in respect of a Freehold of the Value of Forty Shillings only, the said Deputy shall then, if required by any Candidate so to do, put the following Questions:

6. Do

6. Do you swear that you have been in the actual Occupation of this Freehold, as described in your Certificate or Affidavit of Registry [*as the Case may be*] by tilling it or by grazing it or by residing upon it during the Whole of the last Twelve Months?

7. Do you swear that the Freehold is now of the clear yearly Value of Forty Shillings, above all Charges payable out of the same?

And when such Person so tendering his Vote or offering to poll shall have answered the Questions that shall have been demanded of him as aforesaid, such Deputy shall ask such Person for whom he votes; and the Vote of such Person shall be entered in the Poll Book according to his Answer, unless an Objection be made to such Vote in Manner herein directed: Provided always, that if it shall appear to such Deputy, from the Answers which shall be given by any Person to the first Four Questions aforesaid, that his Freehold arises from a Rectory, Vicarage, or Curacy, or other Ecclesiastical Preferment, the said Deputy shall not proceed to put to such Person the other Questions hereinbefore mentioned; but when such Person shall have answered such Four Questions, such Deputy shall ask such Person for whom he votes; and the Vote of such Person shall be entered in the Poll Book according to his Answer, unless an Objection be made to such Vote in Manner herein directed; and provided always, that if an Entry of the Affidavit or Affirmation of the Registry of the Freehold of any Person tendering his Vote or offering to poll, required by Law to be registered, shall not appear in the Registry Book, or that if any Person tendering his Vote or offering to poll shall not either produce such Certificate of Registry as by Law required, or be able to refer to an original Affidavit or Affirmation of his Registry, in the Possession of the Deputy Clerk of the Peace, or that if any such Person shall refuse to take the Oath aforesaid, or shall not give a direct Answer to each of the Questions to be put to him by the Returning Officer's Deputy, or that the Person so examined shall admit in his Answer or Answers to the said Question or Questions that he is not the Person whose Freehold is registered, or that he has no Freehold, or that the Freehold described in his Certificate or Affidavit or Affirmation of Registry [*as the Case may be*], is not the Freehold for which he tenders his Vote, or that he has not been in the Occupation thereof for the Whole of the last Twelve Months, or that the same is not at the Time of tendering his Vote of the Value of Forty Shillings, above all Charges payable out of the same; then and in every and in any such Case it shall and may be lawful to and for such Deputy and he is hereby required, authorized and empowered to refer such Person to the Returning Officer or Officers, or his or their Assessor, for Examination, and to proceed immediately to receive the Vote of the next Person who shall tender his Vote or offer to poll.

Proviso.

In what Cases Deputy to refer Person offering to vote to Returning Officer.

LII. And be it further enacted, That in every Case in which any Person shall tender his Vote or offer to poll at any Election for a Member to serve in Parliament for any County of a City or County of a Town, the Returning Officer's Deputy shall, if required

Questions to be put to Persons offering to vote as Freemen, if required.

required by any Candidate or the Agent of any Candidate so to do, put to such Person the following Questions, and no other :

What is your Name ?

Are you a Freeman of the County of the City or County of the Town of [*naming the County of a City or County of a Town for which the Election is held*] ?

Have you been sworn ?

Provided always, that where the Right of Election in any County of a City or Town in *Ireland* shall have been determined, under and by virtue of any Act or Acts of Parliament now in force for the Trial of controverted Elections or Returns of Members to serve in Parliament, to be in the resident Freemen only of the County of a City or Town, the Returning Officer's Deputy shall, if required by any Candidate, or the Agent of any Candidate, put the following additional Questions to any Person offering to vote as a Freeman :

When were you admitted a Freeman thereof, or elected a Freeman thereof ? or, was the Freedom thereof granted to you, to the best of your Knowledge and Belief ?

Where did you reside in the Month of _____
in the Year _____ ? [*here stating the Time of Admission, Election or Grant of the Freedom.*]

Answers to be inserted in Poll Books.

And the Answers to which Questions shall be inserted in the Poll Books: And when the Person so tendering his Vote, or offering to poll, shall have answered such Questions, such Deputy shall ask such Person for whom he votes ; and the Vote of such Person shall be entered in the Poll Book according to his Answer, unless an Objection be made to such Vote, in Manner herein directed.

Where Vote is objected to, a Memorandum of Objection to be made by Poll Clerk for Returning Officer to decide.

LIII. And be it further enacted, That at any Election for a Member to serve in Parliament for any County of a City or County of a Town, no Objection shall be made to vote, until after the Person tendering the same shall have declared for whom he votes ; and that if the Vote of any Person shall be then objected to by an Inspector of any Candidate, the Poll shall not be on that Account delayed, but the Returning Officer's Deputy shall direct the Poll Clerk to enter a Memorandum on the Poll Books, shewing to which Candidate or Candidates such Person has given his Vote, and he shall immediately proceed to receive the Vote of the next Person who shall tender his Vote or offer to poll ; and that the Inspector who shall have made the Objection on Behalf of any Candidate, shall instantly write down a Memorandum on a printed Form, to be provided by the Returning Officer, containing the Name of the Voter, the Place of his Abode, and the Nature of the Objection or Objections, and sign and date the same, and shall give the same to the Returning Officer's Deputy, and shall sign the same with the initial Letters of his Name, and then give the same to the Assistant Deputy Clerk of the Peace, who shall take the same, together with the Certificate or Affidavit or Affirmation of Registry, if it shall be necessary so to do, to the Returning Officer, to decide on the Validity thereof ; and that it shall thereupon be lawful to and for the Returning Officer or Officers, or his or their Assessor, at the Discretion of such Returning Officer or Officers, or his or their

their Assessors only, to order the Voter to attend before him or them during the Inquiry into his Vote, and for such Returning Officer or Officers, or his or their Assessor, to examine such Voter, by such Questions as such Returning Officer or Officers, or his or their Assessor, shall think necessary to ask, as to any Objection or Objections made to his Vote; and such Returning Officer or Officers, or his or their Assessor, shall administer an Oath to such Voter, in the Form following :

Oath to be administered to such Voter.

‘ [A. B. do swear, [or, being a Quaker or Moravian, do solemnly affirm], That I will true Answers make to all such Questions as shall be here put to me by the Returning Officer or Officers, or his Assessor [as the Case may be]. ‘ So help me GOD.’

And that if the Vote shall be allowed, the Returning Officer or Officers, or his or their Assessor, shall write down upon the Memorandum these Words, “ Allow this Vote;” and that if the Vote shall be disallowed, then the Returning Officer or Officers, or his or their Assessor, shall write down upon the Memorandum these Words, “ Reject this Vote;” and that in either Case, the Returning Officer or Officers, or his or their Assessor, shall write down the Initials of his or their Name or Names under the Words so directed to be written down upon the Memorandum; and the Returning Officer or Officers, or his or their Assessor, shall then deliver the said Memorandum to the same Assistant Deputy Clerk of the Peace who had brought it to him or them, to be forthwith carried back to the Returning Officer’s Deputy; and that such Deputy shall either reject such Vote, or order the Poll Clerk to enter the same upon the Poll for the Candidate or Candidates to whom it had been given, according as he shall be directed by the Returning Officer or Officers, or his or their Assessor; and that every such Memorandum shall be preserved by such Deputy, and be delivered to him by the Returning Officer or Officers, to be attached to the Poll Books at the Close of the Election; and that the Form of the said Memorandum, so to be prepared as aforesaid, shall be as follows :

Vote may be allowed or rejected by Returning Officer or his Assessor.

Memorandum delivered by Deputy to Returning Officer.

FORM of Objection as to Freeholders.

Number in the Registry Book.	Name of Voter.	Abode of Voter.	Objection.
		(Signed) Dated	Day of 18
Allow this Vote. (Signed)		Reject this Vote. (Signed)	

FORM

FORM of Objection as to Freemen.		
Name of Voter.	Abode of Voter.	Objection.
	(Signed) Dated	Day of
Allow this Vote. (Signed)		Reject this Vote. (Signed)

FORM of Objection to Freemen, where the Right of Election shall have been determined, under and by virtue of any Act or Acts of Parliament now in force for the Trial of controverted Elections or Returns of Members to serve in Parliament, to be in the resident Freemen.			
Name of Voter.	Date of Original Entry in Corporation Books of Election to, Grant of or Admission to Freedom.	Residence at Time of Original Entry in Corporation Books of Election to, Grant of or Admission to Freedom.	Objection.
		(Signed) Dated	
Allow this Vote. (Signed)		Reject this Vote. (Signed)	

Provided always, that in case any Objection be taken to vote which shall not be in Substance different from one previously ruled by the Returning Officer or Officers, or his or their Assessor, or in case any Objection be taken which shall appear to such Deputy to be frivolous, or taken for the Purpose of Delay, that then in every such Case it shall not be lawful to and for the Deputy to transmit the Memorandum containing such Objection to the Returning Officer or Officers, and that in every such Case such Deputy shall admit the Vote so objected to to be entered upon the Poll.

Circumstances under which Returning Officers may reject Vote of Person claiming to be Freeholder.

LIV. And be it further enacted, That if an Entry of the Affidavit or Affirmation at any Election for a Member or Members to serve in Parliament for any County of a City or County of a Town in *Ireland*, of the Registry of the Freehold of any Person tendering his Vote or offering to poll, required by Law to be registered, shall not appear in the Registry Book, or if any Person tendering his Vote, or offering to poll, shall not either produce such Certificate of Registry as by Law required, or be able to refer to an original Affidavit or Affirmation of his Registry in

in the Possession of the Deputy Clerk of the Peace, or if any such Person shall refuse to take the Oath aforesaid, or shall not give a direct Answer to each of the Questions to be put to him by the Returning Officer or Officers, or his or their Assessor, or if it shall appear to such Returning Officer or Officers by the Admission of the Person so offering to vote, or upon a due Examination of One or more credible Witness or Witnesses, upon his or their Oath or Oaths (which Oath or Oaths the Returning Officer or Officers is and are hereby authorized and empowered to administer), that the Person offering to vote by virtue of a Freehold at such Election has polled before at such Election, or has personated another Elector for the Purpose of polling at such Election, or has polled by virtue of a forged Certificate of Registry, or offers to poll by virtue of a Registry of an alleged Freehold, under a Lease for a Life or Lives, made by a Lessor who had not at the Time of making the same a Freehold Estate therein, or by virtue of a Registry of an alleged Freehold, under a Lease for a Life or Lives, which Lease is to end and determine on some such Covenant or Condition, that a Freehold Estate has not been demised by the same, or by virtue of any Freehold Estate of which he shall not be *bonâ fide* seised, then and in any or either of such Cases the Returning Officer or Officers shall reject the Vote of the Person so tendering such Vote, or so offering to poll at such Election.

LV. And be it further enacted, That if at any Election for a Member or Members for any County of a City or County of a Town in *Ireland*, it shall appear to the Returning Officer or Officers, that any Person tendering his Vote, or offering to poll at such Election, has personated any Freeman for the Purpose of polling at such Election, or that such Person is not a Freeman, or (unless the Freedom of such Person shall have come to him by Service, Birthright or Marriage,) that he has not been admitted to his Freedom, or that his Freedom has not been granted to him Six Months at the least before the Teste of the Writ for holding such Election, then and in any or either of such Cases such Returning Officer or Officers shall reject the Vote of the Person so tendering such Vote, or offering to poll at such Election.

Circumstances under which Votes tendered by Persons claiming to be Freemen, may be rejected.

LVI. And be it further enacted, That if any Person shall be admitted to poll at any Election for a Member to serve in Parliament for a County of a City or County of a Town, who has polled before at such Election, or who has personated another Elector for the Purpose of polling at such Election, or who has polled by virtue of a forged Certificate of Registry, or who has polled by virtue of a Registry of an alleged Freehold under a Lease of Land or Tenements for a Life or Lives, made by a Lessor who had not at the Time of making the same a Freehold Estate therein; or by virtue of a Registry of an alleged Freehold under a Lease of Land or Tenements for a Life or Lives, which Lease is to end and determine on some such Covenant or Condition, that a Freehold Estate has not been demised by the same; or by virtue of any Freehold Estate of which he shall not be *bonâ fide* seised; it shall and may be lawful for the Returning Officer or Officers, and they are hereby required, authorised and empowered,

Improper Votes to be taken off Poll by Returning Officer on Complaint of Candidate before final closing of Poll.

Affidavit to be sworn to, and Witnesses examined on Oath as to Complaint.

powered, upon the Complaint of any Candidate, to take the Vote of such Person off the Poll at any Time before the final closing of the same: Provided always, that the Act complained of as having been committed by such Person be set forth and described, and positively declared to have been committed by such Person in an Affidavit to be sworn before a Justice of the Peace, and that such Affidavit be delivered to the Returning Officer or Officers; and further, that the Act complained of shall appear to the Returning Officer or Officers, upon a due Examination of One or more credible Witness or Witnesses concerning the same, upon his or their Oaths, to be proved to have been committed by such Person, which Oath or Oaths the Returning Officer or Officers is or are hereby authorized and empowered to administer: Provided always, that the Affidavit setting forth every such Complaint shall be delivered to the Returning Officer or Officers on the same Day on which the Act complained of shall have been committed.

Returning Officer or his Assessor only to examine Voters objected to.

LVII. And be it further enacted, That it shall not be lawful for any other Person whatever, other than the Returning Officer or Officers, or his or their Assessor, to ask any Question of any Person who shall be examined by the Returning Officer or Officers, or his or their Assessor, on account of his Vote, or the Vote of any other Person or Persons, having been objected to, but that it shall and may be lawful to and for the Returning Officer or Officers, or his or their Assessor or Assessors, at the Discretion of such Returning Officer or Officers, or his or their Assessor only, to permit a Barrister or Barristers to argue any Question of Law before him or them.

Restraining Persons from pleading, &c. during Poll.

LVIII. And be it further enacted, That it shall not be lawful for any Person, whether Barrister, Attorney, Inspector, Agent, Candidate or Elector, or any other Person whatsoever, to plead or speak in any Place of polling during the Hours appointed for polling under this Act, on any Matter or Thing whatsoever.

Returning Officer may commit Persons obstructing Poll.

LIX. And be it further enacted, That it shall and may be lawful to and for the Returning Officer or Officers, or his or their Deputy or Deputies, at any Election, and he and they is and are hereby authorized and empowered to commit all Persons to Gaol, without Bail or Mainprize, who shall plead or speak on any Matter or Thing contrary to the Provisions of this Act, or who shall be found rioting or interrupting the Poll, or wilfully preventing the Approach of Electors to the Place of polling, or who shall be guilty of a Contempt to such Returning Officer or Officers, or to such Deputy or Deputies; provided that the Time of such Imprisonment shall not in any Case exceed Twenty four Hours.

Deputies not to reject Votes or examine Voters except as before provided.

LX. And be it further enacted, That it shall not be lawful for any Deputy of any Returning Officer to put any Questions to any Person tendering his Vote or offering to poll at any Election for a Member to serve in Parliament for a County of a City or a County of a Town, save and except those Questions hereinbefore directed to be put, or to make any Comments or Observations on the Answers which may be given to the same, or on any Matter or Thing relating to any Vote which may be tendered before him; and that if any Objection be made to any Vote at any Election for a County of a City or a County of a Town, or

other Place, such Objection shall be forthwith referred by the Returning Officer's Deputy as hereinbefore directed to the Returning Officer; and that it shall not be lawful for any such Deputy to investigate the Right of any Person to vote further or otherwise than as hereinbefore directed, or to reject the Vote of any Person, without Reference to the Returning Officer.

LXI. And be it further enacted, That every Returning Officer shall give such Instructions in Writing to his Deputy or Deputies appointed for taking the Poll at any Election, as may be necessary to point out to him or them what is required of him or them to be done in respect of the Objections to Votes which may be made, and in respect of the Manner of transmitting them to such Returning Officer or Officers, and in respect of the due Performance of his or their Duty as such Deputy or Deputies, and that every such Deputy shall obey such Instructions as shall be so given by such Returning Officer or Officers.

LXII. And be it further enacted, That every Deputy shall, upon Notice given to him by the Returning Officer, each Day close his Poll Book, and deliver in the same immediately to such Officer, who shall sum up thereupon the Number of Votes polled on such Day for each Candidate, to be read aloud in open Court; and if any Deputy shall refuse to deliver his Poll Book when required by the Returning Officer, or shall continue to take the Poll after he shall have been directed by him to stop, and before he shall be again directed by him to proceed, or after his deputation shall be revoked, he shall forfeit the Sum of Fifty Pounds, to any Person who shall sue for the same, to be recovered as herein-after directed; and every Vote admitted by him after such Refusal or Direction to stop, or Revocation, shall be void, and the Person who offered such Vote shall not be deemed to have voted, and is hereby declared not to have voted or to have been polled at such Election.

LXIII. And be it further enacted, That any Deputy Sheriff, Poll Clerk, Clerk of the Peace, Deputy Clerk of the Peace, Assistant Deputy Clerk of the Peace, Deputy Town Clerk, or other Officer, Interpreter, Constable, Bailiff or Peace Officer, who shall absent himself from the Duty of his Office at any Election of a Member or Members to serve in Parliament for any County of a City or County of a Town, during any Part of the Time that the Poll shall be kept open on each Day, shall forfeit all Compensation for his Attendance during such Election; and that the Returning Officer or Officers is and are hereby authorized and required, in case of the Absence, Neglect, Misconduct or Insufficiency of any such Person or Persons immediately to remove any such Person or Persons, and to appoint a Person or Persons to fill his or their Place or Places.

LXIV. And be it further enacted, That the Returning Officer or Officers, at every Election for a Member to serve in Parliament for any County of a City or County of a Town, shall cause the Poll to be kept open in every Place, and on every Day of polling, from Ten of the Clock in the Morning, except on the First Day of Polling, until Five of the Clock in the Afternoon, except on the last Day of polling, between the Fifteenth Day of April and the Fifteenth Day of September, and from Ten of the Clock

Instructions to be observed by Deputies.

Deputy to close and give up Poll Book daily to Officer, who shall sum up the Number. Deputy offending. Penalty 50l.

Deputy Sheriffs and Officers neglecting their Duty at Election. Penalty.

Hours for commencing and ending the Poll each Day.

Clock in the Morning, except on the First Day of polling, until Four of the Clock in the Afternoon, except on the last Day of polling, between the Fifteenth Day of *September* and the Fifteenth Day of *April*; and that in case any disputed Question, or any Objections to Votes referred to him or them by his or their Deputy or Deputies, shall not be decided during the Time for which the Poll shall be so kept open, the Returning Officer or Officers shall give his or their Attendance in his or their Booth or other Place of Sitting, and proceed to decide the same after the polling shall have ceased, or before the polling shall have commenced on any Day or Days of polling, except the last Day of polling.

After 4th Day Returning Officer may close any Booth when 20 have not polled in the Day.

Booths for polling may be kept open if Persons be prevented by Force from coming thereto.

LXV. And be it further enacted, That it shall and may be lawful for the Returning Officer or Officers, at any Election for a Member to serve in Parliament for every County of a City or County of a Town, and he and they is and are hereby required, on any Day after the Fourth Day of polling, computing therein the Day on which the Poll shall be commenced, to close finally the Poll in any Booth or Place of polling in which no more than Twenty Persons have polled, or been referred for Decision to the Returning Officer or Officers, during that Day: Provided always, that in case it shall appear, upon the Evidence of Two or more credible Witnesses taken upon Oath (and which Oath the Returning Officer or Officers is and are hereby empowered to administer), to the Returning Officer or Officers, that any Person intending to offer themselves to poll in such Booth or Place of polling have been prevented by Force and Violence from coming to the same for the Purpose of polling on that Day, that then and in every such Case it shall be lawful to and for the Returning Officer or Officers to keep such Booths or Place of polling open for another Day, and so on from Day to Day if such Force and Violence be repeated, and be found to have taken place on such Evidence as aforesaid, to the Satisfaction of the Returning Officer or Officers.

Returning Officer may summon Constables, Bailiffs, &c. to attend Elections.

LXVI. And be it further enacted, That at any Election of a Member to serve in Parliament for any County of a City or County of a Town, it shall be lawful to and for the Returning Officer or Officers to summon all Constables, Bailiffs and other Peace Officers to attend the Places of polling, and to keep the Peace at such Election, and to perform such other Things as shall be assigned to him by the Returning Officer or Officers, and to appoint any Number of Special Constables that he or they may think proper to aid and assist therein; and that every Constable, Bailiff or Peace Officer, when so summoned, who shall neglect to attend during the whole of such Election, or to obey the lawful Commands of the Returning Officer or Officers, shall forfeit such Office of Constable, Bailiff or other Peace Officer, and all Salary due to him in respect thereof.

In case of Death or Illness of Returning Officer, the first sworn Deputy to perform the Duty.

LXVII. And be it further enacted, That in case of the Death or the severe Illness of any Returning Officer, during the Continuance of the Poll at any Election for a County of a City or County of a Town, it shall and may be lawful for the other Returning Officer, if there be Two such Returning Officers, or for the first sworn Deputy, if there be but One Returning Officer, or being

being Two Returning Officers, in case of the Death or severe Illness of both such Returning Officers, is hereby required, under the Penalty of forfeiting Five hundred Pounds, and such other Returning Officer or such sworn Deputy, as the Case may be, to any Person who shall sue for the same, to proceed with the Poll, and to act in every respect for all the Purposes of the Election, and with all the Power and Authority to do any Act required by Law to be done by a Returning Officer at any such Election, as if he had been originally the Returning Officer; and that such Deputy shall take the Oath directed by Law to be taken by the Returning Officer at the Commencement of the Poll, which Oath any Two Justices of the Peace are hereby authorized to administer, and that such other Returning Officer or Deputy shall proceed with the Poll, and finally close the same at the Time hereinbefore required, and make a Return of the Person or Persons who hath or have the Majority of Votes, unless his Authority shall be superseded by the Recovery of the Returning Officer; and that in case of the Death or severe Illness of such first sworn Deputy, the next Deputy in Succession shall act as the Returning Officer, subject to the like Penalty, and with the same Powers, and take the Returning Officer's Oath in Manner aforesaid, and so on, each Deputy in Succession shall in like Manner act as the Returning Officer, in case of the Death or severe Illness of the acting Returning Officer, and another Deputy, or other Deputies, shall be appointed in lieu of the Deputy or Deputies who may thus take the Place of such Returning Officer or Officers: Provided always, that the Deputy, who shall thus take the Place of such Returning Officer, shall be entitled to the same Remuneration for his Services at such Election as if he had continued to act as Deputy.

Penalty 500L.

If first sworn Deputy not able to act, Deputies in Succession to perform the Duty.

Penalty 500L.

LXVIII. And be it further enacted, That no Returning Officer or Officers for any County of a City or County of a Town shall, upon any Pretence whatsoever, return more than the Number of Persons they or he shall, by the Writ or Precept, be required to return; and that, in case of an Equality of Voices for any Two or more Candidates, where Two Sheriffs or other Returning Officer shall preside, upon the Close of the Poll, the Sheriff or other Returning Officer, whose Name shall stand first in the Appointment to the Office, shall, if he be present, give a casting Voice; and if he be not present, the junior Sheriff or Returning Officer shall give such casting Voice, whether such Sheriffs or other Returning Officers shall be otherwise legally qualified to vote or not, or whether they shall have voted or not at such Election; and if any Returning Officer or Officers shall return more than the Number of Persons, who shall by the Writ or Precept be directed to be returned, such Returning Officer or Officers shall forfeit the Sum of Two thousand Pounds to the Person who shall first sue for the same, to be recovered as hereinafter directed; and such Returning Officer or Officers shall be rendered incapable of ever after voting at any Election for a Member or Members to serve in Parliament.

No more to be returned than required by Writ.

Officer to have casting Voice.

Officer returning more than Number directed, Penalty 2000L. and incapable of voting.

LXIX. And be it further enacted, That if any Returning Officer or Officers, or any Deputy, who shall be appointed pursuant to this Act, shall unnecessarily and wilfully protract the Poll or be

Returning Officer or Deputy causing

guilty

unnecessary
Delay.
Penalty 500l.

guilty of any wilful and unnecessary Delay in taking the same, every such Returning Officer or Officers and every such Deputy so offending shall forfeit the Sum of Five hundred Pounds to any Person who shall sue for the same, to be recovered as herein-after directed.

Rioting not to
be an Excuse
for closing the
Poll.

LXX. And be it further enacted, That if any Person or Persons shall violently, riotously or outrageously disturb or interrupt any Election, or the Proceedings of the Poll, such Disturbance, Riot or Misbehaviour shall not be any Excuse to the Returning Officer or Officers, nor afford him or them any Pretext for closing the Poll or making a Return; but the Court shall thereupon be adjourned for some convenient Time, as the Occasion may require; and, if necessary, shall be further continued by Adjournment from time to time, until such Disturbance shall have ceased, when such Returning Officer shall again proceed in taking the Poll; and every Person who shall be, by due Course of Law, convicted of having violently, riotously or outrageously disturbed the Court, or otherwise misbehaved, so as forcibly to interrupt the Proceedings of the Poll, or of having wilfully effaced, obliterated, torn, altered or destroyed the whole or any Part of the Poll Books of the Returning Officer or Officers, or any Deputy, whereon any thing relative to the said Election shall have been entered, or of having forcibly or fraudulently taken or secreted the same, or any Part thereof, or the Writ or Precept for holding such Election, shall be adjudged guilty of Felony, and be transported for Seven Years.

Persons rioting
or injuring Poll
Book, &c.

Transportation.
What the
Return Writ is
to contain.

LXXI. And be it further enacted, That in every Case in which a Poll shall take place at any Election for any County of a City or County of a Town in *Ireland*, the Returning Officer shall certify in his Return to the Writ for holding such Election the Names of the Candidates, and the Numbers who voted for each Candidate, as it appeared at the final Close of the Poll, and such Certificate shall be admitted as Evidence of the Truth of the Facts therein certified, unless disproved by contrary Evidence.

Evidence.

When Writs of
Election are to
be returned.

LXXII. And be it further enacted, That in case of a general Election the Returning Officer or Officers, who shall receive any Writ for the Election of any Member or Members to serve in Parliament for any County of a City or County of a Town, shall make due Return of such Writ to the Clerk of the Crown, on or before the Day on which such Writ shall be returnable; and that in all cases where such Writ shall be issued during a Session or Prorogation of Parliament, the Return shall be made of such Writ to the Clerk of the Crown, within Forty Days after the Teste thereof; and all and every such Returning Officer or Officers as shall make Default therein shall forfeit to any Person who shall sue for the same the Sum of One hundred Pounds for each Day such Default shall be made, to be recovered in Manner hereinafter mentioned.

Penalty 100l.

No Fee or Re-
ward to Re-
turning Officer;
Contracts for
making a Re-
turn void.

LXXIII. And be it further enacted, That no Fee, Gratuity or Reward whatsoever shall be given, paid, received or taken, by any Sheriff or Returning Officer or Officers of any County of a City or County of a Town for making out, or for the Delivery, Return or Execution of any Writ or Precept, for the electing a Member or Members to serve in Parliament; and that all Con-
tracts,

tracts, Promises, Bonds and Securities to be made or given to any Sheriff, or other Returning Officer or Officers, for making a Return of any Member to serve in Parliament, or to pay such Sheriff or Returning Officer or Officers any Sum or Sums of Money, by way of Gratuity or Reward for making such Return or otherwise in respect thereof, shall be and are hereby declared to be null and void; and whosoever shall make, give or accept of such Contract, Promise, Bond or other Security, or any Gift or Reward to procure any false Return, shall forfeit a Sum equal to the Value given or intended to be given or accepted in such Contract, Promise or other Security, Gift or Reward; and also the further Sum of Two hundred Pounds to any Person who shall first sue for the same, to be recovered as hereinafter directed.

Persons giving or accepting Reward, &c. Penalty.

LXXIV. And be it further enacted, That every Election or Return of any Persons to serve in Parliament for any County of a City or County of a Town, who shall be under the Age of Twenty one Years, shall be deemed null and void; and that if it shall be determined by any Committee of the House of Commons, who shall try any Petition presented against any such Election or Return, that such Person was under the Age of Twenty one Years on the Day of such Election, a new Writ shall forthwith issue for the Election of another Person in his Place.

Election of Persons under 21 Years void, and new Writs issued.

LXXV. And be it further 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 as Returning Officer, at any Election of a Member or Members to serve in Parliament, for any County of a City or County of a Town, shall be adjudged guilty of high Misdemeanor, and shall be imprisoned for a Period not exceeding 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.

Officers returning corruptly or partially.

High Misdemeanor.

LXXVI. And be it further enacted, That in every Case in which a Poll shall take place as aforesaid, the Returning Officer shall, within Twenty one Days of the final Close of such Poll, deliver all the Poll Books of such Election to the Clerk of the Peace for such County of a City or County of a Town, verifying upon Oath, (which Oath any Justice of the Peace for such County, County of a City, County of a Town or Place, is hereby empowered to administer,) that the Poll Books which he delivers in are the original Poll Books of such Election, upon which the Return was founded; and that from the final Close of the Poll to the Time he delivers in the same there has not been any Obliteration, Erasure, Addition or Alteration made therein, and such Poll Books shall be carefully kept amongst the Records of such County of a City or County of a Town, and the Production of such Poll Books, by such Clerk of the Peace or Officer, or his Deputy, shall be deemed sufficient Evidence of the Authenticity thereof, unless the same shall be disproved.

Poll Books to be delivered to Clerk of the Peace to be kept among Records of County.

LXXVII. And be it further enacted, That the Sheriffs or other Returning Officers of every County of a City or County of a Town shall, at the same Time that they shall return the Poll Books used at every Election for such County of a City or County of a Town to the Clerk of the Peace, as hereinbefore directed,

Account of Sums received by Sheriffs for Expences returned with Poll Books to

return

Clerk of the Peace.

return therewith an Account of the Sums received for the Expenses of such Election from the several Candidates, and the Application thereof, and shall verify the same on Oath, which Oath any Justice or Justices of the Peace is and are hereby authorized to administer.

Clerk of the Peace to take an Oath for Performance of Duty.

LXXVIII. And for the better securing the Performance of the Duties directed to be performed by the Clerk of the Peace or his Deputy, in respect to the Registry of Freeholds, be it further enacted, That the several Clerks of the Peace, or their Deputies, of the several Counties of Cities and Counties of Towns of *Ireland*, shall, at the General Quarter Sessions of the Peace or Adjournment thereof next after the passing of this Act, or at the next General Quarter Sessions of the Peace or Adjournment thereof next after his Appointment, take and subscribe an Oath in the Form following, and which Oath the Justices presiding at the said Session are hereby directed and empowered to administer :

Form of Oath.

‘ I *A. B.* Clerk or Deputy Clerk of the Peace for the County of _____ [as the Case may be] do swear, that I will faithfully and honestly, and without Favour or Affection, perform and discharge the several Duties directed to be performed by the Clerks and Deputy Clerks of the Peace, by an Act passed in the Third Year of His present Majesty’s Reign, intituled [here set forth the Title of this Act]; and that I will not demand or receive any Fee or Fees for discharging any of the said Duties which I am not entitled to by Law.
‘ So help me GOD.’

And which the said Clerks and Deputy Clerks of the Peace are hereby required to deliver to the Treasurer of the County of the City or County of the Town (as the Case may be), to be preserved amongst the Records of the County.

Entertainments, Presents, Cockades, Promises, &c. disallowed.

LXXIX. And be it further enacted, That no Person to be hereafter elected to serve in Parliament for any County of a City or County of a Town shall, after the Teste of the Writ of Summons to Parliament, or after the Vacancy shall have happened to supply which the Election shall be held by himself, his Friends or Agents, or any Person or Persons employed in his Behalf, directly or indirectly, give, present or allow to any Person or Persons having a Vote or Votes in such Election, any Money, Meat, Drink, Entertainment or Provision, Cockades, Ribbands or any other Mark of Distinction, or make any Present, Gift, Reward or Entertainment, or shall at any Time hereafter make any Promise, Agreement, Obligation or Engagement, or give or allow any Money, Meat, Drink, Provision, Present, Entertainment or Reward, to or for any such Person or Persons in particular, or to any such County of a City or County of a Town in general, or to or for the Use, Advantage, Benefit, Employment, Profit or Preferment of any such Person or Persons, Place or Places, in order to be elected or for being elected to serve in Parliament for such County of a City or County of a Town; and that every Person and Persons so giving, presenting or allowing, making, promising or engaging, doing, acting or proceeding, shall be and is and are hereby declared to be disabled and incapacitated to serve

serve in Parliament upon such Election for such County of a City or County of a Town.

LXXX. And Whereas it is expedient, that Persons having Freeholds under the yearly Value of Twenty Pounds, and subject only to Quit or Crown 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 Rentcharge, and liable only to Crown or Quit Rent, to register the same in like Manner as is provided by this Act for Persons having Freeholds of the yearly Value of Twenty Pounds; and that such Person so registering his Freeholds 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 Rentcharge, and that it is liable to no Rent except Quit or Crown Rent, or that it arises from Fee farm Grant, or that I hold it under a Lease or Leases for ever, or under a Lease or Leases for Lives, renewable for ever (as the Case may be);" and that every Person who shall offer to vote by virtue of a Freehold under the Value of Twenty Pounds, and holding the same, subject only to Quit or Crown Rent, shall make the same Affirmations, and take the same Oaths, and answer the same Questions, if required, as are now provided for Persons having Freeholds of the Value of Twenty Pounds: Provided always, that such Persons shall in such Oaths make the several Alterations and Additions as are herein set forth in the Oath of Registry for such Persons.

Persons having Freeholds under 20l. Value to vote, though not residing thereon.

Words to be inserted in Oath of Registry.

Oath or Affirmation by such Persons offering to vote.

LXXXI. And be it further enacted, That if any Person who shall have or claim to have any Right to vote in any Election of a Member or Members of Parliament, for any County of a City or County of a Town, shall directly or indirectly ask, receive or take any Money or other Reward, by way of Gift, Employment or other Reward whatsoever, for himself or any of his Family or Kindred, to give his Vote, or to abstain from giving his Vote in any such Election, or if any Person, by himself, his Friends or by any Person employed by him, shall by any Gift or Reward, or by any Promise or Agreement or Security for any Gift or Reward, corrupt or procure any Person or Persons to give his or their Vote or Votes in any such Election, or to abstain from giving the same, such Person shall for such Offence forfeit the Sum of Five hundred Pounds Sterling, to the Person who shall first sue for the same, to be recovered as hereinafter directed; and every Person offending in any of the Cases aforesaid, from and after Judgment obtained against him in any Action or Information grounded on this Act, shall for ever be disabled to vote in any Election of any Member or Members to serve in Parliament; and also shall be for ever disabled to hold, exercise or enjoy any Office or Franchise to which he or they then shall or at any Time afterwards

Asking or receiving Reward for themselves or others, or influencing others for Reward, &c.

Penalty 500l. and Incapacity.

wards may be entitled, as Member of any City, Borough or Town Corporate, as if such Person was naturally dead.

Polling Twice,
or personating
Voters,

LXXXII. And be it further enacted, That every Person who shall poll a Second Time, or offer to poll a Second Time at the same Election, for any County of a City or County of a Town, or who shall personate any other Person, for the Purpose of polling at such Election, shall be guilty of a Misdemeanor, and upon being thereof convicted shall be imprisoned for any Term not more than Two Years, at the Discretion of the Judge or Judges who shall try such Person.

Imprisonment.

Voting fraudu-
lently.

LXXXIII. And be it further enacted, That if any Person shall vote at any Election, by virtue of a Registry of an alleged Freehold under a Lease for a Life or Lives, made by a Lessor who had not at the Time of making the same a Freehold Estate therein, or under a Lease for a Life or Lives, which Lease is to end and determine on some such Covenant or Condition, that a Freehold Estate has not been demised by the same, or under a Lease for a Life or Lives, or a certain Number of Years, which Life or Lives is or are dead, or under a Lease for a Life or Lives, which Lease has expired or been surrendered, after due Notice not to vote by virtue of any such Registry shall have been given to such Person by any Candidate, or by an Inspector of any Candidate, and which Notice every Candidate and Inspector is hereby authorized and empowered to give to such Person at any Time before or during such Election, or in the Place of polling, such Person, on being convicted thereof, shall forfeit to any Person who shall sue for the same the Sum of Twenty Pounds, to be recovered by him or them, with Treble Costs of Suit, by proceeding in the Nature of Civil Bill at any General Quarter Sessions of the Peace that may be held for the County of the City or County of the Town in which such Election shall have taken place, or by Action of Debt in any of His Majesty's Courts of Record in *Ireland*.

Penalty 20l.
and Treble
Costs.

Voting by
Freehold not
in Possession.
Imprisonment.

LXXXIV. And be it further enacted, That if any Person shall poll at any Election by virtue of a Freehold which he had registered, and of which he shall not be in Possession at the Time of his polling, he shall (if thereof convicted) be imprisoned in the Common Gaol of the County for the Space of Six Calendar Months.

Persons falsely
swearing.

LXXXV. And be it further enacted, That if any Person who shall take any Oath or Affirmation hereby appointed or authorized to be taken, shall wilfully swear or affirm falsely therein, he shall be guilty of wilful and corrupt Perjury, or false affirming, and shall and may be prosecuted for the same as Persons may be now prosecuted who are guilty of wilful and corrupt Perjury, and being thereof convicted he shall incur and suffer the Pains and Penalties which by Law are or may be inflicted in Cases of wilful and corrupt Perjury, and shall be for ever incapable of giving a Vote at any Election of a Member to serve in Parliament; and if any Person shall wilfully and corruptly proceed or suborn any other Person or Persons to take any such Oath or Affirmation, whereby such Person or Persons shall commit wilful Perjury or false affirming, and shall be thereof convicted, such Person so offending shall incur such Pains and Penalties as are inflicted by

Perjury.

any

any Act or Acts for the more effectual preventing and punishing of Subornation of Perjury, and such Person or Persons shall for ever be incapable of giving any Vote at any Election of a Member to serve in Parliament. And Incapacity to vote.

LXXXVI. And be it further enacted, That all pecuniary Penalties inflicted by this Act shall be recovered with full Costs by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Dublin*, and that it shall be sufficient for the Plaintiff in any such Action of Debt or Information to set forth in the Declaration that the Defendant is indebted to him in the Sum of Five hundred Pounds, and to allege the particular Offence for which such Action or Information is brought, and that the Defendant hath therein acted contrary to this Act, without mentioning the Writ of Summons to Parliament, or the Return thereof; and that it shall be sufficient, in any Indictment for any Offence contrary to this Act, to allege the particular Offence, and that the Defendant is guilty, without mentioning the Writ of Summons to Parliament, or the Return thereof; and that upon Trial of any Issue in any such Action, Information or Indictment, the Plaintiff, Informer or Prosecutor shall not be obliged to prove the Writ of Summons to Parliament, or the Return thereof, or any Warrant to the Sheriff, grounded upon such Writ of Summons. Recovery of Penalties.
Framing of Indictment.

LXXXVII. And be it further enacted, That in case the Plaintiff or Informer, in any Action or Information given by this Act, shall discontinue, or be nonsuited, a Judgment shall be given against him, the Defendant shall recover Treble Costs: Provided always, that every Action, Information, Indictment or Prosecution, grounded upon this Act, be commenced within One Year after the Offence shall be committed; and provided also, that in any Action or Suit brought against any Person or Persons, for any thing done in pursuance of this Act, or in relation to the Matters therein contained, the Defendant or Defendants shall or may, at his or their Election, plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial, and that the same was done in pursuance and under the Authority of this Act; and in case the Jury shall find a Verdict for the Defendant or Defendants, 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 upon any Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Double Costs, and have such Remedy for recovering the same as any Defendants hath or have in other Cases by Law. If Plaintiff nonsuited, Treble Costs.
Limitation of Action.
General Issue.
Double Costs.

C A P. LVI.

An Act for maintaining in Repair the Military and Parliamentary Roads and Bridges in the *Highlands of Scotland*, and also certain Ferry Piers and Shipping Quays erected by the Commissioners for Highland Roads and Bridges.

[8th July 1823.]

43 G. 3. c. 80.

‘ WHEREAS an Act was passed in the Forty third Year of the Reign of His late Majesty, intituled *An Act for granting to His Majesty the Sum of Twenty thousand Pounds, to be issued and applied towards making Roads and building Bridges in the Highlands of Scotland; and for enabling the Proprietors of Land in Scotland to charge their Estates with a Proportion of the Expence of making and keeping in Repair Roads and Bridges in the Highlands of Scotland*: And Whereas, in addition to the said Sum of Twenty thousand Pounds, the further Sum of Two hundred and thirty thousand Pounds has at sundry Times since been granted in further Execution of the said Act, by means of which many useful Roads (to the Extent of Eight hundred and seventy five Miles) and many Bridges have been made and completed under several Contracts and Agreements entered into according to the Provisions and Regulations of the said Act: And Whereas another Act was passed in the Fifty

59 G. 3. c. 135.

ninth Year of the Reign of His said late Majesty, intituled *An Act to repeal Two Acts made in the Fifty fourth and Fifty fifth Years of the Reign of His present Majesty, for maintaining and keeping in Repair certain Roads and Bridges in Scotland; to provide more effectually for that Purpose; and for Regulation of Ferries in Scotland*: And Whereas the Commissioners appointed in and by virtue of the said first recited Act were appointed Commissioners for the Purposes of the said last recited Act, together with the Lord Keeper of the Privy Seal of *Scotland*, and the First Commissioner of His Majesty's Woods, Forests and Land Revenues in *England*, who were by the said last recited Act appointed Commissioners for carrying that Act and also the said first recited Act into Execution; any Three of which Commissioners it was by the said Second recited Act directed should constitute a Quorum, of which one of the Commissioners appointed by virtue of his Office should always be one; and by which Act the said Commissioners were directed to maintain in Repair the before mentioned Roads and Bridges, and also several Roads made in the Course of the last Century for the Purpose of Military Communication in *Scotland*, insomuch that nearly Twelve hundred Miles of Road are now under the Care of the said Commissioners: And Whereas, in addition to Five thousand Pounds directed to be annually issued by the Barons of the Exchequer in *Scotland*, for the Purpose of maintaining in Repair such Roads and Bridges, certain Assessments were, by virtue of the said last recited Act, directed to be made and levied, in the Manner therein prescribed, upon the Counties wherein any of the Roads and Bridges therein mentioned were situated, and to such an Amount that the said Counties respectively should thereby be enabled

' enabled to repay the said Commissioners Three Fourths of the
 ' Sum expended on the Roads in the preceding Year ; but in case
 ' such Assessment of any County at One Penny in the Pound
 ' upon the Rents and Profits assessed to the Property Tax in the
 ' Year ending the Fifth Day of *April*, in the Year One thousand
 ' eight hundred and fourteen, under Schedule A., should not
 ' be sufficient to repay Three Fourths of the Sum advanced,
 ' then and in that Case such County should be further assessed
 ' so as to be enabled to repay One Half instead of Three Fourths
 ' of the further Sum of Money advanced by the said Commis-
 ' sioners for the Repair of such Roads and Bridges: And
 ' Whereas it is become expedient that Power should be given
 ' further to increase such Assessments, or to erect Toll Gates
 ' upon the said Roads and Bridges, or some of them, for the
 ' Purpose of maintaining the same in Repair, in aid of or in lieu
 ' of the Assessments so directed to be made and levied on the
 ' several Counties, provided such Toll Gates shall not be erected
 ' in any County, the Heritors of which shall not have pre-
 ' viously signified their Consent thereunto; and moreover it is
 ' expedient that the said last recited Act should be altered, in
 ' such respects as may be necessary, for the Purpose of enabling
 ' the said Commissioners to make such Arrangements as may be
 ' required, with the Heritors of the said Counties, or any of them,
 ' by reason of the Erection or Non-erection of such Toll Gates:
 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 Tem-
 poral, and Commons, in this present Parliament assembled, and
 by the Authority of the same, That it shall and may be lawful
 for the said Commissioners, and they are hereby authorized, to
 notify (if they shall think fit) to the Heritors and Commissioners
 of Supply of any County in which any of the aforesaid Roads or
 Bridges are situated, that the County Assessment, levied by vir-
 tue of the last recited Act, together with the Parliamentary Al-
 lowance thereby given, is insufficient for the due Repair and
 Maintenance of the said Roads and Bridges, situated in such
 County; and that therefore they require the said Heritors and
 Commissioners of Supply to meet and assemble for the Purpose
 of considering, whether it will be fit and proper further to increase
 such Assessments; or that Toll Gates should be erected on any
 of the said Roads and Bridges within such County, in aid of or
 in lieu of the Assessment levied in such County; the said Notifi-
 cation to be communicated to the Heritors and Commissioners of
 Supply, by sending it in Writing to the Convener of such County;
 and, upon receiving such Notification in Writing, such Convener
 shall within Three Months thereafter summon and assemble, or
 cause to be summoned and assembled, the Heritors and Com-
 missioners of Supply (in the Way and Manner in which Heritors
 and Commissioners of Supply are summoned to meet and assem-
 ble in *Scotland*.) for the Purpose of taking into Consideration the
 said Notification; and, upon being so summoned, such Heritors
 and Commissioners of Supply shall meet and assemble accord-
 ingly, and come to a Resolution or Resolutions in such Behalf,
 which Resolution or Resolutions shall forthwith be transmitted to
 the

Notification to
 be made by
 Commissioners
 to Heritors
 that County
 Assessment is
 insufficient.

Resolution to
 be come to by
 Heritors.

the aforesaid Commissioners for the Repair of Roads and Bridges appointed by the Act of the Fifty ninth Year of the Reign of His late Majesty hereinbefore recited, in which Resolution or Resolutions it shall be stated and thereby ascertained, whether the Heritors and Commissioners of Supply of such County are willing and desirous further to increase such Assessment, or that Toll Gates shall be erected and Tolls levied in Aid of the County Assessment before mentioned, or in lieu of such County Assessment; or that the County Assessment shall not be increased, and that no such Toll Gates shall be erected.

Proceedings in case Resolution shall be to increase the County Assessment.

II. And be it further enacted, That in case the said Resolution or Resolutions of the Heritors and Commissioners of Supply shall bear, that they are willing and desirous that the County Assessment shall be further increased, so as to defray the total Expence of maintaining in Repair the said Roads and Bridges in such County, beyond the Sum allotted for that Purpose out of the Five thousand Pounds hereinbefore mentioned, then and in such Case, the said further Assessment shall be made, levied and collected in the same Manner, and together with the Assessment directed to be made, levied and collected, under the Act of the Fifty ninth Year of the Reign of His late Majesty, hereinbefore recited; provided nevertheless, that in all such Counties as are chargeable with a Sum not exceeding One hundred and fifty Pounds respectively, as their Proportion of the Expence of repairing the said Roads and Bridges, in the Year One thousand eight hundred and twenty two, it shall and may be lawful for the Commissioners of Supply of such County, at any Meeting which shall be held in any County for this special Purpose within Six Months after the passing of this Act, to order and direct the Way and Manner in which such Assessment shall be made and levied in such County, in each and every Year thereafter, either separately or along with any other Assessment in such County; and a Copy of the Order thereupon to be made, signed by the Preses of such Meeting, shall be forthwith transmitted to the Clerk of the Commissioners of Supply of such County, and the same shall be laid by the Clerk of Supply before the First Meeting of the Commissioners of Supply, which shall be held thereafter, and from and after the Receipt of such Order the Commissioners of Supply of such County are hereby directed to proceed accordingly.

Copy of Order signed by Preses, and transmitted to Clerk of Commissioners.

How Commissioners to proceed thereon.

III. Provided always, and be it enacted, That for the greater Convenience of Computation and of Collection of the Proportion of the Expence of repairing the said Roads and Bridges, it shall and may be lawful for the Commissioners of Supply of any County to make and appoint such an Assessment as shall produce a Sum larger than the Sum advanced by the said Commissioners for the Repair of Roads and Bridges, and due to them by the said County, the Surplusage thereof to remain applicable in aid of the Assessment of the following Year or Years: Provided always, that such Surplusage shall not exceed One Fourth Part in addition to the Sum advanced by the Parliamentary Commissioners, and due to them by the said County, payable out of the County Assessment.

IV. And,

IV. And be it further enacted, That in case the said Resolution or Resolutions of the Heritors and Commissioners of Supply shall bear, that they are willing and desirous that Toll Gates shall be erected, and Tolls levied, in aid of the County Assessment upon any of the Roads or Bridges situated in such County, the said Commissioners for the Repair of Roads and Bridges shall determine whether in their Opinion the Tolls thence accruing will probably aid and relieve the County Assessment and Parliamentary Allowance, to such Amount, that the other Roads on which Tolls are not proposed to be levied may be maintained in Repair under the Provisions of the said recited Act, passed in the Fifty ninth Year of the Reign of His late Majesty; and if the said Commissioners shall determine in the Affirmative, they shall proceed to erect Toll Gates and levy Tolls accordingly, as hereinafter directed; provided always, that separate Accounts shall be kept of the Charge of maintaining the Roads maintained by Tolls, and of the Roads maintained as at present: but if the said Commissioners shall be of Opinion, that the Tolls proper to be imposed on the Roads specified in the aforesaid Resolutions will not be sufficient for the Maintenance of the same, or if they shall be of Opinion that the Roads specified in the Resolution or Resolutions of the County Meeting are not the preferable Roads on which Tolls ought to be levied in such County, then and in that Case such Opinion of the Commissioners for the Repair of Roads and Bridges shall be communicated to the Convener of such County in order that the Matter may be again laid before the Heritors and Commissioners of Supply of such County, and if they shall not concur in the Opinion of the Commissioners for the Repair of Roads and Bridges, the said Commissioners are hereby authorized and empowered to proceed as if the Heritors and Commissioners of Supply had determined not to increase the County Assessment, and that no Toll Gates whatever should be erected.

V. And be it further enacted, That in case the said Resolution or Resolutions of the Heritors and Commissioners of Supply shall bear, that they are willing and desirous that Toll Gates shall be erected, and Tolls levied, in lieu of the County Assessment, upon such of the said Roads or Bridges as the said Commissioners for the Repair of Roads and Bridges shall think fit, then and in such Case the said last mentioned Commissioners are hereby authorized and empowered to erect Toll Gates, and to levy Tolls, on such of the Roads or Bridges as in their Opinion can be maintained by Tolls in lieu of the Assessment of such County; and such County Assessment shall cease and determine, and be no more assessed or levied, beyond what may be assessed and leviable in Repayment of the Advance made by the Commissioners for the Repair of Roads and Bridges, in the Year in which such Resolution for the Establishment of Tolls in lieu of the County Assessment, shall be notified to the said Commissioners: Provided always, that it shall and may be lawful for the said last mentioned Commissioners, and they are hereby required, to repair any other of the Roads or Bridges now under their Care in such County, upon receiving from any Heritor or Heritors of such County as shall have determined that Toll Gates shall be erected in lieu of the County Assessment, a Sum

Proceedings as to Resolutions of Heritors in case of erecting Toll Gates, levying Tolls, &c.

And where the Commissioners of opinion that the Tolls will be insufficient.

In what Case County Assessment is to cease.

Proviso for the Repair of other Roads.

a Sum equal to Two Third Parts of the estimated Expence of repairing the same, or any Part thereof.

In what case the Commissioners under 59 G. 3. c. 135. are exonerated from the Care of Roads and Bridges.

VI. And be it further enacted, That in case the said Resolution or Resolutions of the Heritors and Commissioners of Supply shall bear, that they are unwilling to increase the County Assessment, or that any Toll Gates shall be erected by virtue of this Act, then and in such Case the Commissioners appointed by the said recited Act of the Fifty ninth Year of the Reign of His late Majesty, are hereby authorized to declare and notify to the Convener of such County, that in their Opinion the County Assessment, leviabie by virtue of the said recited Act passed in the Fifty ninth Year of the Reign of His late Majesty, together with the Sum allotted to such County out of the Five thousand Pounds *per Annum* thereby given, is insufficient for the Purpose of maintaining in due Repair the Roads and Bridges in such County now under the Care of the said Commissioners, and that therefore they intend to withdraw themselves from any further Care of the same; whereupon they shall be, and are hereby exonerated accordingly, at the End of the Year in which such Notification shall have been made: Provided always, that the County shall remain bound to repay to the said Commissioners the Sum advanced in that Year for the Repair of Roads and Bridges in such County.

County to re-pay Commissioners.

Toll Gates to be erected, and Tolls to be levied.

VII. And be it further enacted, That after a Resolution of the Heritors and Commissioners of Supply of any County, to the Effect that they are willing and desirous that Tolls should be levied in such County, it shall and may be lawful for the said Commissioners, and they are hereby empowered to direct such Number of Toll Gates to be erected across any Part of any of the said Roads or Bridges in such County, and such Number of Toll Houses as they shall think fit, and to authorize Collectors or Tacksmen acting under their Authority, from time to time as they shall find necessary, to take and levy at each of such Gates, before any Passage be permitted, a Sum or Sums of Money, not exceeding the following Rates; that is to say,

For every Horse or other Beast of Draught, drawing any Coach, Berlin, Landau, Chariot, Chaise, Calash or other such Carriage with Four Wheels, the Sum of Nine Pence Sterling:

For every Horse or other Beast of Draught, drawing any Chaise, Gig, Curricie or other like Carriage, with Two Wheels, the Sum of Six Pence Sterling:

For every Horse or other Beast of Draught, drawing any Waggon, Wain, Cart or other like Carriage, the Sum of Three Pence Sterling:

For every Horse or Mule, with or without a Rider, laden or unladen, and not drawing, the sum of Two Pence Sterling:

For every Drove of Oxen, Neat Cattle, Asses, Horses or Fillies unshod, the Sum of Ten Pence Sterling *per Score*, and so in proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, Lambs or Goats, the Sum of Five Pence Sterling *per Score*, and so in proportion for any greater or less Number.

Post Horses going to fetch

VIII. Provided always, and be it enacted, That no Post Horse which shall be hired to draw any Carriage shall when going to fetch

fetch or draw such Carriage be liable to any Toll on passing through any Toll Gate to be erected by virtue of this Act. a Carriage not liable.

IX. And be it further enacted, That within One Calendar Month after any Toll Gate shall be erected by virtue of this Act, the said Commissioners shall, and they are hereby required to put up or cause to be put up, and afterwards to be continued at every such Toll Gate, a Table, painted in distinct and legible Black Letters on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Tolls payable at every such Gate, distinguishing the several Tolls, and the different Sorts of Carriages for which they are to be paid, where there shall be any Variation therein, and also a List of the several Gates which shall be wholly or partially cleared by the Payment of Toll at the Toll Gate or Bar where such Table of Tolls shall be affixed; and the said Commissioners shall also provide Tickets denoting the Payment of Toll, and on such several Tickets shall be named and specified the Name of the Gate at which the same respectively shall be delivered, and also the Names of the several Gates freed by such Payment, one of which Tickets shall be delivered *gratis* to the Person paying the Toll, and on the Production of such Ticket at any Gate or Gates therein mentioned as being cleared as aforesaid by the Payment of the Toll at the Gate where such Ticket was delivered, the Person producing the same shall pass through the Gate or Gates therein mentioned, without paying any further or additional Toll. Commissioners to put up a Table of Tolls.

Tickets denoting Payment of Toll to be provided and delivered to Persons paying Toll.

X. And be it further enacted, That the Tolls so to be raised and collected by virtue of this Act shall and are hereby declared to be vested in the said Commissioners, and shall be strictly applied to and for the Uses and Purposes by this Act directed, nor shall any Part thereof be expended without their Directions; and if any Person or Persons subject to the Payment of Tolls hereby granted shall, after Demand made, neglect or refuse to pay the same, the said Commissioners shall be and are hereby empowered, by such Person or Persons as they shall appoint, to levy the same by Distress and Sale of any Horse or Horses, or other Cattle or Carriage upon which such Toll is imposed; and in case the Toll and Charges of the Distress shall not be paid at the Expiration of Six Days after the same shall have been so distrained, to sell the Cattle or Carriage distrained by Public Auction, Roup or Outcry, at the Toll House where the Toll should have been paid, returning the Overplus (if any be) to the Owner on Demand, after Deduction of such Toll, and all Charges for distraining, keeping, appraising and selling the same. Application of Tolls.

Proceedings if Toll not paid.

XI. And be it further enacted, That the Right and Property of all and every the said Toll Gates, Toll Houses and Premises, to be erected by virtue of this Act, and of the Materials thereof, with the Materials that shall be collected and dug up for making and repairing the said Roads and Bridges, shall be vested in the said Commissioners, who may and they are hereby authorized to dispose of them as they shall think proper for the Purposes of this Act only. Property of Toll Houses and Materials vested in Commissioners.

XII. And for the better enabling the said Commissioners to erect the Toll Houses necessary for collecting the said Tolls, be it further enacted, That the said Commissioners shall be and they are Power to purchase or take

in Lease
Ground ne-
cessary for Toll
Houses.

are hereby empowered to purchase or take in Lease such Pieces of Ground as they shall judge most convenient, not exceeding One Fourth of an Acre for each House if Waste Land, and not exceeding One Eighth of an Acre if inclosed or cultivated Land; and if they cannot agree with the Proprietor and Occupier of the Ground, they shall apply to the Justices of the Peace assembled in Quarter Sessions, who shall have Power, and they are hereby required to oblige such Proprietor or Occupier to give a Lease of the said Ground for any Term not exceeding the Continuation of this Act, and to fix the Rent of the same.

Disputes con-
cerning Tolls
to be settled by
a Justice.

XIII. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls due, or the Charges of making, keeping or selling any Distress, such Disputes shall be settled and determined by some Justice of the Peace for the County wherein such Dispute shall arise, who, on Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses, and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Nonpayment thereof forthwith, by Warrant under the Hand of such Justice, rendering the Overplus (if any) on Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Effects shall be so distrained and sold.

Costs.

Application of
Tolls.

XIV. Provided always, and be it further enacted, That after deducting the Charges of Management, and other legal Burdens, the Produce of the Tolls granted by this Act shall be applied by the said Commissioners towards repairing and upholding, improving or altering the said several Roads and Bridges whereon such Tolls or Duties shall respectively be collected; or to the repairing and building Parapets, Drains and other Works thereupon, where the same shall be found necessary.

Assisting in
evading the
Tolls.

XV. And be it further enacted, That if any Person occupying any Lands or other Premises near to any of the said Roads and Bridges shall suffer or permit any Person or Persons, not being his or her Servants, or of his, her or their Family, to pass over the same, or through any Gate or Passage, with any Horse, Beast or Carriage, for which Toll is to be paid by virtue of this Act, or shall connive thereat, with Intent to evade the Payment of the said Tolls or any of them; or if any Person shall forcibly pass through or assist any Person in passing through any Gate erected by virtue of this Act, whereby the Payment of such Toll may be evaded, such Person so permitting, and the Person or Persons riding or driving such Horse, Beast or Carriage through such Lands or Private Passage; and any Person or Persons riding or driving any Horse, Beast or Carriage through any private Road, (not being within the Exception aforesaid,) or forcibly passing through any such Gate, being convicted thereof by the Testimony of One or more credible Witness or Witnesses before the Sheriff Depute or Substitute, or any One or more of the Justices of the Peace for the County wherein the Offence shall be committed, shall for every such Offence forfeit and pay to the said Commis-

Commissioners, or to their Collector or Collectors, any Sum not exceeding Five Pounds Sterling.

XVI. And be it further enacted, That if any Person or Persons shall take off any Horse or Horses, or Oxen, or other Beasts of Draught, from any Carriage at or before the same shall come to any of the Gates erected by virtue of this Act, and after having passed any such Gate shall afterwards add or put on the same to such Carriage, with an Intention to evade the Payment of any of the Tolls hereby imposed, or any Part thereof, each and every Person or Persons so offending in any of the Cases aforesaid, and being thereof convicted in Manner aforesaid, shall forfeit and pay to the said Commissioners, or to their Collector for the Time being, any Sum not exceeding Twenty Shillings Sterling.

Penalty.
Taking off
Horses, &c.
to evade Tolls.

XVII. And be it further enacted, That no Person or Persons having paid the Tolls hereinbefore granted at any of the said Gates, shall on the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock of the succeeding Night) be liable to pay again the said Tolls at any Gate through which they shall have passed, for the same Horses or other Beasts of Draught, drawing the same Coach, Cart or other Wheel Carriage, or for the same Horse or other Beast or Cattle, for which any such Toll shall have been so previously paid on the same Day.

Penalty.
Tolls payable
only once in
the same Day.

XVIII. And be it further enacted, That if any Gates shall be erected by virtue of this Act within a less Distance of each other than Six Miles, any Person or Persons producing a Ticket to shew that he, she or they have paid the Tolls at one Gate, shall not pay any farther Tolls till the Distance shall exceed Six Statute Miles, from the Gate at which he, she or they shall have paid: Provided always, that if at any Time the Commissioners shall think fit to lessen the Number of such Gates, without diminishing the Amount of Tolls payable, it shall and may be lawful for them so to do, and thereafter to demand and take Double Toll at any Gate which shall not be placed within Nine Miles of any other Gate: Provided always, that the Number of single Tolls demanded and taken shall not exceed One for Six Miles of Road.

Toll Gates
within Six
Miles from
each other.

Toll may be
increased when
Gates dimi-
nished.

XIX. And Whereas on several of the Roads to be maintained in Repair by virtue of this Act no Post Horses can be hired, by reason of which the same Horses cannot return in the same Day (as is usual on other Turnpike Roads), and will thereby become again subject to Toll, contrary to the true Intention and Meaning of this Act; Be it therefore enacted, That Horses so returning with an empty Carriage, or without any Carriage, shall not be chargeable with any Toll in case the highest Rate of Toll authorized by this Act shall have been demanded and paid for the same Horses within sufficient Time (to be determined by the said Commissioners) for the same Horses to return from the Place or Places nearest to the first Toll Gate where Post Horses can be hired on such Road respectively; but in case the full Toll shall not have been paid, such further Toll may be demanded and taken for the said returning Horses as shall, with the Toll previously paid for such Horses, amount to not more than the full Toll authorized by this Act.

In what Case
Post Horses
not to pay when
returning.

XX. And

Tickets to be delivered on Payment of Tolls.

XX. And be it further enacted, That upon Payment of the said Tolls the Collector or Receiver thereof shall and he is hereby required to deliver *gratis* to the Person paying such Tolls, a Note or Ticket denoting such Payment, and there shall be printed and specified thereon the Names of the several and respective Gates freed from such Payment.

Giving Tickets to another Person.

XXI. And for preventing Fraud and Abuses in the said Tolls, be it further enacted, That if any Person or Persons having a Note or Ticket, Notes or Tickets, signifying the Payment of such Toll, shall give or dispose of the same to any other Person or Persons in order to avoid Payment of the said Toll, every such Person so giving or disposing of such Note or Ticket, Notes or Tickets, or receiving the same, being convicted thereof upon Oath before One or more Justice or Justices of the Peace, or before the Sheriff Depute or Substitute of the County wherein the Offence shall have been committed, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings Sterling to the said Commissioners or their Collector or Collectors.

Penalty.

Obstructing Collectors. Penalty.

XXII. And be it further enacted, That if any Person or Persons shall assault, interrupt, hinder, obstruct or disturb, or cause, promote or encourage to be assaulted, interrupted, hindered or disturbed, any Collector of the said Tolls, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Toll Collectors not putting up their Names;

XXIII. And be it further enacted, That all and every Toll Collector appointed either by the said Commissioners, or by any Lessee or Lessees under them, to collect the Tolls payable at any Toll Gate erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, on the Front or on some other conspicuous Part of the Toll House or Toll Gate immediately upon his coming on Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty, each of the Letters of such Name or Names to be at least One Inch in Length, and of a Breadth in proportion, and painted in White Letters on a Black Ground, or Black Letters on a White Ground; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall not give constant Attendance at all Hours, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of this Act, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, or shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls, or any of them, or shall give a false Name or Names on such Demand, or shall refuse or neglect to give a Ticket denoting the Payment of the Toll, and naming and specifying the several Gates freed by such Payment, or shall make use of any scurrilous or blasphemous Language to any Person or Persons travelling upon the said Roads and Bridges, or shall without sufficient Cause detain or delay any Person or Persons travelling thereon, then and in every such Case every such Collector shall

or not attending.

Unduly demanding Tolls and otherwise offending.

shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge. **Penalty.**

XXIV. And be it enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages attending His Majesty or any of the Royal Family. **Exempting Royal Family.**

XXV. Provided always, and it is hereby further enacted and declared, That no Person or Persons shall be charged with any of the Tolls aforesaid, for passing through any of the Toll Gates to be erected by virtue of this Act, who shall not travel above Two hundred Yards on any of the said Roads; nor any Person carrying or conveying Stones or other Materials for making, repairing and building the said Roads and Bridges, or other Public Roads or Bridges, or any of the Causeways within or belonging to the same, or going or returning empty for these Purposes; nor shall any Occupier or Occupiers of Land be charged with any of the Tolls aforesaid for passing from one Part to another of the same Farm; nor shall any Occupier or Occupiers of Fields or Burgh Roods on which no Offices or Barn Yards are erected for the Use of the said Fields or Lands, be liable to pay any of the said Tolls for any Horses or Carriages carrying Dung to the said Fields or Roods from the said Yard where such Dung is made, for the Use of the said Fields or Roods; nor carrying any Corn in the Straw, Hay or Grass, being the Produce of the said Fields or Roods, to the Place where the said Corn in the Straw, Hay or Grass is usually kept or used by the said Occupier or Occupiers; nor for empty Carriages returning from carrying the Matters aforesaid or any of them; nor shall any Toll be demanded from any Person or Persons who shall pass or return through the said Gates to or from their proper Church or Chapel, or any Person or Persons going to or returning from his, her or their usual Place of Religious Worship tolerated by Law upon *Sunday*, or any other Day on which Divine Worship is ordered by Authority to be celebrated; nor from any Clergyman within his own Parish going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; nor for any Person or Persons who shall pass or return in attending the Funeral of any Person or Persons who shall be buried within the Parish in which such Person or Persons died; nor for Horses or Cattle going to or returning from pasturing or watering Places, or going to Smithies for the Purpose of being shod; nor for any Horses or Carriages of whatever Description employed or to be employed in carrying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in carrying, fetching or guarding such Mails or Expresses, or in returning from conveying the same; nor for the Horses or Carriages of Officers or Soldiers upon their March or upon Duty, or for any Horses, Cattle or Carriages employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded or disabled Officers or Soldiers, or in returning from carrying or conveying the same; nor for any Horse, Mare or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, **Exemptions. Conveying Materials for Roads, &c. Going to Farms. Carrying Corn in the Straw, &c. Going to Church. Clergymen visiting the Sick, &c. Funerals. Horses going to watering Places, &c. Mails. Officers and Soldiers on March, &c. Volunteer Corps.**

Carriages conveying Criminals.

Unduly claiming Benefit.

Penalty.

Carriages with Stores for the Forces, Barracks, &c. exempt.

Powers for Commissioners to farm Tolls.

Notice given to let Tolls.

Tolls to be put up at Sum produced the preceding Year.

Mode of receiving Biddings.

Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise; provided always, that such Persons shall be dressed in the Uniform of their respective Corps, and have their arms, Furniture, and Accoutrements according to the Regulation provided for such Corps respectively; nor for Carts, Carriages or Waggon, travelling with and conveying Vagrants or Criminals sent with legal Passes or Warrants, or returning from conveying the same; and if any Person shall claim or take the Benefit of any of the said Exemptions not being legally entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds Sterling.

XXVI. And be it further enacted, That no Person owning or driving, or causing to be driven any Waggon, Wain, Cart or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart or other Carriage be stopped or detained by reason of any Weight in 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 or Driver of any such Waggon, Wain, Cart or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads or in this Act contained to the contrary notwithstanding.

XXVII. And be it further enacted, That it shall and may be lawful for the Commissioners to let to farm the Tolls of the several Gates erected by virtue of this Act in the Manner hereinafter mentioned; (that is to say,) the said Commissioners shall cause Notice to be given of the Time and Place for letting the same, at least One Month before the Day to be appointed for that Purpose, by affixing the same upon every Toll Gate after the same shall have been erected, and also by Insertion thereof in some public Newspaper circulated in that Part of the Country, and from and after the Expiration of One Year after the Tolls at any such Gate shall have been once let, specifying in every such Notice the Sum which the said Tolls produced in the preceding Year, clear of the Salary for collecting the same, in case any hired Collector was appointed; and that they will let such Tolls by Auction to the best Bidder, on his producing sufficient Sureties for Payment of the Money monthly or otherwise (as in such Notice shall be specified) and that they will be put up at the Sum which they were let for or produced in the preceding Year, clear of the Salary of the Collector; and to prevent Fraud, or any undue Preference in the letting thereof, the said Commissioners are hereby required to provide a Glass with so much Sand in it as will run from one End of it to the other in One Minute, which Glass, at the Time of letting such Tolls, shall be set upon a Table, and immediately after every Bidding the Glass shall be turned, and as soon as the Sand is run out shall be turned again, and so for Three Times, unless some other Bidding intervene; and if no other Person shall bid until the Sand shall have run through the

the Glass Three Times, the last Bidder shall be the Farmer or Renter of the said Tolls, and shall forthwith enter into a proper Agreement for the taking thereof and paying the Money at the Times specified in such Notice, with such Surety or Sureties for Payment thereof, and under such Conditions and in such Manner as the said Commissioners shall think fit; and if the Person being the last Bidder shall not forthwith enter into such Agreement, it shall and may be lawful to put up the said Tolls again immediately for another Bidder, and in like Manner to continue putting up the same until a Bidder shall be found who shall enter into such Agreement; and in case no Bidder shall offer, or in case the same shall not be let at any such Auction, it shall be lawful for the said Commissioners to accept a private Tender for the same, and to demise or let to farm or agree to demise or let to farm all or any of such Tolls at any Sum not less than the Sum at or for which they shall then have been last let, or the said Commissioners may appoint a Collector of such Tolls, or fix some future Day for the letting thereof, as they shall judge most proper, upon giving such Notice thereof as aforesaid, and shall and may in that Case put them up at such Sum as they shall think fit; and if the Person or Persons who shall be the Farmer or Renter or Collector or Collectors of such Tolls, shall take a greater or less Toll from any Person or Persons than what is authorized and directed by this Act, he or they shall, for every such Offence, forfeit the Sum of Five Pounds, and the said Agreement for renting the Tolls shall, if the said Commissioners shall think fit to vacate the same, become and be null and void: Provided always, that at all such Lettings, the said Commissioners shall be entitled to bid for the Tolls so to be let, either by themselves or any other Person by them respectively authorised: Provided also, that no such Tolls shall be demised or leased for any longer Term than Three Years at any One Time.

XXVIII. And be it further enacted, That the said Commissioners shall have Power to compound or agree with any Person or Persons using any of the said Roads and Bridges, or any Ferry Pier or Shipping Quay hereinafter mentioned, for any specified Sum of Money to be paid, or for any specified Quantity of Labour to be performed by him, her or them, in lieu of paying Tolls or Tonnage Rates during One whole Year; and Copies of all such Agreements shall be entered in a Book or Books to be kept for that Purpose by the Chief Inspector of Highland Roads, and by the Law Agent of the said Commissioners, to be seen and perused by any Person or Persons at all reasonable Times without Fee or Reward.

XXIX. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break down or otherwise destroy or deface any Gates, Mile Stones, Posts, Chains, Bars, Houses, Fences or other Works whatsoever, erected for the Use of such Toll Gates, or any of the Ferry Piers or Shipping Quays hereinafter mentioned, or shall rescue any Person in Custody for any of these Offences, every Person so offending, being thereof lawfully convicted in any Prosecution ordered by the said Commissioners, upon the Oath of One or more credible Witness or Witnesses, before the Sheriff Depute or his Substitute, or any

Agreement.

If Tolls be not let at such Auction, a private Tender may be accepted.

Collectors taking more or less than the authorized Toll, Penalty 5l.

Commissioners bidding.

Term of Lease.

Power to compound with Travellers.

Entered in Book.

Injuring Gates, &c.

Penalty and
Imprisonment.

Two or more Justices of the Peace of the County wherein the Offence shall be committed, shall be condemned to pay any Sum not exceeding Five Pounds Sterling, and to be imprisoned any Time not exceeding One Calendar Month, and thereafter until the Damages awarded shall be paid.

Provision as to
certain Military
Roads.

‘ XXX. And Whereas in certain Counties in the Highlands of
‘ *Scotland* there are Military Roads which are not under the Care
‘ and Superintendence of the Commissioners appointed by the
‘ herein recited Act passed in the Fifty ninth Year of His late
‘ Majesty, by reason that such Counties have hitherto been
‘ unwilling to raise by Assessment a Portion of the Sum necessary
‘ for maintaining the same in Repair : And Whereas such Counties
‘ or some One of them may be willing to raise, by Means of
‘ Tolls, a Sum which may be sufficient to put and maintain the
‘ said Military Roads in such County, or a Part of such Military
‘ Roads in Repair ; Be it therefore enacted, That in such Case
it shall and may be lawful for the Heritors and Commissioners of
Supply of any such County, at any General Meeting specially
summoned by the Convener for that Purpose, to determine on a
Resolution to such Effect, and to communicate the same to the
said Commissioners, who shall thereupon take the same into Con-
sideration, and if it shall appear to them that the said Military
Road, or Part of such Military Road, in such County can be so
put and maintained in Repair, in such Case it shall and may be
lawful for the said Commissioners to signify their Opinion to that
Effect, to the Heritors and Commissioners of Supply of such
County, and to publish the same in the Newspaper or Newspapers
usually circulated in such County ; and thereupon Toll Gates
shall and may be erected and Tolls levied pursuant to this Act ;
and the said Military Road, or Part of such Military Road, in
such County, shall thereafter be placed under the Care and Super-
intendence of the said Commissioners, in the Manner provided by
the said herein recited Act, passed in the Fifty ninth Year of the
Reign of His late Majesty.

Toll Gates
erected on
Notice pub-
lished.

Power to
borrow Money.

XXXI. And be it further enacted, That it shall be lawful for
the said Commissioners to borrow such Sum or Sums of Money
as they shall judge to be necessary, on the Credit of the Tolls
leviable at any of the Gates to be erected by virtue of this Act,
to be laid out in altering, amending and repairing the said Roads
or Bridges, erecting Toll Houses, and defraying other Expences
of carrying this Act into Execution, provided that the whole
Amount of the Money so borrowed shall not at any Time exceed
Two hundred and fifty Pounds Sterling *per Statute Mile*, declaring
that the Money so borrowed shall be and continue a Lien upon
the Tolls granted by this Act, upon that Part of the Road, or
upon the Bridge, for the Use of which the Money was borrowed
or advanced, in preference to future Loans ; and it shall be
lawful for the said Commissioners and they are hereby empowered
to assign the Whole or any Part of the Tolls by this Act imposed,
levied upon the Road, or at the Bridge, in respect whereof the
same shall have been borrowed, to the Person or Persons from
whom the Money as aforesaid shall be borrowed, as a Security for
Payment of the Sum or Sums of Money so lent by them, with
the Interest thereupon ; and the Assignments of the Tolls for
Money

Security for
Money bor-
rowed.

Money so borrowed shall be entered in a Book to be kept by the Chief Inspector of Highland Roads, and by the Law Agent of the said Commissioners; which Book may be seen and perused at all reasonable Times by any Person interested as a Creditor, without Fee or Reward; and the Securities to be granted by the said Commissioners for the Purposes aforesaid shall be transferable by Indorsement duly subscribed by the Party transferring in the Presence of One or more subscribing Witness or Witnesses: Provided always, that the Portion of the Tolls so assigned shall not be assigned otherwise than on condition that the Road or Bridge shall be preferably maintained in sufficient Repair according to the true Intent and Meaning of this Act.

Entered in a Book.

XXXII. And be it further enacted, That the Assignment to be granted shall be in the following Form:

Form of Assignment.

BY virtue of an Act passed in the Fourth Year of the Reign of His Majesty King George the Fourth, intituled [*insert Title of this Act,*] we the Commissioners authorized to put the said Act into Execution, in Consideration of the Sum of _____, advanced by *A. B.* to us, do hereby assign to the said *A. B.* his Executors and Assignees, the Tolls [*describing them*] to be held by the said *A. B.* his Executors and Assignees, from this _____ Day of _____, in the Year _____, and till the said Sum of _____, with Interest, at the Rate of _____ *per Centum per Annum*, be settled and paid. In witness whereof we have subscribed this Assignment, written on stamped Paper by *C. D.* at _____, on the _____ Day of _____, in the Presence of _____

XXXIII. And be it further enacted, That the said Assignment shall be transferable by simple Indorsation in the following Words:

Assignment transferable.

I *A. B.* do hereby transfer this Assignment, with all my Right and Title to the principal Sum and Interest thereby secured unto *E. F.* his Executors and Assignees. Witness my Hand, at _____ this _____ Day of _____, in the Year _____, before these Witnesses _____

XXXIV. And be it further enacted, That the said Commissioners may cause any of the said Roads to be measured, and Stones or Posts to be erected on the Sides thereof, denoting the Distance at each Mile, or at such other Distances as they may judge convenient, and also to order or cause to be erected Guide Posts and Railings upon such Parts of the said Roads where the Roads are crossed or joined by other Roads, as they shall judge proper; and if any Person or Persons shall break down, destroy or deface any such Mile Stones, Guide Posts or Railings, or shall break down any Cope Stones on the Ledges or Parapet Walls at the Sides of any of the Bridges on the said Roads, or shall turn any Stream of Water upon any Part of the said Roads, unless a sufficient covered or arched Drain or Passage shall have been previously made, or shall be aiding or assisting therein, or shall

Roads may be measured and Stones or Posts erected.

Damaging Mile Stones, &c.

rescue or attempt to rescue any Person apprehended for any such Offence, every Person so offending in any of the Cases aforesaid, and being thereof lawfully convicted by the Oath or Oaths of One or more credible Witness or Witnesses, before the Sheriff Depute or Substitute, or Two or more Justices of the Peace for the County in which the Offence shall be committed, shall be not only adjudged to pay the Whole of the Damages and Expences sustained, but also a Penalty not exceeding Five Pounds Sterling; and in case the said Penalty, Damages and Expences so adjudged shall not be instantly paid, or sufficient Security given for the same, the said Sheriff or Justices are hereby empowered and required to commit such Person or Persons so convicted to Prison for any Term not exceeding Three Calendar Months.

Penalty.

43 G.3. c.80.

Provision for
Repair of Ferry
Piers and Ship-
ping Quays.

‘ XXXV. And Whereas several Ferry Piers and Shipping Quays
‘ have been erected by the Commissioners appointed by the said
‘ recited Act passed in the Forty third Year of the Reign of His
‘ late Majesty, intituled *An Act for granting to His Majesty the*
‘ *Sum of Twenty thousand Pounds, to be issued and applied towards*
‘ *making Roads and building Bridges in the Highlands of Scotland;*
‘ *and for enabling the Proprietors of Land in Scotland to charge*
‘ *their Estates with a Proportion of the Expence of making and*
‘ *keeping in repair Roads and Bridges in the Highlands of Scotland:*
‘ And Whereas it is expedient to provide Funds for maintaining
‘ the same in Repair; Be it enacted, That it shall and may be
lawful for the said Commissioners, and they are hereby empowered
to direct that no Person shall be permitted to embark from, or to
land on such Pier or Quay, by means of any Ferry Boat plying
for Hire, or any other Boat, unless and until a Sum not exceeding
Two Pence *per* Boat (at the Discretion of the said Commissioners)
shall be paid for every such Ferry Boat or other Boat arriving at
or departing from any such Pier or Quay; nor shall any Goods
or other Commodities be embarked from or landed at any such
Pier or Quay from any Vessel or Boat (not being a Ferry Boat
plying for Hire nor a Vessel whose Tonnage is registered,) unless
and until a Sum not exceeding Two Pence *per* Ton shall be paid
for every Ton Weight of such Goods or Commodities so embarked
or landed; and any fractional Part of a Ton Weight less than
a Quarter, Half or Three Quarters of a Ton shall be charged as
a Quarter, Half or Three Quarters of a Ton respectively, and any
fractional Part exceeding Three Quarters of a Ton shall be charged
as a whole Ton; and in case of Vessels whose Tonnage is re-
gistered, a Sum not exceeding Two Pence *per* Ton shall be
chargeable and paid for every Ton of the registered Tonnage of
such Vessel arriving at or departing from such Pier or Quay.

Table of Rules
for Preservation
of Ferry Piers
and Shipping
Quays to be
painted on
Boards.

XXXVI. And be it further enacted, That it shall any may be
lawful for the said Commissioners to make such Rules and Regu-
lations as they shall think fit to prescribe for the Preservation and
Use of such Ferry Piers and Shipping Quays, and to enforce the
same by such moderate Penalties as they shall think proper, not
exceeding Five Pounds for any One Offence: Provided always,
that the said Commissioners shall put up or cause to be put up
and afterwards to be renewed when destroyed, defaced or obliterated,
upon some conspicuous Place or Places at such Ferry Piers,
and Shipping Quays, a Table painted in distinct and legible Black
Letters

Letters on a Board with a White Ground, containing such Rules and Regulations, which Rules and Regulations, so put up or renewed, shall be sufficient to justify all Persons who shall be authorized by the said Commissioners to enforce the said Rules and Regulations, provided they be not repugnant to the Laws of *Scotland*, or any of the Directions of this Act; and all such Rules and Regulations shall be subject to appeal in Manner directed by this Act; and if any Person or Persons shall wilfully destroy, deface or obliterate any Board, or any Part thereof, containing any of such Rules and Regulations, every Person so offending, and being convicted thereof by the Oath of One or more credible Witness or Witnesses, before the Sheriff Depute or Substitute, or any One or more of the Justices of the Peace of the County wherein the Offence shall be committed, shall, for every such Offence, forfeit and pay to the said Commissioners, or any Person duly authorized by them in that Behalf, any Sum not exceeding Forty Shillings Sterling.

XXXVII. And be it further enacted, That if any Person or Persons shall wilfully pull down or damage any Bridge, Wall or any other Building or Structure made by the Commissioners for the Repair of Roads and Bridges, or shall haul or draw, or cause to be hauled or drawn, upon any Part of any of the said Roads, any Timber, Stone or other Thing, otherwise than upon wheeled Carriages, or shall suffer any Timber, Stone or other Thing, which shall be carried principally or in Part upon wheeled Carriages, to drag or trail upon any Part or Parts of such Road, to the Prejudice thereof; or shall use any Tipstick, Joggle or other Instrument, for the Purpose of retarding the Descent of any Cart or other Carriage, down any Hill, in such Manner as to destroy, injure or disturb the Surface of any such Road; or shall, in or upon any such Road, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, burn, dress or cut up any Beast, Swine, Calf, Lamb or other Cattle; or if any Person driving any Horse or other Beast on any of the said Roads, carrying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place such Bar or Rod, Basket or Pannier, Matter or Thing, so that the same or any of them shall project more than Thirty Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast or other Carriage travelling along such Road; or if any Blacksmith or other Person occupying a Blacksmith's Shop, situate near any of the Roads, and having a Window or Windows fronting the said Road, shall not by good and close Shutters, every Evening, after it becomes Twilight, bar and prevent the Light from such Shop shining into or upon such Road; or if any Person or Persons shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to or wantonly let off or throw any Squib, Rocket, Serpent or other Firework whatever, within Eighty Feet of the Centre of such Road; or if any Person shall leave any Waggon, Wain, Cart or other Carriage whatever, upon such Road, or on the Side or Sides thereof, without any proper Person in the sole Custody or Care thereof, longer than may be necessary to load or unload the same, except in Cases of Accident, and in Cases

Injuring same.

Penalty.

Wilfully
damaging
Bridges, &c.
Unduly haul-
ing Timber, &c.Improperly
using Tip-
sticks, &c.Killing, &c.
Cattle.Unduly placin
Iron Bar, &c.
on Horses.Blacksmiths
not closing
their Shutters
in the Evening.Making Bon-
fires, &c.Leaving Car-
riages.

of Accident for a longer Time than may be necessary to remove the same, or shall not place such Waggon, Wain or other Carriage, during the Time of loading or unloading the same, or of taking Refreshment, as near to one Side of the Road as conveniently may be, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or shall lay any Timber, Stone, Hay, Straw, Dung, Manure, Soil, Ashes, Rubbish or other Matter or Thing whatsoever, upon such Road, or on the Side or Sides thereof, to the Prejudice of such Road, or to the Prejudice, Annoyance, Interruption or personal Danger of any Person or Persons travelling thereon, or shall suffer any Water, Filth, Dirt or other offensive Matter or Thing whatsoever, to run or flow into or upon such Road or Footpaths from any House, Building, Erection, Lands or Premises adjacent thereto; or if any Person driving any Pigs or Swine upon any such Road, shall suffer such Pigs or Swine to root up or damage such Road, or the Fences, Hedges, Banks or Copes, on either Side thereof respectively; or if any Person shall, after having blocked or stopped any Cart, Waggon or other Carriage, in going up a Hill or rising Ground, cause or suffer to be or remain on such Road the Stone or other Thing with which such Cart or other Carriage shall have been blocked or stopped, every Person offending in any of the Cases aforesaid, shall, for each and every such Offence, forfeit and pay any Sum not exceeding Forty Shillings over and above the Damages occasioned thereby.

Penalty. XXXVIII. And be it further enacted, That no Door or Gate of any Building, Park, Field or Inclosure whatsoever, shall be made to open into or towards any Part of any of the said Roads, or be suffered to continue so to open, except the hanging Post thereof shall be fixed or placed so far from the Centre of any Part of such Road, as that no Part of such Door or Gate shall, when open, project over any Part of such Road; and the Occupier or Occupiers of any Building, Park, Field or Inclosure, having any Door or Gate opening outwards, contrary to the Meaning of this Act, shall, within Fourteen Days after Notice to him, her or them, given personally or in Writing from any Person authorized by the said Commissioners in that Behalf, cause such Door or Gate to be hung, so that no Part of the same, when open, shall project over any Part of such Road, and in Default thereof, such Person is hereby authorized to cause the Door or Gate to be hung according to the Intention of this Act, and the Person or Persons guilty of such Neglect or Default shall, upon Complaint made to any Justice or Justices of the Peace, acting in and for the County where such Neglect shall appear, and upon Conviction upon the Oath of One credible Witness, pay to such Person such Sum as the said Justice or Justices shall direct to defray the Expence of making the Alteration, and hanging such Door or Gate, and shall also forfeit and pay a further Sum, not exceeding Forty Shillings for his, her or their Neglect therein, to be fixed by and at the Discretion of the Justice or Justices by whom such Conviction shall be made.

Penalty. XXXIX. And be it further enacted, That in every Case in which any Person shall be convicted of any Penalty under this Act, it shall and may be lawful for the Justice or Justices before whom such

Offenders may be detained until it appear

such Person shall be convicted, to order such Person to be detained in Custody, until it can be ascertained whether sufficient Distress can be found; and in case sufficient Distress cannot be found or such Penalty shall not be forthwith paid, or sufficient Security given for the Payment thereof, it shall and may be lawful for such Justice or Justices, and they are hereby authorized and required by Warrant under his Hand, or their Hands, to cause any such Offender to be committed to Gaol, or to a House of Correction, for any Time not exceeding Six Calendar Months.

whether Distress can be found.
If no Distress, Imprisonment.

XL. And be it further enacted, That it shall and may be lawful for the said Commissioners, or their Collectors, Surveyors or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Commissioners, Collectors, Surveyors or other Officers,) who shall commit any Offence or Offences against this Act, and take him, her or them before any Justice or Justices of the Peace for the County or Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized and apprehended, and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

For securing transient Offenders.

XLI. And be it further enacted, That all Forfeitures and Penalties by this Act imposed, the Manner of recovering whereof is not particularly specified, shall, on Proof of the Offence before Two or more Justices of the Peace, or the Sheriff Depute or Substitute of the County in which the Offence shall have been committed, either by the Confession of the Party, the Oath of One or more credible Witness or Witnesses, or other legal Evidence, be levied by Distress and Sale of the Goods and Effects of the Party or Parties offending, by Warrant under the Hands of such Justices or Sheriff, (which Warrant they or any of them are hereby authorized and required to grant, and to administer the Oath *gratis*,) such Sale being always made by Public Auction to the highest Offerer of a ready Money Price, at such Place as shall be directed in the said Warrant, within Six Days after such Distress shall have been made, and the Overplus Money arising from such Sale, after Deduction of the Penalties imposed and Charges in Recovery thereof, shall be returned on Demand to the Owner or Owners of the Goods and Effects; and all Penalties and Forfeitures imposed by this Act, if not otherwise hereby appropriated, shall be paid to the said Commissioners or their Collectors, to be laid out and applied for the Purposes of this Act; and in case sufficient Distress cannot be found, or such Penalties and Forfeitures shall not forthwith be paid, or sufficient Security given for Payment, it shall be lawful for any One of the said Justices of the Peace, or the said Sheriff Depute or Substitute, together with any One Justice of the Peace, and they are hereby authorized and required, by Warrant under their Hands, to cause such Offender or Offenders to be committed to Gaol or to a House of Correction for any Time not exceeding Six Calendar Months, unless such Penalties and Forfeitures and all reasonable Charges shall be sooner paid.

How Penalties levied and applied.

Distress.

If no Distress,

Imprisonment.

XLII. Pro-

Appeal to
Quarter Ses-
sions.

XLII. Provided always, and be it further enacted, That any Person who shall think himself or herself aggrieved by any Proceedings to be had in the Execution of this Act, for which no particular Relief has been hereby provided, may within Six Months after the Matter complained of shall be done, but not afterwards, appeal to the Justices of the Peace at the Quarter Sessions of the County wherein the Grievance shall have arisen, the Appellant giving Fifteen Days previous Notice of such Appeal to the Defender or Defenders, and to the Law Agent of the said Commissioners, and to the Clerk of the Justices of the Peace, which Justices shall have Power and Authority to hear and determine the Matters in Dispute, and their Judgment therein shall be final, without being subject to Review, Advocation, Suspension, or otherwise.

Notice.

Final.

Limitation of
Actions, &c.

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

Royal Burghs
not to be
assessed.

XLIV. And be it further enacted, That from and after the passing of this Act, no Royal Burgh or Burgh of Regality shall be assessed for the Purposes of the said recited Act passed in the Fifty ninth Year of the Reign of His late Majesty, or for the Purposes of this Act, any Thing contained in any former Act or Acts to the contrary notwithstanding.

59 G. S. c. 185.
to remain in
force.

XLV. And be it further enacted, That the said recited Act of the Fifty ninth Year of His late Majesty's Reign, intituled *An Act to repeal Two Acts, made in the Fifty fourth and Fifty fifth Years of the Reign of His present Majesty, for maintaining and keeping in Repair certain Roads and Bridges in Scotland; to provide more effectually for that Purpose; and for Regulation of Ferries in Scotland;* shall remain in Force, and have Effect in all respects, excepting in so far as the same is altered by this Act; and that all the Powers and Authorities granted by the said Act passed in the Fifty ninth Year of the Reign of His late Majesty; and also all the Powers and Authorities granted by the said recited Act of the Forty third Year of His late Majesty's Reign, intituled *An Act for granting to His Majesty the Sum of Twenty thousand Pounds, to be issued and applied towards making Roads and building Bridges in the Highlands of Scotland; and for enabling the Proprietors of Land in Scotland to charge their Estates with a Proportion of the Expence of making and keeping in repair Roads and Bridges in the Highlands of Scotland,* for the Purpose of carrying the same into Execution, are hereby granted for the Purpose of carrying this Act into Execution.

43 G. S. c. 80.
extended to
this Act.

Expences of
Act how de-
frayed.

XLVI. And be it further enacted; That the Expence of this Act may and shall be defrayed out of any Money in the Hands of the said Commissioners appointed by the hereinbefore recited Acts of the Forty third and Fifty ninth Years of His late Majesty.

Public Act.

XLVII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken

taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

XLVIII. And be it also enacted, That this Act shall commence from the passing thereof, and shall remain in full Force and have Continuance for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament.

Commencement and Continuance of Act.

C A P. LVII.

An Act to defer the Commencement of the Duties and Drawbacks on Barilla, under an Act of this present Session of Parliament.

[9th July 1823.]

‘ **W**HEREAS by an Act made in this present Session of Parliament, intituled *An Act to repeal the Duties and Drawbacks on Barilla imported into the United Kingdom, and to grant other Duties and Drawbacks in lieu thereof*, it is enacted, that from and after the Fifth Day of July One thousand eight hundred and twenty three, the several Duties of Customs on the Importation of Barilla, and the several Drawbacks on the Exportation thereof, shall cease and determine; and that from and after the said Fifth Day of July One thousand eight hundred and twenty three, in lieu of the said Duties so made to cease, there shall be raised, levied, collected and paid the several Duties, and that there shall be allowed the several Drawbacks, inserted or described and set forth in the Table to the said Act annexed: And Whereas it is expedient that the increased Duties granted by the said Act should not commence and be payable on the said Day:’ 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 Duties and Drawbacks payable on Barilla under any Act or Acts in force immediately before the passing of the said recited Act of this present Session of Parliament, shall cease and determine from and after the Fifth Day of January One thousand eight hundred and twenty four, and not sooner; and that the Duties and Drawbacks which by the said recited Act of this present Session of Parliament and the Table thereto annexed are made payable and allowable on Barilla, shall be raised, levied, collected, paid and allowed from and after the said Fifth Day of January One thousand eight hundred and twenty four, and not sooner; any thing in the said recited Act of this present Session of Parliament contained to the contrary thereof in anywise notwithstanding.

Ante, c. 44.

§ 1.

Duties and Drawbacks payable under recited Act to commence Jan. 5. 1824.

C A P. LVIII.

An Act to continue, until the First Day of *August* One thousand eight hundred and twenty four, an Act, made in the last Session of Parliament, for suppressing Insurrections and preventing Disturbances of the Public Peace in *Ireland*.
[9th *July* 1823.]

3 G.4. c.1.

‘ **W**HEREAS an Act was passed in the last Session of Parliament, intituled *An Act to suppress Insurrections and prevent Disturbances of the public Peace in Ireland, until the First Day of August One thousand eight hundred and twenty two*; and which by an Act passed in the same Session was continued until the First Day of *August* One thousand eight hundred and twenty three: 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 first recited Act shall be and the same is hereby continued, and shall be and remain in force on and from the said First Day of *August* One thousand eight hundred and twenty three, until the First Day of *August* One thousand eight hundred and twenty four.

Recited Act
continued till
Aug. 1. 1824.

C A P. LIX.

An Act to defray the Charge of the Pay, Clothing and contingent and other Expences of the Disembodied Militia in *Great Britain* and *Ireland*; and to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Quartermasters, Surgeons, Assistant Surgeons, Surgeons’ Mates and Serjeant Majors of Militia, until the Twenty fifth Day of *March* One thousand eight hundred and twenty four.
[9th *July* 1823.]

‘ **W**HEREAS it is necessary that Provision should be made for defraying the Charge of the Pay, Clothing and contingent and other Expences of the Regular Militia, and of the Miners of *Cornwall* and *Devon* (when disembodied), in *Great Britain* and *Ireland*; 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 disembodied; 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* and *Ireland* (when disembodied), in the Manner and for the several Uses hereinafter mentioned:
(that

Secretary at
War to issue
the Money re-
quired for the
Pay of the Re-
gular Militia.

(that is to say,) for the Pay of the said Regular Militia at the Rates following; (that is to say.)

For each Adjutant, Eight Shillings *per Diem* :

Rates of Pay.

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 Quartermaster Serjeant of the Militia of Ireland, 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* :

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,) Rates of Pay when absent on Furlough.

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 every Serjeant Major, where One is appointed in Corps consisting of Two or more Companies, One Shilling and Four Pence *per Diem* :

For every Quartermaster Serjeant of the Militia of Ireland, 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 Clothing of the Regular Militia (when disembodied), Clothing.

bodied), in Cases in which full Clothing shall be provided by the Colonel or Commandant, at the Rate of Five Pounds Twelve Shillings and One Penny for each Serjeant Major and Quartermaster Serjeant; 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 Clothing 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 Clothing as shall have been notified by the Secretary at War; and that such Serjeant Majors, Quartermaster Serjeants, Drum Majors, Serjeants, Corporals and Drummers, who may be retained on constant Pay, and resident at Head Quarters, shall be clothed once in Two Years:

Contingent
Fund.

And also at the Rate of Two Pence *per* Month for each Private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion or Corps.

Paymaster
allowed dis-
embodied Pay.

II. Provided always, and be it further enacted, That any Paymaster of Disembodied Militia, being either on Naval or Military Half Pay, or being entitled to any Allowance as having served in any of His Majesty's Regular Forces, or Navy or Marines, shall and may and he is hereby empowered to receive and take the aforesaid Rates of Disembodied Pay; (*videlicet*.) Six Shillings, Five Shillings, or Four Shillings *per Diem*, as the Case may be; and the receiving and taking such Rates of Disembodied Pay as aforesaid shall not prevent such Paymaster on Half Pay, or being entitled to any such Allowance, from receiving his Half Pay, or such Allowance; and such Paymaster shall take the following Oath before some Justice of the Peace, who is hereby empowered to administer the same:

Oath.

' I. A. B. do swear, That I had not between the
' and the any Place or Employment of Profit,
' Civil or Military, under His Majesty, besides my Allowance of
' Half Pay as a reduced in His Majesty's Army or
' Navy, or Marines, (*as the Case may be*.) save and except my
' Disembodied Pay (of Six Shillings, Five Shillings, or Four Shil-
' lings, *as the Case may be*.) as Paymaster of the
' Militia.'

And the taking the said Oath shall be sufficient to entitle such Paymaster to receive his Half Pay or the said Allowance, without taking any other Oath; any Law, Usage, or Custom to the contrary notwithstanding.

Residence of
certain Officers
to be where
Arms of the
Corps are kept.

III. And be it further enacted, That every Adjutant, Paymaster, Surgeon, Quartermaster, and every Non Commissioned Officer and Drummer on permanent Pay 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 such reasonable Distance of the Depôt 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

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, nor to a greater Proportion than One Third of the Non Commissioned Officers and Drummers at the same Time, except in case of certified Sickness.

IV. 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, Clothing, Necessaries and other Stores, under the Superintendance of the Colonel or Commandant; and the Paymaster shall, out of the Allowance of Two 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 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.

V. And be it further enacted, That in the occasional and unavoidable Absence of the Adjutant from the City, Town or Place, where the Arms of any Corps of Militia when disembodied are kept, or during any Vacancy in the Appointment of Adjutant, the Serjeants, Corporals and Drummers shall be under the Command of the Quartermaster in Cases in which one is appointed, and when no Quartermaster is appointed, then under the Command of the Paymaster; and such Quartermaster and Paymaster respectively shall render the same Returns, and perform such other Acts, as are by Law required from the Adjutant.

VI. And be it further enacted, That the Officers and Non Commissioned Officers, Drummers and Private Men of the Regular Militia shall, for the Period or Periods during which they shall be called out for the Purpose of annual Exercise or Training, be entitled to the same Pay and Allowances as the Officers, Non Commissioned Officers, Drummers and Private Men of the Militia when embodied.

VII. And Whereas it is expedient to grant Allowances to certain Officers of the said Militia Forces of *Great Britain* and *Ireland* while disembodied, under certain Regulations; Be it further enacted, That the following Allowances shall be made and paid to the Amount, under the Restrictions and in the Manner hereinafter expressed, to every Subaltern Officer and Surgeon's Mate in *Great Britain*, and to every Subaltern Officer and Assistant Surgeon in *Ireland*, who held or shall hold a Commission

Quartermaster, &c. to have Charge of Arms and Clothing.

Paymaster to issue Money for contingent Expences, on Order signed by Colonel.

Balance to form a Stock Purse.

In Absence of Adjutant, Serjeants, &c. to be under Command of Quartermaster.

Militia, when called out for Training or Exercise, entitled to Pay.

Allowances to Subalterns and Surgeons' Mates and Assistant Surgeons.

in

‘ the Public, or from any other Government, besides the Allow-
‘ ance of a Day now claimed, except my Half
‘ Pay as a of the Army, or Navy or Marines,
‘ or of a Provisional Battalion formed from the Militia (*as the*
‘ *Case may be*), and any Pay and Allowances from the
‘ to the both Days inclusive, during which
‘ Period the Corps was assembled for Training and Exercise.
‘ 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, Surgeon's Mate or Assistant Surgeon claiming the Allowance.

X. And be it further enacted, That every Subaltern Officer, Surgeon's Mate and Assistant Surgeon of the Militia, who shall be entitled or claim to be entitled to the Benefits of this Act, shall regularly attend the annual Exercise and Training of the Regiment, Battalion or Corps to which he belongs, during the whole of the Time by Law appointed for that Purpose, and shall during the said Time punctually do and perform his Duty as a Subaltern Officer, Surgeon's Mate or Assistant Surgeon of such Regiment, Battalion or Corps, on pain of forfeiting the said Allowance, as well as the Rest of his Pay, and every Part thereof, which may be due for the current Year in which he shall neglect or refuse to attend; and Certificates of his having so attended and performed his Duty, signed by the Commanding Officer of the Regiment, Battalion or Corps to which he may belong, shall be furnished by the said Commanding Officer to the Paymaster of the Regiment, Battalion or Corps of Militia to which the Officer shall belong: Provided always, that in case any such Subaltern Officer, Surgeon's Mate or Assistant Surgeon, claiming to be entitled to such Allowance, shall by his Commanding Officer be permitted or suffered, for any special Cause or unavoidable Necessity, to be absent during the Whole or any Part of such annual Exercise, for which Purpose it shall be lawful for such Commanding Officer to grant such Leave of Absence, then and in such Case it shall be lawful for such Subaltern Officer, Surgeon's Mate or Assistant Surgeon who may be so permitted to be absent, and have such Leave in Writing, to demand and receive the said Allowance and every Part thereof in like Manner as if he had attended during the whole of the said annual Exercise: Provided always, that the Reason for such Absence, as well as the Duration thereof, shall be carefully and truly specified in Certificates (in lieu of those before mentioned), to be signed by the Commanding Officer, and to be furnished as soon as conveniently may be to the Paymaster of the Regiment, Battalion or Corps wherein such Subaltern, Surgeon's Mate or Assistant Surgeon shall be serving.

Subalterns and Surgeons' Mates, &c. to attend the annual Exercise, &c.

Commanding Officer may grant Leave of Absence.

Reason of Absence certified.

XI. 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, Surgeon's Mate and Assistant Surgeon belonging to any such Regiment, Battalion or Corps, and coming within the Description of this Act,
4 GEO. IV. C c who

If Regiment not called out before Time fixed for Payment, Allowance shall be paid, on taking Oath

herein mentioned.

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, Surgeon's Mate or Assistant Surgeon 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.

Paymasters to pay Allowances on 24th June, 24th September, and 24th December 1823, and 24th March 1824.

XII. 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, Surgeons' Mates and Assistant Surgeons, according to their respective Commissions of Lieutenant, Ensign, Surgeon's Mate or Assistant Surgeon, the Allowance above mentioned, for Three Months, or other proper Period, on the Twenty fourth Day of *June* One thousand eight hundred and twenty three; and the other Proportions of the same on the Twenty fourth Day of *September* One thousand eight hundred and twenty three, the Twenty fourth Day of *December* One thousand eight hundred and twenty three, and the Twenty fourth Day of *March* One thousand eight hundred and twenty four, 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.

On Neglect of Attendance of Subalterns, &c. being certified, Allowance forfeited.

XIII. And be it further enacted, That the Subaltern Officers, Surgeons' Mates and Assistant Surgeon of the Militia entitled or claiming to be entitled to the Benefits of this Act, shall at all Times be liable to serve in the respective Regiments, Battalions or Corps to which they belong, whenever the same shall be embodied and called out upon actual Service; and in case of Neglect or Refusal to attend when called upon at such Times or for such Occasions as may be required of them in pursuance of the Laws now in force respecting the Militia when disembodied, each and every such Subaltern Officer, Surgeon's Mate and Assistant Surgeon, shall on such Neglect or Refusal being certified to the Lord Lieutenant and Paymaster by the Colonel or other Commandant of the Regiment, Battalion or Corps to which such Subaltern, Surgeon's Mate or Assistant Surgeon shall belong, forfeit his Claims to the said Allowance and every Part thereof, and shall also be considered as having resigned and vacated his Commission to all Intents and Purposes whatsoever.

Supernumerary Lieutenants, &c. of Regiments of Militia herein mentioned succeeding to any Vacancy, entitled to Pay and Allowance.

XIV. And be it further enacted, That whenever any Supernumerary Lieutenant, Ensign or Assistant Surgeon of any Regiment of Militia in *Ireland*, which shall have been augmented during War, and which shall have been reduced to its original Establishment, shall have succeeded or shall succeed to any Vacancy which shall have occurred or shall occur in any such Regiment respectively, such Lieutenant, Ensign or Assistant Surgeon shall, from the Time of his so succeeding, be entitled to such Pay and

and Allowances under this Act, and in like Manner and to the like Amount, and under the like Restrictions and Regulations, as any Lieutenant, Ensign or Assistant Surgeon who shall have been serving on the original Establishment of such Regiment at the Time of the disembodiment thereof; and such Lieutenant, Ensign or Assistant Surgeon so succeeding shall be deemed to have belonged to such Regiment when the same was disembodied, and to have continued to serve therein from that Time, and shall in all respects, from and after his so succeeding, be subject to the Regulations in this Act contained with respect to any Lieutenant, Ensign or Assistant Surgeon of the said Militia, who shall claim and receive the Pay and Allowances under this Act.

XV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to entitle any Subaltern Officer, Surgeon's Mate or Assistant Surgeon as aforesaid, to the said Allowance or any Part thereof during the time the Militia to which he belongs shall be embodied or ordered out on actual Service.

Allowance not paid while Militia embodied.

XVI. 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 the Field Officers, Captains, Lieutenants, Ensigns, Adjutants, Quartermasters, Surgeons, Surgeons' Mates and Assistant Surgeons, 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, Surgeon's Mate or Assistant Surgeon, 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:

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.

' 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 Army,
' or Navy or Marines, [as the Case may be,] save and except
' my Pay or Allowance as a Field Officer, Captain, Lieutenant,
' Ensign, Adjutant, Paymaster, Quartermaster, Surgeon, Surgeon's
' Mate or Assistant Surgeon, 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. Provided always, and be it further enacted, That no Adjutant, Quartermaster, Non-commissioned Officer, Drummer or Private Man in the Regular Militia, entitled to receive any Chelsea or Kilmainham Pensions or Allowance on account of Service in the Regular Army, shall forfeit or lose his Right to

Adjutants, &c. Non-commissioned Officers or Privates, not to lose their Right to Chel-

sea Pensions,
&c.

the same by reason of his serving and receiving Pay in the Regular Militia; nor shall any Subaltern, Surgeon's Mate or Assistant Surgeon forfeit or lose his Right to receive any such *Chelsea* or *Kilmainham* Pension or Allowance by reason of his receiving the Allowance of Two Shillings and Sixpence or Two Shillings a Day granted by this Act to Subalterns, Surgeons' Mates or Assistant Surgeons when disembodied.

Allowance to
be made to
Surgeons for
Medicines in
addition to their
Pay.

XVIII. And be it further enacted, That there shall be granted to the Surgeon of each Regiment of Regular Militia, when disembodied, a Sum of Money in addition to his Pay, after the Rate of One Guinea for every One hundred Men of each such Regiment, for the Expence of necessary Medicines for the sick Non-commissioned Officers, Drummers and Private Men of such Regiment, during the Period or Periods of Assembly for annual Exercise or Training; and also an Allowance of Sixpence *per* Month for each of the Non-commissioned Officers and Drummers of each Regiment on constant Pay at Head Quarters, for the Expence of necessary Medicines and Attendance given to the said Non-commissioned Officers and Drummers while such Regiment is not called out for annual Training and Exercise.

Adjutants ap-
pointed before
Dec. 24. 1814,
entitled under
the circumstan-
ces herein men-
tioned to an
Allowance of
8s. per Day,
and Adjutants
appointed since
Dec. 24. 1814,
to Allowance of
6s. per Day.

XIX. And be it further enacted, That every Adjutant of Regular Militia who shall have been appointed as such before the Twenty fourth Day of *December* One thousand eight hundred and fourteen, and 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 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 shall and he 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 Military Office or Employment of Profit under His Majesty, or any Civil Office or Employment under His Majesty, the annual Profits or Emoluments of which shall exceed Three Times the Amount of the said Allowance of Eight Shillings a Day: Provided always, that any Adjutant who shall have been appointed since the Twenty fourth Day of *December* One thousand eight hundred and fourteen, 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 in Service as an Adjutant of Regular Militia, and who shall be by Age or Infirmary rendered unfit for further Service, shall, upon 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 upon obtaining an Order from the Secretary at War founded upon such Certificate, be entitled to receive, and the Paymaster shall be and is hereby authorized to pay to such Person, an Allowance at the Rate of

Adjutants also
entitled to Half
Pay or Out
Pension.

Six

Six Shillings a Day, subject to the same Restrictions and Conditions as the aforesaid Allowance of Eight Shillings: Provided also, that no such Adjutant shall lose any Right he may have to Half Pay or Out Pension by reason of receiving such Allowance as aforesaid, but shall be entitled to receive such Half Pay as well as such Allowance.

XX. And be it further enacted, That 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 Military Office or Employment of Profit under His Majesty, or any Civil Office or Employment under His Majesty, the annual Profits or Emoluments of which shall exceed Three Times the Amount of the said Allowance: 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 or Out Pension, but shall be entitled to receive such Half Pay or Out Pension as well as such Allowance.

Quartermasters, after a Service of 30 Years, entitled to an Allowance, and also to Half Pay or Out Pension.

Proviso.

XXI. And be it further enacted, That if any Surgeon of Regular Militia, having faithfully served 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*: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid who shall hold any Military Office or Employment of Profit under His Majesty, or any Civil Office or Employment under His Majesty, the annual Profits or Emoluments of which shall exceed Three Times the Amount of the said Allowance of Six Shillings a Day; but no Person receiving such Allowance shall by reason thereof forfeit his Right to any Half Pay to which he may be entitled.

Surgeons, under the circumstances herein-mentioned, to receive 6s. per Day.

XXII. 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 of Four Shillings *per Diem* shall be paid

Proviso for Half Pay. Reduced Adjutant to receive 4s. per Day till

March 24.
1824.

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 twenty three, 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 twenty four: Provided always, that no Person shall be entitled to receive such Allowance as aforesaid, who shall hold any Military Office or Employment of Profit under His Majesty, or any Civil Office or Employment under His Majesty, the annual Profits and Emoluments of which shall exceed Three Times the Amount of the said Allowance of Four Shillings a Day; but no such reduced Adjutant shall lose any Right he may have to Half Pay of the Navy, Army, Marines or 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.

Right to Half
Pay.

Adjutants and
Serjeant Majors
entitled to Al-
lowance under
39 & 40 G. 3.
c. 44.

Reduced Ad-
jutants may
take such Al-
lowance with
any Pay or
other Allow-
ance to which
they may be
entitled.
26 G. 3. c. 107.

Proviso.

Money for Pay
and Clothing,
issued.

Allowances to
Clerks of Ge-

‘ XXIII. 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 Fortieth Years of the Reign of His late 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 twenty three to the Twenty fifth Day of *March* One thousand eight hundred and twenty four, to be issued and paid to them under the Directions of the Secretary at War.

XXIV. And be it further enacted, That every reduced Adjutant entitled to any Allowance granted under the said Act of the Thirty ninth and Fortieth Years aforesaid, and continued by any subsequent Acts, or by 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 late 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*, or under the Provisions of the aforesaid Acts of the Thirty ninth and Fortieth Years of the Reign of His late Majesty: Provided always, that no such reduced Adjutant shall be entitled to receive any Allowance under this Act during the Time he shall hold any Military Office of Profit under His Majesty, other than such as aforesaid, or any Civil Office or Employment under His Majesty, the annual Profits and Emoluments of which shall exceed Three Times the Amount of such reduced Allowance.

XXV. And be it further enacted, That all Sums of Money granted for the Pay, Clothing, Allowances and contingent and other 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.

XXVI. And be it further enacted, That in every County in *Great Britain* where the Regular Militia is or shall be raised, Al-
lowances

allowances shall be paid to the Clerks of the General Meetings and Clerks of the several Subdivision Meetings, at the Rates following; that is to say, to the Clerk of the General Meetings at the Rate of Five Pounds Five Shillings for each Meeting, and the several Clerks of the Subdivision Meetings at the Rate of One Pound One Shilling for each Meeting; and such further Allowance shall be made to such respective General and Subdivision Clerks for their Expences and Trouble in amending the Returns of Persons returned liable to serve in the Regular Militia, by taking out the Names of all Persons who may appeal, and whose Appeals or Claims of Exemption have been allowed, and inserting the Names of any Persons that shall have been omitted to be inserted, and in numbering the Returns, and making out the Tickets for the Ballot, after the Rate of One Pound Fifteen Shillings for every One thousand Names of Persons returned liable to serve, and also for the actual Expences incurred by such respective Clerks, and for Printing and Stationery used for the Purposes of this Act, as to the Lord Lieutenants or Deputy Lieutenants of the respective Counties shall appear reasonable and proper; and in case the Orders made by the Lord Lieutenants or Deputy Lieutenants for the Payment of such further Allowance as aforesaid shall be confirmed at a General Meeting, consisting of not less than Five Deputy Lieutenants, but not otherwise; and the aforesaid Clerks of General Meetings and Clerks of Subdivision Meetings shall transmit to the Secretary at War the Accounts, Returns and Orders upon which they claim the aforesaid Allowances, in order that the Secretary at War may give the necessary Directions for the Payment thereof.

General and Sub-
division Meet-
ings.

Rates of Al-
lowance.

XXVII. And be it further enacted, That all Bills, Drafts and Orders drawn for the Pay or Allowances of the Regular Militia when disembodied under this Act, may be or shall be drawn upon unstamped Paper; and no such Bill, Draft or Order shall be void by reason of being drawn or written on unstamped Paper.

Bills for Pay,
&c. No Stamp
Duty.

XXVIII. Provided always, and be it further enacted, That no Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant or Sum of Money which shall be issued in relation to or in pursuance of this Act.

No Fee for
Money paid.

XXIX. And be it further enacted, That the Hire or Cost of any House or Place to be provided for the keeping of the Arms, Accoutrements, Clothing or other Stores, and for the Residence and Accommodation of the permanent Staff belonging to any Regiment or Battalion of Militia in *Ireland*, when not embodied, that is to say, of the Paymaster, Adjutant, Surgeon and Quartermaster thereof, shall be defrayed by the County; and the necessary Sum for that Purpose shall be raised by the Presentment of the Grand Jury of the said County, and which Presentment the Grand Jury of the County is hereby authorized and required to pass, on a Certificate signed by the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or in the Absence of such Chief Secretary, by the Under Secretary for the Military Department, and specifying the Costs incurred or to be incurred in building such House or Place, or the Rent agreed to be paid for the same, or both Costs and Rent; which Certificate shall be transmitted by such Chief Secretary

Expence of
House for de-
positing Arms
and Stores of
the Militia in
Ireland, &c. to
be defrayed by
the County.

Provision as to
Amount of
Rent, &c.

tary to the Clerk of the Crown for such County, or at any Time prior to the First Day of the Assizes for such County; or if in the County or County of the City of *Dublin*, then prior to the First Day of the Presenting Term: Provided, that in no Case any greater Rent than Forty Pounds *Irish* Currency shall be presented by such Grand Jury for the annual Rent of such Place, nor a greater Sum than Two hundred Pounds *Irish* Currency shall be required for building such House, save only in such Cases wherein the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall think proper specially to permit or order a greater Rent or Sum, and then not more than One hundred Pounds *Irish* Currency yearly net, exclusive of Taxes and Repairs, or a Sum of Five hundred Pounds *Irish* Currency, such Permission or Order to be certified to the Clerk of the Crown by the Chief Secretary, or in his Absence the Under Secretary for the Military Department: Provided also, that the Grand Juries of such Counties shall be entitled to purchase Ground for building and erecting such House in the same Manner as they are now by Law entitled to purchase Ground for building County Gaols.

Provision for
Extra Ex-
pences of Places
for depositing
Arms and
Stores of Mi-
litia.

XXX. And Whereas the Sums heretofore allowed to be presented for such Purposes have been in some Instances found quite insufficient, and therefore larger Sums have been expended, or larger Rents agreed for, or both; and it is expedient and reasonable that such extra Expences should be defrayed in Manner aforesaid; Be it therefore enacted, That in all Cases in which the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall deem any such Agreement or Expenditure to have been proper and necessary, and that the same shall be so certified to the Clerk of the Crown in Manner aforesaid, it shall and may be lawful to and for the Grand Jury of the County to present the same, to be raised in the same Manner in all respects as they could or might do under this Act, in case of an Agreement or Expenditure under or in pursuance of a previous Permission or Order made under this Act.

The Arms of
Militia of Ire-
land to be de-
posited in the
Ordnance
Stores in
Dublin.

XXXI. 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, (if he or they shall see sufficient Cause for so doing,) to order and direct that the Arms, Accoutrements and other Stores, or any Part thereof, belonging to any Regiment or Battalion of the said Militia, shall at any Time while such Regiment or Battalion shall not be embodied or in actual Service, be conveyed to and deposited and kept in any of his Majesty's Ordnance Stores in the City of *Dublin*, or to and in any such Ordnance Store, or to and in any other Place of Security in any other Part in *Ireland*, as he or they shall from time to time order or direct, and under such Rules and Regulations as he or they shall think fit and proper in that Behalf.

Recovery of
Penalties and
Costs in Ire-
land.

XXXII. And be it further enacted, That all Penalties and Costs and Charges of Suit, and all Sums of Money for which any Person or Persons is or are or may be made answerable or liable under or by virtue of this Act in relation to the Militia of *Ireland*, shall be paid in *Irish* Currency, and shall be recovered in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt, Bill,

Bill, Plaint or Information, wherein no Essoign, Wager of Law, Privilege or Protection, nor more than one Imparlance, shall be allowed.

XXXIII. And be it further enacted, That all Provisions, Directions, Clauses, Matters and Things in this Act contained, relating to Counties and to Regiments of Militia respectively, shall extend and be construed to extend to all Ridings, Shires, Stewartries, Cities and Places, and to all Battalions, Corps and Independent Companies respectively, and to the Corps of Miners of *Cornwall* and *Devon*, as fully and effectually as if they were respectively and severally repeated in every such Provision, Direction, Clause, and with relation to every such Matter or Thing.

Provisions relating to Counties extended to Ridings, &c.

XXXIV. 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 four.

Continuance of Act.

C A P. LX.

An Act for granting to His Majesty a Sum of Money to be raised by Lotteries. [9th July 1823.]

[*This Act is the same as 3 G.4. c.101. except as to Dates, and the Sections that are here inserted.*]

‘ XIX. AND Whereas it may be expedient to discontinue raising Money for the Public Service by way of Lottery after the Sale of the Tickets authorized by this Act, and in that Case it will be necessary to continue in force such Parts of this Act as will be necessary to repress unlawful Insurance in Little Goes and Private Lotteries, and prevent the Sale and publishing Proposals for the Sale of Foreign Lottery Tickets within the United Kingdom of *Great Britain* and *Ireland*, and to provide for the Payment of Prizes which shall be unpaid and outstanding, and to enable the Commissioners of His Majesty’s Treasury to retain and appoint such Commissioners, Officers and Clerks of the Lottery Office as will be necessary for those Purposes, as well as to give and grant reasonable Compensation to those Commissioners, Officers, Clerks and other Persons who shall have been employed in the Lottery Office, or in and about the Drawing of the Lottery, and be no longer necessary for the Purposes above mentioned;’ Be it therefore enacted, That from and after the Drawing of the Lottery authorized by this Act, and the Matters relating thereto, the Clauses herein contained relative to the Suppression of illegal Lotteries and Insurance therein, and to the preventing the Sale and publishing Proposals for the Sale of Foreign Lottery Tickets, shall remain in full force and virtue, notwithstanding other Powers given by this Act may have ceased and determined; and that the said Commissioners of His Majesty’s Treasury shall have full Power and Authority to continue and appoint these Commissioners of Lottery for the Period of Three Years after the Discontinuance of Lotteries, who shall be hereby enabled and authorized to take in the Fortunate Tickets of any and every Lottery authorized by this or any former Act for granting to His Majesty a Sum of Money to be raised by Lotteries, and deliver out Certificates for the same, to be numbered

Regulations as to the Suppression of illegal Lotteries and Insurance, and as to the preventing the Sale and publishing Proposals for the Sale of Foreign Lottery Tickets, to remain in force, though the other Powers of this Act may have ceased, &c.

Treasury may retain Commissioners for Three Years after Discontinuance of Lotteries.

bered and made out in the Manner hereinbefore mentioned, and to be signed by the major Part of the said Commissioners so retained or appointed as above mentioned, and their Secretary for the Time being, who, with such Officers and Clerks as the Commissioners of His Majesty's Treasury shall deem necessary, shall be continued for the Purposes mentioned herein, and shall, with the contingent Expences of the Office, be paid out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, in such Manner as the Commissioners of His Majesty's Treasury shall direct.

Treasury may grant Com-
pensations to
Commissioners
and Officers
employed in
Drawing the
Lottery.

XX. And be it further enacted, That after the Conclusion of the Drawing of the Lotteries authorized by this Act, it shall and may be lawful for the said Commissioners of His Majesty's Treasury to grant such reasonable Allowances or Compensations as they may deem just and fit, to such of the Commissioners, Officers, Clerks and others theretofore employed in the Drawing of the Lottery, and in Matters relating thereto, as may appear deserving of the same, and to charge the Amount thereof upon the said Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided always, that an Account of such Payments, Allowances and Compensations shall be laid before Parliament within Six Weeks from the Commencement of the first Session after the granting the same.

C A P. LXI.

An Act for the better Administration of Justice in the Court of Chancery in *Ireland*. [10th July 1823.]

WHEREAS it hath appeared, by Reports made to the King's most Excellent Majesty from the Commissioners appointed by His Majesty, upon an Address of the Knights, Citizens and Burgesses in Parliament assembled, to inquire into the Duties and Emoluments of the Officers, Clerks and Ministers of Justice in all Temporal and Ecclesiastical Courts in *Ireland*, that the several Ministerial Offices of His Majesty's High Court of Chancery in *Ireland* require Regulations for ensuring the more easy, cheap and expeditious Administration of Justice in the said Court: And Whereas some of such Regulations may be carried into effect by general Orders of the said Court, but certain other Regulations are required, which cannot be carried into effect without the Aid of Parliament: And Whereas it is expedient that the Fees to be taken by the Lord High Chancellor of *Ireland*, or the Lord Keeper, or the Commissioners for the Custody of the Great Seal, and by the several Officers of the said Court, should be ascertained and regulated by Law: May it therefore please Your Majesty that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act it shall and may be lawful for the Lord High Chancellor, or the Lord Keeper of the Great Seal of *Ireland*, or the Commissioners for the Custody of the Great Seal of *Ireland* for the Time being, and for the Deputy Keeper of the Rolls, Regis-

Fees of Lord
Chancellor and
all other Officers
of the Court of
Chancery ascer-

trars, Six Clerks, Examiners, Clerk of the Hanaper, Clerk of the Crown, Cursitor and other Officers, and their several and respective Deputies and Clerks, in, of or belonging to the said Court of Chancery, mentioned and described in the several Tables to this Act annexed, to ask, demand, have, receive, take and accept, for and by reason and on account of the several Acts, Matters and Things to be done in or concerning the Business of the several and respective Offices, or of the several Services to be performed touching or concerning such Offices, the several Fees, Payments and Sum and Sums of Money in the said Tables hereunto annexed respectively mentioned, and none other or greater Fees or Sums of Money whatever; and that no Officer or Attendant of the said Court, nor any Deputy or Clerk of any such Officer, nor any Person acting in any of the Offices of the said Court, or doing any Part of the Business thereof, shall ask, demand or receive, from any of the Suitors of the said Court, or from any Person or Persons whomsoever on their Behalf, any Fee or Sum or Sums of Money whatever, on account of, or for the Performance of, or under Pretence of performing any Act, Matter or Thing whatsoever, in any wise relating to the Business of the said Court, not mentioned in the said Tables, or some or one of them, as payable for or in respect of such Act, Matter or Business, except under the Provisions of this Act, any Law, Usage or Custom at any Time heretofore made, used or exercised to the contrary in any wise notwithstanding (a); and that the said Tables, and all Directions, Matters and Things contained therein, shall be taken as Part of this Act to all Intents and Purposes whatsoever.

tained according to Tables annexed to this Act.

Tables annexed deemed part of Act.

(a) [See Sections, 4—6. post.]

II. Provided always, and be it enacted, That it shall and may be lawful for the Lord Chancellor in *Ireland*, or Lord Keeper or Commissioners for the Custody of the Great Seal of *Ireland* for the Time being, from time to time to vary and alter the Amount of any of the Fees aforesaid, by decreasing or increasing the same, or to abolish any of the said Fees altogether; and also to direct and authorize the Payment of any new or additional Fee to the several Officers and Persons in the said Tables mentioned, or any of them, or to any other Persons, for or in respect of any Matters or Things mentioned in the said Tables, or any of them, or of any other Matters or Things to be done in the Execution of the Duty of the Office of such Officers or Persons respectively; and all such Fees the Amount whereof shall be so altered, and all such new or additional Fees which shall be so made payable, and also any Order for the Abolition of any Fee, shall be specified and set forth in a Table or Tables to be made by Order of the said Court of Chancery, and signed by the Lord Chancellor, or Lord Keeper or Commissioners as aforesaid; and such Order shall specify the Grounds and Reasons upon which such Fees shall have been altered, abolished or made payable respectively; and a Copy of every such Order, signed as aforesaid, shall be transmitted by the Lord Chancellor, or Lord Keeper or Commissioners as aforesaid, to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, who shall cause Copies of the same to be laid before both Houses of Parliament immediately after the Commencement of the then next Session of Parliament, and

Fees may be altered, or new Fees allowed, by Order of Lord Chancellor, Keeper or Lords Commissioners.

Such Orders to be transmitted to Lord Lieutenant, who shall cause Copies thereof to be laid before Parliament.

and thereupon every such Fee shall be and be deemed and taken to be a legal Fee according to the Terms of such Order, and payable and receivable as such, from and after the last Day of such Session of Parliament, as if the same had been included in any of the Tables annexed to this Act.

Lord Chancellor may alter Course of Proceedings in Suits in Chancery.

III. Provided also, and be it enacted, That it shall and may be lawful for the Lord Chancellor of *Ireland*, or the Lord Keeper or Commissioners for the Custody of the Great Seal of *Ireland* for the Time being, to make any such Order or Orders of the said Court of Chancery, for the altering or discharging any Course of Proceedings in Suits pending or to be brought in the said Court, and to direct that such Process shall issue, and in such Manner and Course in all such Suits as to the said Lord Chancellor, Lord Keeper or Commissioners respectively shall seem fitting and expedient, in the same Manner, and with the same Force and Effect in all respects as if this Act had not passed; and that no Clause, Matter or Thing contained in any Act or Acts from time to time in force in *Ireland*, for the granting or regulating the Payment of any Stamp Duty or any Process in any Suit in the said Court, shall extend or be construed to extend to prevent, alter or affect the Course of any such Proceedings, or the issuing of any such Process, or to warrant or authorize the Receipt of any greater Fee by the Alteration of the Number of Words in any Sheet of Proceeding; and that the several Stamp Duties from time to time imposed or payable on any such Proceeding or Process shall be paid and payable upon the same as altered by the said Court, or upon such Proceeding or Process as shall be substituted for any which may be abolished, such Process or Proceeding being by such Order declared to be so substituted.

Stamp Duties applied to Process so altered.

Proviso for existing Clerk of the Crown and Hanaper to receive their usual Fees.

IV. Provided also, and be it enacted, That nothing contained in this Act, nor in the Table (No. 10.) thereto annexed, shall extend or be construed to extend to prevent the Clerk of the Crown and Clerk of the Hanaper and his Deputy, during the Tenure of the present Possessor of the said Office, from demanding or receiving the several Fees which have been accustomed to be paid for and by reason and on account of all such Acts, Matters and Things done in and concerning the Business of the said Office until the Appointment of the Successor of the present Possessor of the said Office: Provided nevertheless, that nothing in this Act shall extend or be taken to extend to authorize the said Clerk of the Crown and Hanaper, or his Deputy, to demand or accept any Fee contrary to the Provisions of any Act of Parliament, or otherwise contrary to Law.

Proviso.

Deputies or Clerks taking Fees contrary to Act.

V. And be it further enacted, That if any Deputy or Clerk, or other Person whatever, employed in the several Offices or Places mentioned and specified in any of the Tables to this Act annexed, (other than the said Deputy Clerk of the Crown and Hanaper, as to such Acts, Matters and Things relating to which the said Clerk of the Crown and Hanaper is by this Act to receive the lawful Fees heretofore accustomed, during the Tenure of the present Possessor of the Office of Clerk of the Crown and Hanaper,) shall, at any Time after the Commencement of this Act, ask or demand, or shall have, take, accept or receive from any Suitor, Solicitor or other Person whomsoever, save and except only from the principal Officer

Officer by and under whom any such Deputy or Clerk or other Person shall be immediately employed, any Gift, Fee, Reward or Remuneration, for or by reason or on account or under pretext of any Service of their own, or of any Person or Persons employed by or under them respectively, in any of the Offices of the said Court of Chancery; or if any such Deputy or Clerk, or other Person, shall ask or demand, or shall have, take, receive or accept any Gift, Fee or Reward, Gratuity or Remuneration, for or by reason or on account or under pretext of the Services of their Principals or Employers, or for or by reason or on account or under pretext of any Matter or Thing whatever, done in and about the Business of their respective Offices, other than and except only such Fees and Sums of Money as shall from time to time be lawful under the Provisions of this Act; every Deputy, Clerk or other Person so offending, shall, for every such Offence, forfeit and lose the Sum of One hundred Pounds.

Penalty 100l.

VI. And be it further enacted, That if any Person who shall hold any of the said Offices mentioned and described in any of the Tables to this Act annexed, shall, by himself or by his Deputy, or by any Clerk or Person authorized on his Behalf, wilfully and knowingly ask, demand, have, take, receive or accept, directly or indirectly, any Gift, Fee, Reward, Gratuity or Remuneration, for or by reason or on account or under pretext of any Service in any of the Offices in the said Tables specified, other than and except only such Fees and Sums of Money as shall from time to time be lawful under the Provisions of this Act, or shall wilfully and knowingly ask, demand, have, take or receive or accept, directly or indirectly, any Gift, Fee, Reward, Gratuity or Remuneration, for or by reason or on account or under pretext of any Service, in any way concerning or relating to the Business of any of the said respective Offices not then allowed to be taken under the Provisions of this Act, every such Person so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds, and shall also forfeit and lose all and every Office and Offices in or under the said Court of Chancery, which such Person shall hold or be possessed of at the Time of such Offence, and shall for ever after be incapable and incapacitated from holding any Office in or under the said Court. [See Section 1. ante.]

Principals in Offices taking Fees contrary to this Act.

Penalty 100l. Loss of Office and Incapacity.

VII. And be it further enacted, That from and after the Third Day of the *Michaelmas* Term next after the passing of this Act, no Person whatsoever shall in any wise act in the Business of any of the Offices or Places under the said Court of Chancery mentioned in the Tables to this Act annexed, or any of them, or shall do any Act relating to the Business of any such Office, whether as a Principal or Deputy, or a Clerk, until such Person shall have taken and subscribed before the Lord Chancellor, or Lord Keeper or Commissioners for the Custody of the Great Seal of *Ireland*, an Oath in the Form following; that is to say,

Oath of Office by Officers of the Court of Chancery.

‘ I *A. B.* do solemnly swear, That I will, to the best of my Knowledge, Skill and Judgment, execute and perform such of the Duties of the Office of [*here state the Description of the Office*] in the Court of Chancery in *Ireland*, as I shall personally execute;

Oath.

‘ execute ; and that I will well and faithfully pay every Deputy
 ‘ or Clerk whom I shall or may at any Time employ in any Part of
 ‘ the Business of the said Office, such Salaries and Allowances as
 ‘ they shall from time to time be respectively entitled to by Law,
 ‘ or such additional Sum as I shall contract or agree to pay to
 ‘ them respectively ; and that I will not, by myself, or by any De-
 ‘ puty or Clerk, or other Person or Persons, ask or demand, or
 ‘ have, take, accept or receive any Gift, Fee, Reward, Gratuity
 ‘ or Remuneration whatever, other than such as shall at the Time
 ‘ of receiving the same be authorized and allowed by the Tables
 ‘ which shall be then in force, or under the Provisions of some
 ‘ Act of Parliament ; and that I will in all Things relating to my
 ‘ said Office conduct myself according to the Rules and Regu-
 ‘ lations which shall from time to time be in force for the Regu-
 ‘ lation of such Office, and of the Business thereof.

‘ So help me GOD.’

Acting without
 Oath.
 Penalty.

And any Officer, Deputy, Clerk or other Person who shall, at any Time after the Third Day of the said *Michaelmas* Term, personally act in any Matters relating to the Business of any such Office in the said Court, without having taken and subscribed such Oath as aforesaid, shall for every Day on which he shall so act forfeit the Sum of Twenty Pounds.

Officers to affix
 Tables of Fees
 framed and
 glazed in their
 Offices.

VIII. And be it further enacted, That every Officer of the said Court of Chancery shall, on or before the Third Day of the *Michaelmas* Term next after the passing of this Act, and every Officer of the said Court who shall hereafter be appointed within Three Calendar Months after he shall have taken the Oath of Office required by this Act, affix or cause to be affixed or hung up in his Office a Table of all such Fees as it shall be then lawful to receive, pursuant to the Directions of this Act, in his said Office, in respect of the Business thereof ; and if at any Time any of such Fees shall be altered or abolished, or any new Fee or Fees authorized according to the Directions of this Act, in respect of the Business of such Office, then and in every such Case such Officer shall, within One Week from the Time of such Change, alter such Table so kept in his Office pursuant and according to such Change, and to the Order for making the same ; and such Table shall at all Times be written or printed in fair and legible Characters, and shall be framed and glazed, so as to be preserved from being erased or altered in any other Manner save as aforesaid, and shall be always kept affixed or hung up in such Manner that the same shall be accessible to and legible by all Persons resorting to such Office ; and in case such Table shall not be so affixed or hung up, and continually kept so framed and glazed and legible in the said Office, such Officer shall, for every Day on which such Table shall not be so kept and legible as aforesaid in such Office, forfeit the Sum of Twenty Pounds.

Penalty.

Officers during
 the time herein
 mentioned to de-
 liver to Regis-
 trar, on Oath, a
 Table of Fees.

IX. And be it further enacted, That every Officer of the said Court of Chancery shall once in every Five Years, that is to say, in *Michaelmas* Term One thousand eight hundred and twenty eight, and in the like Manner on some Day in *Michaelmas* Term One thousand eight hundred and thirty three, and so in *Michaelmas* Term in every Fifth Year succeeding, deliver to the Regis-
 trar

trar of the said Court in open Court a Table or Schedule, under the Hand and Seal of such Officer respectively, specifying and setting forth the Rate of all Fees charged or received in the Office of such Officer, at any Time during Five Years then next immediately preceding, and paid to or received by such Officer, or any his Deputy or Clerk, or other Person whatsoever, directly or indirectly, for the Benefit of such Officer, or his Deputy or Clerks respectively; and every such Officer shall, at the Time of the Delivery of such Table, take Oath to the Truth thereof in open Court, to the best of his Knowledge and Belief, which Oath shall be written at the Foot of such Table, and shall be signed by such Officer.

X. And be it further enacted, That the Registrar of the said Court shall, upon the Receipt of such Tables, carefully examine the same, and the several Fees therein stated and set forth, and shall compare the same with the several Fees contained in the Tables to this Act annexed, and with such Orders of the said Court as may have altered the said Fees or any of them, or may have added any new or other Fees; and in case it shall appear to such Registrar upon Examination that any Fee or Fees contained in the said Table shall exceed in Amount the Fee allowed to be taken according to the Tables to this Act annexed, or any Orders of the said Court for altering the same, or shall not be included in or allowed by such Tables or Orders respectively, the said Registrar shall lay the said Tables before the Lord Chancellor, or Lord Keeper or Commissioners for the Custody of the Great Seal, for his or their Directions; and the said Registrar shall file all such Tables of Fees to which, on Examination, no Objection shall appear, or which shall be approved of by the Lord Chancellor, or Lord Keeper or Commissioners for the Custody of the Great Seal, and shall transmit a Copy of every such Table of Fees so filed, signed by such Registrar, to the Clerk of His Majesty's Privy Council in *Ireland*, on or before the Thirty first Day of *December* next ensuing every such *Michaelmas* Term in which the same shall have been delivered as aforesaid.

XI. And be it further enacted, That the said Registrar of the said Court of Chancery shall, on or before the Thirty first Day of *December* next after every such *Michaelmas* Term in each Fifth Year, transmit to the Clerk of His Majesty's Privy Council in *Ireland* a List of all Officers of the said Court who shall have neglected or omitted to deliver the Tables required by this Act, for the Five Years preceding such *Michaelmas* Term; and if any Officer shall omit or neglect to deliver such Table as is required by this Act, or if any Registrar shall neglect or omit to transmit to the Privy Council Copies of the Tables so delivered as aforesaid by the Officers of the said Court or any of them, or shall neglect or omit to transmit a List of such Officers so neglecting to deliver in such Tables, every such Officer and Registrar so making Default shall forfeit the Sum of Two hundred Pounds.

XII. And be it further enacted, That from and after the First Day of *Michaelmas* Term One thousand eight hundred and twenty three, it shall not be lawful for any Person who now holds any Office of Examiner in Chief of the said Court, or of Master's Clerk or Examiner in the said Court, to act or practise, either in

Registrar to check such Tables by the Tables to this Act and subsequent Orders, and, if correct, file them, and transmit Copies to the Privy Councils.

Registrar to transmit to Privy Council Lists of Officers returning or omitting Table of Fees, or Officers not returning Tables.

Penalty 200l. Officers and Clerks herein mentioned and hereafter appointed, practising as Solicitors

tors or Attor-
nies.

in his own Name or in the Name of any other Person or Persons, as a Solicitor in the said Court of Chancery, or to be in Partnership with any Solicitor in the said Court of Chancery in *Ireland*; and that from and after the said First Day of *Michaelmas* Term it shall not be lawful for any Person who shall be hereafter appointed to hold any of the Offices of the said Court mentioned and specified in any of the Tables to this Act annexed, or who shall hereafter be appointed a Deputy or Clerk to any Person who now holds or shall hereafter hold any Office, to act or practise, either in his own Name or in the Name of any other Person or Persons, as an Attorney or Solicitor in any of the Courts of Law or Equity in *Ireland*; and every such Officer or Person who shall directly or indirectly, by himself or any other Person in Partnership with or in Trust for him, act as such Attorney or Solicitor, contrary to the true Intent and Meaning of this Act, shall, for every Time he shall so act, forfeit the Sum of Two hundred Pounds.

Penalty 200l.

Officers to keep
Writing Clerks
in their Offices,
and pay them
1½d. per Office
Sheet.

XIII. And be it further enacted, That all Officers of the said Court of Chancery, who shall be entitled to any Fees under the Provisions of this Act, shall employ in their respective Offices a sufficient Number of Writing Clerks, to make Copies of Bills, Pleadings, Affidavits, Orders, Decrees and other Things belonging to their respective Offices, and required by or on Behalf of the Suitors of the said Court, and to do and perform all other Business requisite to be done and performed in such respective Offices, so that the Business of any Suitor of the said Court shall not be unnecessarily delayed therein; and such Officer shall pay to every such Writing Clerk, for all Copies made by such Writing Clerk, after the Rate of not less than One Penny Halfpenny for every Office Sheet, consisting of Seventy two Words, of every such Copy made by such Clerk, and for a Part or Portion of any Office Sheet; and it shall not be lawful for any such Officer to cause or direct or knowingly permit any such Copy, or any Part thereof, to be made in any other Place, or by any other Person, than in the proper Office of such Officer, and by a Writing Clerk employed in such Office, and paid exclusively by such Officer after the Rate aforesaid at the least; and every such Officer shall be responsible for the Accuracy of every Copy so made in his Office, and for the same being duly compared with the Original from which it shall be made; and every such Officer who shall cause or direct or knowingly permit any Copy to be made contrary to this Act, or who shall not pay the Writing Clerk for writing the same according to the Rate by this Act directed at the least, shall for every such Offence forfeit the Sum of Twenty Pounds.

Officer not to
permit Copies
to be made
elsewhere than
in his Office by
such Copying
Clerks.

Penalty 20l.

In case of want
of Room Lord
Chancellor may
make annual
Order for per-
mitting Copies
to be made out
of the Offices.

XIV. Provided always, and be it enacted, That if at any Time or Times it shall be ascertained by Affidavit or otherwise, to the Satisfaction of the Lord Chancellor of *Ireland*, or the Lord Keeper or the Commissioners for the Custody of the Great Seal of *Ireland*, that any Officer of the said Court hath not in his Office sufficient Room for the reasonable Accommodation of himself, his Deputies and Assistants, and of a sufficient Number of Clerks to do and perform the Business so required to be done in such Office as aforesaid, then and in every such Case it shall and may be lawful to and for such Lord Chancellor, Lord Keeper or Commissioners

missioners, to make an Order declaring that the same has been so proved, and that it shall be lawful for such Officer to cause, direct or permit any such Copy, or any Part thereof; to be made in any Place and by any Person whatever; and that for every Copy or Part of a Copy which shall be so made in any other Place than the said Office, such Officer, in ascertaining and charging his Fees in respect thereof, shall allow out of the Fees usually payable on such Copies or Parts of Copies One Penny Halfpenny for every Office Sheet thereof; and every such Order shall be good and valid, and shall be a sufficient Justification in all respects to any Person acting in pursuance thereof, for One Year from the Date thereof, unless sooner rescinded, and shall and may be renewed from time to time, until, by reason of new Buildings or new Arrangements or otherwise, sufficient Room shall have been obtained for the Purposes in that Behalf aforesaid; and the Residue only of the Fees to which such Officer would then be lawfully entitled, in case such copying had been regularly done in his Office, which shall remain after such Deduction as aforesaid, shall be deemed and taken to be the lawful Fees or Fee of such Officer in such Case.

How such
Copies paid for.

What deemed
the lawful Fees
of Officers in
such Case.

XV. Provided also, and be it enacted, That it shall and may be lawful for any Solicitor of the said Court of Chancery to prepare for the Attestation of the proper Officers of the said Court Copies of all or any such Decrees, Reports, Accounts, Affidavits and others Matters or Things, as such Solicitor shall have occasion to file; and that every such Officer shall compare and attest such Copy, and shall in such Case deduct and allow out of the Fee payable to such Officer for such attested Copy the Sum of One Penny Halfpenny for every Office Sheet thereof; and shall mark the Fees on such Documents pursuant to this Act, as if such Copy had been prepared by such Officer; and further, that it shall and may be lawful for any Solicitor of the said Court of Chancery to prepare Drafts of Decrees, and all other Documents, in like Manner as the Solicitors of the said Court have heretofore been accustomed to do.

Solicitors may
prepare Copies
of Decrees,
Affidavits, &c.
and mark Fees
thereon.

XVI. And be it further enacted, That in all Copies, Engrossments, Exemplifications or Extracts of any Rules, Pleadings, Decrees or other Matters chargeable according to the Length thereof, whether the Charge for the same shall be computed according to the Sheet, the Skin, the Roll or the Side, a Fraction of a Sheet, Skin, Roll or Side respectively, of any such Copy, Engrossment, Exemplification or Extract, may be charged for by any Officer as an entire Sheet, Skin, Roll or Side, provided that on each such Copy, Engrossment, Exemplification or Extract respectively, there shall be charged only One such Fraction of a Sheet, Skin, Roll or Side respectively.

In Copies, &c.
Fraction of a
Sheet, &c. may
be charged as
a whole Sheet,
&c.

XVII. And be it further enacted, That in all Copies of Schedules and Accounts whatsoever issued from any Office in the said Court of Chancery, the Charge or Fee whereupon is or are or shall or may be lawfully computed according to the Contents, all Sums of Money and Dates of the Year, and Days of the Month and Numbers, shall be expressed in Figures, and shall be charged as if the same were expressed in Figures, and not in Words, in Manner and according to the Directions following; (that is to say,)

How Sums,
Dates and
Numbers shall
be expressed
and charged.

One Pound, or any Number of Pounds, shall be charged as One Word; One Shilling, or any Number of Shillings, shall be charged as One Word; One or more Penny or Pence, whether with or without any Fraction of a Penny, shall be charged as One Word; any Fraction of a Penny not joined with any Penny or Pence shall be charged as One Word, whether the same shall occur singly or shall be combined in any Mode or Form whatsoever; and any definite Number whatever shall be charged as One Word and no more.

Charge of Fees to be endorsed on all Copies and Documents.

XVIII. And be it further enacted, That upon the Back of all Copies, Engrossments, Exemplifications and Writings, which shall be issued from any Office of the said Court of Chancery, or by any Officer of the said Court, there shall be endorsed and written by the said Officer, or his sufficient Deputy or Clerk, the full Amount of all Office Fees charged on such Copy, Engrossment, Exemplification or Writing respectively, and the Rate of such Fees, and the Mode of Charge according to which such Fees shall be computed, and the Number of Sheets, Skins or Sides on which such Fees shall be charged or calculated; and upon any Taxation of Costs between Party and Party, or between Attorney and Client, such Copy, Engrossment, Exemplification or Writing, shall be produced before the Taxing Officer, in all Cases where it shall appear to him practicable; and it shall not be lawful for the Taxing Officer to allow any Charge of any Solicitor or Attorney, with respect to any such Document so produced, upon which the Amount and Rate of Fees shall not be so endorsed, but that all and every such Charge shall be struck out of the Bills of such Solicitor or Attorney by such Taxing Officer.

Charge of Documents not so endorsed not allowed on Taxation of Costs.

XIX. And for the Removal of Doubts as to the Extent of the Duty of the Taxing Officers of the said Court of Chancery, be it further enacted, That upon all Taxations of Bills of Costs, whether between Party and Party, or between Attorney and Client, it shall be the bounden Duty of the Taxing Officer, whether he shall be required so to do or not, and whether any Objection shall have been made or not, to examine and ascertain, by all reasonable Methods, that each and every Charge in any Bill of Costs contained (whether such shall be a Fee for Counsel, Solicitor or Officer of Court, or Stamp Duty, or any other Disbursement whatsoever, or any Charge for Business done by the Person charging the same,) is the proper Charge which, under the Circumstances of the Case, ought to be made; and that upon all such Taxation the Taxing Officer shall determine upon all Charges made by any Officer of the Court of Chancery, and allow only such as shall appear to him made according to the true Right of such Officer respectively.

Taxing Officers to examine into justice of Charges on Bills of Costs.

XX. And be it further enacted, That from and after the Commencement of this Act, the Deputy Keeper of the Rolls, or the Clerk of the Enrolments, or any Clerk or other Person employed in the Rolls Office, to demand or accept, for or on account of any Act, Matter or Thing done in or concerning the Business of the Rolls Office, as the same are set forth in the Table (No. 2.) to this Act annexed, or as may be payable under any Order or Orders of Court made in pursuance of the Provisions in this Act contained, save and except only in such Cases where, under the Provisions

Deputy Keeper of the Rolls, &c. to receive all Fees at the Rolls Office, and pay thereout Quarterly certain Salaries, &c. specified, to himself, to the Clerk of Enrol-

visions of any Act of Parliament now in force in *Ireland*, any lesser Fees are appointed to be taken; and that the said Deputy Keeper of the Rolls shall Quarterly and every Quarter, on the Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September* and Twenty fifth Day of *December*, or within Ten Days next after, retain and pay, out of the Produce of such Fees, the several Sums, Charges and Disbursements following, to and for the Use of him the said Deputy Keeper of the Rolls, and the several Officers following; that is to say, to and for the Use of him the said Deputy Keeper of the Rolls, the Sum of Two hundred and fifty Pounds, being One thousand Pounds yearly; to and for the Use of the Clerk of the Enrolments, the Sum of One hundred Pounds, being Four hundred Pounds yearly; to and for the Use of the Clerk for regulating the Pleadings after they are copied and compared, and for removing the Pleadings once a Year from the Inner Office into the Record Room, the Sum of Seven Pounds Two Shillings and Two Pence Farthing, being Twenty eight Pounds Eight Shillings and Nine Pence yearly; and to and for the Use of the Trainbearer of the Master of the Rolls, the Sum of Thirty seven Pounds Ten Shillings, being One hundred and fifty Pounds yearly; to and for the Crier of the Rolls Court, the Sum of Twelve Pounds Ten Shillings, being Fifty Pounds yearly; to and for the Housekeeper, the Sum of Six Pounds Five Shillings, being Twenty five Pounds yearly; to and for the Use of the Rolls Court Keeper, the Sum of Two Pounds Five Shillings and Sixpence, being Nine Pounds Two Shillings yearly; and to and for the Use of the conducting Clerks, copying Clerks and comparing Clerks, and the Clerks for engrossing Enrolments in the said Rolls Office, such Sum or Sums as shall be equal to the Rates and Amounts following; that is to say, to the conducting Clerks One Shilling for every Twenty Sheets, to the copying Clerks One Penny Halfpenny for every Sheet, and to the comparing Clerks Three Pence for every Twenty Sheets, of every Copy of every Bill, Answer, Plea, Replication, Rejoinder, Demurrer, Enrolment or other Pleading, Document or Matter whatsoever, which shall be made in the said Office; and to the engrossing Clerks One Shilling for engrossing every double Strip of Enrolment of every Patent, Deed or other Document or Matter which shall be enrolled in the said Office during the Quarter ending on such Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September* and Twenty fifth Day of *December*, in every Year; and that the said Deputy Keeper of the Rolls do retain and pay out of the said Fees, for Parchment, Stationery, Coals, Candles, the Court Yard Keeper, and for such other incidental Expences as have been heretofore accustomed to be paid out of the Fees of the Master of the Rolls, for the Use of the said Rolls Office and the Rolls Court, such Sums respectively as shall appear necessary to the Commissioners for auditing of Public Accounts in *Ireland* to be continued to be paid; and such Deputy Keeper of the Rolls, after Payment of all the said respective Sums, Charges and Expences, shall, within Fourteen Days after such Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September*, and Twenty fifth Day of *December*, in each Year, deliver into the Office of His Majesty's said Commissioners for auditing

ments, Comparing Clerks, &c. and incidental Expences;

and deliver Accounts thereof Quarterly to Commissioners for auditing the Public Accounts,

the Public Accounts for the Time being, an Account, signed by such Deputy Keeper of the Rolls, of all Fees received by him under this Act for the Quarter ending on such Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September* and Twenty fifth Day of *December*, respectively, send an Account of all Fees received or receivable for the Crier of the Rolls Court, and of all Salaries and Sums of Money paid by him according to the Directions of this Act, properly vouched and verified on Oath, by an Affidavit at the Foot thereof, by such Deputy Keeper of the Rolls, if required, before One of the Masters of the said Court of Chancery, who is hereby authorized and required to administer the Oath for that Purpose; and in case of the Death of such Deputy Keeper of the Rolls, then his Executors or Administrators shall, within Six Calendar Months after his Death, deliver in like Manner to the said Commissioners for auditing the Public Accounts an Account, signed by such Executors or Administrators respectively, of all Fees received, and of all Salaries and Sums paid by such Deputy Keeper of the Rolls, from the latest Day to which he shall have so accounted to his Death; which Account shall be verified in like Manner by such Executors or Administrators, or some or one such Executor or Administrator; and the said Commissioners for auditing the Public Accounts, or the major Part of them, shall and are hereby required to inquire into, audit and settle, with all convenient Speed, every such Account so delivered, and to verify under their Hands the Balance due thereon; and such Deputy Keeper of the Rolls, or his Executors or Administrators, having Assets, shall, within Six Days after each such Account respectively shall be so audited and certified, pay into the Receipt of His Majesty's Exchequer in *Ireland* all such Sum and Sums of Money as shall be so certified as the Balance in his or their Hands; which Payment shall thereupon be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Commissioners to audit such Accounts, and Deputy Keeper of the Rolls to pay over Surplus.

Deputy Keeper of the Rolls neglecting to deliver Accounts, or pay Balance into Consolidated Fund.

Penalty.

Acquittances for Payment into Exchequer to be produced to Commissioners.

XXI. And be it further enacted, That in case the said Deputy Keeper of the Rolls, his Executors or Administrators, shall at any Time or Times neglect or make default in delivering in such Account as hereinbefore directed, to the said Commissioners for auditing the Public Accounts, within the Periods aforesaid respectively specified for that Purpose, or in paying into the said Exchequer such Balance as aforesaid for the said Space of Six Days after such auditing, then and in every such Case such Deputy Keeper of the Rolls, or such Executors or Administrators, having Assets sufficient to make such Payment, shall pay into the said Exchequer, together with such Balance, Interest for the same at the Rate of Twenty Pounds *per Centum* from the Expiration of the said Period of Six Days, until paid in as aforesaid.

XXII. And, to the end that the Payment of such Balance may be ascertained, be it further enacted, That upon Payment of such Balance, an Acquittance or Discharge for the same shall be signed by the proper Officer in the Exchequer, which shall be produced and exhibited by the said Deputy Keeper to the said Commissioners for auditing the Public Accounts, with the next ensuing Quarter's Account, within One Calendar Month from the Date thereof, or by his Executors or Administrators within Three Calendar

Calendar Months from the Date thereof; and the said Commissioners are hereby required to demand and have the same so produced to them, before they shall audit and certify any subsequent Account for such Deputy Keeper in Manner hereinbefore directed.

XXIII. Provided always, and be it enacted, That in case it shall happen that the Sums received by the said Deputy Keeper shall in any Quarter be found insufficient to pay the different Sums payable thereout as hereinbefore directed, it shall be lawful for the said Commissioners for auditing the Public Accounts, and they are hereby required and authorized and empowered to inquire into, and to audit and certify such Deficiency, and thereupon such Deficiency shall be charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, after paying and satisfying 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 said Consolidated Fund, and shall be issued thereout to such Deputy Keeper of the Rolls, to be by him applied in pursuance of the aforesaid Directions in relation thereto.

XXIV. And be it further enacted, That from and after the Commencement of this Act, the Duties of the Office of Deputy Keeper of the Rolls, and the Clerk of the Enrolments, shall be distributed and executed in Manner following; that is to say, the Deputy Keeper of the Rolls, in addition to the Duties of superintending in general the Performance of the Ministerial Duties in the Rolls Office, and the other Duties heretofore discharged by him with respect to the attested Copies of Pleadings and Certificates, shall, in Person, or by proper Persons duly employed in his Office, keep the Rough Bill Book, and insert therein the Name or Names of the Plaintiff or Plaintiffs, and Defendant or Defendants (as the Case may be), the Counsel's Name, and the Name of the Six Clerk and Solicitor respectively, the Time of filing the Bill and the Number of Skins which each Bill shall contain; and shall also in like Manner, within One Week from the filing of each Bill, enter the same in the Book of Pleadings; and shall also in like Manner enter into the said Book of Pleadings all Answers, Pleas, Demurrers, Replications and Rejoinders; and shall in like Manner make the Entries and do the Duties as to amended Bills and Pleadings heretofore discharged by the Clerk of the Enrolments; and the said Deputy Keeper shall in like Manner, from the Period aforesaid, personally keep and make up the Quarterly Accounts of the Fees received in the said Office, and the Payments made thereout, pursuant to the Provisions of this Act; and the Clerk of the Enrolments shall in like Manner make Searches and discharge the Duties in relation thereunto, and attend the Masters under Orders to expunge, where Pleadings are reported scandalous, prolix or impertinent, and attend the Masters and Courts of Justice with the Records when offered in Evidence, and make all Enrolments, and enter and index the same; and further, shall in like Manner open and keep in the Office, as Part of the Public Books thereof, to which Reference may be had, a Calendar or Index of the Decrees to be enrolled, which Calendar or Index shall be kept in the same Manner, containing similar Heads, and specifying similar Particulars, as the Index furnished at the Rolls Office by the Com-

On Certificate of Commissioners Deficiency of Amount of Fees to be charged on and paid out of Consolidated Fund.

The Duties of Deputy Keeper of the Rolls and Clerk of the Enrolments distributed and executed as herein mentioned.

missioners of Public Records of Ireland, and shall be continued from the First Day of *Hilary* Term One thousand eight hundred and twenty three, mentioned in such Index; and the Clerk of the said Enrolments shall in like Manner complete the Entry of all Decrees enrolled in the preceding Term and Vacation, on or before the first Sitting Day of each ensuing Term.

Proviso for Master of the Rolls, to whom no Fees are payable under this Act.

‘ XXV. And Whereas, under the Provisions of the Two Acts of Parliament next hereinafter mentioned, the Master of the Rolls in Ireland for the Time being is entitled to receive from His Majesty’s Treasury so much in or for each Quarter, as, together with the Fees received by him therein, shall make up the Sum of One thousand and seventy five Pounds Sterling: And Whereas from and after the Commencement of this Act no Fees whatsoever will be payable to the Master of the Rolls in Ireland, and it is therefore expedient to abolish such Mode of Payment, and to make Provision for maintaining the Rank and Importance of the said Office in Manner hereinafter mentioned; Be it therefore enacted, That all such Parts of Two Acts made in the Parliament of the United Kingdom, one Act in the Forty first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Regulation of the Office of Master of the Rolls in that Part of the United Kingdom called Ireland, and for augmenting the Salary annexed to the said Office*; and the other Act of the Fifty fifth Year of the Reign of His said late Majesty, intituled *An Act to augment the Salary of the Master of the Rolls in Ireland, and to enable His Majesty to grant an additional Annuity to such Master of the Rolls on the Resignation of his Office; and to regulate the Disposal of the Offices of the Six Clerks in the Court of Chancery in Ireland*; as relate in any way to the Salary of the Master of the Rolls in Ireland, and as relate to any Account to be delivered by or on Behalf of the said Master of the Rolls, of the Salary, Fees and pecuniary Profits received by or payable to him in respect of the Execution of his Office, shall, from and after the Commencement of this Act, be and the same are hereby repealed; and that any Salary heretofore charged on the Civil List, for the Master of the Rolls for the Time being, shall from thenceforth cease and determine.

41 G. 3. (U. K.)
c. 25. § 3—7.

55 G. 3. c. 114.
§ 1. as to Salary of Master of the Rolls, repealed.

Salary of 4300l. Irish Currency a Year for Master of the Rolls charged on Consolidated Fund from Commencement of this Act, payable Quarterly.

XXVI. And be it further enacted, That from and after the Commencement of this Act, there shall be issued and paid and payable to the Master of the Rolls in Ireland for the Time being, out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, after paying and 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 said Consolidated Fund, but with Preference to all other Payments which shall or may be hereafter charged upon or payable out of the said Fund, the annual Sum of Four thousand three hundred Pounds *Irish* Currency; and the said Sum of Money to be issued in pursuance of this Act shall from time to time from thenceforth be payable and paid Quarterly, free and clear of all Taxes and Deductions whatsoever, on every Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September* and Twenty fifth Day of *December*; the first Payment thereof to be made on the first of the said Quarterly Days

Days which shall immediately next follow the Commencement of this Act, and in Proportion only to the Time which shall have then elapsed from the Commencement of this Act.

XXVII. Provided always, and be it further enacted, That when- ever any Person holding the Office of Master of the Rolls shall, during the Course of any Quarter, resign his said Office, or shall die, then the Person so resigning the said Office, or the Executors or Administrators of such Person so dying, (as the Case may be,) shall be entitled to such proportionable Part of the said Salary as shall have accrued during such Part of the said Quarter as such Person shall have executed such Office as aforesaid; and every Master of the Rolls to be hereafter appointed shall, on the Quarter Day next after his Appointment, be entitled to have and receive out of the said Consolidated Fund such Proportion of the said Salary as shall have arisen from the Date of the Letters Patent of his Appointment.

Apportionment of Salary on Appointment, Resignation or Death of Master of the Rolls.

XXVIII. And Whereas the said Commissioners so appointed as aforesaid have recommended that the Duty of Taxation in the said High Court of Chancery should cease to be performed by the Masters in Ordinary of the said Court, and that the said Masters should receive certain stated Fees for the Performance of their remaining Duties, and that the Duty of Taxation should in future be performed by distinct Taxing Officers, to be appointed for that Purpose; and that such Taxing Officers should be paid by Salaries, and not by Fees; but it is deemed more expedient that the said Duty of Taxation should continue to be performed as heretofore by the said Masters, and that in lieu of the Fees recommended for them by the said Commissioners, and also in lieu of all Fees heretofore payable to them for or in respect of the said Duty of Taxation, or for or in respect of any other Duty appertaining to the said Office of Master in Ordinary of the said Court, the said Masters shall respectively receive a clear Salary of Three thousand Pounds *per Annum* (a); Be it therefore enacted, That from and after the First Day of *Michaelmas* Term One thousand eight hundred and twenty three, it shall not be lawful for any Master in Ordinary of the Court of Chancery in *Ireland* to have, take or receive, or to ask, demand or require, any Fee, Reward, Emolument or Sum of Money whatsoever, from any Suitor of the said Court of Chancery, or from any Solicitor or Attorney, or other Person whomsoever acting on Behalf of any Suitor of the said Court, for any Matter or Thing whatever done or performed, or required to be done or performed, by any such Master in the Execution of his Duty as such Master in Chancery, either in Cases where such Master has herebefore received or been entitled to any Fees, or in any other Case whatever, any Law, Usage or Custom to the contrary in any wise notwithstanding; but all such Fees, Rewards and Emoluments shall, from and after the First Day of *Michaelmas* Term One thousand eight hundred and twenty three, entirely cease and determine.

After the First Day of *Michaelmas* Term 1823, Masters shall not receive any Fees.

(a) [*Irish Currency. See the Section next following.*]

XXIX. And be it further enacted, That from and after the Commencement of this Act, there shall be issued and paid and payable, during their good Behaviour, to each and every Master of

3000l. Irish Currency per Annum granted to each Master in

Chancery out
of Consolidated
Fund.

Payable
Quarterly,
Tax free.

Proportion of
Salary on Ap-
pointment, Re-
signation or
Death of
Master, &c.

Compensation
to be made to
the present
Masters.

the Court of Chancery in *Ireland* for the Time being, out of, and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, after paying and 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 such Consolidated Fund, but with Preference to all other Payments which shall or may be hereafter charged upon or payable out of the said Fund, the annual Sum of Three thousand Pounds *Irish* Currency; every such annual Sum to be issued in pursuance of this Act shall from Time to Time from thenceforth be payable and paid Quarterly, free and clear from all Taxes and Deductions whatsoever, on every Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September* and Twenty fifth Day of *December*; the first Payment thereof to be made on the first of the said Quarterly Days which shall immediately next follow the Commencement of this Act, and in proportion only to the Time which shall have then elapsed from the Commencement of this Act.

XXX. Provided always, and be it further enacted, That whenever any Person holding, or who shall hold the Office of a Master in Chancery in *Ireland*, shall during the Course of any Quarter resign or quit his said Office, or shall die, then the Person so resigning, quitting or the Executors or Administrators of such Person so dying (as the Case may be), shall be entitled to such proportionate Part of such Salary as shall have accrued during such Part of the said Quarter as such Person shall have executed the said Office; and every Master in Chancery to be hereafter appointed shall, on the Quarter Day next after his Appointment, be entitled to have and receive out of the said Consolidated Fund such Proportion of such Salary as shall have arisen from the Date of the Letters Patent of his Appointment.

' XXXI. And Whereas the present Masters in Ordinary of the said Court of Chancery will, in consequence of the Provisions of this Act, suffer a considerable Diminution of the Income hitherto received by them as Masters of the said Court: And Whereas it is just and proper that reasonable Compensation should be made to them for such Losses; Be it therefore enacted, That the present Masters of the said Court, that is to say, *Thomas Ellis*, *Thomas Ball*, *William Henn* and *Roderick Connor*, shall, out of the Sum of Ten thousand Pounds hereinafter reserved as a Fund to compensate the several Officers of the said Court of Chancery who may suffer Losses in their Incomes by means of the Provisions of this Act, each receive a Sum of Two hundred Pounds yearly, during the Time they shall respectively remain in Office, to be paid to them and each of them by Four Quarterly Payments, to wit, on every Twenty fourth Day of *December*, Twenty fifth Day of *March*, Twenty fourth Day of *June* and Twenty ninth Day of *September*; the first Payment thereof to take place on the first of the said Days which shall happen next after this Act shall take effect; and the said Sums of Two hundred Pounds to each of said Masters shall be the first Payment to be made out of the said Sum of Ten thousand Pounds hereinafter particularly mentioned, and to be in lieu of and in full Satisfaction

Satisfaction of all Losses or Diminution of Income which such Person shall or may sustain by reason of the several Provisions in this Act contained.

XXXII. And be it further enacted, That in all References or Matters before any Master in Chancery, in which it has been heretofore customary to issue Summonses for the Parties to attend such Suitor, the Master before whom any Proceeding on such Reference or Matter shall be had, shall continue to issue Summonses from time to time, and shall not in any Case, or under any Pretence whatever, proceed on any such Reference or Matter, unless a Summons for the Meeting at which such Proceeding shall be required shall have been signed by him, and shall be produced before him at the Meeting for proceeding on such Reference or Matter.

On all References and Proceedings Summonses to be issued by Master for each Meeting.

XXXIII. And Whereas it frequently happens that Delays and Adjournments of Meetings on References and Proceedings in the Offices of Masters in Chancery frequently take place, for the Accommodation and Convenience, or through the Negligence and Non-attendance of one of the Parties concerned in such Reference or Proceeding, and it is unreasonable and unjust that the Party attending and prepared to proceed should pay the Expence of Meetings so rendered nugatory by the Non-attendance of the opposite Party, even though such opposite Party should by a final Decree, or otherwise, be ordered to pay the several Costs of the Cause; and according to the present Practice of the Court of Chancery the Masters in Chancery have not any Power or Authority to make any Order touching the Costs of the Proceedings before themselves; Be it therefore enacted, That at any and every Meeting which shall be had before any Master of the Court of Chancery in *Ireland*, upon Summons issued in Manner aforesaid, the Master shall on the Back of the Summons for such Meeting, to be produced to him according to the Directions of this Act, endorse or cause to be endorsed, and shall sign such Order as under the Circumstances of the Case shall to him seem fit, as to the Payment of the Costs of such Meeting, and as to the Person or Persons by whom the Costs of such Meeting shall be paid, as between Party and Party, or whether such Costs shall abide the Rule, Order or Decree, as to the Payment of Costs, which may be made on the Hearing of the Cause, or whether such Costs shall be paid by the Complainant or Defendant, or other Party in the Cause or Matter, independent of any general Order or Decree which may be pronounced by the Court as to the general Costs of such Cause or Matter, or whether as between Solicitor or Client, the Costs of such Meeting in the Master's Office, so as aforesaid rendered nugatory, shall constitute a fair and reasonable Charge against the Client; and every such Summons with such Order so thereon endorsed, and signed by the said Master, shall, on the Taxation of such Costs, be produced to the Master when taxing such Costs, who shall allow or disallow the Costs in respect thereof accordingly, either as between Party and Party, or as between Solicitor and Client, or otherwise, according to the Order so as aforesaid endorsed on the Back of such Summons; and in no Case shall the Master, upon the Taxation of any Bill of Costs, allow any Sum or Sums as and for the Expences of any

For regulating Allowance of Costs by Masters on Meetings before them rendered nugatory by Default of Parties, and in other Cases herein mentioned.

any such Meeting or Proceeding, unless the Summons on which such Meeting was had be produced before such Master at the Time of such Taxation.

Where Summons issued and mislaid, and Costs of Proceedings allowed.

XXXIV. Provided always, and be it further enacted, That in all Cases where any Summons shall issue for any Proceeding before the said Master, and that such Summons shall be lost and mislaid, that in such Case it shall and may be lawful to allow the Costs of such Proceedings on a Taxation of Costs, in case it shall appear by an Entry in the Master's Book, or by such other Evidence as to the said Master shall appear sufficient, that a Summons has really and *bonâ fide* been issued on such Proceedings.

Proviso for Fees of Masters, &c. previous to Michaelmas Term, 1823.

XXXV. Provided always, and be it further enacted, That nothing in this Act shall extend to prevent any Master in Ordinary of the said Court of Chancery, or the present Registrar of the said Court, or his Deputies, from taking, receiving or recovering all such Fees as shall be legally and *bonâ fide* due to any such Master, or the present Registrar or his Deputies, for any Business done, or for any Services performed in the Execution of the Duty of his or their respective Offices, at any Time previous to the First Day of *Michaelmas* Term One thousand eight hundred and twenty three.

Taxing Costs for Business done previous to Michaelmas Term 1823.

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to prevent the Masters in Ordinary of said Court from taxing all Bills of Costs for Business done previous to the First Day of *Michaelmas* Term One thousand eight hundred and twenty three, according to the Rules and Regulations by which any Bill of Costs were taxable at or immediately previous to the Day of passing of this Act.

The King empowered to grant Annuity to retired Masters in Chancery.

XXXVII. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by Letters Patent under the Great Seal of *Ireland*, to give and grant unto any Person who may or shall have executed the Office of a Master in Ordinary of the Court of Chancery for the Term of Twenty Years, or to any Person having executed the said Office for any shorter Period not less than Ten Years, or who shall after his Appointment to any such Office have become afflicted with any permanent Infirmary, disabling him from the due Execution of his Office, and who shall be desirous of resigning the same, an Annuity or yearly Sum of Money not exceeding the Sum of One thousand five hundred Pounds *Irish* Currency, in case the said Master shall have served in such Office Twenty Years, and not exceeding One thousand Pounds in case he shall have served for such shorter Period; and an Annuity not exceeding Two thousand Pounds in case such Master shall have served in such Office Twenty five Years; and an Annuity not exceeding Two thousand five hundred Pounds in case such Master shall have served in such Office for Thirty Years or more; in which Letters Patent the Cause or Ground for making thereof shall be distinctly stated and specified; and the Annuity or yearly Sum so granted shall be paid accordingly out of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, by even and equal Quarterly Payments, on the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July*, and Tenth Day of *October* in every Year, to such Master in Ordinary, from the Period of which he shall

1500l. or 1000l. *Irish* Currency;

2000l. or 2500l. *Irish* Currency;

charged on the Consolidated Fund.

shall resign his said Office, for and during the Term of his natural Life, without any Deduction for Fees or Pounding, or otherwise.

XXXVIII. Provided always, and be it further enacted, That no Allowance shall in any Case be made under this Act to any Master in Chancery by way of Retired Salary or Pension, unless such Master in Chancery shall have served in the same Office during the full Term of Ten Years.

XXXIX. Provided nevertheless, and be it further enacted, That every such Master in Ordinary of the Court of Chancery, being desirous to resign his Office, shall before he resigns the same take and subscribe the following Oath before the Lord Chancellor of Ireland, or the Lord Keeper or Commissioners for the Custody of the Great Seal of Ireland.

‘ I A. B. do solemnly swear, That I neither have received nor will receive, directly or indirectly, by myself or by any One in trust for me, any Sum or Sums of Money, Gift, Promise or Engagement, as a Consideration, Inducement or Reward for my Resignation of the Office of Master in Chancery.’

XL. And be it further enacted, That from and after the passing of this Act, the present and all future Masters in Ordinary of the said Court of Chancery in Ireland, do and shall hold and be possessed of their said respective Offices of Masters in Ordinary of the said Court during good Behaviour, any Patent or Patents, Usage or Custom to the contrary thereof notwithstanding.

XLI. And be it further enacted, That it shall and may be lawful to and for the Lord Chancellor of Ireland, or the Lord Keeper or Commissioners for the Custody of the Great Seal of Ireland, upon Complaint duly made, and after full Inquiry into the alleged Grounds thereof, by Affidavit or otherwise, as he or they shall think fit, to remove any Officer of the said Court, except the Master of the Rolls, and except any Master in Ordinary of the said Court, from his Office, for any Offence or Misconduct therein, which such Lord Chancellor, Lord Keeper or Commissioners shall deem deserving of such Punishment; and thereupon such Officer shall cease to hold or be entitled to such Office.

XLII. And be it further enacted, That there shall be Two Registrars for the Execution of the Office of Registrar of the said Court of Chancery; and that from and immediately after the passing of this Act Francis Prendergast and Charles O’Keeffe, the present Deputy Registrars, shall be the Registrars of the said Court, and shall hold the said Office during their good Behaviour respectively; and that on the Death, Resignation or Removal of either of them, it shall be lawful for His Majesty, His Heirs and Successors, by Letters Patent under the Great Seal of Ireland, to appoint a fit and proper Person to be joint Registrar of the said Court with the other of them, and so on every subsequent Death, Resignation or Removal of any Registrar, a new Registrar shall be in like Manner appointed in his Place, who shall be likewise a joint Officer with such other Persons as shall be or shall have been appointed in that Behalf; and such Persons as shall be or shall have been appointed in that Behalf, and such Person so appointed, shall be joint Registrars of the said Court, and shall hold their said respective Offices during good Behaviour respectively, and shall

No Allowance to Masters, till they have served 10 Years.

Master resigning to take the following

Oath.

Masters to hold their Office during good Behaviour.

Officers of Court may be removed for Misconduct. (Exception.)

Present Deputy Registrars to be Joint Registrars, on Vacancy of present Office of Registrar of the Court.

Two Joint Registrars may be appointed by Patent.

Appointment of Deputies in case of Necessity approved of by Lord Chancellor.;

shall be authorized and empowered, and are hereby required personally to do and perform all such Matters and Things in the Execution of the said Office, as belong or appertain to the Office of Registrar of the said Court, unless in case of Illness or unavoidable Necessity, in which Cases it shall be lawful for such Registrars respectively to appoint a Substitute or Deputy, such Deputy and also the Occasion for appointing him to be first approved by the Lord Chancellor of *Ireland*, or the Lord Keeper or Commissioners for the Custody of the Great Seal of *Ireland*, upon a Petition verified by Affidavit, for such Time and under such Regulations as shall be directed by the Lord Chancellor, Lord Keeper or Commissioners for the Time being; and no such Appointment of a Deputy shall continue for any longer Time than shall be allowed by such Order, either by fixing a precise Time or by some general Words, or by Reference to some Matter capable of being distinctly ascertained, or in such other Manner as the Court shall think proper; and if any such Appointment shall be made otherwise than as aforesaid, or for any longer Period than as aforesaid, then and in every such Case such Registrar making such Appointment, and also such Deputy, if he shall presume to act thereon, shall be deemed guilty of a Contempt of Court, and be punished accordingly; and it shall and may be lawful for such Registrars to appoint some Person during their Pleasure to be their First Clerk, to be approved of by the Lord Chancellor of *Ireland*, or the Lord Keeper or the Commissioners for the Custody of the Great Seal of *Ireland*, and to be removable by such Registrars, with the Consent of such Lord Chancellor, Lord Keeper or Commissioners; and it shall be lawful for the said Registrars, by themselves or such First Clerk, to demand and receive all such Fees as are specified and set forth in the Table (Number 4.) to this Act annexed, for or on account of any Act, Matter or Thing done in or concerning the Business of the said Office of Registrar of the said Court; and the said Registrars shall and they are hereby required, out of such Fees, to pay to the said First Clerk a clear yearly Salary of not less than Five hundred Pounds; and the said Registrars shall also out of the said Fees pay all Salaries and Allowances to all inferior Clerks in the said Office of Registrar; and all official Copies or Certificates and other Documents whatsoever, issuing from the said Office of Registrar, shall in all Cases be signed by One of the said joint Registrars for the Time being.

Registrars may appoint a First Clerk.

Their Fees as in Table No. 4. &c.

Salary of First Clerk.

Inferior Clerks.

Office Copies to be signed by One Registrar.

Commissioners to be appointed by Masters, on

‘ XLIII. And Whereas the Commissioners appointed to inquire into the Duties, Salaries and Emoluments of the Officers, Clerks and Ministers of Justice, in all Temporal and Ecclesiastical Courts in *Ireland*, by their First Report laid before Parliament relative to the Court of Chancery in *Ireland*, have reported that several Abuses and Inconveniences to the Suitors had arisen from the Practice of the said Court, relative to the Examination of Witnesses under Commissions issuing out of the said Court to Commissioners for that Purpose; and it is expedient that all such Abuses and Inconveniences should be amended, and a better System introduced;’ Be it therefore enacted, That from and after the Commencement of this Act, in all Cases where it may be necessary that an Examination of Witnesses should take place,

place, either in chief in any Cause, or in aid of any Inquiry or Account ordered or directed to be made or taken before any Master in Ordinary of the said Court, other than the Examinations of Witnesses before the Examinators of the said Court, an Order shall be made by such Court for referring it to a Master in Ordinary of the said Court, according to the usual Practice of the said Court in such Case, to approve of and appoint one fit and proper Person to act as Examiner in all such Cases so referred, and such Person so to be approved of and appointed by such Master shall, so far as the same is practicable, be totally unconnected with either or any of the Parties interested in such Cause, and such Person so approved of and appointed shall be and shall be taken as and shall be considered to be an Officer of the said Court of Chancery, and shall be subject to such summary Interference and Controul of the said Court, as any other Officer of the said Court in this Act particularly mentioned; and a Commission shall issue to such Person so as aforesaid appointed, authorizing and empowering him to proceed in the Examination of all such Witnesses as may be necessary, in the same Manner and according to the same Forms as are at present established (save and except in Cases where such established Practice is altered by this Act), touching and concerning the Examination of Witnesses under Commission to examine Witnesses, issuing out of the Court of Chancery in *Ireland*, at any Time before the Commencement of this Act; and every Person so approved of and appointed a Commissioner to examine Witnesses under the Provisions of this Act, before he shall exercise any of the Duties of such Commissioner, shall take and subscribe, before a Master in Ordinary or a Master Extraordinary of the said Court, the following Oath, and such Oath shall be annexed to the said Commission, and shall be returned with the said Commission to the said Court, to be there filed and recorded; (that is to say,)

Reference from the Court, to examine Witnesses.

Commission to issue.

Commissioners to take the following

‘ I *A. B.* do swear, That I will, according to the best of my Skill and Knowledge, truly and faithfully perform the Duty of a Commissioner, to examine Witnesses pursuant to the Powers vested in me by the annexed Commission; and that I will truly, faithfully and without Partiality to any or either of the Parties in this Cause, take, write down the Examinations and Depositions of all and every Witness and Witnesses who shall be produced before and examined by me, upon the Interrogatories filed for that Purpose; and that until Publication in the said Cause shall duly pass, I will not publish, disclose or make known any Part of the Purport or Contents of any Deposition of any Witness to be taken by me; and further, that I will fairly and truly enter and set down in Writing, in the Dominical of such Examination, the Hours of the Day on each Day that I shall be employed as such Commissioner, at which I shall respectively commence and conclude the Examination of the Witnesses under such Commission, as also the real and true Cause or Causes of my not commencing such Examination at or before Eleven of the Clock in the Forenoon, if such should be the Case; and also, of my not continuing such Examination till Three o’Clock † in the Afternoon, if such should be the Case; as also, by whose Delay or Default, so far as I can judge,

Oath.

† Sic.

† Sic.

Proviso for Examination of Witnesses residing more than Thirty Miles from Dublin.

Commissioner may cross examine for the opposite Party.

Fees, &c. settled by Order of Court.

Chief Examiners may appoint Deputies in Cases of Necessity, allowed by the Court.

Unduly appointing, Contempt of Court.

Examiners and Commissioners to take Depositions personally.

‘ such Examination was not commenced and continued [as the Case may be] from Eleven o’Clock † in the Forenoon till Three in the Afternoon.
So help me GOD.’

XI.IV. And be it further enacted, That no Witness, who shall reside more than Thirty Miles from the City of *Dublin*, shall in any Case be obliged to leave his or her House in order to be examined before any Chief Examiner; but that all such Witnesses who shall reside or be in *Ireland*, and more than Thirty Miles from the City of *Dublin*, shall and may be examined before a Commissioner so to be appointed, unless such Witness, and also the Party producing such Witness, shall choose that he or they should be examined in *Dublin* before One of the Chief Examiners, or before One of the regular Examiners appointed by the Master in Ordinary to examine in aid of Inquiries or Accounts to be taken before them; and it shall be lawful for every such Commissioner to cross examine any Witness produced before him, in case he shall be required so to do by any Person against whom the direct Examinations of such Witness shall have been taken; and it shall be lawful for every Commissioner so to be appointed to receive such Fees and Allowances for the Execution of his Duty in the Examination of Witnesses, and for the Expences of such Commissioner in travelling; and they shall respectively be subject to such other Rules and Regulations as shall be for that Purpose from time to time authorized, directed and made by any Order or Orders of the said Court of Chancery.

‘ XLV. And Whereas the Chief Examiners of the said Court are by their Appointments authorized to appoint Deputies, and it is not fit that such Power should be exercised without sufficient Reason;’ Be it enacted, That no such Chief Examiner shall in any case appoint a Deputy, unless and until the Occasion for such Appointment, and also the Person to be appointed, shall have been approved of by the Court, upon a Petition verified by Affidavit; and that nothing shall be considered by the Court as a fit Occasion for such Appointment, but Inability in the Principal to attend, either from Sickness or from unavoidable Business; and such Order shall be regularly entered in the Registrar’s Office; and no such Appointment shall continue for any longer Time than shall be allowed or directed by such Order, either by fixing a precise Time, or by some general Words, or by Reference to some Matter capable of being distinctly ascertained, or in such other Manner as the Court shall think proper; and if any such Appointment shall be made otherwise than as aforesaid, or for any longer Period than as aforesaid, then and in every such Case such Chief Examiner making such Appointment, and also such Deputy, if he shall presume to act therein, shall be deemed guilty of a Contempt of the Court, and be punished accordingly.

XLVI. And be it further enacted, That every Examiner, Deputy Examiner and Commission Examiner, shall take down the Depositions of all Witnesses on their Examination with his own Hand; and that no Clerk shall be present at any such Examination; and that every Clerk who shall be employed before Publication, so as to have any Access to any Deposition or Depositions, shall before he shall act in the Execution of such Office, and he is hereby

hereby required to take and subscribe the following Oath before the Examiner by whom any such Clerk shall respectively be so employed, and such Examiner is hereby empowered and required to administer the said Oath :

‘ I *C. D.* do swear, That according to the best of my Skill and Knowledge I will truly and faithfully execute and exercise the Office of a Copying Clerk in the Office of *A. B.* One of the Examiners of His Majesty's High Court of Chancery in *Ireland*, whereunto I am admitted, so long as I shall continue to hold the said Office; and that I will also well and faithfully preserve and keep such of the King's Records wherewith I shall be entrusted, or whereunto I shall have Access; and that I will not publish, disclose or make known to any Person or Persons whatsoever the Particulars or the Purport or Contents of any Deposition or Depositions copied or read by me in the Execution of my said Office, or to which I shall have Access thereby, until Publication thereof respectively shall duly pass, ‘ So help me GOD.’

Clerk to Examiners to take the following

Oath.

‘ XLVII. And Whereas it is expedient that Provision should be made for the Examination of Witnesses in aid of the Statement of Accounts or other Inquiries depending before the Masters in the Court of Chancery in *Ireland* respectively, under any Orders or Decrees of the said Court, and that such Examination should be had before the said Masters or their Clerks respectively; Be it therefore enacted, That it shall and may be lawful to and for each and every or any Master of the said Court, to appoint by Instrument under Hand and Seal any Person whom he shall think proper to be the Clerk of such Master, during his Pleasure; and such Instrument being enrolled in the said Court of Chancery, such Person shall be such Clerk accordingly, and shall as such be an Officer of the said Court; and that from and after One Calendar Month from the passing of this Act no Person shall be or be deemed or taken or considered to be to any Purpose whatsoever the Clerk of any of the said Masters, but under and by virtue of such Appointment so enrolled.

For examining Witnesses as to Accounts, &c. before Masters.

Masters may appoint Clerks by Instruments enrolled.

‘ XLVIII. And be it further enacted, That every such Clerk of any Master in Chancery, before he shall act as such in the Examination of any Witness, shall take the following Oath before the Master by whom he shall be appointed, or before any other Master of the said Court :

Masters' Clerks to take the following

‘ I *A. B.* do swear, That I will, according to the best of my Skill and Knowledge, truly and faithfully execute and exercise the Office of Master's Clerk and Examiner in the Office of *C. D.* Esquire, one of the Masters of His Majesty's High Court of Chancery in *Ireland*, so long as I shall continue to hold the said Office; and that I will well and faithfully preserve and keep all such Records, Interrogatories, Depositions, Deeds, Documents and Instruments whatsoever, wherewith I shall be intrusted, or whereto I shall have Access under or by virtue of my said Office; and that I will not publish, disclose or make known to any Person whatsoever, the Particulars, Purport or Contents of any Deposition or Depositions taken, copied or read by me in the Execution of my said Office, or to which I shall

Oath.

‘ shall have Access thereby, until Publication thereof respectively
 ‘ shall duly pass. ‘ So help me GOD.’

Masters or their
 Clerks may
 examine Wit-
 nesses on Ac-
 counts or In-
 quiries before
 them.

XLIX. And be it further enacted, That in all Cases where an Examination shall be directed by the said Court of Chancery, upon, under or in aid of any Account, Inquiry or other Matter whatsoever, which shall at any Time be depending before any Master of the said Court, it shall and may be lawful to and for such Master, if he shall think proper, and if he shall not so think proper, then to and for such his Clerk in the Presence of such Master, if such Master shall so think fit, without any Commission whatsoever, to examine all Witnesses who shall be produced before him, touching any Matter as to which such Examination of Witnesses shall have been so directed, or arising thereout, and to take down in Writing the Depositions of all such Witnesses, in the Manner and Form usual in such Cases.

Masters not to
 accept of any
 Thing for the
 Appointment
 of Clerk or
 Examiner.

L. And be it further enacted, That from and after the First Day of *Michaelmas* Term One thousand eight hundred and twenty three, it shall not be lawful for any Master in Ordinary in the said Court of Chancery to accept of any Sum of Money or Security as Money, or to stipulate for or receive any Share or Proportion of the Profits of the said Offices, or receive any other valuable Consideration whatsoever, as and for a Consideration for the Appointment of any Person whatsoever to the Office or Place of a Clerk or Examiner to said Master in Ordinary.

23 & 24 G.3.
 c.22. (I.)
 as to Fee of
 Usher, on
 Money paid
 out of Court,
 repealed on
 Termination
 of existing In-
 terest in that
 Office.

‘ LI. And Whereas by an Act made in the Parliament of *Ire-*
 ‘ *land*, in the Twenty third and Twenty fourth Years of the Reign
 ‘ of His late Majesty, intituled *An Act for the better securing the*
 ‘ *Monies and Effects of the Suitors of the Court of Chancery and*
 ‘ *the Court of Exchequer, by depositing the same in the National*
 ‘ *Bank, and to prevent the forging and counterfeiting any Draft,*
 ‘ *Order or other Voucher for the Payment or Delivery of such*
 ‘ *Money or Effects, and for other Purposes;* and reciting that the
 ‘ Usher of the said Court of Chancery had been entitled to a
 ‘ Fee of Sixpence in the Pound for all such Monies as had by
 ‘ Order of the said Court been paid out of the same by the said
 ‘ Usher; it was enacted, that every Person who should obtain any
 ‘ Decree or Order for the Payment of any such Money as had
 ‘ heretofore been usually deposited with and paid out by the said
 ‘ Usher, or which, if the said recited act had not passed, would
 ‘ have been deposited with and paid out by the said Usher, should,
 ‘ at the Time of demanding, as in the said Act is mentioned, from
 ‘ the Accountant General of the said Court, deposit and lodge
 ‘ with the said Accountant General such Fee or Sum of Sixpence
 ‘ in the Pound as aforesaid, to be handed over to the said Ac-
 ‘ countant General, to and for the proper Use of the said Usher :
 ‘ And Whereas it is expedient that the said Fee should be abolish-
 ‘ ed in Manner hereinafter mentioned;’ Be it therefore enacted,
 That from and after and upon the Determination of the existing
 Interest of the present Possessor of the said Office of Usher of
 the said Court of Chancery, the said recited Clause of the said
 recited Act shall be and the same is hereby repealed; and that
 no Usher of the said Court of Chancery, who shall be appointed
 at any Time after the Determination of such existing Interest in
 the

Such Fee
 abolished as to
 future Ushers.

the said Office, shall ask, demand or take the said Fee of Sixpence in the Pound, or any other Fee whatever, in respect or under pretext of the Payment of any such Money; and that the said Fee shall not be lodged or deposited with the Accountant General, or be asked, demanded, received or paid in any Manner or by any Person whomsoever; but the said Fee, and all and every Fee in respect of or under pretext of the Payment of any such Money, shall, from and after the Determination of such existing Interest, be and the same is hereby abolished, and shall then cease and be no longer paid or payable; any Thing in the said recited Act, or any Usage or Custom to the contrary notwithstanding.

‘ LII. And Whereas the present Usher of the Court of Chancery in *Ireland* claims to be entitled to certain Fees in the Tables to this Act annexed, or some of them, set down as payable to other Officers of the said Court, and it is reasonable that if he is entitled to any such Fee or Fees, the same should not be so transferred during his Continuance in the said Office;’ Be it therefore enacted, That it shall and may be lawful to and for the said Usher to proceed in such Manner as he shall be advised to establish his Right to any such Fee or Fees, and thereupon to recover and receive the same so long as he shall hold the said Office, as fully and effectually to all Intents and Purposes as if this Act had not passed; but that from the Time of his ceasing to hold the said Office, such Parts and Provisions of this Act and of the said Tables of Fees as shall be thereby so altered or affected, shall have their full Force and Effect according to the Terms and Meaning thereof.

Proviso for the existing Usher as to certain Fees claimed by him.

LIII. And be it further enacted, That from and after the Commencement of this Act, the Clerk of the Hanaper and the Clerk of the Crown of the said Court of Chancery shall, within Fourteen Days after the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July* and Tenth Day of *October* in each and every Year, deliver to the Commissioners of Accounts, who are required to audit the same, and to certify the Balance, an Account signed by such Clerk of the Hanaper and Clerk of the Crown, for or on account of the Payments usually known by the Name of *The King's Silver*, as the same are mentioned, specified and set forth in the Second Column of the Table (Number 10.) to this Act annexed, in the Course of a Quarter of a Year ending on such Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July* and Tenth Day of *October* respectively, and how applied; and such Clerk of the Hanaper and Clerk of the Crown shall, within Twenty one Days next after the same Balance shall be certified, pay into the Receipt of His Majesty's Exchequer in *Dublin* the full Amount of all Sums specified in every such Quarterly Account, and the same shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Clerk of the Hanaper and Clerk of the Crown to deliver to Commissioners of Accounts quarterly, Amount of King's Silver received by them, and pay Amount to the Consolidated Fund.

LIV. And be it further enacted, That whenever and so long as it is or shall be lawful for the Cursitor of the said Court of Chancery to appoint a Deputy for the Performance of the Duties of the said Office of Cursitor, such Cursitor shall allow to such

Cursitor to pay his Deputy 100l. a Year.

Deputy a Salary of not less than One hundred Pounds a Year, payable quarterly.

Salaries to Accountant General, and his Clerks, charged on Consolidated Fund.

LV. And be it further enacted, That from and after the Commencement of this Act, there shall be issued and paid and payable out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* (after paying and 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 said Consolidated Fund, but with Preference to all other Payments which shall or may be hereafter charged upon or payable out of the said Fund), the annual Sum of One thousand two hundred and eighty Pounds *Irish* Currency, and which Sum of Money so to be issued shall from time to time be applied in Payment of the following Sums; that is to say, to the Accountant General of the said Court, the annual Sum of Seven hundred Pounds, for and in lieu of any Salary to which he is by Law entitled; to his Head Clerk, the Sum of Four hundred Pounds; to his Second Clerk the annual Sum of One hundred Pounds; and to his Third Clerk, the annual Sum of Eighty Pounds; which Salaries shall commence from the Tenth Day of *October* One thousand eight hundred and twenty three, and shall be payable by equal quarterly Payments, free and clear of all Deductions whatsoever, for Pells, Poundage or otherwise, on the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July* and Tenth Day of *October* in every Year.

The Amounts of such Salaries.

Clear of Deductions.

Accountant General may take Fees on Copies of Accounts.

LVI. And be it further enacted, That from and after the Commencement of this Act, it shall and may be lawful for the said Accountant General by himself or his Clerks, to ask, demand and receive for all Copies of all Accounts extracted from the Books of the said Accountant General, the Sum of Two Pence for every Line on the Debtor Side of such Account, and the like Sum of Two Pence for every Line on the Creditor Side of such Account, if the said Account shall consist of Forty Lines, or any less Number on each Side of the said Account; and if the said Account shall consist of any greater Number of Lines than Forty on each Side of the said Account, then the Sum of One Pound and no more; and that from and after the Commencement of this Act, it shall not be lawful for the said Accountant General, or any Clerk or other Person in his Office, to ask, demand or receive any Fee for any Certificate of any Balance of Stock or Cash on any Account in the Books of the said Accountant General, nor for any other Business, Matter or Thing whatsoever in or relating to the Office of the said Accountant General; and if any Clerk or other Person belonging to or employed in, or who shall hereafter belong to or be employed in the Office of such Accountant General, shall take any other Fee or Reward on account of any Business, Matter or Thing whatsoever in or relating to the Office of Accountant General, or do the Duty of any Clerk therein, every such Person shall be deemed guilty of Extortion, and shall and may be prosecuted for the same by Indictment or Information, or upon Complaint thereof made to the said Court of Chancery shall be punished for the same as for a Contempt of the said Court, and shall forfeit the Sum of Fifty Pounds.

No other Fee in his Office.

Taking such deemed guilty of Extortion.

Contempt of Court, and Penalty 50l.

LVII. And

LVII. And be it further enacted, That it shall and may be lawful to and for the Lord Chancellor of *Ireland*, or for the Lord Keeper or Commissioners for the Custody of the Great Seal of *Ireland* for the Time being, from time to time at his and their Will and Pleasure, to appoint a Broker or Brokers by whom all Sales and Purchases of Stock, with the Privy of the Accountant General of the said Court, shall be made, and to remove such Broker at his or their Will and Pleasure; and such Broker shall be entitled to receive the usual Commission of Brokerage on any such Sale and Purchase; and whenever such Commission or Brokerage shall amount to One Guinea, or any greater Sum, then and in any such Case such Broker shall thereout pay the Stamp Duty of Half a Guinea, to be charged on the Approbation of such Sale or Purchase, by the Master approving the same.

Lord Chancellor, &c. may appoint a Broker for Sale and Purchase of Stock.

LVIII. And be it further enacted, That from and after the Commencement of this Act, the Office of Clerk of the Office of Reports of the said Court of Chancery shall be and the same is hereby abolished, and that all Matters and Things which in and by the said hereinbefore recited Act, made in the Parliament of *Ireland* in the Twenty third and Twenty fourth Years of the Reign of his late Majesty, are required to be done and performed by the Clerk of the Reports in the said Court, shall be done and performed by the Registrar of the said Court; any thing in the said recited Act, or any Law, Usage or Custom to the contrary in anywise notwithstanding.

Office of Clerk of the Reports abolished, and his Duty performed by Registrar.

LIX. And Whereas under and by virtue of an Agreement made by or on Behalf of His Majesty with the Bank of *Ireland*, which Agreement is established and confirmed by an Act passed in the Parliament of *Ireland* in the Thirty sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for securing the Payment of the Annuities, and of the Interest upon the principal Sums therein provided, for and towards the Discharge of such principal Sums, in such Manner as is therein directed, and for enabling the Officers of His Majesty's Treasury to receive certain Sums for a limited Time in Manner therein mentioned, and for granting to His Majesty a certain Sum of Money out of the Consolidated Fund, and for applying a certain Sum of Money therein mentioned for the Service of the Year One thousand seven hundred and ninety six, and for other Purposes*, the Governor and Company of the said Bank of *Ireland* were, for the Considerations therein respectively mentioned, made liable to the Payment of a Sum of One hundred and twenty Pounds yearly to the said Clerk of the Reports, and it is not reasonable that on the Abolition of the said Office for the Public Benefit the Salary thereof should sink for the Benefit of the said Bank; Be it therefore enacted, That from and after the Commencement of this Act, the said yearly Sum of One hundred and twenty Pounds shall be payable and paid by the Governor and Company of the Bank of *Ireland* into the Receipt of His Majesty's Exchequer in *Ireland*, in the same Manner and on the same Days and Times as the same hath heretofore been payable to the Clerk of the Reports for the Time being; and the same, when so paid, shall be carried to and become Part of

36G.S.c.1.(I.)

The said 120l. a Year to be paid into the Exchequer, and carried to Consolidated Fund.

the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*.

‘ LX. And Whereas by and under the Provisions contained in this Act, and also in certain General Orders proposed to be adopted by the Lord Chancellor and Master of the Rolls in *Ireland*, transmitted on the Third Day of *April* One thousand eight hundred and eighteen, by the said Lord Chancellor and Master of the Rolls, in a Letter to *William Gregory* Esquire, for the Information of his Excellency the Lord Lieutenant of *Ireland*, the Emoluments of the present Six Clerks, and some other Officers of the said Court of Chancery and their Deputies, whether expressly mentioned in this Act or not, may be considerably diminished, and it is reasonable that Compensation should be made in such Case to the said present Six Clerks, and other Officers of the said Court and their Deputies;’ Be it therefore enacted, That it shall and may be lawful for the said Lord Chancellor, Lord Keeper or Commissioner for the Custody of the Great Seal of *Ireland* for the Time being, and the Lord Chancellor, Lord Keeper or Commissioner for the Custody of the Great Seal, is or are hereby authorized and empowered and required, by such Ways and Means as to him or them shall seem fit and proper to ascertain the same, to make Inquiry into the Salaries and Emoluments of each and every of the present Officers of the said Court of Chancery, save and except the Masters in Ordinary and their Deputies respectively, who shall by Petition desire that such Inquiry should be made, in order and with a view to ascertain the average annual Amount of such Salaries and Emoluments in the said Office respectively, for a Period of Seven Years next preceding the First Day of *January* One thousand eight hundred and twenty three; and also in order and with a view to exclude out of such average or annual Amount all such Emoluments and Income as shall appear, according to the best Judgment that the said Lord Chancellor, Lord Keeper or Commissioners for the Custody of the Great Seal, can form thereof, to have arisen from any new Fees, or from any Increase of Fees introduced into any such Office of Deputyship, subsequent to the Appointment of the present Holders thereof respectively, or subsequent to the Appointment of the immediate Predecessor of any Officer or Deputy who shall have been appointed to such Office or Deputyship subsequent to the first Appointment of the said Commissioners of Inquiry, or to have arisen from computing the Contents of Office Sheets of Seventy two Words instead of Ninety Words each, or to have arisen from any new Fees, or from any Increase of Fees which may have been introduced within Twenty Years prior to the Commencement of this Act, or from any Fees which may have been demanded or received contrary to the Provisions of any Act of Parliament, or otherwise contrary to Law; and for those Purposes it shall and may be lawful for the said Lord Chancellor, Lord Keeper or Commissioners for the Custody of the Great Seal, and he or they are hereby authorized, empowered and required, by all such Ways or Means as to him and them shall seem fit and proper to ascertain the same, to examine the said present Officers and Deputies respectively, on Oath, and also in like Manner to examine all such Witnesses as he or they shall think

Lord Chancellor, &c. to make Inquiry into and ascertain Average annual Amount of Salaries and Emoluments of Six Clerks and other Officers for Seven Years preceding 1st Jan. 1823, and certify same into the Office of the Auditor General.

think proper to require, together with all such Accounts, Books and Vouchers as they shall call for; and the said Lord Chancellor, Lord Keeper or Commissioners for the Custody of the Great Seal, shall thereupon certify under their Hands and Seals, or under the Hands and Seals of any Three or more of them, the Average Amount of the yearly Income of every such Officer and Deputy, so reduced by the Exclusion of such Emoluments and Income as aforesaid, for the said Period of Seven Years, distinguishing the gross Income from the net Income, and stating the Particulars of the Disbursements out of the gross Income, which constitute the Difference between the gross and the net Income, so far as they can ascertain the same; and the said Certificate shall contain a Statement of the particular Fees Profits and Emoluments on which such Averages shall have been taken as aforesaid, and also of the Fees, Profits and Emoluments heretofore received, which shall be excluded from such Averages; and the said Certificate shall be filed in the Office of the Auditor General in *Dublin* Castle, and shall remain there as a Record, and be conclusive to all such Matters and to the Purposes of this Act.

What such Certificate is to contain.

Certificate to be filed.

LXI. Provided always, and be it enacted, That in case, from the Want of sufficient Accounts or Vouchers or from any other Cause, the Lord Chancellor, Lord Keeper and Commissioners for the Custody of the Great Seal of *Ireland*, shall be unable satisfactorily to ascertain the annual Amount of the Salary and Emoluments in the Office of any of the said present Officers on the Average of such Period of Seven Years, then and in such Case it shall and may be lawful for the said Lord Chancellor, Lord Keeper or Commissioners, at the Request of any of the said Officers, to certify the average annual Income arising from the Salary and Emoluments in the Office of any such Officer, as amounting to a Sum equal to the smallest Sum which shall have been certified by the said Lord Chancellor, Lord Keeper or Commissioners, as being the annual average Amount of the Salary and Emoluments in the Office of any other Officer of the same Class.

Chancellor to certify as herein mentioned the Average of Salaries and Emoluments where Vouchers cannot be procured.

LXII. And be it further enacted, That at the End of One Year from the passing of this Act, or at any Time within Six Calendar Months after the said Period, it shall and may be lawful to and for the Lord Chancellor of *Ireland*, Lord Keeper or Commissioners for the Custody of the Great Seal for the Time being, to ascertain in like Manner as aforesaid the gross and net Income in the Office of each and every of the said present Officers and Deputies, who shall by Petition desire the same, including therein all and every Salary and Emolument arising from such Office for and during the said Year, and if the said gross Income shall be less than the average gross Income in the Office of such Officer or Deputy so certified as aforesaid, then to inquire and ascertain in like Manner whether such Deficiency, or any and what Part thereof, arose from this Act, or and from any of the Provisions therein, or the said Orders; and in case it shall appear that such Deficiency, or any Part thereof, did so arise, then to certify the Amount of such Deficiency so arising from this Act, or any of the Provisions thereof, or the said Orders; and so in every succeeding

Lord Chancellor to inquire into Income of Officers in future Years,

and certify Amount of Deficiency resulting from this Act, &c.

ceeding Year to inquire and certify in like Manner, so long as any of the said present Officers or Deputies shall live and retain their said Offices respectively; and every such Certificate shall in like Manner be filed in the said Auditor General's Office, and shall be conclusive as to the said Matter.

Within Three Months after filing Certificate of Deficiencies, Lord Lieutenant may order them to be made good out of Consolidated Fund.

LXIII. And be it further enacted, That within Three Calendar Months next after the filing of any such annual Certificate of such Lord Chancellor of *Ireland*, or Lord Keeper or Commissioners for the Custody of the Great Seal for the Time being, 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 order that a Sum equal to the Amount of the said Deficiency, so certified to arise from this Act, or from the said General Orders, or to such Proportion thereof as such Lord Lieutenant or other Chief Governor or Governors shall think proper, shall be paid out of the Consolidated Fund to such Officer or Deputy, his Executors or Administrators, in full Compensation for such Deficiency: Provided always, that the whole Amount of the Sum so to be paid in any one Year to the several Officers aforesaid, other than and except the Principal Registrar of the said Court, and the Usher of the said Court, shall not exceed the Sum of Ten thousand Pounds *Irish* Currency.

Lord Chancellor to ascertain and certify net annual Amount of Emoluments of Principal Registrar on Average of Seven preceding Years.

LXIV. And Whereas by and under the Provisions of this Act, the Office of Principal Registrar of the said Court, now held as a Sinecure by Letters Patent under the Great Seal of *Ireland*, for the Term of the natural Life of the present Possessor thereof, is to cease and determine, and it is just and reasonable that Compensation should be made to such Officer for the same; Be it therefore enacted, That it shall and may be lawful to and for the Person who at the Time of the passing of this Act shall be the Principal Registrar of the said Court, to apply by Petition to the Lord Chancellor, Lord Keeper or Commissioners for the Custody of the Great Seal of *Ireland*, to make Inquiry into the Income and Emolument of such Office of Principal Registrar of the said Court of Chancery, for a Period of Seven Years next preceding the passing of this Act; and thereupon it shall and may be lawful for the said Lord Chancellor, Lord Keeper or Commissioners for the Custody of the Great Seal, and they are hereby authorized, empowered and required, to make such Inquiry, and to ascertain the same accordingly, in such Manner and with such View and Intent, and on such Examination, as in and by this Act is specified for ascertaining the net average annual Amount of the Salaries and Emoluments of other Officers of the said Court and their Deputies respectively; and the said Lord Chancellor, Lord Keeper or Commissioners for the Custody of the Great Seal, shall certify under his or their Hand or Hands and Seals, the Amount of the annual Income of the said Principal Registrar on an Average of the said Seven Years, in like Manner and subject to the like Reduction as in and by this Act they are directed to certify the same average annual Amount of the Income and Emoluments of any other Officers and their Deputies as aforesaid; and such Certificate shall be filed in the Office of the Auditor General in *Dublin Castle*, and shall remain there as

Certificate to be filed.

a Re-

a Record, and be conclusive as to all such Matters, and to the Purposes of this Act.

LXV. And be it further enacted, That from and after the filing of such Certificate, there shall be issued and be paid and payable to the Person who at the Time of the passing of this Act shall hold the said Office of Principal Registrar of the said Court of Chancery, and his Assigns, yearly and every Year during the Term of his natural Life, out of and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain and Ireland* (after Payment of all Sums previously charged on the said Fund) a Sum equal to the Sum which shall be so ascertained by such Certificate to be the net annual average Amount of the Income and Emoluments of the said Office of Principal Registrar of the said Court as aforesaid, in full Compensation for the same, and such annual Sum shall be paid and payable to such Person and his Assigns, during the Term of his natural Life, by Four Quarterly Payments in each and every Year, free and clear of all Taxes and Deductions whatsoever, on every Twenty fifth Day of *March*, the Twenty fourth Day of *June*, the Twenty ninth Day of *September* and the Twenty fifth Day of *December*; the first Payment thereof to be made on the first of the said Days which shall next happen after the Commencement of this Act, and in proportion only to the Time which shall immediately next happen after the Commencement of this Act, and also such Proportion of any such Quarterly Payment as at the Time of the Decease of such Person shall be due from the Quarter Day next preceding the Time of such Decease.

LXVI. And Whereas some Delay may occur in ascertaining the Amount of the annual Income of the said Principal Registrar, and procuring said Certificate as herein before directed, during which Time said Principal Registrar would be totally deprived of the Income which he had heretofore enjoyed from his said Office; Be it therefore enacted, That in the mean time, and until such Certificate shall be obtained and filed as aforesaid, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to order that there shall be issued and be paid and payable to the Person who at the Time of the passing of this Act shall hold the said Office of Principal Registrar of the said Court of Chancery and his Assigns, such annual Sum or Sums of Money, on account of the Compensation to be thereafter awarded to said Principal Registrar, as to said Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall appear to be just and reasonable, but not exceeding the net average Amount of the Income and Emoluments of the said Office, as reported by the Commissioners appointed to inquire into the Duties, Salaries and Emoluments of the Officers, Clerks and Ministers of Justice, in all Temporal and Ecclesiastical Courts in *Ireland*, for Three Years preceding said Report; such annual Sum to be paid and payable to such Principal Registrar and his Assigns, by Four Quarterly Payments in each and every Year, free and clear of all Taxes and Deductions whatsoever, on every Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September* and Twenty fifth Day of *December*; the first Payment thereof, on account as

Such net average annual Amount to be paid to the present Registrar during his Life.

Till Certificate is obtained, Lord Lieutenant may direct the Issue of a Compensation to the Principal Registrar.

Payable Quarterly, and Tax free.

aforesaid, to be made on the first of said Days which shall next happen after the Commencement of this Act, and in proportion to the Time which shall immediately next happen after the Commencement of this Act; such Payments (if any) to said Principal Registrar or his Assigns, to be credited on the Foot of such annual Income as it shall appear by said Certificate, when filed as aforesaid, that said Principal Registrar is entitled to; and in case the Sum or Sums so to be paid as aforesaid shall exceed the Sum to which said Registrar shall appear by said Certificate to be entitled to, then and in such Case such Excess or Overplus shall be deducted from the Quarterly Payment which shall next happen after the filing of said Certificate.

‘ LXVII. And Whereas by and under the Operation of this Act, and of the said General Orders proposed to be adopted by the Lord Chancellor and Master of the Rolls in *Ireland*, the Emoluments of the Usher of the said Court of Chancery will be considerably diminished, and it is reasonable that Compensation should be made to the said Officer;’ Be it therefore enacted, That upon the Petition to the Lord Chancellor, Lord Keeper or Commissioners for the Custody of the Great Seal of *Ireland*, by the Persons holding the Office of Usher of the said Court at the passing of this Act, it shall be lawful for the said Lord Chancellor, Lord Keeper or Commissioners for the Custody of the Great Seal, to make Inquiry into and to ascertain the average annual Amount of the Salaries and Emoluments of the said Officer, for a Period of Seven Years next preceding the First Day of *January* One thousand eight hundred and twenty three, and to certify the average Amount thereof, subject to the like Reduction, and in like Manner in all respects as the said Lord Chancellor, Lord Keeper or Commissioners are by this Act required to do, in making Inquiry into, and in ascertaining the Salaries and Emoluments of other Officers of the said Court; and thereupon it shall be lawful for the Lord Chancellor of *Ireland*, or Lord Keeper or Lords Commissioners for the Custody of the Great Seal for the Time being, to ascertain the gross and net average annual Income of the said Officer, and to ascertain any Deficiency arising in the said net Income by the Operation of this Act, or any of the Provisions therein contained, or from the said Orders, and to certify the Amount of such Deficiency annually as long as the said Officer shall live and retain his said Office, in like Manner in all respects as is by this Act directed with respect to the annual Income and Deficiencies therein of any other Officers of the said Court; and such Certificate shall be filed in like Manner as is herein required with respect to any Certificates relating to such other Officers of the said Court; and it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, to order that a Sum equal to the Amount of such Deficiency so certified, shall be paid out of the said Consolidated Fund to such Usher, his Executors or Administrators, as such Compensation for such Deficiency, in like Manner as by this Act is directed and provided with respect to any other Officers of the said Court of Chancery.

‘ LXVIII. And Whereas, by and under the Provisions of this Act, and of the said General Orders, certain Duties will be imposed

The like Regulations as to ascertaining annual Compensation to the Usher of the Court of Chancery, for Diminution of Emoluments of his Office.

‘ posed upon divers Officers of the Court of Chancery, which
 ‘ have not usually and ought not by Law to have been performed
 ‘ by them respectively, and for the Performance whereof the Em-
 ‘ ployment of additional Clerks, or increased Payment to the
 ‘ Clerks by them hitherto employed, may become necessary ;
 ‘ and it is reasonable to provide that the Employment of such ad-
 ‘ ditional Clerks and such increased Payments should not reduce
 ‘ the net Income of such Officers as held their respective Offices
 ‘ during the Term of their respective Lives, or during their good
 ‘ Behaviour, or who have legally purchased their respective Of-
 ‘ fices ;’ Be it therefore enacted, That each and every such Officer
 shall be at liberty, at any Time within Six Months after the Com-
 mencement of this Act, to apply by Petition to the said Lord
 Chancellor, Lord Keeper or Commissioners for the Custody of the
 Great Seal of *Ireland*, requesting that he or they would proceed
 to inquire and certify what Clerks it may be reasonable and neces-
 sary, in consequence of the Provisions of this Act, and of the said
 General Orders, to employ in addition to such Clerks as have
 heretofore been usually employed or ought to have been em-
 ployed by such Officer, and what Salary it may be reasonable and
 necessary to allow them, and what further and increased Payment
 it may be reasonable to make to the Clerks by them hitherto em-
 ployed, beyond that Payment to which such Lord Chancellor,
 Lord Keeper or Commissioners for the Custody of the Great Seal
 shall consider that such Officers ought hitherto to have been liable ;
 and thereupon it shall and may be lawful for the said Lord Chan-
 cellor, Lord Keeper or Commissioners for the Custody of the
 Great Seal, and they are hereby required to make such Inquiry
 in like Manner and by the Ways and Means above directed, and
 to certify under his or their Hand and Seals the Number and
 Description of such additional Clerks, and such Salaries as may
 appear to the said Lord Chancellor, Lord Keeper or Commis-
 sioners for the Custody of the Great Seal reasonable for their
 Remuneration in each such Office respectively, and also such
 further and increased Payment to the Clerks heretofore employed
 by any such Officer ; and every such present Officer having ob-
 tained such last mentioned Certificate shall, upon the Occasion of
 accounting as above directed, have Credit for the Sums expressed
 in such last mentioned Certificate, as an Addition to the gross
 Income so certified as above directed by the said Lord Chancel-
 lor, Lord Keeper or Commissioners for the Custody of the Great
 Seal for the Time being, † shall include the Salaries and further
 Payments above referred to : Provided always, that every such
 Officer shall on such accounting satisfy the Lord Chancellor, Lord
 Keeper or Commissioners for the Time being, that he has actually
 employed such Clerks, and made such Payments as referred to in
 such Certificate respectively.

Officers re-
 quiring ad-
 ditional Clerks
 under the Re-
 gulations of
 this Act may
 apply to Lord
 Chancellor,
 who is to in-
 quire into the
 Amount of ad-
 ditional Salaries
 necessary for
 the Clerks of
 such Officers,
 and certify
 accordingly.

† Sic.
 Proviso.

‘ LXIX. And Whereas certain of the Officers of the said Court
 ‘ of Chancery are now by Law permitted to sell their respective
 ‘ Offices, and the said Offices are likely to be rendered of less
 ‘ Value by and under the Provisions of this Act, and of the said
 ‘ General Orders ; and it is reasonable to provide some Compen-
 ‘ sation for such Offices in reference thereto :’ Be it therefore
 enacted, That if any such Officer shall, at any Time after the
 passing

For providing
 annual Com-

compensation to Officers permitted to sell Offices, the Value of which shall be diminished by this Act.

passing of this Act, so sell his Office, such Officer shall be at liberty, at any Time within Six Months after the Sale thereof, to apply by Petition to the Lord Chancellor of *Ireland*, or to the Lord Keeper or Commissioners for the Custody of the Great Seal, for the Time being, to examine into the Amount of the Compensation payable to such Officer under the Provisions of this Act; and the said Lord Chancellor, Lord Keeper or Commissioners respectively, shall thereupon, by all or such of the Ways and Means as they shall think proper, examine and certify, in like Manner as aforesaid, the average annual Amount of such Compensation; and such last mentioned Certificate shall yearly and every Year, during the Life of such Officer, be of the like Force and Efficacy for and towards entitling such Officer to Compensation, as if he had continued to hold his said Office, and annually receive such Certificate.

Return of Certificates and Orders for Compensation shall be made to Parliament, before issuing Amount.

‘ LXX. And Whereas it is by this Act provided, that certain Sums to be hereafter ascertained may be paid out of the Consolidated Fund, for the Compensation of certain Persons holding Offices in and under the said Court of Chancery, other than and except the Principal Registrar and Usher of the said Court herein before particularly mentioned;’ Be it enacted, That a Return of all Sums certified as Deficiencies arising in consequence of this Act, or of the Regulations and Orders of the Court as aforesaid, together with Copies of the Certificates relating thereto, whether for Compensation or Allowances for additional Clerks, filed in the Office of the Auditor General, and the Orders of the Lord Lieutenant or other Chief Governor of *Ireland* made thereon, shall be laid before both Houses of Parliament immediately after the Commencement of the Sessions of Parliament next ensuing the making of any such Order, by the Lord Lieutenant or other Chief Governor as aforesaid; and that no Issue of Money for Compensation as aforesaid shall be made from the Consolidated Fund, till the same shall have been submitted to Parliament.

Proviso for Actions against Officers for Misconduct.

LXXI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to limit, abridge, bar, prejudice or defeat any Action or Indictment, or any Remedy or Proceeding whatsoever, which at any Time heretofore may or might have been brought, found, had or taken against any Officer, Deputy or Clerk in or under the said Court of Chancery, for or in respect of any Misconduct in Office which may have occurred or taken place, or which may take place at any Time before the Commencement of this Act; but that all such Actions, Indictments, Remedies and Proceedings for any such Misconduct, may be brought, found, had or taken, as if this Act had never been made.

Penalties recovered by Action in the Superior Courts at Dublin.

LXXII. And be it further enacted, That all and every Penalties and Penalty to be incurred and forfeited in pursuance or by virtue of this Act, or any of the Matters herein contained, shall and may be sued for and recovered by any Person who will sue for the same, by Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record at the Four Courts *Dublin*, and not elsewhere, in which no Essoign, Protection or Wager of Law, nor more than One Impar lance, shall be allowed; and that One Moiety of every such Penalty shall be for the Use of His Majesty,

Majesty, His Heirs and Successors, and the other Moiety thereof to the Use of the Person or Persons who shall sue for the same.

LXXIII. And be it further enacted, That this Act, and the several Provisions therein contained, shall commence and take effect from the First Day of *Michaelmas* Term One thousand eight hundred and twenty three, except in such Cases where any other Period is mentioned for the Commencement of any of the Provisions thereof.

Commence-
ment of Act.

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

Act may be
amended, &c.
this Session.

SCHEDULE.

TABLES to which this Act refers.

FEES payable to

- No. 1.—Lord Chancellor.
- No. 2.—Deputy Keeper of the Rolls.
- No. 3.—Clerks or Examiners of the Masters in Chancery.
- No. 4.—Registrar.
- No. 5.—Six Clerks.
- No. 6.—Examiners.
- No. 7.—Usher.
- No. 8.—Lord Chancellor's Secretary.
- No. 9.—Clerk of the Custody of Papers.
- No. 10.—Clerk of the Hanaper.
- No. 11.—Cursitor.
- No. 12.—Clerk of the Recognizances.
- No. 13.—Registrar and Clerk of Faculties.
- No. 14.—Serjeant at Arms.
- No. 15.—Pursuivant.
- No. 16.—Pursebearer.
- No. 17.—Trainbearer.
- No. 18.—Crier.

TABLES to which this Act refers.

No 1.—TABLE of FEES payable to the Lord Chancellor of *Ireland*, or to the Lord Keeper, or the Commissioner for the Custody of the Great Seal of *Ireland*.

On Letters Patent :		£	s.	d.	
1.	For every Patent with one Denomination	-	0	10	0
2.	And for every subsequent Denomination in a Patent	-	0	10	0
3.	For Gloves, in addition to the Fee of Ten Shillings upon every Patent appointing or translating a Bishop, or creating a Baron, containing one Denomination	-	3	9	0
4.	And for every subsequent Denomination in such Patent	-	3	9	0
5.	For a Sheriff's Patent	-	0	2	0
6.	Upon a Vacate entered on the Inrolment of Letters Patent	-	1	2	9
Cursitor's Writs :					
7.	For every Cursitor's Writ, except Writs of Error	-	0	0	4½
8.	For every Writ of Error	-	0	0	6
Faculties :					
9.	For every Confirmation of a Dispensation, upon every Pound Sterling with which such Faculty is taxed	-	0	2	8
Chancery Writs :					
10.	Upon every Chancery Writ	-	0	0	6

No. 2.—TABLE of all the FEES which it shall be lawful for the Deputy Keeper of the Rolls, the Clerk of the Inrolments, or any Clerk or other Person employed in the Rolls Office in *Ireland*, to demand or accept, for or on account of any Act, Matter or Thing done in or concerning the Business at the Rolls Office.

	£	s.	d.
1. For inrolling every Duke's Patent - - -	19	0	0
2. For do. every Marquis's Patent - - -	19	0	0
3. For do. every Earl's Patent - - -	19	0	0
4. For do. every Viscount's Patent - - -	19	0	0
5. For do. every Archbishop's Patent - - -	19	0	0
6. For do. every Bishop's and Baron's Patent - - -	11	10	0
7. For do. every Baronet's Patent - - -	6	13	4
8. For do. every Patent of a Commissioner of Appeal	1	14	9½
9. For inrolling every other Patent, of whatever Description the same may be, except Patents for the Commissioners of the Treasury, Revenue and Excise, Commissioners of Accounts and Inquiry, for each Roll, consisting of Seven hundred and twenty Words, which such Patent shall contain - - -	1	6	8
Any One Fraction of a Roll to be charged as an entire Roll, but not more than One Fraction to be charged for in any One Document.			
10. For inrolling every Act or Order in Council - - -	0	16	3
11. For Surrender before the Lord Chancellor of any Grant, Patent or Article inrolled, and for entering Vacate thereof on the Roll - - -	1	10	0
12. For inrolling every Letter of Guardianship or Committee-ship - - -	0	5	5
13. For inrolling every Deed or other Document which shall be brought to the Office for Inrolment, for each Roll or Skin of Seven hundred and twenty Words which such Deed or other Document shall contain, and for any One fractional Part of a Roll - - -	0	10	0
14. For filing and entering every Bill, whether an original or amended Bill, and every Rejoinder - - -	0	0	6
15. For every Bill amended on the File - - -	0	2	8½
16. For the attested Copies of Pleadings, and of all Records and other Documents, of which Copies shall be required from the Office, for each Sheet of Seventy two Words - - -	0	0	6½
And in case the Record to be copied be written in Latin or Old Court Hand, such further Sum for the Clerk as the Taxing Officer shall deem reasonable.			
17. For reattesting all Copies of Pleadings, for every Twenty Sheets of Seventy two Words which such Copy shall contain - - -	0	1	0
18. For every Search, whether for Pleadings, Patents, Deeds or Documents, and taking down for Inspection the Roll or Document sought for, when found - - -	0	2	6
19. For every Constat or Certificate of any Patent, Grant, Deed or other Document inrolled, including the Fee for Search, and taking down the Roll - - -	0	10	0
20. For every Search for and furnishing Certificate of the Pleadings, filed in any Cause, with the Periods of filing			

(continued)

	£	s.	d.
the same, and the Length thereof, and also, that any particular Pleading has not been filed - - -	0	2	6
21. For filing every Certificate of Naturalization - - -	0	2	8
22. For do. every Convert's Certificate - - -	0	0	6
23. For Certificate of Qualification of a Catholic - - -	0	1	0
24. For every Decree given in Chancery - - -	0	6	0
25. For every Six Clerks Writ - - -	0	0	6
26. For every Broad Seal - - -	0	5	0
27. For attending in any of the Courts, with any Record or Pleading - - -	0	10	0

No. 3.—TABLE of all the FEES which it shall be lawful for the Clerks or Examiners of the Masters in the Court of Chancery in Ireland, or any other Person employed in the Masters Office, to demand or accept for or on account of any Matter or Thing done in or concerning the Business of the said Office.

	£	s.	d.
1. For examining and taking down in Writing the Deposition of the First Witness in any Cause or Matter, in answer to the First Interrogatory, in each Book of Depositions on which he shall be examined - - -	0	3	8
2. For like to every other Interrogatory which shall be exhibited at the Desire of the Party to such Witness - - -	0	2	2
3. For examining and taking down in Writing the Deposition of the Second and each other Witness who shall be examined in such Cause or Matter, in answer to each Interrogatory which shall be exhibited to such Witness - - -	0	2	2
4. For each Sheet, consisting of Seventy two Words, of Copies of such Depositions and Interrogatories when required, and attesting same as true Copies - - -	0	0	6½
5. For examining a Witness when the Examiner shall be required to go out of his Office for the Purpose - - -	1	2	9
6. Copies of Reports, Charges, Discharges and all other Documents which shall be required from the Office of the Master or his Examiner, for each Sheet containing Seventy two Words, reckoning however the Year when expressed by Figures as One Word, and any Number of Pounds expressed by Figures as One Word, and the like as to Shillings and as to Pence : — thus, £1 2 9 to be calculated as Three Words - - -	0	0	6½
7. For preparing each Pair of Leases to be executed by the Master, of Lands set by him pursuant to any Order of the Court, and the Recognizance to be entered into by the Tenant and his Sureties, for Payment of the Rent and Performance of the Covenants therein, attending at the Master's Chambers on the Occasion of such Recognizance and Lease being acknowledged and executed, and Attendance on the filing of the Recognizance, but no other Charge on Occasion of every Pair of Leases - - -	1	16	0
8. Making search for any Papers which have been more than Three Years in the Office, and of which no Copy shall be required by the Party seeking it - - -	0	3	4

(continued)

	£.	s.	d.
9. For examining a Witness out of his Office under the Authority of any Special Order of the Court, subject, however, to be increased by the Court making the Rate of such Fee Part of the Order, not exceeding Five Guineas per Day for going 30 Miles from Dublin -	1	2	9
10. For preparing and ingrossing Draft of the Master's Report for Signature, for every Folio of Seventy two Words -	0	0	6½
11. For every Folio of Seventy two Words for Master's Clerk, for ingrossing such Interrogatories as are prepared by the Master himself - - - - -	0	0	6

No. 4.—TABLE of all the FEES which it shall be lawful for the Registrars or Deputy Registrar of the Court of Chancery in Ireland, or any Clerk or other Person in their Employment, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the Office of Registrar.

	£.	s.	d.
1. For receiving and entering every Appearance - - -	0	0	10
2. For entering every Answer - - - - -	0	0	10
3. For every Schedule to the Answer, if sworn - - -	0	0	10
4. For every Schedule, if not sworn - - - - -	0	0	6
5. For entering every Attachment - - - - -	0	1	0
6. For the Discharge of every Person in Contempt - -	0	2	0
7. For entering and marking as entered every Set of Interrogatories - - - - -	0	0	6
8. For entering and marking as entered every Replication -	0	0	9
9. For entering and marking as entered every Rejoinder, each Defendant - - - - -	0	0	6
10. For entering a joint Commission to examine Witnesses or otherwise - - - - -	0	1	0
11. - - - - If it be ex parte - - - - -	0	0	6
12. For entering Rule in Rule Book, whether on Petition or otherwise - - - - -	0	2	6
13. For drawing, entering and signing every Order, and furnishing a Copy thereof, if not exceeding One Side or Sheet containing Seventy two Words - - - - -	0	2	6
14. - - - - If it exceed One Side or Sheet, for every Side or Sheet after Seventy two Words, each - - -	0	0	10
Any One Fraction of a Sheet to be charged Ten Pence, as an entire Sheet, but not more than One Fraction to be charged for or on any One Document.			
15. For drawing, entering and signing every Order upon Hearing of a Cause and furnishing a Copy thereof - - -	0	6	8
16. - - - - If it exceed One Sheet or Side of Seventy two Words, for every Side or Sheet of Seventy two Words -	0	0	10
17. For drawing, entering and signing every Decretal Order, and furnishing a Copy - - - - -	0	6	8
18. And if it exceed One Side or Sheet of Seventy two Words, for every Side after - - - - -	0	0	10
19. For drawing, entering and signing every final Dismiss, and furnishing a Copy - - - - -	0	6	8

(continued)

	£. s. d.
20. And if it exceed One Side or Sheet of Seventy two Words, for every Side after - - - -	0 0 10
21. For drawing, entering and signing every Order of Guardianship - - - -	0 2 6
22. And if it exceed One Side or Sheet of Seventy two Words, for every Side after - - - -	0 0 10
23. For drawing, entering and signing every Order upon a Petition, and furnishing a Copy - - - -	0 2 6
24. If it exceed One Side or Sheet of Seventy two Words, for every such Side or Sheet after - - - -	0 0 10
25. For entering, filing, copying and signing any Report, Certificate, Exception, Account, Submission, Award, Commission of Partition, Judges Certificate, Order of the Lords or Articles of Impeachment - - - -	0 3 6
26. If the Copy exceed One Side or Sheet of Seventy two Words, for such Side or Sheet after, the Year where expressed in the Document by Figures to be calculated as One Word, the Number of Pounds expressed as One Item to be reckoned as One Word, and the same as to Shillings and Pence - - - -	0 0 10
27. For every Copy of Notes on hearing - - - -	0 6 8
28. - - - - If it exceed One Side or Sheet of Seventy two Words, for every such Side or Sheet after - - - -	0 0 10
29. For the Copy of every Report, Order, Certificate, Exception or other Document required from the Office (other than the Copies to be furnished at the Time of entering as before set forth,) for every Side Seventy two Words - - - -	0 0 6½
30. For every Search per Term, looking into the Rule Books of the Three last Years, not however being considered a Search - - - -	0 0 4
31. For every Certificate upon Search - - - -	0 2 6
32. Entering and filing a Set of Depositions - - - -	0 3 6
33. Inspecting Accountant General's Draft on Bank of Ireland, and comparing same with the Order, checking and countersigning - - - -	0 6 8

No. 5. — TABLE of all the FEES which it shall be lawful for the Six Clerks in the Court of Chancery in Ireland, or any Clerk or other Person employed by them, or any of them, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the Offices of the said Clerks.

	£. s. d.
1. For the Appearance of every Defendant who appears separately to any Subpœna to appear and answer, to revive, or to elect a Clerk, or pursuant to an Order appointing a Parliamentary Clerk - - - -	0 3 4
2. If Two or Three Defendants appear by the same Clerk at the same Time, for the Appearance of such Two or Three Defendants - - - -	0 3 4
3. If more than Three, for every Three Defendants - - - -	0 6 8
4. Term Fee for a Plaintiff or for Plaintiffs - - - -	0 3 4
5. Term Fee for every Defendant who answers separately - - - -	0 3 4

(continued)

	£.	s.	d.
6. If Two or Three Defendants answer jointly, the Term Fee to be	0	3	4
7. If more than Three, for every Three Defendants	0	6	8
8. For the Signature of the Six Clerk to each Pleading, and to each Schedule which shall be annexed thereto	0	3	4
9. For signing each Charge, Discharge, Consent and any other Document to which the Signature of the Six Clerk shall be required, and for which no other Fee is provided in this Schedule	0	3	4
10. For drawing, engrossing, and signing every Petition, and attending the Lord Chancellor or Master of the Rolls, if required therewith	0	13	4
11. For preparing and copying Notice of any Motion in Court, and making Copy for the Use of the Court	0	2	6
12. For every other Notice	0	2	6
13. On every Motion, whether by Six Clerk or Counsel, and whether grounded on Petition or on Notice, or a Rule or Motion of Course	0	3	4
14. Where a Motion shall be argued on different Days, then for each Time the Motion shall be called on and argued	0	3	4
15. For attending Registrar, and setting down Cause on List for Hearing	0	3	4
16. For attending the Hearing of a Cause, for each Day the Cause shall be called on, and at Hearing, but not for any Days which the Cause may be in the Day List, and not called on	0	6	8
17. For each Attendance which the Six Clerks shall actually give before the Master on References, either at the Desire of the Master, or at the Request of the Client or Solicitor	0	6	8
18. If the Reference continues more than One Hour, then for each Hour the Six Clerk shall actually attend	0	6	8
19. For transmitting a Copy or Copies of a Summons to attend on a Reference served at the Six Clerks' Office, to the Solicitor or Solicitors by whom such Six Clerk shall be employed, and whose Client or Clients may have a direct Interest in the Matter of such Reference, for every such Copy	0	0	6
And for the Transmission thereof	0	1	0
And no Six Clerk transmitting such Copy to be allowed to charge for Attendance thereon before the Master, unless he actually does attend at the special Requisition of the Master or Solicitor.			
20. To the Six Clerk of the Party who issues a Summons to attend before the Master, for entering and filing the Summons, and making out Copies for Service thereof, and serving the same upon all such of the Six Clerks as are to be served, for every such Copy	0	0	6
And for the Transmission thereof	0	1	0
And this Fee being intended in lieu of the Fee heretofore charged for constructive Attendance before the Master, no Fee for such Attendance is to be charged, unless the Attendance is actually			

	ℓ.	s.	d.
given at the special Requisition of the Master or Solicitor.			
The Solicitor who obtains such Summons shall, on his own Responsibility, mark at the Foot of the Summons the Names of the Parties on whose Solicitor the same ought to be served; and the Six Clerk served shall write on the Summons itself an Admission of the Service; and such Admission shall be Evidence of the same; and the Six Clerk shall receive for the same	0	1	0
21. For attending the Registrar at his Desire, or the Desire of the Party or his Solicitor, on passing a Decree	0	6	8
22. For attending a Defendant with Exhibits, to be viewed previous to answering any Bill, Interrogatories or Affidavit	0	6	8
23. If more than One Hour, for every additional Hour	0	6	8
24. For attending at the Stamp Office with an Answer engrossed and sworn in England and Foreign Parts, pursuant to Order to have same stamped	0	6	8
25. For drawing a Recognizance, and attending the Master approving same	0	13	4
26. For attending to vacate Recognizance, and signing a Vacate on the Roll, cancelling the Recognizance, and signing Certificate of Cancellation thereon	0	13	4
27. Attested Copy of Exceptions, for each Sheet of Seventy two Words	0	0	6½
28. For drawing a Docket of a Decree to be signed by the Lord Chancellor, for each Office Sheet of Seventy two Words	0	0	6½
29. For inrolling the Decree, per Sheet of Seventy two Words	0	0	6½
30. For preparing and engrossing a Writ of Execution or Exemplification of a Decree, for each Skin of Eight hundred Words	1	6	8
31. For inrolling Letters of Guardianship and Committeeship	0	6	8
32. For preparing and engrossing Exemplification thereof, and signing the same	0	13	4
33. For the Exemplification of any other Order	0	13	4
34. For drawing and signing a Caveat against presenting a Docket of a Decree or a Petition to the Lord Chancellor, without Notice to the Six Clerk	0	6	8
35. Retaining Fee for a Third Person, where no Appearance or Term Fee is charged	0	3	4
36. For every Writ of Attachment and Seal, whether the same shall issue against one or more Defendants, and whether for Want of Appearance or Answer, or under an Order of the Court	0	7	10
37. Proclamation of Rebellion, and Seal	0	9	6
38. Commission of Rebellion, and Seal	0	9	6
39. Serjeant at Arms, and Seal	0	9	6
40. Writ of Sequestration, and Seal	0	13	4
41. Distringas against a Corporation, and Seal	0	13	0
42. For every Writ of Subpœna, and Seal	0	2	6
43. For every Subpœna to rejoin, Subpœna ad testificandum, Subpœna to hear Judgment and Seal	0	5	0

	£.	s.	d.
44. For every Subpœna for Costs, and Seal	0	7	6
45. For every Writ of Subpœna to revive, to elect a Clerk, to review and reverse, and Seal	0	9	6
46. For every Subpœna to answer in perpetuum rei memoriam, and Seal	0	9	6
47. For every Scire Facias, and Seal	0	9	6
48. For every Ducis † Tecum, and Seal			†
49. For every Writ of Dedimus Potestatem, to take an Answer or Answers and to examine Witnesses, Commission to arm the Master or Arbitrators, and Seal	0	9	6
50. For every Injunction, and Seal	0	9	6
51. For every Supersedeas, and Seal	0	9	6
52. For every Commission of Perambulation, Oaths, Notice and regulating the Return, and Seal	0	9	6
53. For every Writ of Partition, Oaths, Notice and regulating the Return, and Seal	0	9	6
54. For every Habeas Corpus	0	9	6
† Sic.			

No. 6. — TABLE of all the FEES which it shall be lawful for the Examiners in Chief of the Court of Chancery in Ireland, or any Clerk or other Person employed by them or in their Offices respectively, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the Examiner's Office.

	£.	s.	d.
1. For the First Witness examined in a Cause (whether upon one Interrogatory or upon several Interrogatories) in the Examiner's Office, or by either of the Persons holding the Situation of Chief Examiner, including the Cryer's Fee of Four Pence	0	3	8
2. For every other Witness examined in like Manner in the same Cause, including the Cryer's Fee	0	2	2
3. For the Copy of all such Depositions as are taken by the Examiners in Chief in Person, to be paid by the Party lodging the Interrogatory or Interrogatories, for each Sheet of Seventy two Words	0	0	10
4. For all other Copies of Interrogatories and Depositions required by any Person out of the Office, for each Sheet of Seventy two Words	0	0	6½
5. For every Search within Twelve Months for any Document or Documents, of which there shall not be a Copy or Copies required by the Person desiring to have such Searches made	0	2	6
6. For looking into every Term before	0	0	4
7. For every Deed or other Document which shall be exhibited to a Witness on his Examination, by or before the Examiners in Chief, or either of them, and for certifying the same as having been so exhibited	0	2	0
8. For every Certificate which the Officer shall be required to give	0	2	6
			(continued)

	£.	s.	d.
9. For swearing and examining every Witness, where the Officer shall, under the Authority of the Court, go out of his Office for the Purpose - - - - -	0	16	8
If the Officer shall be required to go beyond the Limits of the Circular Road, Dublin, the Charge for such Examination to be such as shall be expressed in the Order.			
10. For comparing with Originals, and re-attesting the Copies of any Depositions which shall be required to be made use of in any Court of Common Law, or on an Appeal, for each Book or Depositions - - - - -	0	6	8

No. 7. — TABLE of all the FEES which it shall be lawful for the Usher of the Court of Chancery in Ireland, or Deputy Usher, or any Clerk or other Person employed in the Usher's Office, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the Usher's Office.

	£.	s.	d.
1. For all Money deposited pursuant to Orders of Court, and for which, under the Provisions of the Act Twenty third and Twenty fourth George Third, Chapter the Twenty second, Poundage is continued when paid out - - - - -	0	0	6
The said Fee to continue payable so long only as the present Usher shall hold the Office, for each Pound.			
2. For receiving and filing every Affidavit, and furnishing an attested Copy thereof to the Party filing the same, for the First Sheet of Seventy two Words (including the Cryer's Fee of Four Pence on each Affidavit) - - - - -	0	2	4
3. For every other Sheet of Seventy two Words each, if such Affidavit exceeds One Sheet - - - - -	0	0	10
4. For preparing and furnishing an attested Copy of any Affidavit which shall have been filed in the Office, for the First Sheet of Seventy two Words - - - - -	0	1	6
5. For every other Sheet of Seventy two Words, if it exceeds One - - - - -	0	0	6½
But the present Usher to be allowed, during his Tenure of the Office, to charge - - - - -	0	0	10
Any one Fraction of a Sheet to be charged Sixpence Halfpenny as an entire Sheet, but not more than One Fraction to be charged for on any one Document.			
6. For every Search, where the Party desiring such Search shall not require a Copy of the Document sought for, if found - - - - -	0	3	4
7. For preparing and signing every Certificate which the Officer shall be required to give - - - - -	0	2	6
8. For carrying any Record into Court, or any of the Masters' Offices, by Command of the Lord Chancellor or Master of the Rolls - - - - -	0	3	4
9. For attending in any of the Courts of Law, or any other Court, with any Record of the Office, for each Day that the Officer shall attend therewith - - - - -	0	10	0

No. 8. — TABLE of all the FEES which it shall be lawful for the Secretary to the Lord Chancellor of Ireland, or any Clerk or other Person employed by such Lord Chancellor, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the said Office.

	£.	s.	d.
1. For the Patent of an Archbishop, Duke, Marquis or Earl	5	15	0
2. For the Patent of a Viscount or Baron	4	12	0
3. For the Patent of a Bishop, Chancellor or Chief Justice	3	9	0
4. For the Patent of a Baronet, Dean or Judge	2	6	0
5. For each Name or Denomination in a Fiant †	0	9	0
6. For a Warrant for a Custos Rotulorum	5	0	0
7. For a Warrant for a Justice of the Peace	2	6	0
8. For a Warrant for a Writ of Ease	1	15	0
9. For a Warrant for a Master Extraordinary	2	6	0
10. For a Warrant for a Sheriff	0	13	6
11. For a Warrant for a Writ De excommunicato capiendo; for a Writ of Ad quod damnum; for a Commission of Delegates; for a Commission of Valuation; for a Commission of Lunacy; for electing a Coroner; to exonerate a Coroner; each	0	13	6
12. For every other Warrant to the Hanaper	0	13	6
13. For a Fiat on a Significavit	0	13	6
14. For a Letter Missive	1	0	0
15. For an Order upon a Petition whether such Petition shall be preferred in a Cause, or in a Matter of a Minor or Lunatic, or in a Respondent Case, or entitled both in a Cause and Matter, or in Two or more Causes	0	12	6
16. For every Decree or Dismiss, of which a Docket shall be presented for the Lord Chancellor's Signature	0	13	6
17. For a Caveat	0	4	6
18. For every Injunction	0	4	6
19. For every Writ of Error which shall be signed by the Lord Chancellor	0	4	0
20. For Copies of Judge's Notes or Report of a Trial, for every Sheet of Seventy two Words	0	0	6½
And any One Fraction of a Sheet to be charged as an entire Sheet, but not more than One Fraction to be charged for on any One Document.			
The Fees to be exclusive of any charged for the Lord Chancellor's Trainbearer.			
† Sic.			

No. 9. — TABLE of all the FEES which it shall hereafter be legal to accept in the Office of Clerk of the Custody of Papers in the Court of Chancery in Ireland, in Matters of Idiots and Lunatics.

	£.	s.	d.
1. Filing Reports, First Sheet	0	3	6
2. - - - every succeeding Sheet	0	0	10
3. Filing Affidavit and Account, First Sheet	0	2	4
4. - - - every succeeding Sheet	0	0	10

(continued)

	£.	s.	d.
5. Attested Copies of Reports, Accounts and Affidavits, First Sheet	0	1	6
6. - - - every succeeding Sheet	0	0	10
7. Making out Order, First Sheet	0	2	6
8. - - - every succeeding Sheet	0	0	10

No. 10.— TABLE of all the FEES which it shall be lawful for the Clerk of the Hanaper and Clerk of the Crown in Chancery in Ireland, or his Deputy, or any Clerk or other Person employed in the Hanaper or Crown Office, to demand or accept on account of any Act, Matter or Thing done in or concerning the Business of the said Offices.

Services on account of which Fees may be demanded.	Rates of Fees.			King's Silver.		
	£.	s.	d.	£.	s.	d.
1. For preparing, engrossing and issuing the Patent of a Duke	20	0	0	1	0	3
2. For Ditto the Patent of a Marquis	15	0	0	1	0	3
3. For Ditto the Patent of an Earl	12	13	4	1	0	3
4. For Ditto the Patent of a Viscount	8	13	4	1	0	3
5. For Ditto the Patent of a Baron	6	16	8	1	0	3
6. For Ditto the Patent of a Baronet, and Silk and Silver Strings	4	6	8	—	—	—
7. For Ditto the several Patents of Donation, &c. on the Appointment of an Archbishop	10	13	4	2	0	6
8. For Ditto on the Appointment of a Bishop	6	13	4	3	0	9
9. For Ditto the Patent of a Dean	1	6	8	1	0	3
10. For drawing, engrossing and issuing every Grant of Ecclesiastical Livings	1	6	8	1	0	3
11. For Ditto every Grant of Fairs and Markets	1	6	8	1	0	3
12. For Ditto every Patent of a Lord Chancellor or Judge	1	13	4	1	0	3
13. For drawing, engrossing and issuing every Patent for Attorney General, Solicitor General, Serjeants at Law, Masters in Chancery or other Officer	1	13	6	1	0	3
14. For Ditto every Grant of an Escheatorship	1	13	6	1	0	3
15. For Ditto of the Office of Commissioner of Customs or Excise	1	13	6	1	0	3
16. For Ditto of the Office of Commissioner of the Treasury, Commissioner of Accounts, Commissioner of Stamps, Commissioner of Barracks, Commissioner of Appeals and any other Office of the like Nature	1	13	6	1	0	3
17. For Ditto of Custos Rotulorum	1	13	4	—	—	—
18. For Ditto of the Office of Sheriff, to be distributed as directed by the Act of 12th Geo. I. Chap. 4. and this Act	3	0	3	0	10	0
19. For Ditto of Offices not before enumerated (except as after mentioned)	1	13	6	1	0	3
20. For Ditto of a Pension	1	5	0	1	0	3
21. For Ditto of an Annuity, per Skin	1	0	0	1	0	3

F f 3

(continued.)

Services on account of which Fees may be demanded.	Rates of Fees.	King's Silver.
	£. s. d.	
22. For Ditto of Lands, 1st Skin - - -	1 5 0	1 0 3
- - - each subsequent Skin - - -	1 5 0	
23. For Ditto of an Invention, per Skin - - -	1 0 0	1 0 3
24. For every Grant of a Pardon (not in Forma Pauperis) per Skin - - -	1 0 0	1 0 3
25. For every Commission appointing a Master Extraordinary - - -	1 13 6	—
26. For every Commission of Inquiry - - - For a Commission of the Peace, Dedimus and Oaths:	0 12 0	—
27. If for an Earl, Viscount, Bishop or Lord - - -	2 8 0	0 2 0
28. If for a private Person - - - For preparing, engrossing and issuing every Charter for Cities and Towns Corporate, and Denization of a private Person:	1 18 4	0 2 0
29. For the First Skin - - -	1 6 8	—
30. For each succeeding Skin - - -	1 0 0	—
31. For preparing, engrossing and issuing all Letters Patent not before enumerated (except these hereinafter mentioned), per Skin - - -	1 0 0	—
32. For the Seal of every Patent, except Sheriff's Patent and Patents of Offices - - -	0 6 3	0 15 0
33. For Ditto of every Patent of Office, except Sheriff's Patent - - -	0 19 6	0 1 6
34. For Ditto, Letters of Guardianship - - -	- - -	1 5 5
35. For every Commission of Delegates - - -	0 12 0	—
36. For every Commission of Lunacy - - -	0 12 0	—
37. For every Writ of Venire facias and Mittimus for transferring a Record - - -	0 17 4	—
38. For every Writ of Elegit that shall be prepared and issued from the Office - - -	1 2 0	—
39. For every Writ of Extent, Writ of Ad quod damnum, which shall be prepared in and issued from the Office - - -	0 12 0	—
40. For every Writ of Scire facias, and every Office Writ made out in the Office (except Writs for the Election of Members to serve in Parliament, and Writs for superseding Justices of the Peace) - - -	8 8 0	—
41. For every Side Seal - - -	0 0 7½	0 0 4½
42. For the Transmiss of every Record to the Court of King's Bench, per Roll - - -	0 13 4	—
43. For entering every Order on Proceedings at the Petty Bag Side - - -	0 2 0	—
44. For Copy of every Order when required (be it long or short) - - -	0 2 0	—
45. For filing every Dedimus to swear a Justice of the Peace, with Return thereon, and Oaths annexed - - -	0 3 4	—

(continued)

Services on account of which Fees may be demanded.	Rates of Fees.	King's Silver.
	£. s. d.	£. s. d.
46. For Ditto, every Writ, Pleading or other Document that the Officer shall be required to file in the Office	0 3 4	—
47. For preparing, issuing and attesting Copies of Inquisitions, Affidavits or any other Records or Documents of which Copies shall be required from the Office, for each Sheet of Seventy two Words	0 0 8	—
48. For Search for any Record or Document, and furnishing Extract of such Document if found	0 3 4	—
49. For every Certificate that shall be required from the Office	0 2 6	—
50. For every Commission of Bankrupt	0 3 3	—
51. For every Supersedeas to a Commission of Bankrupt	0 1 1	—
52. For receiving and transmitting a Barrister's Consent to act as a Commissioner on controverted Elections of Members to serve in Parliament	0 6 8	—
53. For administering the Oaths of Office to Lords of Treasury, Judges, Barons, Master of the Rolls, Attorney General, Solicitor General, King's Counsel, Masters in Chancery, Assistant Barristers, Six Clerks and all other Officers who shall be sworn before the Lord Chancellor, each	2 5 6	—
54. For swearing in every Barrister at Law	1 2 9	—
55. For preparing and issuing all Writs necessary for electing a Temporal Peer, and for all other Acts necessary to be and usually done by the Clerk of the Crown and Hanaper on such Elections	50 0 0	—

All Commissions of Assize and Gaol Delivery, Commissions of Oyer and Terminer, Commissions of Associations, Commissions to try Pirates and all other Special Commissions for Government; Writs for Election of Members to serve in Parliament; Letters Patent appointing Lords Justices; Letters Patent appointing Commissioners for the Custody of the Great Seal; Licence of Absence to the Lord Chancellor; Pardons in Forma Pauperis, and Supersedeases to Justices of the Peace; to be prepared and issued as heretofore, without any Fee or Reward to the Officer, such Services being sufficiently recompensed by the Salary allowed to the Office.

No. 11.—TABLE of all the FEES which it shall be lawful for the Cursitor of the Court of Chancery in Ireland, or any Clerk or other Person employed in his Office, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the Cursitor's Office.

1. For every Writ of Audita Querela	0 9 7
2. - - Writ of Covenant	0 3 8
3. - - Writ of Entry	0 3 8½

F f 4

(continued)

	£.	s.	d.
4. For every Writ of Dedimus	0	4	8½
5. - - Writ of Dedimus Mittimus	0	16	0½
6. - - Original Writ to keep a Bill or Note within the Statute	0	9	7½
7. - - And if any of the said Writs shall exceed the Length of Three Office Sheets of Seventy two Words each, then for every Office Sheet which such Writ shall contain beyond the said Number of Three Sheets, a further Fee of	0	1	0
Any Fraction of a Sheet to be reckoned as an entire Sheet; but not more than one Fraction of a Sheet to be charged for on any one Document.			
8. - - Writ of Certiorari	0	4	5½
9. - - Writ of Recordari	0	3	7½
10. - - Writ of Error to the Twelve Judges or to Parliament	2	18	2½
11. - - Writ of Error Coram Vobis	0	16	0½
12. - - Common Error to a Sheriff or Seneschal	0	4	5½
13. - - Writs of Replevin and Recaption issuing together	0	15	5½
14. - - Writ of False Judgment	0	3	7½
15. - - Writ of Dower	0	3	7½
16. - - Writ of Partition	0	3	7½
17. - - Writ of Quare impedit ne admittas	0	7	7½
18. - - Appeal in Murder	2	18	2½
19. - - Writ of Right Patent	0	3	8½
20. - - Justices in Case	0	3	7½
21. - - Ditto in Debt	0	3	7½
22. - - Homine Replegiando	0	10	3
23. - - ——— Alias	0	8	0
24. - - ——— Pluries	0	4	0
25. - - Precipe to the Outlawry	0	1	0
26. - - Certificate	0	2	6
27. For any attested Copies which shall be required from the Office, for the First Sheet	0	1	1
28. For every Sheet after	0	0	6½
29. For every Writ of Capias issuing out of the Court of Common Pleas	0	0	4

No. 12. — TABLE of all the FEES which it shall be lawful for the Clerk of the Recognizances in the Court of Chancery in Ireland, or any Clerk or other Person employed in his Office, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the Office.

	£.	s.	d.
1. For filing, entering and enrolling every Recognizance, and giving Certificate of the Enrolment thereof	0	15	10
2. For preparing and furnishing an attested Copy of any Recognizance enrolled in the Office	0	6	8
3. For making Search for Recognizance entered into by any particular Person, and giving Abstracts, if required, of the Recognizance (if any) appearing on Record to be entered			

(continued)

	£.	s.	d.
into by such Person, or making Search for any particular Recognizance, of which a Copy shall not be required by the Person desiring to have such Search made - - -	0	3	4
When a Search and Certificate is required of a certain Recognizance being filed, or not being filed :			
4. For making such Search, and furnishing Certificate thereof -	0	5	10
5. If there shall be more than One Abstract, a further Fee for each Abstract after the First, of - - - - -	0	1	0
6. For a Search and negative Certificate, pursuant to the Statute, where there shall be no Abstract, or but One Abstract taken - - - - -	0	6	8
7. If there shall be more than One Abstract taken, a further Fee for each Abstract, after the First, of - - -	0	1	0
8. For preparing Vacate of Recognizance, entering same on the Roll, and giving Certificate of Recognizance being vacated	0	6	8

No. 13.—TABLE of all the FEES which it shall be lawful for the Registrar and Clerk of the Faculties of the Court of Chancery in Ireland, or any Clerk or other Person employed in his Office, to demand or accept for or on account of any Matter or Thing done in or concerning the Business of the Office.

	£.	s.	d.
1. For every Confirmation of a Dispensation taxed at Four Pounds, One Third of One Fourth of Two Thirds in each Pound, being - - - - -	0	4	5½
2. If the Tax exceeds Four Pounds, the like in Proportion.			
3. If the Tax be under Four Pounds, and not under Two Pounds	0	3	4
4. If the Tax be under Two Pounds, and not under One Pound Six Shillings and Eight Pence - - - - -	0	2	0
5. If the Tax be under One Pound, One Third Part thereof.			
6. The Clerk of the Faculties likewise to receive Sixteen Pence per Pound out of every Pound of the Tax of Faculties (according to the Proportion payable to the King before the said Tax was granted to the Primate of Ireland and his Successors), in consideration of Wax, Parchment and Paper expended in the Execution of the said Office -	0	1	4

No. 14.—TABLE of all the FEES which it shall be lawful for the Serjeant at Arms of the Court of Chancery in Ireland, or any Deputy or other Person employed by him, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the Office.

	£.	s.	d.
1. For the Arrest of a Gentleman or common Person (5 Marks)	3	6	8
2. And for his Guard by the Day - - - - -	1	0	0
3. For all Journies which the Serjeant at Arms or his Deputy shall actually perform in Execution of his Duty, and for his Expences, per Mile - - - - -	0	1	6
4. For the Return upon every Writ directed to the Serjeant at Arms - - - - -	1	2	9
5. For every Certificate of a Person being in Custody - - -	0	2	6

No. 15.

No. 15.—TABLE of all the FEES which it shall be lawful for the Pursuivant of the Court of Chancery in Ireland, or any Clerk or other Person employed in his Office, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the said Office.

	£.	s.	d.
1. For all Journies which the Pursuivant shall actually perform in Execution of his Duty, and for his Expences, per Mile	0	1	6
2. Caption Fee on the Arrest of every Person against whom an Attachment shall issue directed to the Pursuivant	0	6	8
3. For drawing and engrossing Bail Bond for the Appearance of any Person or Persons who shall be arrested under an Attachment, approving of Security, and attending to have Bond executed	1	2	9
4. For the Custody of each Person arrested, from the Day of his Arrest until committed to the Marshal, Fees at the Rate per Diem of	0	2	6
5. For executing every Attachment for Non-payment of Money (in lieu of the Fee of Two Shillings and Sixpence per Day for the Custody of Persons arrested), where the Money levied or paid shall not exceed One hundred Pounds, for every Twenty Shillings	0	1	0
6. When the Sum levied or paid shall exceed One hundred Pounds, for every Twenty Shillings which shall be levied or paid to the Amount of One hundred Pounds, One Shilling; and for every Twenty Shillings beyond the Sum of One hundred Pounds	0	0	6
The said Fees to be demandable from and payable by the Persons against whom such Attachments shall issue, and to be in lieu of all other Fees, except the Pursuivant's Travelling Expences.			
7. Warrant to the Pursuivant's Bailiff or Officer	0	6	8
8. If to a special Bailiff named by the Party	1	2	9
9. Return of a Non est inventus	0	2	4
10. Return of a Capi Corpus	1	2	9
11. In all Journies that the Pursuivant's Bailiff or Officer shall actually perform in the Execution of his Duty, per Mile	0	0	8
12. Travelling Fee to a Special Bailiff	0	0	4
13. For a Sheriff's Patent	0	6	8

No. 16.—TABLE of all the FEES which it shall be lawful for the Pursebearer to the Lord Chancellor of Ireland, or any Person for him, to demand or accept in right or under colour of the said Office of Pursebearer.

	£.	s.	d.
1. For every Denomination in each Patent	0	4	6
2. For every Sheriff's Patent	0	3	6
3. For every Commission of a Justice of the Peace	0	1	0
4. For every Commission of Rebellion	0	4	6
5. For every Writ De excommunicato capiendo, Dedimus to swear a Master Extraordinary, Commission of Delegates, and each close sealed Writ	0	2	3
6. For every private Seal	0	9	0
7. For every Commission of Bankrupt	0	4	6
8. For every Supersedeas to a Commission of Bankrupt	0	4	6

No. 17.—TABLE of all the FEES which it shall be lawful for the Trainbearer of the Lord Chancellor of Ireland, or any Person for him, to demand or accept in right of the said Office of Trainbearer.

	£.	s.	d.
1. For an Order of Guardianship	0	9	0
2. For every Justice of the Peace	0	5	0
3. For every Sheriff's Patent	0	5	0
4. For every single Patent of Honour	2	0	0
5. For every Broad Seal	0	2	0
6. And for each and every Grant contained in every Broad Seal	0	2	0
7. For every Writ of Error	0	2	6
8. For every Commission of Bankrupt	0	1	0
9. For every Counsel sworn and admitted to the Bar	0	5	5
10. For every King's Counsel sworn and admitted	0	5	5

No. 18.—TABLE of all the FEES which it shall be lawful for the Cryer of the Court of Chancery in Ireland, or any Person for him, to demand or accept in right of the said Office as Cryer.

	£.	s.	d.
1. For every Judge sworn, Prime Serjeant, Attorney and Solicitor General, Puisne Serjeant and King's Counsel, each and every of them	2	5	6
2. For every Counsel sworn and admitted to the Bar	2	3	9
3. For swearing any Person before the Lord Chancellor in any Employment	2	5	6
4. For every Decree or Dismiss obtained in the said Court	0	5	5
5. For every Affidavit filed in the Usher's Office	0	0	4
6. For every Writ of Entry and Covenant in the Cursitor's Office	0	0	4
7. For every Deponent in the Examiner's Office	0	0	4

C A P. LXII.

An Act to repeal the Duties upon Horses let to hire for the Purpose of travelling in *Great Britain*, and to grant other Duties in lieu thereof; and to provide for letting the same to farm.

[10th July 1823.]

‘WHEREAS it is expedient to repeal the Rates and Duties now payable upon or in respect of Horses, Mares and Geldings let for Hire, for the Purpose of travelling in *Great Britain*; and also the Duty on Licences required to be taken out by Persons letting such Horses, Mares and Geldings for Hire; and to grant other Duties upon all Horses, Mares and Geldings let for Hire, in lieu thereof: And Whereas it is also expedient to repeal the several Acts now in force relating to the said Rates and Duties, and to reduce the same into One Act of Parliament, and to make other Provisions for the better collecting the Duties hereinafter granted, and for letting the same to farm: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Thirty-first Day of *January* One thousand eight hundred and twenty four, so much of

of an Act passed in the Twenty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act for repealing the Duties on Licences taken out by Persons letting Horses for the Purpose of travelling Post, and on Horses let to hire for travelling Post and by Time, and on Stage Coaches, and for granting other Duties in lieu thereof, and also additional Duties on Horses let to hire for travelling Post and by Time*, as relates to the Duties on Horses hired to be used in travelling Post and by Time; and

27 G.3. c.26.

also an Act passed in the Twenty seventh Year of the Reign of His said late Majesty, 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*; and also so much of an Act passed in the

44 G.3. c.98.
Sched. B.

Forty fourth Year of the Reign of His said late Majesty, 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*, as relates to the Duties on Horses hired to be used in travelling in Great Britain; and also an Act passed in the

57 G.3. c.59.

Fifty seventh Year of the Reign of His said late Majesty, intituled *An Act for letting to farm the Post Horse Duties, and for better securing and facilitating the Recovery of the said Duties*; and also an

1 G.4. c.88.

Act passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act to continue, until the First Day of January One thousand eight hundred and twenty four, an Act of the Fifty seventh Year of His late Majesty, for letting to farm the Post Horse Duties, and to amend the Acts relating to the Post Horse Duties*; and all the Rates and Duties, Clauses, Provisions and Regulations contained in any other Acts, as far as the

Exception.

same relate to the said Rates and Duties, shall cease and determine; save and except as far as the said Acts or any of them, or any Enactments, may have repealed any former Acts or Enactments therein contained, relating to the Payment or Collection of the said Rates and Duties, or any Part thereof, which may be now payable or which may become payable, or to any Penalty or Penalties which hath or have been or may be incurred under any of the said Acts; which said Rates, Duties and Penalties shall be recoverable, and Proceedings or Suits thereon shall be instituted and carried on, in such and the same Manner as if this Act had not been made: Provided always, that the several Bonds given or which may hereafter be given, in pursuance of the said Acts or any of them, shall continue and be in full Force and Effect, with respect to all Duties due and owing, or which may become due and owing by virtue of any of the said Acts; and that the several Licences granted or which may hereafter be granted in pursuance of any of the said Acts, shall continue and be in full Force and Effect for and during the Periods for which the same have been or may be respectively granted; and that the several Deputations and Appointments which have been or may be made under the Provisions of any of the said Acts, shall remain and continue in full Force and Effect until duly revoked or determined.

Bonds and Licences given or to be given in pursuance of the said Acts, to continue in force.

II. And

II. And be it further enacted, That from and after the said Duties.
 Thirty first Day of *January* One thousand eight hundred and twenty four, there shall be collected and paid, throughout the Kingdom of *Great Britain*, unto and for the Use of His Majesty, His Heirs and Successors, the several Duties following; that is to say,

Every Postmaster or other Person in *Great Britain*, who shall let Horses, Mares or Geldings for Hire (except as hereinafter mentioned) shall pay annually unto His Majesty, His Heirs and Successors, the Sum of Five Shillings for a Licence authorizing him, her or them so to do :

And that for and in respect of every Horse, Mare or Gelding let for Hire by the Mile (at the usual Rate charged for Horses travelling Post at the Place at which such Horse, Mare or Gelding shall be let for Hire), the Sum of One Penny Halfpenny for every Mile such Horse, Mare or Gelding shall be hired or used to travel or go :

And that for and in respect of every Horse, Mare or Gelding let for Hire, to go no greater Distance than Eight Miles from the Place of letting for Hire every such Horse, Mare or Gelding, One Fifth Part of the Sum charged for such letting for Hire, or the Sum of One Shilling and Nine Pence for every Horse, Mare or Gelding so let for Hire :

And that for and in respect of every Horse, Mare or Gelding let for Hire, to go no greater Distance than Eight Miles from the Place of letting for Hire every such Horse, Mare or Gelding, where such Horse, Mare or Gelding shall not bring back any Person or Persons, and shall not deviate from the usual Line of Road between the Place of letting and the Place or Distance to which every such Horse, Mare or Gelding shall be hired to travel or go, the Sum of One Shilling for every such Horse, Mare or Gelding so let for Hire as last aforesaid :

And that for and in respect of every Horse, Mare or Gelding let for Hire or used for any Period of Time less than Twenty eight successive Days, or in any other Manner than by the Mile, or to go no greater Distance than Eight Miles, in either of the Cases aforesaid One Fifth Part of the Sum charged on every such letting for Hire or using, or the Sum of Two Shillings and Sixpence for each Day not exceeding Three Days, and the Sum of One Shilling and Nine Pence for each Day exceeding Three Days and not exceeding Thirteen Days, and the Sum of One Shilling and Three Pence for each Day exceeding Thirteen Days and less than Twenty eight Days, during the Time for which every such Horse, Mare or Gelding shall be so let for Hire or used :

And that for and in respect of every Horse, Mare or Gelding let for Hire or used for Twenty eight successive Days, or for any longer Period of Time, where any such Horse, Mare or Gelding shall be returned in a less Period of Time than Twenty eight successive Days, and not to be exchanged for another Horse, Mare or Gelding in Continuation of the same Hiring, One Fifth Part of the Sum received or agreed to be received for such letting for Hire or using, for and in respect of every such Horse, Mare or Gelding, or the Sum of Two Shillings and Sixpence for each Day not exceeding Three Days, and the Sum of One Shilling and Nine Pence for each Day exceeding Three Days and not exceeding
 Thirteen

Thirteen Days, and the Sum of One Shilling and Three Pence for each Day exceeding Thirteen Days and less than Twenty one Days, during the Time every such Horse, Mare or Gelding shall have been under the Direction of the Person hiring the same, by virtue of such letting for Hire.

On what
Horses, &c.
Duties are to
be charged.

Exemptions.

Hackney
Coaches.

Hearses, &c.

Fish Carts.

Duties under
Management
of Commis-
sioners of
Stamps.

Commissioners
of Stamps to
grant Licences.
Regulations
as to Date
and Expiration
of Licences.

III. And be it further enacted, That the Duties granted by this Act shall be deemed to attach and be payable upon or in respect of every Horse, Mare or Gelding let for Hire or used as aforesaid, either as a Saddle Horse, or for drawing any Carriage or Vehicle, conveying any Person or Persons, and upon or in respect of every Horse, Mare or Gelding used for drawing any Mourning Coach or Hearse; but the said Duties shall not be deemed to attach upon or be payable in respect of any Horse, Mare or Gelding used for the Purpose of drawing any Carriage or Vehicle conveying Passengers for Hire at separate Fares, as a public Stage Coach or Carriage, and duly licensed by the Commissioners of Stamps in *Great Britain*; nor shall the said Duties attach upon or be payable in respect of any Horse, Mare or Gelding used in drawing any Hackney Coach or Carriage duly licensed by the Commissioners of Hackney Coaches, where the same shall be licensed to go no greater Distance than Ten Miles from the Cities of *London* or *Westminster*; nor shall the said Duties be payable for or in respect of any Horse, Mare or Gelding used for drawing any Mourning Coach or Hearse, where the same shall be used to go no greater Distance than Eight Miles from *Temple Bar* in the City of *London*; nor shall the said Duties be payable for or in respect of any Horse, Mare or Gelding which shall be used for drawing any Cart or Carriage kept or usually employed for the Conveyance of Fish.

IV. And for the better and more effectually collecting and paying the said Duties hereinbefore granted, be it further enacted, That the said Duties shall be under the Care and Management of the Commissioners of Stamps in *Great Britain* for the Time being; which said Commissioners, or the major Part of them, are hereby required and empowered to appoint and employ such Officers and Persons under them for that Purpose, and to allow such Salaries and incidental Charges as shall be necessary, and also to do all other Acts, Matters and Things necessary to be done for putting this Act in Execution, with relation to the said Duties hereby granted.

V. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, any Two or more of the said Commissioners of Stamps, or some Person duly authorized by them, shall grant Licences to any Person or Persons who shall apply for the same, to let any Horses, Mares and Geldings for Hire as aforesaid; and that all such Licences which shall be granted 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* in that Year; and that all such Licences which shall be granted at any other Time shall be dated on the Day on which the same shall be granted; and all such Licences respectively shall have effect and continue in force from the Day of the Date thereof until the Thirty first Day of *January* following, both inclusive, and no longer;

longer; and that no Person or Persons whatsoever required by this Act to be licensed shall, unless he, she or they shall have obtained a proper Licence in that Behalf, let any Horse, Mare or Gelding for Hire to be used in any of the Cases aforesaid, upon pain to forfeit for every Horse, Mare or Gelding so let out for Hire as aforesaid, the Sum of Ten Pounds: Provided always, that no such Licence shall be granted to any Person or Persons applying for the same, until he, she or they shall have entered into and given or renewed the Security by Bond (a), as by this Act is directed and required. (a) [See Section 12. post.]

VI. And be it further enacted, That the said Commissioners of Stamps, or their Collectors, shall supply all Persons who shall be licensed to let Horses, Mares and Geldings for Hire, in the Manner aforesaid, with proper Tickets and Certificates, and the Toll Gate Keepers with proper Exchange and Check Tickets, and that the Tickets for and in respect of every Horse, Mare or Gelding, or of any Number of Horses, Mares or Geldings, let for Hire by the Mile, for drawing any Carriage or Vehicle conveying any Person or Persons, shall be adapted for the Insertion of the Day of the Month, the Month and Year, on which every such Horse, Mare or Gelding shall be let for Hire, the Christian and Surname of the Person letting for Hire, if not an Innkeeper, or the Name of his or her Sign or Description of House, if an Innkeeper, and in either Case the Name of the Place of his or her Residence, the Number of Horses, Mares and Geldings, the Number of Miles, the Names of the Town or Place (and if to London, the Name of the Street, Square or Place) to which every such Horse, Mare or Gelding shall be hired to go; and that the Tickets for and in respect of every Horse, Mare or Gelding, or of any Number of Horses, Mares or Geldings, let for Hire for a Day or less Period of Time, to be used within the Distance of Eight Miles from the Place of letting for Hire any Horse, Mare or Gelding, for the Purpose of drawing any Carriage or Vehicle conveying any Person or Persons, shall be adapted for the Insertion of the Day of the Month, the Month and Year, on which every such Horse, Mare or Gelding shall be hired, the Christian and Surname of the Person or Persons letting any such Horse, Mare or Gelding for Hire, if not an Innkeeper, or the Name of his or her Sign or Description of House, if an Innkeeper, and in either Case the Name of the Place of his or her Residence, and the Number of Horses, Mares or Geldings so let for Hire as aforesaid; and that the Tickets for and in respect of any Horse, Mare or Gelding, or any Number of Horses, Mares or Geldings, let for Hire to go no greater Distance than Eight Miles from the Place of letting for Hire any Horse, Mare or Gelding, where such Horse, Mare or Gelding, Horses, Mares or Geldings, shall not bring back any Person or Persons, and shall not deviate from the usual Line of Road between the Place of letting and the Place or Distance to which every such Horse, Mare, or Gelding shall be hired to travel or go, for the Purpose of drawing any Carriage or Vehicle conveying any Person or Persons as aforesaid, shall be adapted for the Insertion of the Day of the Month, the Month and Year on which every such Horse, Mare or Gelding shall be let for Hire, the Christian and Surname of the Person

Letting Horses without Licence.
Penalty 10l.

Security for Licence.

Commissioners of Stamps to deliver proper Blank Forms of Tickets.

What Tickets shall contain on Lettings by the Mile.

What Tickets shall contain on Lettings of Horses to be used within Distance of Eight Miles from Place of letting.

What Tickets shall contain on Horses let to go no greater Distance than Eight Miles from Place of letting.

or

What Tickets shall contain on Lettings for a Day, or less Period of Time than Twenty eight Days, &c.

What Tickets shall contain on Lettings for Twenty eight successive Days.

What Exchange Tickets shall specify.

What Check Tickets shall contain.

or Persons letting any such Horse, Mare or Gelding for Hire, if not an Innkeeper, or the Name of his or her Sign or Description of House if an Innkeeper, and in either Case the Name of the Place of his or her Residence, the Number of Horses, Mares or Geldings so let for Hire as aforesaid; and that the Tickets for and in respect of every Horse, Mare or Gelding, or of any Number of Horses, Mares or Geldings let for Hire for any Period of Time less than Twenty eight successive Days, and in any other Manner than by the Mile, or to go no greater Distance than Eight Miles, in either of the Cases aforesaid, for the Purpose of drawing any Carriage or Vehicle conveying any Person or Persons as aforesaid, shall be adapted for the Insertion of the Day of the Month, the Month and Year, on which every such Horse, Mare or Gelding shall be hired, the Christian and Surname of the Person or Persons letting any such Horse, Mare or Gelding for Hire, if not an Innkeeper, or the Name of his or her Sign or Description of House, if an Innkeeper, and in either Case the Name of the Place of his or her Residence, the Number of Horses, and the Day or Number of Days for which every such Horse, Mare or Gelding shall be let for Hire, and if such Hiring shall be for any Period of Time exceeding One Day, the Name and Place of Residence of the Person hiring such Horse, Mare or Gelding, Horses, Mares or Geldings; and that the Certificate for and in respect of any Horse, Mare or Gelding, or of any Number of Horses, Mares or Geldings let for Hire for Twenty eight successive Days or more, for drawing any Carriage or Vehicle conveying any Person or Persons as aforesaid, shall be adapted for the Insertion of the Day of the Month, and Month and Year, upon which the Hiring shall commence, the Christian and Surname and Residence of the Person letting every such Horse, Mare or Gelding for Hire, the Name and Residence of the Person hiring the same, the Number of Horses, Mares or Geldings let for Hire, and the Number of Days for which the same shall be so let for Hire; and that the Ticket by this Act directed to be given by the Keeper of any Toll Gate or Bar, in exchange for the Ticket issued for any Horse, Mare or Gelding, or any Number of Horses, Mares or Geldings let for Hire for any Period of Time less than Twenty eight successive Days, and in any other Manner than by the Mile as aforesaid, shall be adapted for the Insertion of the Name of the County in which the Toll Gate or Bar at which such Exchange Ticket shall be given is situated, the Name of such Toll Gate or Bar, the Day of the Month, the Month and Year, upon which the Hiring shall be or commence, the Number of Horses, Mares or Geldings, the Day or Number of Days, the Names of the Places from which and to which every such Horse, Mare or Gelding shall be hired to go, or to go to and return from, the Number of Miles, and the Names and Residences of the Person or Persons letting and hiring every such Horse, Mare or Gelding respectively, as the said Particulars or any of them shall be expressed in the original Ticket; and that the Check Ticket by this Act directed to be given by any Keeper of any Toll Gate or Bar in exchange for any Certificate issued for any Horse, Mare or Gelding, Horses, Mares or Geldings, hired for Twenty eight successive Days, or more, shall be adapted for the Insertion of the Name of the County

County in which the Toll Gate or Bar at which such Check Ticket shall be given is situated, the Name of such Toll Gate or Bar, the Day of the Month, the Month and Year, on which such Hiring shall commence, the Number of Horses, Mares or Geldings, the Number of Days, and the Names and Residences of the Person or Persons letting and hiring every such Horse, Mare or Gelding respectively, as the said Particulars or any of them shall be expressed in the original Certificate.

‘ VII. And Whereas there are many public Roads on which there are no Toll Gates or Bars, so that the Tickets or Certificates directed to be issued by the several Postmasters and other Persons cannot be received and filed, as directed by this Act; Be it therefore enacted, That it shall and may be lawful to and for the said Commissioners of Stamps to erect Bars and Gates across any public Road, for the Receipt of the Tickets and Certificates directed to be issued in pursuance of this Act, and to place a proper Person or Persons thereat, who shall have the same Power and Authority to collect and receive such Tickets or Certificates, and shall be authorized to demand the Money from the Traveller or Travellers, for not producing and showing such Ticket or Tickets, Certificate or Certificates, in like Manner as the Keepers of any Toll Gates or Bars are authorized by this Act to collect, demand and receive the same, and such Person or Persons shall be liable and subject to the same Penalties for any Thing done contrary to this Act, as the Keepers of Toll Gates or Bars are subject and liable.

Commissioners of Stamps may erect Gates.

VIII. And be it further enacted, That the said Commissioners, at the Time of issuing any such Licence as aforesaid, shall deliver, or cause to be delivered to every Postmaster, or other Person to whom such Licence shall be granted as aforesaid, printed or written Papers, intituled “ Stamp Office Weekly Accounts,” which shall be adapted for the Insertion of the following Particulars relating to the Horses, Mares or Geldings which may be let for Hire, *videlicet*, the Day of the Month, the Month and the Year, of such letting for Hire, the Names of the Towns or Places from which and to which, or from which and to which and back again, according as the Hiring may be, the Number of every Carriage required by this Act to be numbered, the Christian and Surname of every Postillion or Driver employed, the Amount of the Sum charged for or in respect of every letting for Hire, the Number of Horses, Mares or Geldings let for Hire, the Number of Days, and the Number of Miles for which such Horses, Mares or Geldings shall be let for Hire, and the Amount of the Duty payable for and in respect of every such letting for Hire, as the Case may be or shall require, according to the following or such other Form as the said Commissioners shall judge convenient for keeping such Account :

Commissioners of Stamps to deliver Accounts to Postmasters, which are to contain the Particulars herein mentioned.

STAMP OFFICE WEEKLY ACCOUNT.											
Day of the Month.	Month and Year.	From what Place and to what Place and back, if so hired.	Number of Carriage.	Christian and Surname of Postillion or Driver.	The Sum charged.	By Time.			By the Mile.		DUTY.
						Number of Horses.	Number of Days.	Number of Miles.	Number of Houses.	Number of Miles.	
											£. s. d.

No licensed Postmaster to keep more than One House by virtue of One Licence.

IX. And be it further enacted, That no Postmaster or other Person whomsoever, licensed or to be licensed by Authority of this Act, shall by virtue of One Licence keep more than One Inn, House or other Place for letting Horses for Hire, but that for each and every Inn, House or other Place which any Postmaster or other Person shall keep for the Purpose of letting Horses for Hire as aforesaid, a separate and distinct Licence shall be taken out and paid for by such Postmaster or other Person, upon pain to forfeit for every Inn, House or Place, so kept by him, her or them, at which any Horse, Mare or Gelding shall be left for Hire, and not named or described in any Licence granted or to be granted to him, her or them as aforesaid, the Sum of Twenty Pounds.

Penalty 20l.

Licensed Postmasters to have a Sign in Front of House.

X. And be it further enacted, That every Postmaster or other Person so licensed to let Horses for Hire, as hereinbefore mentioned, shall cause the Words "Licensed to let Horses for Hire" to be painted or written in legible Characters, either on a Sign hung out from or fixed upon some visible Place in the Front of his, her or their House, Stables or Outoffices, at the respective Places at which he, she or they may be licensed to let Horses for Hire as aforesaid, to denote that such Postmaster or other Person is a Letter of Horses for Hire; and that if any Postmaster or other Person, so licensed as aforesaid, shall presume to let out for Hire any Horse, Mare or Gelding, as hereinbefore mentioned, without hanging out or fixing such Sign as aforesaid, every such Postmaster or other Person so offending shall, for every such Offence, forfeit and pay the Sum of Five Pounds.

Penalty 5l.

Carriages kept to be let with Horses to be numbered, and the Name painted thereon.

XI. And be it further enacted, That where any Person or Persons who shall be licensed to let Horses for Hire in the Manner aforesaid shall keep any Carriage or Carriages, to be furnished at the same Time with any Horse or Horses by him, her or them let for Hire by the Mile as aforesaid (except Hearses and Mourning Coaches), he, she or they shall, before such Carriage or Carriages shall be so furnished or used, cause the same to be numbered with different Numbers, beginning with Number One and

and proceeding upwards progressively 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 Outsides 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 Carriage or Carriages, in large and legible Characters, and Figures of Black or White, whichever shall most differ from the Colour of the Figures 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 Carriage 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 shall mark or paint, or cause to be marked or painted thereon, any false or fictitious Name or Place of Residence, 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 any Number of such Carriages corresponding therewith, he, she or they shall, for every such Offence, forfeit and pay the Sum of Ten Pounds.

XII. And be it further enacted, That every Postmaster or other Person so licensed to let Horses for Hire as aforesaid shall at the Time of receiving his, her or their first Licence, give Security by Bond to His Majesty, His Heirs and Successors, in the Sum of Fifty Pounds, with a Condition that he, she or they will, whenever thereunto required, redeliver, or cause to be redelivered, all and every the Stamp Office Tickets which he, she or they may have received, and that may remain unaccounted for by him, her or them, or that he, she or they will pay the Value of such Tickets, to be ascertained as hereinmentioned; and that he, she or they will also deliver to the Person or Persons properly authorized by the said Commissioners of Stamps, the Stamp Office Weekly Accounts so delivered to such Postmaster or other Person, faithfully made out and signed as hereinafter directed, and make Payment of all such Sum and Sums of Money as shall be due and payable to His Majesty in pursuance of and according to the true Intent and Meaning of this Act; and also that he, she and they shall and will truly and faithfully observe and perform all the Directions, Matters and Things herein contained, on his, her or their Behalf to be observed and performed: Provided always, that every Postmaster or other Person so licensed to let Horses for Hire as aforesaid is hereby required to renew from time to time such Security by Bond to His Majesty, conditioned

Penalty 10l.
Persons on receiving first Licence to give Security by Bond, conditioned to account for the Stamp Office Tickets, and otherwise as herein mentioned.

Security to be from time to time renewed.

Proceedings
upon Breach
of Condition.

as aforesaid, at the Expiration of Three Years from the Date of the first, or if more than One Bond shall have been given, at the Expiration of Three Years from the Date of the last preceding Bond, by another Bond conditioned as aforesaid; and in case of the Non-performance or Breach of any such Condition, or any Part thereof, it shall and may be lawful for the said Commissioners, or the Persons so appointed by them, to cause each and every such Bond to be prosecuted according to Law, and in case of Judgment against the Defendant, the said Commissioners may, if they shall think fit, refuse to grant to such Person against whom such Judgment shall be obtained any Licence to let Horses for Hire as aforesaid in future.

Collector to
transmit Bonds,
and an Account
of Persons li-
censed, every
Three Months,
to Commis-
sioners of
Stamps.

XIII. And be it further enacted, That every Person appointed a Collector under this Act shall, at or before the Expiration of every Three Months, transmit and send to the said Commissioners of Stamps every Bond given as a Security to His Majesty, as aforesaid, which may have been taken from any Postmaster or other Person, conditioned as hereinbefore set forth, and shall also make out and deliver within the Time aforesaid, an Account or List in writing of the Licences granted by him, as such Collector as aforesaid, to any Person or Persons to let Horses, Mares or Geldings for Hire as aforesaid, which List or Account shall specify the Christian and Surname of the Person or Persons licensed, the Place of Residence, the Names of the Inn (if any) and the Date of every such Licence; and if any such Collector shall neglect or refuse to transmit and send every such Bond, Account or List as aforesaid, he shall for every such Neglect or Refusal forfeit and pay the Sum of One hundred Pounds.

Penalty 100L.

Stamp Duty on
Appointments
of Collectors.

XIV. And be it further enacted, That no Deputation or Commission to be hereafter granted pursuant to this Act, appointing any Person to be a Collector of the said Duties on Horses let for Hire in the Manner aforesaid, shall be charged or chargeable with any higher Stamp Duty than One Pound and Fifteen Shillings; and that no Bond by this Act required to be given by any Postmaster or other Person letting Horses for Hire as aforesaid shall be charged or chargeable with any higher Stamp Duty than Ten Shillings.

On Post-
masters' Bonds.

Persons letting
Horses charge-
able whether
Duty received
or not.

XV. And be it further enacted, That every Postmaster or other Person letting any Horse, Mare or Gelding for Hire shall be chargeable with and made liable for the Payment of the Duty by this Act imposed in respect of every such letting for Hire, whether the Person letting such Horse, Mare or Gelding for Hire shall have received such Duty or not; and that every Postmaster or other Person who shall receive the Hire for any Horse, Mare or Gelding, shall be considered as the Person to whom the Duties hereinbefore granted shall be paid, and shall be chargeable with and accountable for the same, as if such Postmaster or other Person was the actual Proprietor of such Horses, Mares or Geldings, although the same may belong to and be the Property of some other licensed Postmaster or other Person; and that where any Postmaster or other Person so licensed as aforesaid, at whose Inn, House or other Place any Person or Persons shall apply to change Horses, if he, she or they cannot furnish Horses to convey such Person or Persons on his, her or their Journey,

Postmasters,
&c. receiving
Hire of Horse
liable to Duty.

Postmasters,
&c. unable to
furnish Horses;
to give a new
Ticket.

Journey,

Journey, when applied to for that Purpose, such Postmaster or other Person shall, and he or she is hereby directed to issue, to any Person requiring the same, a fresh Ticket properly filled up, and to receive the Duty due thereon, and to charge himself or herself therewith in the same Manner as if such Horses had been hired from such Postmaster or other Person.

XVI. And be it further enacted, That if any Person or Persons, not being licensed to let Horses for Hire as aforesaid, shall, after the said Thirty first Day of *January* One thousand eight hundred and twenty four, let for Hire any Horse, Mare or Gelding, Horses, Mares or Geldings as aforesaid, he, she or they shall be chargeable with and accountable for the Duty or Duties hereby made payable for and in respect of every Horse, Mare or Gelding which shall be so let for 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 as aforesaid; 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 for 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 such Horse, Mare or Gelding, which he, she or they shall have let for 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 or Gelding shall have been let for 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 to let Horses for Hire 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 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: 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 for Hire any Horse, Mare or Gelding, Horses, Mares or Geldings, in the Manner mentioned in such Account, without having obtained such Licence as aforesaid.

XVII. And be it further enacted, That no Person hiring any Horse, Mare or Gelding, shall be compelled to pay for a greater Number of Miles, for the Hire of such Horse, Mare or Gelding, Horses, Mares or Geldings, than shall be expressed upon the Ticket by this Act directed to be delivered to such Person; and if

Persons not licensed to be accountable for Duties same as licensed Persons.

Account to be delivered on a Week's Notice from Collector, verified on Oath as to certain Particulars.

Penalty 20l. and double Amount of Duties.

Indemnification on accounting for Duties, and on taking out Licence.

Persons not to pay for more Miles than expressed in Ticket.

Unduly filling up Tickets.

Penalty 10l.

In case of Death, &c. of licensed Postmaster, Executor, &c. accountable for Duties.

Licence to be taken out within 30 Days from the Death.

Postmaster, &c. to deliver Tickets properly filled up.

To what such Tickets applicable.

Not delivering Tickets.

Penalty 10l.

any Postmaster or other Person so licensed as aforesaid shall insert in such Ticket the Name of any other Town or Place than the Town or Place to, or to and from which the Horse, Mare or Gelding, Horses, Mares or Geldings, shall be hired to go, or to go and return, or a less Number of Miles, every Postmaster or other Person so offending shall for every such Offence forfeit and pay the Sum of Ten Pounds; and the said Commissioners shall, if they think fit, after Conviction of such Offender, refuse to grant such Offender any License in future.

XVIII. And be it further enacted, That if any Postmaster or other Person, licensed to let Horses for Hire in Manner aforesaid, shall die or become insolvent, it shall and may be lawful for his or her Executors or Administrators, Assignees or Trustees, or other Persons succeeding to or taking Possession of such Inn, House or other Place, to let Horses for Hire in Manner aforesaid, until such Time as such Person shall procure such Licence and give such Security as hereinbefore directed, without being liable to the Penalty hereinbefore imposed upon Persons letting Horses for Hire without being licensed in that Behalf; provided that such Licence be taken out within Thirty Days after the Death or Insolvency of such Postmaster or other Person; and such Person or Persons shall be subject to the same Rules, Regulations and Charges, and liable to account for and pay the Duties hereby imposed, in like Manner as such Postmaster or other Person was subject and liable.

XIX. And be it further enacted, That every Postmaster or other Person who shall, from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, let any Horse, Mare or Gelding, Horses, Mares or Geldings, for Hire, shall by himself or herself, or his or her Servants, previous to the using any such Horse, Mare or Gelding, Horses, Mares or Geldings, deliver or cause to be delivered to the Person or Persons hiring any such Horse, Mare or Gelding, Horses, Mares or Geldings, One or more Ticket or Tickets, properly filled up as to all the Particulars hereinbefore mentioned, which shall be applicable to the Hiring of such Horse, Mare or Gelding, Horses, Mares or Geldings; and that every Postmaster or other Person who shall let for Hire any Horse, Mare or Gelding, Horses, Mares or Geldings, for Twenty eight successive Days or more, shall in like Manner as aforesaid deliver or cause to be delivered to the Person hiring such Horse, Mare or Gelding, Horses, Mares or Geldings, One or more of the Certificates hereinbefore mentioned, properly filled up as to the several Particulars hereinbefore mentioned, in respect of every such letting for Hire; and if any Postmaster or other Person as aforesaid, under any Pretence whatsoever, shall neglect or refuse to deliver to the Person or Persons hiring any such Horse, Mare or Gelding, Horses, Mares or Geldings, One or more of the Tickets or Certificates hereinbefore directed to be delivered to such Person or Persons, properly filled up as to the several Particulars hereinbefore mentioned, applicable to such respective letting for Hire, such Postmaster or other Person shall for each and every such Neglect or Refusal forfeit and pay the Sum of Ten Pounds.

XX. And

XX. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, where any Person so licensed to let Horses for Hire as aforesaid shall let for Hire any Horse, Mare or Gelding, Horses, Mares or Geldings, for Twenty eight successive Days or more, and such Horse, Mare or Gelding, Horses, Mares or Geldings, shall be given up and returned to the Person letting the same before the Expiration of the Time for which such Horse, Mare or Gelding, Horses, Mares or Geldings, shall have been so let for Hire, the Person or Persons so letting such Horse, Mare or Gelding, Horses, Mares or Geldings, shall, at the Time of receiving back such Horse, Mare or Gelding, Horses, Mares or Geldings, ask for and receive of and from the Person or Persons so returning or giving up such Horse, Mare or Gelding, Horses, Mares or Geldings, the Check Ticket which he, she or they shall have received in Exchange for the original Ticket or Certificate delivered to him, her or them, on the Letting for Hire such Horse, Mare or Gelding, Horses, Mares or Geldings, and shall within Three Days after the Return of such Horse, Mare or Gelding, Horses, Mares or Geldings, deliver up or transmit such Check Ticket to the Collector of the aforesaid Duties, to whom he, she or they shall be bound to deliver his or her Stamp Office Weekly Account; and if any Person so licensed as aforesaid shall refuse or neglect to ask for such Check Ticket, or having received the same shall refuse or neglect to deliver it up or transmit the same to the said Collector within the Time aforesaid, he, she or they shall for every such Offence forfeit and pay the Sum of Twenty Pounds; and if he, she or they shall use any such Check Ticket, or permit the same to be used, or give out the same to any Person or Persons for the Purpose of being used to cover and protect any other letting for Hire whatever from the Duty hereby granted, he, she or they shall for every such Offence forfeit and pay the Sum of Fifty Pounds.

When Horses are given up within the Period for which they were hired Check Ticket to be delivered up to Collector.

Penalty 20l.

Improperly using a Check Ticket.

Penalty 50l.

XXI. And be it further enacted, That every Person hiring any Horse, Mare or Gelding, before using the same, shall receive of and from the Person or Persons letting the same One or more of the Tickets or Certificates, properly filled up as to the several Particulars in that Behalf hereinbefore mentioned, which shall be applicable to the Hiring of such Horse, Mare or Gelding, and shall leave and deliver, or cause to be left and delivered, every such Ticket or Certificate with the Keeper of any Toll Gate or Bar, at the first Toll Gate or Bar which the Person hiring or using any such Horse, Mare or Gelding shall pass or go through, and shall ask for and receive of and from such Keeper of any Toll Gate or Bar the necessary Exchange or Check Ticket as aforesaid, containing the several Particulars in that Behalf hereinbefore mentioned, which shall be applicable to the Hiring of any such Horse, Mare or Gelding, which Exchange or Check Ticket shall be produced and shewn by the Person hiring or using any such Horse, Mare or Gelding, at every Toll Gate or Bar through which he or she shall afterwards pass or go with such Horse, Mare or Gelding, at any Time within the Period for which such Horse, Mare or Gelding shall have been let for Hire as aforesaid.

Travellers to demand and deliver Tickets at the first Toll Gate.

XXII. And be it further enacted, That if any Person hiring or using any Horse, Mare or Gelding, Horses, Mares or Geldings, shall

Persons falsely alleging Horses to be their own. shall

shall neglect or refuse to deliver, produce or shew, at any Toll Gate or Bar, the Ticket, Exchange Ticket, Certificate or Check Ticket which he or she ought, according to the Provisions of this Act, to deliver, produce or shew at such Toll Gate or Bar, and shall falsely allege such Horse, Mare or Gelding, Horses, Mares or Geldings, with which he or she shall pass such Toll Gate or Bar, to be his or her own Horse, Mare or Gelding, Horses, Mares or Geldings, and not a hired Horse, Mare or Gelding, or hired Horses, Mares or Geldings, in order to avoid being stopped, or to avoid the Payment of the Sum which the Keeper of any Toll Gate or Bar shall be entitled to demand, 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 Ten Pounds.

Penalty 10l.

Toll Gate Keepers to demand Tickets and Certificates, and give Check Tickets and Certificates in exchange.

Persons not suffered to pass without producing the proper Ticket, &c. or paying 1s. 9d. for every such Horse, &c.

Toll Gate Keeper neglecting as herein mentioned.

Penalty 10l.

XXIII. And be it further enacted, That the Keeper of every Toll Gate or Bar in any City, Town or other Place through which any Horse, Mare or Gelding, Horses, Mares or Geldings, let for Hire for drawing any Carriage or Vehicle as aforesaid, shall or may first pass or go, shall ask and demand of and from the Person or Persons using such Horse, Mare or Gelding, Horses, Mares or Geldings, the Ticket or Tickets, Certificate or Certificates, issued for and in respect of such Horse, Mare or Gelding, Horses, Mares or Geldings; and every such Keeper of such Toll Gate or Bar shall deliver to the Person or Persons hiring or using any such Horse, Mare or Gelding, Horses, Mares or Geldings, One or more Exchange Tickets or Check Tickets, properly filled up as to the Particulars in that Behalf herein before mentioned, and shall receive and write his or her Name upon and file all and every such Ticket or Tickets, Certificate or Certificates; and every such Keeper of such Toll Gate or Bar is hereby authorized and empowered to prevent any Horse, Mare or Gelding, Horses, Mares or Geldings, let for Hire in any of the Ways aforesaid, passing or going through such Toll Gate or Bar, unless the Person or Persons hiring or using any such Horse, Mare or Gelding, Horses, Mares or Geldings, shall first deliver or produce and shew to the Keeper of such Toll Gate or Bar the necessary Ticket, Certificate, Exchange Ticket, or Check Ticket aforesaid, containing and specifying the Particulars in that Behalf hereinbefore mentioned, which shall be applicable to the Hiring of such Horse, Mare or Gelding, Horses, Mares or Geldings as aforesaid, or shall pay or offer to pay to the Keeper of such Toll Gate or Bar the Sum of One Shilling and Nine Pence for and in respect of every such Horse, Mare or Gelding; which Sum or Sums the Keeper of such Toll Gate or Bar is hereby authorized to ask, demand and receive, to and for his or her own Use and Benefit.

XXIV. And be it further enacted, That if any Keeper of any Toll Gate or Bar shall neglect to ask and demand, or shall refuse to receive from any Person hiring or using any Horse, Mare or Gelding, Horses, Mares or Geldings, any Ticket or Certificate hereby directed to be delivered to such Keeper of any Toll Gate or Bar as aforesaid, or shall neglect or refuse to write his or her Name, or to file the same when delivered, such Keeper of such Toll Gate or Bar as aforesaid shall for every such Offence forfeit and pay the Sum of Ten Pounds.

XXV. And

XXV. And be it further enacted, That if any Keeper of any Toll Gate or Bar shall neglect or refuse to give to any Person or Persons hiring or using any Horse, Mare or Gelding, Horses, Mares or Geldings, the Ticket or Tickets hereby directed to be given in Exchange; or shall deliver an Exchange or Check Ticket without having first received the necessary Ticket or Certificate containing the Particulars in that Behalf hereinbefore mentioned, applicable to the Hiring of any Horse, Mare or Gelding, Horses, Mares or Geldings as aforesaid; or shall make, or permit or cause or suffer to be made, any Alteration whatever in any Ticket hereby authorized to be received and filed by him or her, after any such Ticket shall have come to his or her Possession or Custody; or shall deliver any Ticket, hereinbefore directed to be received and filed by him or her, to any Person or Persons other than the Person or Persons duly authorized as herein mentioned to receive the same; or shall permit or suffer any Person or Persons to examine, see or inspect any Ticket or Tickets directed to be by him received and filed as aforesaid, other than the Person or Persons duly authorized to receive such Ticket or Tickets; or if any Keeper of any Toll Gate or Bar shall ask, demand or receive, or agree to take or accept any less Sum or Sums of Money than he or she is hereby authorized to ask, demand and receive, and retain to his or her own Use, every such Keeper of any Toll Gate or Bar as aforesaid, offending in any or either of the Cases aforesaid, shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Toll Gate
Keepers ne-
glecting to give
Exchange and
Check Tickets;

or allowing any
Person except
Collector to in-
spect Tickets.

Penalty 10l.

XXVI. And be it further enacted, That the Keeper of every Toll Gate or Bar within the Distance of Five Miles from the Head Office of Stamps in the City and Liberties of *Westminster* shall bring or cause to be brought all and every the Tickets and Certificates required by him or her to be received to the said Head Office, or to such other Place within the Bills of Mortality as the said Commissioners shall appoint; and if such Toll Gate or Bar shall be beyond the Distance of Five Miles from the Head Office aforesaid, then the Keeper of every such Toll Gate or Bar shall bring or cause to be brought all and every the Tickets and Certificates by him or her received as aforesaid to such Places and at such Times as the Collector appointed to collect such Tickets and Certificates shall require, provided such Places shall not be at a greater Distance than the nearest Market Town; and such Keeper of every such Toll Gate or Bar shall, upon Demand made to him or her for that Purpose, deliver up or cause to be delivered up all such Tickets and Certificates as aforesaid to the Collectors to be appointed as aforesaid; and if any Keeper of any Toll Gate or Bar shall neglect or refuse to attend with and deliver up all and every the Ticket or Tickets, Certificate or Certificates, so received by him or her as aforesaid, at the Time and Place hereinbefore mentioned in that Behalf as aforesaid, every such Keeper of any Toll Gate or Bar shall, for each Ticket or Certificate he or she shall so neglect or refuse to deliver up, forfeit and pay the Sum of Twenty Shillings.

Toll Gate
Keepers within
Five Miles
from Head
Stamp Office to
deliver Tickets
to Head Office,
and if beyond
that Distance
Tickets to be
delivered to
Collector.

Neglect of
Delivery,
Penalty 20s.
for each Ticket.

XXVII. And for the Encouragement of the Keepers of the Toll Gates or Bars in the Execution of this Act, and as a Compensation for their Trouble, be it further enacted, That every Keeper

Allowance to
Toll Gate
Keepers.

Keeper of any Toll Gate or Bar shall be and he is hereby authorized to demand and receive, from the Collector or other Person appointed to get in such Tickets as aforesaid, and to whom such Keeper of any Toll Gate or Bar shall deliver such Tickets as aforesaid, the Sum of One Farthing for and in respect of each Horse specified in any Ticket; and also the Sum of One Farthing for each such Horse for every Day more than One and less than Twenty eight successive Days in such Tickets mentioned; and such Collector or other Person is hereby authorized to pay and allow the same accordingly, which Allowance shall be over and above the Allowance or Privilege hereby given to such Keepers of any Toll Gate or Bar of retaining the Money by him, her or them collected from such Person or Persons who shall not, pursuant to this Act, deliver, produce or shew the Ticket, Exchange Ticket, Certificate or Check Ticket, as is hereinbefore directed, to the Keeper of any Toll Gate or Bar as aforesaid.

Collector or Person authorized to pay the same.

Collector or other Person authorized may attend at any Toll Gate, and receive and examine Tickets.

Toll Gate Keeper obstructing, or Persons aiding.

Penalty 20l. Mode of calculating Duty where specific Sums are charged for the Hire of Horses, &c.

XXVIII. And be it further enacted, That it shall and may be lawful for any Collector, or other Person duly authorized as aforesaid, from time to time to enter into and remain in any Toll House or other Place at the Gate or Bar of which any Toll is by Law payable, for the Purpose of examining and receiving the Tickets and Certificates by this Act directed to be delivered; and if any Keeper of any Toll Gate or Bar, or any other Person or Persons, shall refuse to permit any Collector or other Person authorized as aforesaid, from time to time to enter into and remain in any such Toll House or other Place as aforesaid, or to examine and receive such Tickets or Certificates as aforesaid, or shall obstruct, hinder or molest such Collector, or other Person so authorized, in entering into and remaining in such Toll House or other Place as aforesaid, for the Purpose of examining and receiving such Tickets or Certificates, or if any Keeper of any Toll Gate or Bar, or any other Person or Persons, shall in any way hinder, molest, interrupt or disturb any such Collector or other Person authorized as aforesaid, in the reasonable Use of such Toll House or other Place as aforesaid for the Purpose aforesaid, every Keeper of any such Toll Gate or Bar, and every Person aiding and assisting such Keeper of any Toll Gate or Bar, offending in any of the Cases aforesaid, shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

XXIX. And be it further enacted, That in calculating the Amount of Duty to be paid, when the same shall be One Fifth Part of the Sum charged for any letting for Hire of any Horse, Mare or Gelding, Horses, Mares or Geldings, such One Fifth Part shall be calculated upon the whole Sum charged by such Postmaster or other Person letting such Horse, Mare or Gelding, Horses, Mares or Geldings, for and in respect of such Horse, Mare or Gelding, Horses, Mares or Geldings so let for Hire, and of the Carriage (if any) used therewith; and that in calculating the Amount of the Duty to be paid as aforesaid, no fractional Part of any Sum of Money amounting to a less Sum of Money than One Penny shall be charged in respect of any Part of the said Duties; and that the Inn, House or other Place at which any Person or Persons shall be licensed to let Horses for Hire as aforesaid, shall be deemed and taken to be the Place of letting for

Hire of every Horse, Mare or Gelding by him, her or them so let for Hire; and that where any Horse, Mare or Gelding which shall have been let for Hire for any Period of Time, and shall be retained and kept beyond the Expiration of the Time for which the same shall have been let for Hire without a new Hiring or new Hirings, every such Horse, Mare or Gelding shall be deemed and taken, so far as relate to the Duties imposed by this Act, to have been retained and kept upon a Hiring or Hirings similar to that for which every such Horse, Mare or Gelding was originally let for Hire.

XXX. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, all and every Person and Persons letting Horses for Hire as aforesaid, shall insert and set forth in his, her or their Stamp Office Weekly Account the several Particulars following; (that is to say,) whenever he, she or they shall let for Hire by the Mile any Horse, Mare or Gelding, Horses, Mares or Geldings, the Day of the Month, the Month and Year for which such Horse, Mare or Gelding, Horses, Mares or Geldings shall be let for Hire, the Names of the Towns or Places from which and to which, or from and to which and back again, such Horse, Mare or Gelding, Horses, Mares or Geldings, shall be hired to go, the Number of every Carriage which he, she or they shall furnish with any such Horse, Mare or Gelding, Horses, Mares or Geldings (if by this Act required to be numbered), the Christian and Surname of every Postillion or Driver employed therewith, the Number of Horses, Mares or Geldings so let for Hire, and also the Amount of the Duty payable for and in respect of every such letting for Hire; and whenever such Person or Persons letting Horses for Hire as aforesaid shall let for Hire for a Day or less Period of Time, to be used within the Distance of Eight Miles from the Place of letting for Hire any Horse, Mare or Gelding as aforesaid for the Purpose of drawing any Carriage conveying any Person or Persons as aforesaid, any Horse, Mare or Gelding, Horses, Mares or Geldings, he, she or they shall insert and set forth in his, her or their Stamp Office Weekly Account, the several Particulars following; (that is to say,) the Day of the Month, the Month and Year on which such Horse, Mare or Gelding, Horses, Mares or Geldings, shall be let for Hire, the Number of every Carriage, if by this Act 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 Number of Horses, Mares or Geldings so let for Hire, and the Amount of the Sum charged for such letting for Hire; and shall be answerable and accountable for One Fifth Part of such Sum of Money so charged, or for the Sum of One Shilling and Nine Pence for each Horse, Mare or Gelding so let for Hire; and shall enter in his, her or their Stamp Office Weekly Account such One Fifth Part of such Sum charged, or the Sum of One Shilling and Nine Pence for each Horse, Mare or Gelding, as and for the Duty payable in respect of any Horse, Mare or Gelding, Horses, Mares or Geldings, so let for Hire as aforesaid; and whenever such Person or Persons letting Horses for Hire as aforesaid shall let for Hire any Horse, Mare or Gelding, Horses, Mares or Geldings, to no greater

Particulars to be inserted in Stamp Office Weekly Accounts :

In Cases of Lettings by the Mile :

In Cases of Lettings of Horses to be used within the Distance of Eight Miles from the Place of letting :

In Cases of Lettings of Horses to go no greater Dis-

thane than
Eight Miles
from the Place
of letting :

greater Distance than Eight Miles from the Place of letting for Hire, any Horse, Mare or Gelding, where such Horse, Mare or Gelding, Horses, Mares or Geldings, shall not bring back any Person or Persons, and shall not deviate from the usual Line of Road between the Place of letting and the Place or Distance to which every such Horse, Mare or Gelding shall be hired to travel or go, for the Purpose of drawing any Carriage or Vehicle conveying any Person or Persons as aforesaid, he, she or they shall insert and set forth in his, her or their Stamp Office Weekly Account the several Particulars following ; that is to say, the Day of the Month, and Month and Year, on which such Horse, Mare or Gelding, Horses, Mares or Geldings, shall be so let for Hire, the Number of every Carriage, if by this Act 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 Number of Horses, Mares or Geldings so let for Hire, and also the Amount of the Duty payable for and in respect of every such letting for Hire as aforesaid ; and whenever such Person or Persons letting Horses for Hire as aforesaid shall let for Hire for any Period of Time less than Twenty eight successive Days, and in any other Manner than by the Mile, or to go no greater Distance than Eight Miles in either of the Cases aforesaid, any Horse, Mare or Gelding, Horses, Mares or Geldings, he, she or they shall insert and set forth in his, her or their Stamp Office Weekly Account the several Particulars following ; (that is to say,) the Day of the Month, the Month and Year, on which such Horse, Mare or Gelding, Horses, Mares or Geldings, shall be let for Hire, and from and to what Place or from and to what Place and back again, such Horse, Mare or Gelding, Horses, Mares or Geldings, shall be hired to go, the Number of every Carriage which shall be furnished therewith, if by this Act 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 Amount of the Sum charged for the Hire or Use of such Horse, Mare or Gelding, Horses, Mares or Geldings, the Time for which the same shall be let for Hire or used, the Number of Horses, Mares and Geldings so let for Hire, and where the Distance shall be ascertained the Number of Miles which the same shall be hired to go or to go and return ; and in all Cases the Amount of the Duty payable for and in respect of every Horse, Mare or Gelding, upon every Letting for Hire or using ; and whenever such Person or Persons letting Horses for Hire as aforesaid shall let for Hire, for Twenty eight successive Days or more, any Horse, Mare or Gelding, Horses, Mares or Geldings, as aforesaid, he, she or they shall insert and set forth in his, her or their Stamp Office Weekly Account the several Particulars following ; (that is to say,) the Number of Horses, Mares or Geldings, so let for Hire, the Day of the Month, the Month and Year, on which such Hiring shall commence, the Number of every Carriage which shall be furnished therewith, (if by this Act 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

In Cases of Lettings of Horses for less than Twenty eight Days :

In Cases of Lettings of Horses for Twenty eight Days and more.

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 for Hire by him, her or them as aforesaid, for Twenty eight successive Days or more, 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 for which such Horse, Mare or Gelding, or Horses, Mares or Geldings, shall have been let for Hire, and the Day of the Month on which the same shall have been so given up and returned, and shall be answerable and account for One Fifth Part of the Sum received or agreed to be received for such letting for Hire or using, for and in respect of every such Horse, Mare or Gelding, or the Sum of Two Shillings and Sixpence for each Day not exceeding Three Days, and the Sum of One Shilling and Nine Pence for each Day exceeding Three Days and not exceeding Thirteen Days, and the Sum of One Shilling and Three Pence for each Day exceeding Thirteen Days and less than Twenty one Days, during the Time every such Horse, Mare or Gelding, shall have been under the Direction of the Person or Persons hiring the same, by virtue of such letting for Hire as aforesaid; and in case of any Refusal or Neglect of any Person or Persons letting any Horse, Mare or Gelding, Horses, Mares or Geldings, for Hire as aforesaid, to insert in his, her or their Stamp Office Weekly Account the Particulars hereinbefore respectively mentioned or any or either of them, applicable to each letting for Hire, such Person or Persons shall for each and every such Refusal or Neglect forfeit and pay the Sum of Twenty Pounds.

Persons letting Horses offending as herein mentioned.

Penalty 20l.

XXXI. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, every Person so licensed as aforesaid, who shall let for Hire any Horse, Mare or Gelding, Horses, Mares or Geldings 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 or following Day on which any such Horse, Mare or Gelding, Horses, Mares or Geldings, shall be so let for Hire, or so given up and returned as aforesaid, and in Default thereof he, she or they shall, for every such Default, forfeit and pay the Sum of Forty Shillings.

Entries to be made in Account the Day the Horses are let or returned.

Penalty 40s.

XXXII. And be it further enacted, That the Stamp Office Weekly Account required to be kept by every Postmaster or other Person licensed to let Horses for Hire as aforesaid, shall be open for the Inspection and Examination, at all reasonable Times, of the said Commissioners of Stamps or any Collector appointed by them as aforesaid; and if any Postmaster or other Person as aforesaid shall refuse to permit and suffer the said Commissioners of Stamps, or any Collector appointed by them as aforesaid, at any reasonable Time, to inspect his, her or their Stamp Office Weekly Account, such Postmaster or other Person so licensed as aforesaid shall, for every such Refusal as aforesaid, forfeit and pay the Sum of Ten Pounds.

Stamp Office Account to be open for Inspection of Collector.

Penalty 10l.

XXXIII. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, every Person licensed as aforesaid, residing in the City

When and where Licensed Persons should

deliver Account
and pay Duty.

City of *London* or Liberty of *Westminster*, or within the Distance of Five Miles from 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, she or they shall be accountable, unto the said Commissioners of Stamps, at the said Head Office, or to some Collector authorized to receive the same, at such Place 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, provided such Place be not at a greater Distance than Two Miles from the said Head Office; 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, her or their Stamp Office Weekly Accounts, and pay the Duties for which he, she or they shall be accountable, unto the Collector authorized to receive the same, at such Place in the Market Town in which he, she or they shall reside, or in the nearest Market Town to his, her or their Place of Residence, 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, her or them 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 Persons.

Not delivering
Account and
paying the
Duty.

Penalty.

Postmaster to
make Oath of
Truth of Ac-
count.

XXXIV. And for the more effectually taking an Account of the several Duties imposed by this Act, and preventing Frauds therein; Be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, every Postmaster or other Person so licensed to let Horses for Hire as aforesaid, shall, at the respective Times of delivering his or her Account or Accounts to the said Commissioners, or other Person authorized by them to receive the same, and the Money due thereon, make Oath, or being One of the People called *Quakers*, make and subscribe a solemn Affirmation before such Commissioners or other Person authorized as aforesaid, who are hereby respectively authorized and empowered to administer such Oath and Affirmation, to the Truth of the Account then delivered in the Form following :

Form of Oath.

‘ I *A. B.* do swear [or affirm, in the Case of a *Quaker*], That
‘ the Stamp Office Weekly Account [or Accounts] now de-
‘ livered by me, doth or do contain a just and true Statement of
‘ the Number of Horses, Mares and Geldings which have been
‘ let for Hire by me, or my Servants, or on my Account and
‘ Behalf, from the Day of to the
‘ Day of both inclusive, together with
‘ the Manner in which such Horses, Mares and Geldings have
‘ been so let for Hire as aforesaid, and also the full Amount of
‘ the Duty due and payable by me, or for which I am charge-
‘ able or accountable, for or in respect of every such Horse,
‘ Mare

‘ Mare or Gelding so let for Hire by me, or on my Account as aforesaid, during the Time aforesaid; all which said Statements, Matters and Things, and all the other Particulars contained in the said Account or Accounts, so far as regards myself 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.’

Which said Oath or Affirmation shall be made and subscribed before the said Commissioners of Stamps, or other Person authorized to receive such Account or Accounts as aforesaid; which said Commissioners of Stamps, or other Person authorized as aforesaid, are and is hereby respectively 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.

Perjury.

‘ XXXV. And to prevent Disputes as to the Rate or Value at which any of the Tickets, delivered in pursuance of this Act to Postmasters, or other Persons letting Horses for Hire as aforesaid, and which may remain unaccounted for on the Thirty first Day of *January* in each and every Year, shall be settled and accounted for; Be it enacted, That every such Ticket delivered as aforesaid, and which shall remain unaccounted for at the Time aforesaid, shall be valued in account and paid for at and after the Rate of One Shilling for each Horse, according to the Number of Horses expressed by Figures on such Ticket, and in the Receipt given by such Postmasters or other Persons for the same.

How Tickets unaccounted for 31st Jan. yearly are to be paid for.

‘ XXXVI. And be it further enacted, That the Receiver General at the Head Office, and the said other Collectors duly appointed to receive the Duties hereby imposed, shall, at the Time of settling the respective Accounts of the several licensed Postmasters and other Persons, allow to such Postmasters and other Persons and deduct from their respective Accounts, at and after the Rate of Three Pence in the Pound out of the Monies by them regularly accounted for, and paid to such Receiver General or other Collector, on account of the Duties imposed by this Act.

Allowance to Postmasters.

‘ XXXVII. And for the Convenience of Persons residing in Cities or populous Towns, (other than the Cities of *London* and *Westminster*, or the Borough of *Southwark*,) letting for Hire or using Horses, Mares or Geldings for drawing Coaches or other Carriages, to be used as or in the Nature of Hackney Coaches, and for rendering it unnecessary for such Persons, in respect of Horses, Mares or Geldings let for Hire or used as last aforesaid, to keep the Weekly Accounts hereby directed to be kept by Persons letting Horses for Hire: Be it further enacted, That every Person letting for Hire or using any Horse, Mare or Gelding, Horses, Mares or Geldings, for drawing any such Coach or Carriage, to be used as or in the Nature of a Hackney Coach, any Distance not exceeding Five Miles from the General Post Office of any City, Town or Place, (such Coach or Carriage not being licensed

Horses used in Coaches standing for Hire, as Hackney Coaches, in Places out of London, to pay a Weekly Duty

licensed as a Carriage or Vehicle conveying Passengers for Hire at separate Fares, as a public Stage Coach or Carriage,) shall be subject and liable to the Payment of the Duties following; (that is to say,) the Sum of Five Shillings *per* Week for or in respect of the Horses, Mares or Geldings let for Hire, or used for drawing every such Coach or Carriage, used as or in the Nature of a Hackney Coach, when drawn by Two Horses, Mares or Geldings; and the Sum of Three Shillings *per* Week for or in respect of every Horse, Mare or Gelding let for Hire, or used for drawing any such Coach or Carriage, used as or in the Nature of a Hackney Coach, when drawn by One Horse, Mare or Gelding, in lieu of the Duties by this Act chargeable upon Horses, Mares or Geldings let for Hire: Provided always, that if any Horse, Mare or Gelding used for drawing any such Coach or Carriage, used as or in the Nature of a Hackney Coach, shall go a greater Distance than Five Miles from any such General Post Office as aforesaid, the Person or Persons letting for Hire or using any such Horse, Mare or Gelding shall be subject to the same Rules and Regulations, and shall be chargeable with and accountable for the Duties hereby generally imposed in respect of Horses, Mares or Geldings let for Hire; and provided also, that the Person or Persons letting for Hire or using any Horse, Mare or Gelding for drawing any such Coach or Carriage, as or in the Nature of a Hackney Coach as aforesaid, shall take out a Licence expressly authorizing him, her or them so to do, and shall cause every such Coach or Carriage to be numbered, and shall cause his, her or their Christian and Surname, and the Name of the City, Town or Place, to be painted and inscribed upon the Outside Pannel of each Door, or upon some conspicuous Part of such Coach or Carriage as aforesaid, in like Manner as is hereinbefore directed in respect of Carriages kept to be furnished or used with Horses let for Hire, under and subject to the like Penalties as are hereby imposed upon Persons neglecting to take out Licences; or to number or cause to be numbered any Coach or Carriage kept to be furnished or used as aforesaid; or to paint or cause to be painted thereon the Name of the Person or Persons letting to Hire or using any such Horse, Mare or Gelding, and the Name of the City, Town or Place where such Coach or other Carriage shall be kept; and every Person letting or using such Horse, Mare or Gelding, Horses, Mares or Geldings for Hire, for drawing such Coach or Carriage used as or in the Nature of a Hackney Coach as aforesaid, shall attend and pay the said Weekly Duties at such Times and Places as Persons licensed to let Horses for Hire are required by this Act to do, and shall be subject and liable to the like Penalty or Penalties for any Neglect or Default in attending and paying such Duties as aforesaid; provided also, that nothing in this Clause contained shall be construed to exempt from the Payment of the General Duties by this Act imposed, any Person or Persons letting Horses for Hire to draw any such Coach or Carriage, unless such Coach or Carriage shall be regularly and constantly used, and shall regularly and constantly ply in the public Streets of some City or Town as a Hackney Coach; and that in all Informations, Actions, Suits or other Proceedings in any of His Majesty's Courts of Record, or before any Justice or Justices of

Proviso in respect of such Horses going more than Five Miles from the General Post Office of such Place.

Licence to be taken for such Coach.

Number, Name, &c. of Places to be painted thereon.

Proviso for Carriages regularly used.

Informations, &c. for Penalties.

of the Peace, respecting the Payment of any Duty, or the Recovery of any Penalty in respect of any Horse, Mare or Gelding, Horses, Mares or Geldings, used in drawing any such Coach or Carriage, the Proof of such Coach or Carriage being a Coach or Carriage regularly and constantly used, and regularly and constantly plying in the public Street as aforesaid, shall be upon the Person or Persons letting such Horse, Mare or Gelding, Horses, Mares or Geldings, for Hire; and provided also, that nothing in this Act contained respecting the Licences to be taken out by Persons letting for Hire, or using any Horses, Mares and Geldings for drawing any Coaches or Carriages to be used as or in the Nature of Hackney Coaches, or respecting the painting the Names or Numbers upon such Coaches, shall be construed to extend to Coaches or Carriages which are or hereafter may be subject to the Provisions contained in any Local Act or Acts of Parliament.

Proviso for Carriages subject to Local Acts.

XXXVIII. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, where any Person or Persons liable to account for and pay any Duty or Duties granted by this Act for and in respect of Horses, Mares or Geldings by him, her or them let for Hire as aforesaid, shall refuse or neglect to account for and pay the same, according to the Directions 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 Horses, Mares or Geldings, and such Duty or Duties shall not exceed the Sum of Twenty 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 for 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 Witness 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 Five 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, Tithingman or Headborough or other Officer of the County, Shire, Stewartry, City, Town or Place, where any Refusal or Resistance shall be

Proceedings for the Recovery of Duties not exceeding 20l.

Distress.

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.

Chaises and
Horses, &c. of
Postmasters
liable to Duty.

‘XXXIX. And Whereas it is expedient, that the Horses, Mares and Geldings let for Hire, and also the Coaches, Chaises and other Carriages, Harness and other Articles and Things used with such Horses, Mares or Geldings, should be made subject and liable to the Duties hereby imposed, and which may be in arrear and owing from time to time by any such Postmaster or other Person letting Horses for Hire as aforesaid;’ Be it therefore further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, all the Horses, Mares and Geldings kept for the Purpose of being let for Hire, and also all the Coaches, Chaises and other Carriages, Harness and other Articles and Things kept and used with such Horses, Mares and Geldings, in the Custody or Possession of such Postmaster or other Person letting Horses for Hire as aforesaid, or in the Custody or Possession of any other Person or Persons for the Use and on the Account of or in Trust for such Postmaster or other Person letting Horses for Hire as aforesaid, shall be and the same are hereby made subject and liable to and chargeable with the said Duties from time to time due, in arrear, and owing or which shall become due and payable from time to time, from or by such Postmaster or other Person letting Horses for Hire as aforesaid, for or in respect of any Horses, Mares or Geldings which shall have been let for Hire as aforesaid by him, her or them, or by any other Person for his, her or their Use or Account as aforesaid.

Wilful Frauds
by Postmaster,
&c.

XL. And be it further enacted, That every Postmaster or other Person letting Horses for Hire as aforesaid, who shall be guilty of any wilful Concealment or of making any false Account or any other fraudulent Contrivance, Device or Pretence whatsoever, with an Intent or Design to defraud His Majesty, His Heirs and Successors or any Person or Persons, of any of the Duties imposed by this Act or any Part thereof, shall forfeit the Sum of Fifty Pounds; and the said Commissioners of Stamps shall and may, if they shall so think fit, after Judgment obtained against the Offender, refuse to grant such Offender any Licence in future.

Penalty 50l.

Forging or
aiding the forg-
ing of Tickets;

XLI. And be it further enacted, That if any Person shall falsely make, forge or counterfeit or cause or procure to be falsely made, forged or counterfeited or wilfully aid or assist in the false making, forging or counterfeiting, any Ticket or Certificate by this Act authorized or directed to be used, with an Intent to defraud His Majesty, His Heirs and Successors, or any Person or Persons, of any of the said Duties, or shall utter or publish as true any false, forged or counterfeited Ticket or Certificate, with an Intent to defraud His Majesty, His Heirs and Successors, or any Person or Persons, of any of the said Duties, every Person so offending in any or either of the Cases aforesaid shall forfeit and pay the Sum of Fifty Pounds.

or unduly utter-
ing such.

Penalty 50l.

Duties and
Penalties re-
covered, with
Costs.

XLII. And be it further enacted, That in all Actions, Bills, Plaints, Informations and Proceedings, had, commenced, prose-
cuted,

cuted, entered or filed or hereafter to be had, commenced, prosecuted, entered or filed, in the Name of His Majesty, His Heirs or Successors, or in the Name of any other Person or Persons, for the Recovery of any of the Duties, Debts or Penalties granted or imposed, due or payable by or under this Act, it shall and may be lawful for His Majesty, His Heirs and Successors, or any other Person or Persons suing or prosecuting for the same, to have and recover such Duties, Debts and Penalties, with full Costs of Suit, and all other reasonable Charges and Expences attending the same.

XLIII. And be it further enacted, That any pecuniary Penalty imposed by this Act, which shall amount to the Sum of Ten Pounds or more, shall or may be sued for in any of His Majesty's Courts at *Westminster*, for any Offence committed in *England or Wales or Berwick upon Tweed*, and in His Majesty's Court of Exchequer in *Scotland*, for any Offence committed in that Part of *Great Britain* called *Scotland*, by Action of Debt, Bill, Plaint or Information, wherein no *Essoign*, Protection, Privilege, Wager of Law or more than one *Impar lance* shall be allowed.

XLIV. Provided always, and it is hereby enacted, That it shall and may be lawful for any Justice of the Peace, residing near the Place where the Offence shall be committed, to hear and determine any Offence against this Act which may subject any Offender or Offenders to any pecuniary Penalty not amounting to Fifty Pounds, which said Justice of the Peace is hereby authorized and required, upon any Information exhibited or Complaint made to him in that Behalf, to summon the Party accused, and also the Witnesses on either Side, and to examine into the Matter of Fact, and upon due Proof made thereof, either by the voluntary Confession of the Party accused, or by the Oath of One or more Witness or Witnesses, to give Judgment or Sentence of Dismissal or for the Penalty or Forfeiture, as is hereby directed; and to award and issue out his Warrant under his Hand and Seal for the levying any pecuniary Penalty or Forfeiture, Penalties or Forfeitures so adjudged, together with the Costs and Charges by this Act directed to be allowed, on the Goods of the Offender or Offenders, and to cause Sale to be made thereof, in case they shall not be redeemed within Six Days, rendering to the Party the Overplus (if any); and where Goods of such Offender or Offenders cannot be found sufficient to answer the Penalty or Penalties, Costs and Charges as aforesaid, to commit such Offender or Offenders to Prison, there to remain for the Space of Six Calendar Months, unless such pecuniary Penalty or Penalties, Costs and Charges shall be sooner paid and satisfied; and if any Person or Persons shall find himself, herself or themselves aggrieved by the Judgment or Sentence of Dismissal of any such Justice, then he, she or they shall and may (upon giving Security to the Amount of the Penalty or Penalties sought to be recovered, together with such Costs and Charges as shall be awarded by such Justice, in case Judgment or Sentence of Dismissal shall be affirmed,) appeal to the Justices of the Peace at the next General Quarter Sessions for the County, Riding or Place, who are hereby empowered to summon and examine Witnesses upon Oath, and finally to hear and determine the same; and in case the Judgment or Sentence of

In what Courts pecuniary Penalties amounting to 10l. may be sued for.

Justices of Peace determining Offences.

Proceedings.

Imprisonment.

Appeal.

Costs.

of Dismissal of such Justice shall be affirmed, it shall be lawful for such Justices to award the Person or Persons so appealing to pay such Costs occasioned by such Appeal as to such Justices shall seem meet: Provided always, that if the next General Quarter Sessions of the Peace shall fall within Six Days after such Judgment or Sentence of Dismissal, it shall and may be lawful for the Person or Persons so finding himself, herself or themselves aggrieved as aforesaid, if he, she or they shall think fit, giving such Security as aforesaid, to appeal to the next subsequent Quarter Sessions, and that no such Proceedings so to be had or taken shall be quashed or vacated for Want of Form, or removed by Certiorari, or any other Writ or Process, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere in *England* or *Wales*, nor shall any such Proceeding before such Justice be taken or removed by a Certiorari, Suspension, Advocation or Reduction, or by any other Writ, Process or Proceeding, into the Court of Session, Court of Justiciary or Court of Exchequer in *Scotland*, any Law or Statute to the contrary notwithstanding.

Proviso for Appeal to subsequent Sessions.

No Certiorari.

Witnesses neglecting, &c. to appear or give Evidence.

XLV. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace, touching any of the Matters relating to this Act, either on the Part of the Prosecution or of the Person or Persons accused, and shall neglect or refuse to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his or her Neglect or Refusal, to be allowed by such Justice or Justices of the Peace, or appearing shall refuse to be examined on Oath, and give Evidence before such Justice or Justices of the Peace before whom the Prosecution shall be depending, every Person so summoned and so neglecting or refusing as aforesaid, shall forfeit for every such Neglect or Refusal the Sum of Five Pounds.

Penalty 5l.

Form of Conviction.

XLVI. And be it further enacted, That a Conviction, or a Judgment, or a Sentence of Dismissal, in the Form and to the Effect following (*mutatis mutandis*), as the Case shall happen to be, shall be good and effectual, to all Intents and Purposes whatsoever, without stating the Case, or the Facts or Evidence in any particular Manner; (that is to say,)

' **B**E it remembered, That on the Day of
' in the Year of our Lord at
' in the of A. B.
' came before me, C. D., One of His Majesty's Justices of the
' Peace for the said residing near the Place where
' the Offence was committed, and informed me that E. F. of
' on the Day of at
' in the said did [*here set forth the*
' *Fact for which the Information is laid*]; whereupon the said
' E. F., after being duly summoned to answer the said Charge,
' appeared before me on the Day of at
' in the said and having heard the
' Charge contained in the said Information, declared he was guilty
' of the said Offence; [*or, (as the Case may happen to be), did not*
' appear before me pursuant to the said Summons [*or, did neg-*
' lect or refuse to make any Defence against the said Charge];
' but the same being fully proved upon the Oath of G. H. a credi-
' ble

ble witness; or (as the Case may happen to be), acknowledged and voluntarily confessed the same to be true; and it manifestly appearing to me, that he the said *E. F.* is guilty of the Offence charged upon him in the said Information, I do hereby convict him of the Offence aforesaid, and do declare and adjudge that he the said *E. F.* hath forfeited the Sum of
of lawful Money of *Great Britain* for the Offence aforesaid, to be distributed as the Law directs, according to the Form of the Statute in that Case made and provided; [or, after stating the Summons and Non-appearance of the said Defendant, or, the Appearance of the said Defendant, and that he was not guilty of the said Offence, as the Case may be], and it manifestly appearing to me that he the said *E. F.* is not guilty of the said Offence charged upon him by the said Information, I do therefore dismiss the said Complaint or Information. Given under my Hand and Seal,
the Day of

Provided nevertheless, that it shall and may be lawful for the said Justice, where he shall see cause, to mitigate and lessen any such Penalty or Penalties, as he shall think fit or reasonable, (Costs and Charges of the Officers and Informers, as well in making the Discovery as in prosecuting the same, being always allowed over and above such Mitigation,) and so as such Mitigation do not reduce such Penalties to less than One Fourth Part of the Penalty or Penalties incurred over and above the said Costs and Charges, any thing herein contained to the contrary notwithstanding.

XLVII. And be it further enacted, That from and after the said Thirty † Day of *January* One thousand eight hundred and twenty four, all pecuniary Penalties imposed by this Act, which shall be sued for, in respect of which any Information shall be exhibited within Six Calendar Months after the same shall have been incurred, shall be distributed and paid in the Manner following; that is to say, one Moiety thereof to His Majesty, His Heirs and Successors, and the other Moiety thereof, together with full Costs of Suit incurred in suing, prosecuting or informing for and in respect of such Penalties, to the Person or Persons who shall inform and sue or prosecute for the same as aforesaid; and it shall be lawful for any Person or Persons whomsoever to exhibit any Information or Complaint before any Justice or Justices of the Peace or other Magistrate or Magistrates whatsoever, within the Time aforesaid, against any Person or Persons, for the Recovery of any Fine, Penalty or Forfeiture incurred by virtue of this Act, which shall not amount to the Sum of Fifty Pounds, any Law or Statute to the contrary notwithstanding; and that all such Penalties as shall not be sued for, or respecting which no Information or Informations shall have been exhibited within the Time aforesaid, shall belong and be paid to His Majesty, His Heirs and Successors; and that the Moiety of every such Penalty payable to His Majesty, His Heirs and Successors as aforesaid, shall be paid into the Hands of His Majesty's Solicitor of Stamps for the Time being in *England, Wales* or *Scotland* respectively.

XLVIII. And be it further enacted, That from and after the passing of this Act it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of

Mitigation of Penalties.

† Sic.
Recovery and Application of Penalties.

Treasury may let Duties to farm.

them for the Time being, and he or they is and are hereby empowered from time to time, as it shall be necessary, either by himself or themselves, or by the said Commissioners of Stamps, or the major Part of them, to let to farm the said several Duties hereby granted for and in respect of Horses let for Hire in the Manner hereinbefore mentioned, to such Person or Persons as shall be willing to farm the same, in separate Divisions or Districts, according to the Regulations and in the Manner hereinafter mentioned: Provided always, that it shall not be lawful to let to farm the said Duties, or any Part thereof, at any one Time, for a longer Period or Term than Three Years from the Day on which any such letting to farm shall commence and take effect.

Proviso as to Time.

Notice of letting to be inserted in London Gazette.

XLIX. And be it further enacted, That One Month's Notice at least shall be given by the said Lord High Treasurer or Commissioners of the Treasury, or any Three of them, or the said Commissioners of Stamps, or the major Part of them, authorized as aforesaid, in the *London Gazette*, of the Time and Place of letting the said Duties, specifying the Divisions or Districts within which it is intended to let to farm such Duties, and also the Place or Office at which Proposals for taking such Duties, or any Part thereof, shall be delivered.

Proposals to be delivered Three Days previous to letting.

L. And be it further enacted, That no such Proposals shall be proceeded upon, unless the same be signed by and in the proper Names of the Parties proposing to become Bidders, and specifying the Place of their Abode, and shall have been delivered as aforesaid, at least Three Days previous to the Day mentioned in the *London Gazette* for letting the said Duties to farm.

Mode of Proceeding in putting up Duties.

LI. And be it further enacted, That the Biddings for such Duties shall be conducted under such Regulations as shall be established for that Purpose by the said Lord High Treasurer, or the Commissioners of the Treasury for the Time being, or any Three of them, or by the said Commissioners of Stamps, or the major Part of them, duly authorized as aforesaid; and the Person or Persons who shall be the highest Bidder or Bidders shall be the Farmer or Renter, Farmers or Renters of the said Duties, or such Part thereof as shall be then put up to farm, for such Term, not exceeding Three Years as aforesaid, as may be determined on, and as shall be inserted in the *London Gazette*; and shall forthwith execute a Contract to be prepared in pursuance of this Act, and give Security by Bond to His Majesty, His Heirs and Successors, with Three or more Securities, for Payment to His Majesty, His Heirs and Successors, of the Money or yearly Rent so contracted for, the said Money or Rent to be paid into the Hands of the Receiver General of His Majesty's Stamp Duties, at the Head Office of Stamps, in equal Portions, by Eight several Payments in the Year, on the Days to be fixed and appointed before any such letting to farm as aforesaid.

Contract to be executed, and Security for Rent given by Farmer.

Deposit to be made by Persons farming Duties.

LII. 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, or the major Part of them, authorized as aforesaid, to appoint the Time for making a Deposit of a Sum of Money, and the Amount thereof, on account of

of the Rent to be paid by the Person or Persons who shall be the best Bidder or Bidders for, and be declared the Farmer or Farmers of any of the said Duties hereby allowed to be farmed; and in case any such Person or Persons shall fail to make such Deposit at the Time appointed, 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 this Act, 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, or the major Part of them, authorized as aforesaid, to declare the Bidding and Contract of such Person or Persons null and void, and his or their Deposit, if made, to be forfeited, and to cause the Duties whereof he or they shall have been declared the Farmer or Farmers, to be again put up to be let to farm, pursuant to the Directions of this Act, and so from time to time as often as such Failure shall be made.

If not made good, Treasury may declare Contract void.

Deposit forfeited.

LIII. And be it further enacted, That in case any of the said Duties to arise in any District or Districts shall not be let to farm at the Time mentioned in such Advertisement, for Want of a sufficient Bidding for such Duties, it shall be lawful for the said Lord High Treasurer, or the said Commissioners of His Majesty's Treasury, or any Three of them, or the said Commissioners of Stamps, or the major Part of them, authorized as aforesaid, to appoint such future Day or Days as they shall judge most proper, for letting the said Duties to arise in such District or Districts respectively, in the Manner and upon the like Notice as hereinbefore directed, or to receive Proposals for farming such Duties, and to let the same to farm by private Contract for any Period of Time not exceeding Three Years as aforesaid: Provided always, that no Contract for letting the Duties herein mentioned to farm shall be made with any Person or Persons licensed to let Horses for Hire, nor to any One for his or their Use, or on his or their Behalf, or so as that he or they shall have any Interest therein, or Benefit therefrom, but that the same (if so made) shall be utterly null and void; and that if any such Contract shall be assigned to any such Person or Persons as aforesaid, or to any other Person or Persons for his or their Use, so that he or they shall have any Interest therein or Benefit therefrom, such Assignment shall be also utterly null and void.

Duties not let at Time fixed, may be put up again.

Duties not to be farmed by Persons licensed to let Horses, &c.

LIV. And in order to prevent Disputes concerning the said Duties hereby granted, in Cases where the same may be collected in One District, Division or Collection, and the Tickets may be delivered in another District, Division or Collection; Be it further enacted, That the said Duties shall belong, and the Tickets issued thereupon shall be delivered and accounted for, to the Person or Persons respectively who shall be the Farmer or Farmers of the several Duties arising within the District, Division or Collection within which the Inn, House or other Place at which the Person or Persons letting any Horse or Horses for Hire shall be licensed as aforesaid is situated, and the Keeper of every Toll Gate or Bar, at whose Gate or Bar such Ticket shall be delivered, shall deliver the same to the Farmer or Farmers of the

Duties to belong to Distr where Tickets are issued.

said Duties arising within such District, Division or Collection as aforesaid, at the Time and in the Manner such Tickets are by this Act directed to be delivered to the several Collectors.

Farmers not disqualified to vote for Members.

LV. And be it further enacted, That no Person farming the said Duties, or any Part thereof, or appointed a Collector thereof, shall in pursuance of such Appointment be disqualified from voting at any Election or Elections of Members to serve in Parliament, any Law or Statute to the contrary thereof notwithstanding.

Commissioners to depute Farmers and others to be Collectors.

LVI. And be it further enacted, That it shall be lawful for the said Commissioners of Stamps 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 the respective Districts, with full Powers to grant the necessary Licences to Persons within the respective Districts, for letting out Horses for Hire in the Manner aforesaid, and to take Securities by Bond or Bonds from the Person or Persons to be licensed, in the Name of His Majesty, His Heirs and Successors, with such Conditions as are required by this Act, and to receive the Stamp Office Weekly Accounts relating to the said Duties hereinbefore directed and required to be delivered by Persons letting Horses for Hire in the Manner aforesaid within their respective Districts, and the Money due thereon, and to administer the Oath or Affirmation hereinbefore required to be made as to the Truth of the Accounts to be delivered by the Persons licensed under this Act, 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 this Act are given to and authorized to be done by any Collector or Collectors of the said Duties.

Farmers may vary Mode of keeping Accounts and indorse Tickets.

LVII. And be it further enacted, That it shall and may be lawful to and for the Person or Persons so farming the said Duties, or any Part thereof, with the Consent of the said Commissioners of Stamps or the major Part of them, to vary the Mode of keeping the Weekly Account directed by this Act to be kept by the several Persons who may let out Horses for Hire, in such Manner as they shall judge most convenient for keeping the said Accounts; and such Person or Persons so farming the said Duties shall also be at liberty, by an Indorsement or on the Face of the Tickets or Certificates to be delivered by them to the several licensed Persons as aforesaid, to add the Name or Number of the District which he or they shall so farm.

Bonds from Postmasters, &c. to be taken in the Name of His Majesty.

LVIII. And be it further enacted, That all Securities, Bonds or Obligations taken by the Person or Persons farming the said Duties, or any Part thereof, from such Postmasters, Innkeepers, or other licensed Persons under this Act, shall be taken in the Name of His Majesty, His Heirs and Successors, and shall and may be sued and prosecuted in the Name of His Majesty, His Heirs or Successors, by and with the Consent of His Majesty's Attorney General in *England*, or the Lord Advocate in *Scotland*.

LIX. And

LIX. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, no Person or Persons shall commence any Action or Suit in any of His Majesty's Courts of Record at *Westminster*, or elsewhere in *England* or *Wales*, or in the Court of Exchequer in *Scotland*, for the Recovery of any Penalty or Penalties to be incurred under this Act, until the Expiration of Fourteen Days after such Person or Persons shall have delivered or caused to be delivered to the Person or Persons incurring such Penalty or Penalties, or left for him, her or them, at his, her or their Dwelling House, or usual or last Place of Abode, a printed or written Notice of the Intention of such Person or Persons to apply to the Commissioners of Stamps in *Great Britain*, for Leave to commence such Action or Suit, and which Notice shall state the Offence or Offences committed, the Day of committing the same, and the Amount of each Penalty intended to be recovered; and that it shall not be lawful for such Person or Persons, at the Trial of such Action or Suit, to give in Evidence any Matter or Thing relating to any Offence not specified and set forth in such Notice.

Limitation of
Actions.

LX. Provided always, and be it further enacted, That it shall not be lawful for any Farmer or Farmers of any of the said Duties, or for any other Person or Persons, to sue or prosecute for any such pecuniary Penalty in any of His Majesty's Courts of Record at *Westminster*, or elsewhere in *England* or *Wales*, or in the Court of Exchequer in *Scotland*, without having first obtained the Consent in Writing of the said Commissioners of Stamps, or Two of them, nor unless the Suit or Prosecution for the same shall be carried on by the Solicitor of Stamps, or of some other Solicitor or Attorney to be approved of by the said Commissioners or any Two of them, and it shall be lawful for the said Commissioners, or any Two of them, if they shall think fit, to order the Proceedings to be stayed in any such Suit or Prosecution on Payment of Part only of any 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.

Consent in
Writing of
Commissioners
to sue for
Penalty.

LXI. And be it further enacted, That all the Powers, Provisions, Articles, Clauses, Penalties, Forfeitures, and all other Directions, Matters and Things prescribed or appointed by this Act, with relation to the said Duties, or to the Persons appointed or to be appointed to collect the same, shall and may be put in force and carried into Execution by the Person or Persons farming the said Duties, or any Part thereof, in like Manner as any Collector hereby directed to be appointed is authorized and empowered by this Act to put in force and execute the same; and that the Person or Persons farming the said Duties shall be entitled to the same Privileges, and to have and use the like Remedies for collecting and recovering the Duties by this Act imposed, in like Manner as if the Duties were sued for by or on Behalf of His Majesty, His Heirs or Successors, and such Duties had not been let to farm.

Powers of Act
may be exe-
cuted by Per-
sons farming
the Duties.

Who have the
same Remedies
for Duties as
His Majesty.

LXII. And be it further enacted, That if any Person or Persons shall at any Time or Times be sued, molested or prosecuted for

In Action for
executing Act.
any

any Thing by him, her or them done or executed in pursuance of this Act, or of any Clause, Matter or Thing herein contained, such Person or Persons shall or may plead the General Issue, and give the special Matter in Evidence for his, her or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have Treble Costs awarded to him, her or them against such Plaintiff or Plaintiffs.

General Issue.

Treble Costs.

Officers neglecting Duty.

LXIII. And be it further enacted, That if any Person or Persons employed in the Execution of this Act, in relation to the said Duties, shall wilfully refuse or neglect to do or perform any Matter or Thing by this Act required or directed to be done or performed by such Person or Persons, whereby any of His Majesty's Subjects shall or may sustain any Damage whatsoever, such Person or Persons so offending shall be liable in any Action to be founded on this Statute, to answer to the Party aggrieved all such Damages, with full Costs of Suit.

Penalty.

What Proofs shall be sufficient to shew that Persons are Farmers or Collectors.

LXIV. And be it further enacted, That from and after the said Thirty first Day of *January* One thousand eight hundred and twenty four, it shall not be necessary, upon the Trial or Hearing of any Information, Action, Suit or other Proceeding, to be commenced for the Recovery of any of the said Duties on Horses, Mares and Geldings hereby granted as aforesaid, which shall be let to farm in pursuance of this Act or of any future Act of Parliament, or for the Recovery of any Penalty or Penalties imposed by this Act, or to be imposed by 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, shall be authorized by the said Commissioners of His Majesty's Treasury to let to farm the Duties granted by this Act, or any of them; or to produce the Commission whereby the said Commissioners of Stamps shall be constituted and appointed such Commissioners; or to prove that the Persons executing any Contract or Agreement, or any Commission, Deputation, Authority or other Instrument, are or act as Commissioners of Stamps; or to prove the Execution of any Contract or Agreement whereby any of the said Duties on Horses, Mares and Geldings shall be let to farm; or to prove the Execution of any Assignment of any such Contract or Agreement; or to prove the Execution of any Commission, Deputation or Authority, whereby any Person or Persons shall be appointed a Collector or Collectors of any of the said Duties, by the said Commissioners of Stamps, or any of them; or to prove the Signatures of the said Commissioners of Stamps 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 any such Information, Action, Suit or Proceeding; and it shall be made to appear that the Person or Persons claiming or acting 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

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, Authority or other Instrument, unless by other Evidence the contrary shall be made to appear; any Law or Usage to the contrary notwithstanding.

LXV. And be it further enacted, That all the Monies to arise from the Duties granted by this Act shall be paid into the Hands of the Receiver General of the Stamp Duties in *Great Britain*, who shall from time to time pay the same into the Bank of *England*, for safe Custody, pursuant to the Act in that Case made and provided, and shall thereafter pay the same (after deducting the Charges of raising, collecting and accounting for the same, and all other Charges first payable thereout), into the Receipt of His Majesty's Exchequer at *Westminster*, in One Sum, at such Times and in such Manner as the present Stamp Duties are by the Laws in force directed to be paid; and that the Monies so paid into the said Receipt shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

The Duties to be paid to Receiver General of Stamp Duties in G B. and by him into the Exchequer, and carried to Consolidated Fund.

C A P. LXIII.

An Act to authorize the Advance of Money by the Commissioners under several Acts for the Issue of Exchequer Bills for Public Works, for the building, rebuilding, enlarging or repairing of Gaols in *England*. [10th July 1823.]

WHEREAS an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts of the Fifty seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*: And Whereas it is expedient that the Provisions of the said recited Act, and of the several Acts of Parliament recited in the said Act, should be extended to empowering the Commissioners therein named to advance Money for the building, rebuilding, enlarging, repairing, improving or fitting up of Gaols or Houses of Correction in *England*; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon the Application of the major Part of the Justices of any County, Riding, Division, City, Town or Place in *England*, in Quarter Sessions assembled, such major Part to consist of Five at the least, it shall be lawful for the Commissioners, who are authorized and empowered to advance Money for public Works under the Provisions of the said recited Act of the Third Year of the Reign of His present Majesty, and of the several Acts therein recited, and they are hereby empowered to make Advances, under the Powers, Authorities, Provisions and Regulations

3 G. 4. c. 86.

On Application of Quarter Sessions of any County Commissioners may make Advances of Money for building or repairing Gaols, &c.

Justices to make Rates for Repayment, and assign the Rates as a Security.

Money advanced to be repaid in 20 Years.

Regulations of the said Acts, for the building, rebuilding, enlarging, improving, repairing or fitting up of any Gaols or Houses of Correction in England, in like manner in every respect as if Gaols and Houses of Correction had been included in the Provisions of the said recited Acts; and it shall be lawful for the Justices of the Peace of any County or of any City, Town or Place, in England, authorized to make Rates for the repairing of any Gaol or House of Correction, to receive any Sums of Money so advanced, and to apply the same to the Purposes for which such Advances shall be made, and to make Rates for the Repayment of any Sums of Money so advanced, in such Manner, and in such Proportions, and at such Times as shall be required by the said Commissioners in that Behalf, and also to assign the Rates so to be made as aforesaid, as a Security for the said Advances, in such Manner and Form as the said Commissioners shall direct and appoint, so as that all Sums so advanced, with Interest thereon at and after the Rate specified in the said recited Act of the Third Year aforesaid, shall be fully repaid and satisfied within the Period of Twenty Years from the advancing thereof; and all such Rates shall be made, assessed, levied and recovered in like Manner as any County Rates may be made, assessed, raised, levied and recovered, and shall continue in force until all such Advances, with Interest after the Rate aforesaid, shall severally and respectively be fully paid and discharged; any Law, Statute, Usage or Custom to the contrary notwithstanding.

C A P. LXIV.

An Act for consolidating and amending the Laws relating to the building, repairing and regulating of certain Gaols and Houses of Correction in England and Wales.

Extended to 25th Dec 1861 by all Gaols in England [10th July 1823.]

594 c 85
526 7/4 258
527 7/4 105
255 7/4 256
7 7/4 17078
55 7/4
58 7/4 25
526 7/4 cc
29, 53, 95, 98
728 7/4 50
111 7/4 62
118 12 7/4 cc
739, 154

WHEREAS the Laws now existing relative to the building, repairing and regulating of Gaols and Houses of Correction, in England and Wales, are complicated, and have in many Cases been found ineffective: And Whereas it is expedient that such Measures should be adopted, and such Arrangements made in Prisons, as shall not only provide for the safe Custody, but shall also tend more effectually to preserve the Health and to improve the Morals of the Prisoners confined therein, and shall insure the proper Measure of Punishment to convicted Offenders: And Whereas due Classification, Inspection, regular Labour and Employment, and Religious and Moral Instruction, are essential to the Discipline of a Prison, and to the Reformation of Offenders: And Whereas the present Laws directing the Separation, Superintendence, Employment and Instruction of Prisoners, require to be amended and enlarged, and to be more uniformly and strictly carried into Effect; and it is therefore expedient that the most useful Provisions contained in the several Statutes and Acts, and Parts of Statutes and Acts hereinafter mentioned, should be consolidated, and that some new Provisions should be added 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

in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act, the several Statutes and Acts, and Parts of Statutes and Acts following, shall be repealed, so far as relates to such Gaols or Prisons, or Houses of Correction, as this Act shall extend to; (that is to say), so much of a Statute passed in the First Year of the Reign of King *Edward* the Third, as relates to Inquiry to be made of Gaolers, which by Duress compel Prisoners to appeal; and also, so much of a Statute passed in the Fourth Year of the Reign of the said King *Edward* the Third, as relates to Sheriffs and Gaolers receiving Offenders without taking any thing; and also, so much of a Statute passed in the Fourteenth Year of the Reign of the said King *Edward* the Third, as relates to the Punishment of a Gaoler compelling a Prisoner by Duress to become an Approver; and also, so much of an Act passed in the Seventh Year of the Reign of King *James* the First, intituled *An Act for the due Execution of divers Laws and Statutes heretofore made against Rogues, Vagabonds and sturdy Beggars, and other lewd and idle Persons*, as relates to the providing Houses of Correction, to the Appointment, Authority and Allowance of the Governor, and to his accounting to Justices for Persons committed to his Custody; and also, so much of an Act passed in the Nineteenth Year of the Reign of King *Charles* the Second, intituled *An Act for the Relief of poor Prisoners, and setting them to work*, as relates to the providing Stocks for setting such Prisoners to work, and to the Removal of Prisoners on occasion of Sickness; and also, so much of an Act passed in the Twenty second and Twenty third Years of the Reign of the said King *Charles* the Second, intituled *An Act for the Relief and Release of poor distressed Prisoners for Debt*, as relates to Prisoners being allowed to send for Victuals and other Necessaries, and to Fees and Charities, and to the Separation of Felons and Debtors; and also, an Act passed in the Eleventh and Twelfth Years of the Reign of King *William* the Third, intituled *An Act to enable Justices of Peace to build and repair Gaols in their respective Counties*; any Thing in an Act made in the Sixth Year of the Reign of King *George* the First, for making perpetual any Act or Acts relating to the building and repairing of County Gaols, to the contrary in anywise notwithstanding; and also, so much of an Act passed in the Second Year of the Reign of King *George* the Second, intituled *An Act for the Relief of Debtors, with respect to the Imprisonment of their Persons*, as relates to Prisoners being allowed by Keepers of Prisons and Gaols to send for Victuals and other Necessaries, and to the taking of Fees, and the making and hanging up Tables thereof, and to Inquiries concerning the same, and to the hearing of Complaints of Extortion against Gaolers, and examining into Gifts and Legacies for the Benefit of poor Prisoners, and hanging up Tables thereof; and also, so much of an Act passed in the Fourteenth Year of the Reign of the said King *George* the Second, intituled *An Act to supply some Defects in the Laws for repairing and rebuilding County Bridges, for repairing, enlarging, erecting and providing Houses of Correction, and for passing Rogues and Vagabonds*, as relates to repairing, enlarging and building Houses of Correction, and to buying Houses and Lands for that Purpose;

1 E.3. st.1. c.7.

4 E.3. c.10.

14 E.3. st.1. c.10.

7 J.1. c.4.

19 C.2. c.4.
§ 1, 2, 3, 5.22 & 23 C.2.
c.20. §10—13.11 & 12 W.3.
c.19. (made
perpetual by
6 G.1. c.19.)

2 G.2. c.22.

14 G.2. c.33.

- 16 G.2. c.31. pose; and also, so much of an Act passed in the Sixteenth Year of the Reign of the said King George the Second, intituled *An Act for the farther Punishment of Persons who shall aid or assist Prisoners to attempt to escape out of lawful Custody*, as relates to the Escape of Prisoners from any Gaol or Prison to which this
- 17 G.2.c. 5. Act shall extend; and also, so much of an Act passed in the Seventeenth Year of the Reign of the said 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*, as relates to the erecting, enlarging and managing of Houses of Correction, and the finding or turning out of Masters of them for Misbehaviour; and also, so
- 24 G.2. c.40. much of an Act passed in the Twenty fourth Year of the Reign of the said King George the Second (made among other Things for granting an additional Duty upon Spirituous Liquors, and upon Licences for retailing the same, and for repealing an Act of the Twentieth Year of King George the First, made among other Things for more effectually restraining the retailing of distilled Spirituous Liquors), as relates to the retailing of Spirituous Liquors in Gaols, Prisons or Houses of Correction, to the carrying of Liquors into the same, to the Search for such Liquors, and to the hanging up of a Copy of certain Clauses of the said Act in such Gaols, Prisons or Houses; and also, so much of an Act
- 32 G.2. c.28. passed in the Thirty second Year of the Reign of the said King George the Second, for Relief of Debtors, with respect to the Imprisonment of their Persons, as relates to Prisoners being allowed to send for Victuals and other Necessaries, and to the settling, signing, reviewing, enrolling and hanging up of Tables of Fees, Rates and Benefactions, and Rules for the Government of Gaols and Prisons; and also, an Act passed in the Thirteenth
- 13 G.3. c.58. Year of the Reign of His late Majesty King George the Third, intituled *An Act for providing Clergymen to officiate in Gaols within that Part of Great Britain called England*; and also, an Act passed
- 14 G.3. c.59. in the Fourteenth Year of the Reign of His said late Majesty, intituled *An Act for preserving the Health of Prisoners in Gaol, and preventing the Gaol Distemper*; and also, an Act passed in the
- 22 G.3. c.64. Twenty second Year of His said late Majesty's Reign, intituled *An Act for the amending and rendering more effectual the Laws in being relative to Houses of Correction*; and also, Two
- 24 G.3. sess.2. Acts passed in the Twenty fourth Year of His said late Majesty's cc.54, 55. Reign, the one made to explain and amend the hereinbefore recited Act, made in the Eleventh and Twelfth Years of the Reign of King William the Third, and the other made to explain and amend the hereinbefore recited Act of the Twenty second Year of
- 29 G.3. c.67. the Reign of His said late Majesty King George the Third; and also, an Act passed in the Twenty ninth Year of His said late Majesty's Reign, intituled *An Act for the more effectual Execution of the Laws respecting Gaols*; and also, an Act passed in the
- 31 G.3. c.46. Thirty first Year of His said late Majesty's Reign, intituled *An Act for the better regulating of Gaols and other Places of Confinement*, except only so much of the said Act as relates to the Imprisonment and Employment in Hard Labour in the Common Gaol of the County, of Prisoners sentenced to Transportation, or to whom the Royal Mercy shall be extended on Condition of Transportation;

portation; and also, an Act passed in the Fifty fifth Year of His said late Majesty's Reign, for enlarging the Powers of the hereinbefore recited Acts of the Thirteenth and Twenty second Years of His said late Majesty's Reign, for providing Clergymen to officiate in Gaols and Houses of Correction within *England* and *Wales*; and also, an Act passed in the Fifty eighth Year of His said late Majesty's Reign, to amend so much of the said Act of the Fifty fifth Year of His said late Majesty's Reign, as relates to the Salaries of the Clergymen officiating as Chaplains in Houses of Correction; and the said several Statutes and Acts, and Parts of Statutes and Acts, are hereby repealed accordingly, and from and after the Commencement of this Act shall cease and determine, so far as relates to Gaols and Houses of Correction to which this Act shall extend; save and except so far as the said Acts, or any of them, repeal any former Act or Acts, or any Clause, Matter or Thing therein; and also, save and except as to any Proceeding for the Punishment of any Person for any Offence which shall before the Commencement of this Act have been committed; and as to any Presentment before that Time made by any Justice of the Peace or Grand Jury; and as to any Appointment before that Time made by any Officer or other Person, to perform any Duties under the said recited Acts, or any of them; and as to any Rules and Regulations, Acts and Deeds, before that Time lawfully established, made or done, under or by virtue of any One or more of the said Acts; and as to the Fulfilment of any Contracts or Agreements before that Time lawfully made, under or by virtue of the said recited Acts, or any of them.

II. And be it further enacted, That from and after the Commencement of this Act, there shall be maintained, at the Expence of every County in *England* and *Wales*, One Common Gaol, and at the Expence of every County not divided into Ridings or Divisions, and of every Riding or Division of a County, (having several and distinct Commissions of the Peace, or several or distinct Rates in the Nature of County Rates, applicable by Law to the Maintenance of a Prison for such Division, in *England* and *Wales*, at least One House of Correction; and One Gaol and One House of Correction shall be maintained in the several Cities, Towns and Places mentioned in the Schedule marked (A.) annexed to this Act; and the Regulations and Provisions contained in this Act shall extend, in Manner hereinafter mentioned, to every such Gaol and House of Correction maintained at the Expence of such County, Riding, Division, City, Town or Place, and to the several Gaols and Houses of Correction in the Cities of *London* and *Westminster*.

III. Provided always, and be it enacted, That where there shall have been already established, and shall be existing at the Time of passing of this Act, in any County, Riding, Division, City, Town or Place, one or more House or Houses of Correction, not sufficient or capable of being made sufficient for the extended Classification required by this Act, it shall be lawful for the Justices assembled at their General or Quarter Sessions, or the major Part of them, if they shall so think fit, to order and direct that, in Addition to the House of Correction hereinbefore directed to be maintained for the Purposes of this Act, one

55 G.3. c.48.

58 G.3. c.32.

repealed as to the several Matters herein mentioned.

Exception.

In each County, &c. mentioned in Schedule (A.) there shall be One Gaol and One House of Correction.

How far Act to extend.

Houses of Correction already established may be retained to be used for particular Classes of Prisoners.

one or more of such Houses of Correction shall be so existing as aforesaid at the Time of the passing of this Act, shall be continued and maintained for the Reception of One or more particular Class or Classes or Description or Descriptions of Prisoners, as may be prescribed by the Justices assembled at their General or Quarter Sessions as directed by this Act.

Quarter Sessions to execute Act;

and to ascertain the Classes to be confined in Prisons.

Notice of Order of Sessions to be given, and a Copy served on Keepers of Gaols, &c.

Proviso for removal of Prisoners.

Proviso as to no Classification of Prisoners.

In what Case the Classification in the whole of such Buildings, and not in each Part separately required by this Act, shall be

IV. And be it further enacted, That at the *Michaelmas* General Quarter Sessions which shall be held in every County, Riding or Division of a County in *England* and *Wales*, and in the several Districts, Cities, Towns and Places to which this Act shall extend, next after the Commencement of this Act, and at any subsequent General or Quarter Sessions to be held from Time to Time, the Justices of the Peace there assembled shall proceed in carrying this Act into Effect; and such Justices shall, by Orders to be made for that Purpose, ascertain and declare to what Class or Classes of Prisoners every such Gaol, House or Houses of Correction, or any Part or Parts of any of them respectively, shall be applicable; and every such Order shall be signed by the Chairman of such Sessions, and shall be notified by the Clerks of the Peace to the several Justices of the Peace in every such County, Riding or Division, District, City, Town or Place respectively, and Notice thereof shall be inserted in Three of the Newspapers usually circulated in such County, Riding or Division, or District, City, Town or Place respectively, within Three Weeks after any such Order shall be made at any such Sessions; and a Copy thereof shall be served upon the Keeper of every Gaol or House of Correction within every such County, Riding, Division, City, District, Town or Place; and after the making of such Order, and Service of such Copy thereof upon such Keeper as aforesaid, such Class or Classes of Prisoners as shall be specified in such Order, and no other, shall be committed to or detained in any such Gaol, House or Houses of Correction, or any Part of any of them respectively; and all Persons not coming within the Class or Description of Prisoners who may lawfully be committed to or detained in such Prison as shall be appointed by the Justices for the Confinement of One or more Class or Classes of Prisoners, may be removed to the Gaol or House of Correction of the County, Riding or Division; and every such Gaol or House of Correction shall be deemed the legal Gaol, Prison or Place of Confinement of every Person respectively committed to the same in pursuance of such Order as aforesaid; any thing in any Act or Acts, or any Law, Custom or Usage to the contrary notwithstanding; Provided always, that no Classification of Prisoners shall be made in any House of Correction appropriated to the Reception of any particular Class or Classes of Prisoners, which shall be in any way inconsistent with or contrary to the Classification directed by this Act.

V. Provided always, and be it further enacted, That where, in any County, Riding or Division of a County, or in any of the Cities, Towns and Places named in the said Schedule (A.), any House of Correction shall be Part of the same Building, or inclosed in the same Boundary Wall as or shall be contiguous to the Common Gaol, and shall be under the Superintendance of the same Keeper and the same Visiting Justices, it shall

shall be lawful for the Justices of the Peace of the County, Division, City, Town or Place, assembled at any General or Quarter Sessions, from time to time, with the Consent of the Sheriff of the County for the Time being, signified in Writing under his Hand, to proceed to carry into Effect the Classification and Separation directed by this Act in the whole of such united or contiguous Building or Buildings, instead of in each such House of Correction and Gaol, and to divide the whole of such Building, or united or contiguous Buildings, into such Number of Compartments for the Purpose of such Separation and Classification as would be required under the Regulations of this Act, if the same had been one distinct Gaol or House of Correction; and also at any General or Quarter Sessions from time to time, by their Order or Orders, and with such Consent of the Sheriff as aforesaid, to ascertain and declare what Part or Parts of the same Building, or united or contiguous Buildings, shall be considered as the Gaol, and what Part or Parts thereof respectively shall be considered as the House of Correction, and shall be appropriated to the Confinement of particular Classes and Descriptions of Prisoners, and to direct what Classes and Descriptions respectively shall be confined in each Part or Division of such Building, or united or contiguous Buildings; and all Persons to be committed to or detained in the respective Parts and Divisions so to be ascertained and appropriated of any such Building, or united or contiguous Buildings, to them respectively applicable, shall be deemed and held to be in legal Custody: Provided that Prisoners for Debt may be removed to and shall always be confined in the Part or Parts of such Building, or united or contiguous Buildings, which shall be so ascertained or be appropriated as and for the Gaol of the County, Division, City, Town or Place; and such Removal shall not be deemed or taken to be an Escape.

carried into Effect.

Regulation as to Confinement of Prisoners for Debt.

VI. Provided always, and be it further enacted, That all Persons who in pursuance of any such Orders shall be removed to, committed to or detained in the Part of such united or contiguous Buildings, which shall be so declared and ascertained aforesaid to be the Gaol, shall from thenceforth be deemed to be in the legal Custody of the Sheriff and of the Gaoler appointed by the Sheriff, in the same Manner as if such Person had been committed to the Common Gaol before the passing of this Act: Provided also, that the Sheriff shall not be answerable for the safe Custody of any Person who in pursuance of any such Order shall from time to time be removed to, committed to or detained in any Part of such united or contiguous Buildings other than the Part so ascertained and declared to be the Gaol.

Persons removed to Part of Building declared the Gaol deemed in Custody of Sheriff.

Proviso for Sheriff.

VII. And Whereas the Practice of committing Vagrants to Common Gaols has been attended with much Inconvenience to the Classification of Prisoners, and has prevented a Uniformity of Practice in the Management of Prisons; Be it therefore enacted, That from and after the First Day of *September* One thousand eight hundred and twenty four, in every County, Riding or Division of a County in *England* and *Wales*, and in the several Districts, Cities, Towns or Places to which this Act shall extend, all idle and disorderly Persons, Rogues and Vagabonds, incorrigible Rogues and other Vagrants, shall be com-

Rogues and Vagabonds committed to House of Correction only.

mitted to some House of Correction belonging to such County, Riding or Division, District, City, Town or Place respectively; and that such House of Correction shall be deemed the only legal Place of Commitment of any such Person in pursuance of any Conviction by lawful Authority; any Thing in any Act contained to the contrary in any wise notwithstanding.

Power to Justices to commit to House of Correction of the County, where Person apprehended in District, &c.

VIII. Provided also, and be it enacted, That in all Cases where any Person liable by Law to be committed to the House of Correction shall be apprehended within any District, City, Town or Place mentioned in the Schedule to this Act annexed, and the Inhabitants of any such District, City, Town or Place are or shall be contributory to the Support and Maintenance of the House or Houses of Correction of the County, Riding or Division in which such District, City, Town or Place is situate, it shall and may be lawful for the Justices of the Peace of such District, City, Town or Place, to commit such Person to the House of Correction of the County, Riding or Division in which such District, City, Town or Place is situate; and every Person so committed shall and may be received, detained, dealt with and ordered to be set and kept to Hard Labour or other Work, or conveyed and sent away or discharged, and be subject and liable to the same Correction and Punishment, to all Intents and Purposes, as if committed by any Justice or Justices of the Peace of such County, Riding or Division; and in such Case it shall not be necessary or required that any other House of Correction shall be built or maintained in or for such District, City, Town or Place, and the Inhabitants of such District, City, Town or Place shall not be compelled or compellable to the Payment of any Rate or Sum of Money whatever for the building or maintaining of any other House of Correction in or for such District, City, Town or Place; any Thing in this Act contained to the contrary in any wise notwithstanding.

Not necessary to build a House of Correction for any such District, &c.

Proviso for Rights of Mayors, &c. having separate Jurisdictions.

IX. Provided also, and be it enacted, That nothing in this Act contained shall extend to take away, lessen, vary, alter or affect any Right, Privilege or Franchise, which before the passing of this Act any Mayor, Bailiff or Justice of the Peace for the Time being of any City, Town or Liberty, having a separate Jurisdiction, had by Means of any Grant, Charter or special or local Act of Parliament, to commit Prisoners to the Gaol or House of Correction of any County, Riding or Division.

Rules and Regulations to be observed in all Gaols.

X. And Whereas it is fit and proper to secure an Uniformity of Practice in the Management of the several Prisons to which this Act shall extend; Be it therefore further enacted, That the following Rules and Regulations shall be observed and carried into Effect in every such Prison in *England* and *Wales*, which shall be maintained by any County or Riding, or Division of a County as aforesaid, as a Gaol or House of Correction, and in the Gaol and House of Correction of every District, City, Town or Place mentioned in the Schedule marked (A.) annexed to this Act, and in every united and contiguous Gaol and House of Correction which shall be jointly used in Manner aforesaid for the Purposes of this Act, and in every Prison authorized to be continued under this Act as aforesaid, in any County or Riding or Division of a County, so far as such Rules may be applicable

or

or can be applied to the particular Description or Class of Prisoners confined in such Prison :

First :— The Keeper of every such Prison shall reside therein ; he shall not be an Under Sheriff or Bailiff, nor shall be concerned in any Occupation or Trade whatsoever ; no Keeper or Officer of a Prison shall sell, nor shall any Person in Trust for him or employed by him sell or have any Benefit or Advantage from the Sale of any Article to any Prisoner, nor shall he, directly or indirectly, have any Interest in any Contract or Agreement for the Supply of the Prison.

Second :— A Matron shall be appointed in every Prison in which Female Prisoners shall be confined, who shall reside in the Prison ; and it shall be the Duty of the Matron constantly to superintend the Female Prisoners.

Third :— The Keeper shall, as far as may be practicable, visit every Ward, and see every Prisoner and inspect every Cell Once at least in every Twenty four Hours ; and when the Keeper or any other Officer shall visit the Female Prisoners, he shall be accompanied by the Matron, or in Case of her unavoidable Absence, by some Female Officer of the Prison.

Fourth :— The Keeper shall keep a Journal, in which he shall record all Punishments inflicted by his Authority or by that of the Visiting Justices, and the Day when such Punishments shall have taken place and all other Occurrences of Importance within the Prison, in such Manner as shall be directed by the Regulations to be made under this Act ; which Journal shall be laid before the Justices at every General or Quarter Sessions, to be signed by the Chairman, in Proof of the same having been there produced.

Fifth :— Due Provision shall be made in every Prison for the Enforcement of Hard Labour in the Cases of such Prisoners as may be sentenced thereto and for the Employment of other Prisoners. The Means of Hard Labour shall be provided and the Materials requisite for the Employment of Prisoners shall be purchased, under such Regulations as may be made for that Purpose by the Justices in General or Quarter Sessions assembled. If the Work to be performed by the Prisoners be of such a Nature as to require previous Instruction, proper Persons shall be appointed to afford the same.

Sixth :— The Male and Female Prisoners shall be confined in separate Buildings or Parts of the Prison, so as to prevent them from seeing, conversing or holding any Intercourse with each other ; and the Prisoners of each Sex shall be divided into distinct Classes, Care being taken that Prisoners of the following Classes do not intermix with each other : In Gaols — First, Debtors and Persons confined for Contempt of Court on Civil Process ; Second, Prisoners convicted of Felony ; Third, Prisoners convicted of Misdemeanors ; Fourth, Prisoners committed on Charge or Suspicion of Felony ; Fifth, Prisoners committed on Charge or Suspicion of Misdemeanors or for Want of Sureties : In Houses of Correction — First, Prisoners convicted of Felony ; Second, Prisoners convicted of Misdemeanors ; Third, Prisoners committed on Charge or Suspicion of Felony ; Fourth, Prisoners committed on Charge or Suspi-

Justices may authorize Employment of Prisoners in menial Offices. Keeper may confine a Prisoner with another Class till Directions of Visiting Justice.

cion of Misdemeanors; Fifth, Vagrants. Such Prisoners as are intended to be examined as Witnesses in behalf of the Crown in any Prosecution shall also be kept separate in all Gaols and Houses of Correction.

Provided always, that nothing herein contained shall be construed to extend to prevent the Justices from authorizing, at their Discretion, the Employment of any Prisoner in the Performance of any menial Office within the Prison, or for the Purpose of instructing others; and provided also, that if the Keeper shall at any Time deem it improper or inexpedient for a Prisoner to associate with the other Prisoners of the Class to which he or she may belong, it shall be lawful for him to confine such Prisoner with any other Class or Description of Prisoners, or in any other Part of the Prison, until he can receive the Directions of a Visiting Justice thereon, to whom he shall apply with as little Delay as possible, and who in every such Instance shall ascertain whether the Reasons assigned by the Keeper warrant such Deviation from the established Rules, and shall give such Orders in Writing as he shall think fit, under the Circumstances of the particular Case.

Seventh:—Female Prisoners shall in all Cases be attended by Female Officers.

Eighth:—Every Prisoner sentenced to Hard Labour shall, unless prevented by Sickness, be employed so many Hours in every Day, not exceeding Ten, exclusive of the Time allowed for Meals, as shall be directed by the Rules and Regulations to be made under this Act, except on *Sundays, Christmas Day, and Good Friday*, and on any Days appointed by public Authority for Fasting or Thanksgiving.

Ninth:—Prayers, to be selected from the Liturgy of the Church of *England* by the Chaplain, shall be read at least every Morning by the Chaplain, the Keeper, or by some other Person, as by the Rules and Regulations shall be directed; and Portions of the Scriptures shall be read to the Prisoners, when assembled for Instruction, by the Chaplain, or by such Person as he may appoint or authorize.

Tenth:—Provision shall be made in all Prisons for the Instruction of Prisoners of both Sexes in Reading and Writing, and that Instruction shall be afforded under such Rules and Regulations, and to such Extent, and to such Prisoners, as to the Visiting Justices may seem expedient.

Eleventh:—Prisoners under Charge or Conviction of any Crime shall attend Divine Service on *Sundays*, and on other Days when such Service is performed, unless prevented by Illness or by other reasonable Cause, to be allowed by the Keeper, or unless their Attendance shall be dispensed with by One of the Visiting Justices.

Twelfth:—No Prisoner shall be put in Irons by the Keeper of any Prison, except in case of urgent and absolute Necessity; and the Particulars of every such Case shall be forthwith entered in the Keeper's Journal, and Notice forthwith given thereof to One of the Visiting Justices; and the Keeper shall not continue the Use of Irons on any Prisoner longer than Four Days, without an Order in Writing from a Visiting Justice, specifying the Cause

Cause thereof; which Order shall be preserved by the Keeper, as his Warrant for the same.

Thirteenth : — Every Prisoner maintained at the Expence of any County, Riding, Division, City, Town or Place, shall be allowed a sufficient Quantity of plain and wholesome Food, to be regulated by the Justices in General or Quarter Sessions assembled, Regard being had (so far as may relate to convicted Prisoners) to the Nature of the Labour required from or performed by such Prisoners, so that the Allowance of Food may be duly apportioned thereto. And it shall be lawful for the Justices to order for such Prisoners of every Description, as are not able to work, or being able cannot procure Employment sufficient to sustain themselves by their Industry, or who may not be otherwise provided for, such Allowance of Food, as the said Justices shall from time to time think necessary for the Support of Health. Prisoners under the Care of the Surgeon shall be allowed such Diet as he may direct. Care shall be taken that all Provisions supplied to the Prisoners be of proper Quality and Weight. Scales and legal Weights and Measures shall be provided, open to the Use of any Prisoners, under such Restrictions as shall be made by the Regulations of each Prison.

Fourteenth : — Prisoners who shall not receive any Allowance from the County, whether confined for Debt or before Trial, for any supposed Crime or Offence, shall be allowed to procure for themselves, and to receive at proper Hours, any Food, Bedding, Clothing or other Necessaries, subject to a strict Examination, and under such Limitations and Restrictions, to be prescribed by the Regulations to be made in Manner directed by this Act, as may be reasonable and expedient, to prevent Extravagance and Luxury within the Walls of a Prison; all Articles of Clothing and Bedding shall be examined, in order that it may be ascertained that such Articles are not likely to communicate Infection or facilitate Escape.

Fifteenth : — No Prisoner who is confined under the Sentence of any Court, nor any Prisoners confined in pursuance of any Conviction before a Justice, shall receive any Food, Clothing or Necessaries, other than the Gaol Allowance, except under such Regulations and Restrictions as to the Justices in General or Quarter Sessions assembled may appear expedient, with reference to the several Classes of Prisoners, or under special Circumstances, to be judged of by One or more of the Visiting Justices.

Sixteenth : — Due Provision shall be made for the Admission, at proper Times and under proper Restrictions, of Persons with whom Prisoners committed for Trial may desire to communicate; and such Rules and Regulations shall be made, by the Justices in General Quarter Sessions assembled, for the Admission of the Friends of convicted Prisoners, as to such Justices may seem expedient; and the Justices shall also impose such Restrictions upon the Communication and Correspondence of all such Prisoners with their Friends, either within or without the Walls of the Prison, as they shall judge necessary

for the Maintenance of good Order and Discipline in such Prison.

Seventeenth : — The Surgeon shall examine every Prisoner who shall be brought into the Prison, before he or she shall be passed into the proper Ward; and no Prisoner shall be discharged from Prison if labouring under any acute or dangerous Distemper, nor until, in the Opinion of the Surgeon, such Discharge is safe, unless such Prisoner shall require to be discharged. The Wearing Apparel of every Prisoner shall be fumigated and purified, if requisite, after which the same shall be returned to him or her, or in case of the Insufficiency of such Clothing, then other sufficient Clothing shall be furnished, according to the Rules and Regulations of the Prison; but no Prisoner before Trial shall be compelled to wear a Prison Dress, unless his or her own Clothes be deemed insufficient or improper, or necessary to be preserved for the Purposes of Justice; and no Prisoner who has not been convicted of Felony shall be liable to be clothed in a Party coloured Dress; but if it be deemed expedient to have a Prison Dress for Prisoners not convicted of Felony, the same shall be plain.

Eighteenth : — Every Prisoner shall be provided with suitable Bedding; and every Male Prisoner with a separate Bed, Hammock or Cot, either in a separate Cell, or in a Cell with not less than Two other Male Prisoners.

Nineteenth : — The Walls and Ceilings of the Wards, Cells, Rooms and Passages used by the Prisoners throughout every Prison, shall be scraped and Lime washed at least Once in the Year: the Day Rooms, Work Rooms, Passages and Sleeping Cells shall be washed or cleansed Once a Week, or oftener if requisite. Convenient Places for the Prisoners to wash themselves shall be provided, with an adequate Allowance of Soap, Towels and Combs.

Twentieth ; — All Prisoners shall be allowed as much Air and Exercise as may be deemed proper for the Preservation of their Health.

Twenty first : — No Tap shall be kept in any Prison; nor shall Spirituous Liquors of any Kind be admitted for the Use of any of the Prisoners therein, under any Pretence whatever, unless by a written Order of the Surgeon, specifying the Quantity and for whose Use. No Wine, Beer, Cider or other fermented Liquors shall be admitted for the Use of any Prisoners, except in such Quantities, in such Manner and at such Times, as shall be allowed by the Rules hereafter to be made in pursuance of this Act.

Twenty second : — No Gaming shall be permitted in any Prison; and the Keeper shall seize and destroy all Dice, Cards or other Instruments of Gaming.

Twenty third : — No Money under the Name of Garnish shall be taken from any Prisoner on his or her Entrance into the Prison, under any Pretence whatever.

Twenty fourth : — Upon the Death of a Prisoner, Notice thereof shall be given by the Keeper forthwith to One of the Visiting Justices, as well as to the Coroner of the District, and to the nearest Relative of the Deceased, where practicable.

XI. And

XI. And be it further enacted, That in case the Coroner shall hold an Inquest on the Body of any Prisoner who shall have died within the Prison, none of the Prisoners confined in that Prison shall be a Juror on such Inquest.

No Prisoner to sit on an Inquest.

XII. And be it further enacted, That it shall be lawful for the Court of Mayor and Aldermen of the City of *London*, so far as respects the Prisons within the said City and Liberties thereof, and for Five Justices of the Peace in General or Quarter Sessions assembled, of each County, Riding or Division of a County, or of any District, City, Town or Place to which this Act shall extend, so far as respects the Prisons within their respective Jurisdictions, to make such further and additional Rules for the Government of such Prisons respectively, and for the Duties to be performed by the Officers of the same, as to them may seem expedient; provided, that no such further or additional Rules shall be enforced, until the same shall have been submitted, in *London* and *Middlesex*, to the Two Chief Justices, and elsewhere to the Justices of Gaol Delivery or of Great Sessions respectively, at some Gaol Delivery or Great Sessions to be held after the making such Rules, and until such Chief Justice or Justices of Gaol Delivery or of Great Sessions respectively, shall have subscribed a Certificate or Declaration that they do not see any Thing contrary to Law therein: Provided always, that all such Rules and Regulations shall be consistent with and conformable to the Rules and Regulations in this Act contained: And the Justices in General or Quarter Sessions assembled shall and they are hereby required from time to time to cause Copies of so much of the Rules of each Prison as relates to the Treatment and Conduct of Prisoners confined therein, to be printed in legible Characters, and to be fixed up in conspicuous Parts of every Prison, so that every Prisoner may be enabled to have Access thereto; and all Rules and Regulations made and approved pursuant to the Directions of this Act shall be binding upon the Sheriff and upon all other Persons; provided, that no such Rules shall be so construed as to interfere with the Right or Duty of the Sheriff to appoint or remove any Keeper of a County Gaol or other Prison subject to the Authority of such Sheriff.

Court of Aldermen in London and Five Justices in Sessions for other Places, may make Regulations.

In London and Middlesex and elsewhere, Rules submitted to Judges herein named.

Copies of Rules put up in Prisons.

How far Rules binding on Sheriffs.

XIII. Provided always, and be it enacted, That all the Powers and Authorities given by this Act to Justices of the Peace in General or Quarter Sessions assembled, in the several Counties, and all other Acts to be done and performed by Justices of the Peace at any Sessions in pursuance of this Act, shall be exercised and performed, so far as regards the Prisons in the City of *London* and Liberties thereof, by the Court of Mayor and Aldermen of the said City, as heretofore has been accustomed, and not by the said Mayor and Aldermen as Magistrates at the General or Quarter Sessions of the Peace to be holden in and for the said City; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Powers of Sessions exercised in London by Court of Aldermen, &c.

XIV. And be it further enacted, That the Gaoler and Keeper of every Gaol and House of Correction, maintained at the Expence of any County, or of any such Riding or Division of a County as aforesaid, in *England* and *Wales*, or maintained by any District, City, Town or Place specified in the Schedule to this

Gaolers to attend Quarter Sessions next after Commencement of Act, and future Quarter Ses

sions, to report on actual State of Prisons, &c.

Act annexed marked (A.), shall make a Report in Writing, of the actual State and Condition of every such Gaol and House of Correction, and of the Number and Description of Prisoners confined therein, to the Justices at the several General or Quarter Sessions to be holden next after the Commencement of this Act, and at every ensuing General or Quarter Sessions in every such County, Riding, Division, District, City, Town or Place; and shall at every such General or Quarter Sessions attend and give Answer, upon Oath, to all such Inquiries as shall be made by the Justices at such Sessions, with respect to the State and Condition of every such Gaol and House of Correction, and of the Prisoners confined therein, and with respect to any other Matters and Things relating to the said Gaol and House of Correction, respecting which such Justices shall deem it necessary to make any Inquiry for the Purpose of proceeding and continuing to carry this Act into Execution, and of ascertaining how far every such Gaol and House of Correction is capable of affording the Means of the Classification required by this Act.

Copies of Proceedings and Regulations of Justices, and Plans of Prisons to be transmitted to Secretary of State.

XV. And be it further enacted, That the Chairman of the *Michaelmas* Quarter Sessions of the Peace, which shall be held next after the Commencement of this Act, for every County, Riding, Division, District, City, Town or Place to which this Act shall extend, shall transmit, within Fourteen Days after the Termination of such Session, to One of His Majesty's Principal Secretaries of State, a true and correct Account of their Proceedings at such Sessions for carrying this Act into Effect, and also a Copy of all such Rules and Regulations as shall be then in force for the Government of every Prison within the Jurisdiction of the Justices assembled at such Sessions, and shall also transmit at the same Time, or within Three Months afterwards, to such Secretary of State, Plans of all such Prisons, drawn upon a Scale of One sixteenth of an Inch to a Foot; and the said Copies and Plans shall be carefully preserved in the Office of such Secretary of State; and the Chairman of every such succeeding *Michaelmas* Quarter Sessions shall transmit, within Fourteen Days after the Termination of such *Michaelmas* Quarter Sessions, a true and correct Copy of all such Additions to such Rules and Regulations, or Alterations made therein, as shall have been duly sanctioned since the preceding *Michaelmas* Quarter Sessions, together with Plans, on the Scale above mentioned, of any Additions to the Buildings of such Prison, or Alterations made in the Construction thereof, during the same Period.

Visiting Justices appointed by Sessions.

XVI. And be it further enacted, That the Justices in every County, Riding, Division, District, City, Town or Place, to which this Act shall extend, at the General or Quarter Sessions next after the Commencement of this Act, and at every ensuing General or Quarter Sessions, shall and they are hereby required to nominate Two or more Justices who shall consent thereto, to be Visitors of each Gaol and House of Correction within their Jurisdiction, and to report the Names and Places of Abode of such Visiting Justices to One of His Majesty's Principal Secretaries of State; and One or more of the Visiting Justices so appointed shall personally visit and inspect each Prison at least Three Times in each Quarter of a Year, and oftener if Occasion shall require, and shall

Duties of such Visitors.

shall examine into the State of the Buildings, so as to form a Judgment as to the Repairs, Additions or Alterations which may appear necessary, strict Regard being had to the Classification, Inspection, Instruction, Employment or Hard Labour, required by this Act, and shall further examine into the Behaviour and Conduct of the respective Officers, and the Treatment, Behaviour and Condition of the Prisoners, the Means of setting them to work, the Amount of their Earnings and the Expences attending the Prison, and of all Abuses within the same, and in Matters of pressing Necessity, and within the Powers of their Commission as Justices, shall take Cognizance thereof, and proceed to regulate and redress the same; and if the said Visitors shall at any Time observe, or be satisfactorily informed of any extraordinary Diligence or Merit in any Prisoners under their Inspection, they shall report the same to the Justices of Peace for the County, Riding, Division, District, City, Town or Place, at their next or any subsequent General or Quarter Session to be holden for the County or Place in which such Prison is situate, in order that such Justices may, if they shall think proper, recommend any such Offender to the Royal Mercy, in such Degree or upon such Terms as to them shall seem meet; and if His Majesty shall thereupon be graciously pleased to shorten the Duration of such Prisoner's Confinement, such Prisoner shall, upon his or her Discharge, together with necessary Clothing, receive such Sum of Money for his or her Subsistence, as the Visiting Justices for the Time being shall think proper; so as such Sum shall not exceed Twenty Shillings, nor be less than Five Shillings, in case such Offender shall have been confined for the Space of One Year, and so in Proportion for any shorter Term of Confinement: and such Sums of Money, as also the Expence of such Clothing, shall be paid out of the County Rate, or other Rate applicable to the Expences of Prisons.

XVII. Provided always, and be it enacted, That it shall be lawful for any Justice of the Peace for any County, Riding or Division, District, City, Town or Place, at his own free Will and Pleasure, and without being appointed a Visitor, to enter into and examine any Prison of such County, Riding, Division, District, City, Town or Place, at such Time or Times and so often as he shall see fit, and if he shall discover any Abuse or Abuses therein, he is hereby required to report them in Writing at the next General or Quarter Sessions of the Peace, or adjourned Sessions, which shall be holden for such County, Riding or Division, District, City, Town or Place; and then and so often as a Report of any Abuse or Abuses in any such Prison shall be made by the Visiting Justices, or either of them, or by any other Justice of the Peace for such County, Riding or Division, District, City, Town or Place, the Abuse or Abuses so reported shall be taken into immediate Consideration by the Justices of the Peace for such County, Riding or Division, District, City, Town or Place, at the General or Quarter Sessions at which such Report shall be made; and they are hereby required to adopt the most effectual Measures for inquiring into and rectifying such Abuse or Abuses as soon as the Nature of the Case will allow.

XVIII. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower

Visitors may recommend Offenders to Sessions on account of good Conduct.

Allowance to such Offenders on their Discharge.

Any Justice, without being appointed a Visitor, may visit the Prison, and report Abuses to Sessions.

Proceedings thereon.

How far Power of Justices may extend as to In-

tercourse with Prisoners when they are committed to close Confinement.

empower any Visiting or other Justice of the Peace to converse or hold any Intercourse or Communication, except as hereinafter mentioned, with any Person who may be committed by lawful Authority to any such Gaol or other Prison, there to be kept in safe and close Confinement; but that, nevertheless, it shall and may be lawful for any Visiting Justice, so appointed as aforesaid, to visit and inspect, at all Times when he shall think proper, the Apartment or Place in which such Person shall be kept or confined in any Prison, and also to see such Person, and to hear or receive any Representation from him or her as to his or her Treatment in such Prison, and to enquire and examine into the same; any Thing herein contained to the contrary thereof notwithstanding.

Returns to be made at the several Assizes by Keepers of Prisons of the Persons sentenced to Hard Labour.

XIX. And be it further enacted, That the Keeper of every Gaol and House of Correction, to which this Act shall extend, shall, previously to the First Day of every Assizes, Great Sessions or Sessions of Gaol Delivery, make out a true and just Return in Writing of all Persons in his Custody who have been sentenced to Hard Labour by the Court at any previous Assizes, Great Sessions or Sessions of Gaol Delivery, specifying in such Return the Manner in which such Sentences have been carried into Execution, the particular Species of Labour in which such Prisoners have been employed, and the average Number of Hours in a Day for which such Persons so sentenced have been kept to work; which Return shall be signed by such Keeper, and also by one at least of the Visiting Justices, who shall add thereto such Observations as the Case and Circumstances may appear to him to require; and such Return shall be delivered to the Justice of Assize and Gaol Delivery, and of Great Sessions, and shall be kept and filed by the proper Officer amongst the Records of the Court.

Filed as of Record.

XX. And be it further enacted, That the Keeper of every Prison within *England* and *Wales*, having the Custody of Prisoners charged with Felony, shall, on the Second Day next after the Termination of every Session of the Peace, Session of Oyer and Terminer, or Session of Gaol Delivery, Great Session or other Session held for the Trial of Prisoners being in such Prison, whether such Session shall be held under any Commission, or by virtue of any Charter or Prescription, transmit by the Post of that Day to One of His Majesty's Principal Secretaries of State, a Calendar containing the Names, the Crimes and the Sentences of every Prisoner tried at such Session, and distinguishing, with respect to all Prisoners capitally convicted, such of them as may have been reprieved by the Court, and stating the Day on which Execution is to be done upon those who have not been reprieved; and that whenever the Court shall adjourn for any longer Time than One Week, the Day upon which the Adjournment shall be made shall be deemed the Termination of the Session within the Meaning of this Act; and every Keeper of any such Prison, who shall neglect or refuse to transmit such Calendar, or shall wilfully transmit a Calendar containing any false or imperfect Statement, shall for every such Offence forfeit the Sum of Twenty Pounds.

List of Prisoners tried for Felony to be transmitted to Secretary of State by the Keeper of every Prison.

Penalty 20l.

XXI. And,

XXI. And, for the better ensuring the strict Observance of the Rules and Regulations to be made for the Government of the Prisons to which this Act shall extend, be it enacted, That at each Quarter Sessions of the Peace, the Keeper of every Prison within the Jurisdiction of the Court holding such Session shall and is hereby required to deliver or cause to be delivered to such Court, a Certificate, signed by himself, which Certificate shall contain a Declaration how far the Rules laid down for the Government of his Prison have been complied with, and shall point out any and every Deviation therefrom which may have taken place; and if any Keeper of a Prison shall neglect to deliver, or cause to be delivered, such Certificate as aforesaid, he shall forfeit for every such Offence the Sum of Ten Pounds.

Keeper to deliver to Quarter Sessions, a Certificate how far Rules have been observed.

Penalty 10l.

XXII. And be it further enacted, That One Week before the *Michaelmas* Session in every Year, the Keeper of every Prison to which this Act shall extend shall make up a Return of the State of his Prison for the Year then ending, in the Form contained in the Schedule annexed to this Act, marked (B.), and shall deliver the same, or cause the same to be delivered, to the Clerk of the Peace or his Deputy, for the Use of the Justices assembled at such Quarter Session.

Keeper to make Return to Clerk of the Peace, &c. previous to Michaelmas Sessions.

XXIII. And be it further enacted, That at every General or Quarter Sessions, the Visiting Justices shall make a Report in Writing of the State and Condition of each Prison within their Jurisdiction, of what Repairs, Additions or Alterations shall have been made or may be required, and of any Abuse or Abuses which they may have observed, or of which they may have received Information, in the Management of the Prison, as well as of the general State of the Prisoners, as to Morals, Discipline, Employment and Hard Labour, and Observance of Rules; and the Justices assembled at such Sessions shall proceed to consider every such Report, and to act forthwith as they may see Occasion.

Visiting Magistrates to report State of Gaol to Quarter Sessions.

XXIV. And be it further enacted, That a General Report, founded on the Report of the Visiting Justices, on the Report of the Chaplain or Chaplains, and on the Certificates of the Keepers of the several Prisons, shall be prepared by the Clerk of the Peace, and submitted to the Justices assembled at every *Michaelmas* Quarter Sessions; and when approved by the Justices at such Sessions, such Report shall be signed by the Chairman of such Sessions, and shall be by him transmitted (together with a Copy of the Schedule (B.) delivered by the Gaoler) to one of His Majesty's Principal Secretaries of State; a Copy of which Report, with the said Schedule attached to it, shall be laid before both Houses of Parliament, within One Month next ensuing, if Parliament shall be sitting, or within One Month after the Time when Parliament shall next sit.

A General Report to be forwarded annually to Secretary of State to be laid before Parliament.

XXV. And be it further enacted, That it shall and may be lawful for the Justices assembled at the General or Quarter Sessions, and they are hereby empowered and required, to nominate and appoint such Keepers, Matrons, Taskmasters, Schoolmasters and other Officers, as to them may seem expedient, for every Prison within their Jurisdiction to which this Act shall extend, except the Keeper of the Common Gaol; and to remove, as

Quarter Sessions may appoint Keepers &c.

Occasion

Women not to be Keepers of certain Gaols.

Quarter Sessions to fix Salaries of Keepers, &c.

Gaoler may be superannuated, and allowed a Pension.

Proviso as to Amount.

When Keeper &c. shall be removed, resign or die, Two Justices may proceed as herein mentioned.

Occasion may require, all Officers so by them nominated and appointed: Provided always, that no Woman shall be Keeper of any Prison in which Male Prisoners are confined.

XXVI. And be it further enacted, That it shall and may be lawful for the Justices assembled at the General or Quarter Sessions, and they are hereby empowered, to fix Salaries and Allowances, to such Amount, and subject to such Conditions as to them shall seem meet, for the Keeper of the Common Gaol, and for every Keeper, Matron, Taskmaster, Schoolmaster and Officer of each Gaol and House of Correction within their Jurisdiction; and to order such Salaries, and the Expenditure of such Allowances, to be paid out of the Rate lawfully applicable thereto; and the Salaries and Allowances so fixed, to alter, reduce, augment, suspend or stop from time to time, as Occasion shall require: And in case any Gaoler or Keeper of any Prison shall, from confirmed Sickness, Age or Infirmitie, become incapable of executing the Office in Person, the Justices of the Peace at any General or Quarter Sessions of the County, Riding, Division, District, City, Town or Place respectively, shall take the Circumstances of the Case into their Consideration; and if such Justices shall deem it expedient, they are hereby empowered to grant to such Gaoler or Keeper such an Annuity as they in their Discretion shall think proportioned to the Merits and Time of his Service, and may order the Payment thereof out of the Rates lawfully applicable to the building or repairing of such Gaols and Prisons: Provided always, that the annual Amount paid by way of Superannuation or Allowance to any retired Keeper of any Prison shall not exceed the Amount of Two Thirds of the Salary fixed for the succeeding Keeper of such Prison.

XXVII. And be it further enacted, That whenever the Keeper or any other Officer of any Common Gaol or other Prison to which this Act shall extend, shall be removed from or resign his or her Office, or shall depart this Life, every Keeper or other Officer so removed or resigning, and his or her Family, and the Family of every such deceased Keeper or other Officer, shall forthwith quit the Possession of the House or Apartments in which he, she or they shall have previously resided by virtue of such Office; and that if any Keeper or other Officer so removed or resigning, or any Members of the Family of any Keeper or other Officer so removed, resigning or departing this Life, shall refuse or neglect to quit such Possession for Forty eight Hours after Notice given to him, her or them, in Writing, by the Under Sheriff, or other Officer appointed by the Sheriff, in case the House or Apartments of which Possession shall be required shall be in the Common Gaol, and by the Clerk of the Peace in case such House or Apartments shall be in any House of Correction, any Two Justices, upon Proof made before them of such Removal, Resignation or Death, and of the Service of such Notice, and of such Neglect or Refusal to comply therewith, may, by Warrant under their Hands and Seals, direct the Sheriff of the County, or other Officer having the Return of Writs, to eject such Keeper, or the Family of such Keeper, out of such House or Apartments, and the Sheriff or such other Officer shall accordingly clear

clear the Possession thereof in like Manner as upon a Writ of *Habere facias Possessionem*.

XXVIII. And be it further enacted, That the Justices assembled in General or Quarter Sessions shall and they are hereby required from time to time to nominate for each Prison within their Jurisdiction, to which this Act shall extend, a Clergyman of the Church of *England* to be Chaplain thereof; and the said Justices may, if it seem to them expedient, nominate the same Clergyman to be and officiate as Chaplain to any Two Prisons situate within a convenient Distance from each other; and the said Justices are hereby authorized to appoint a Salary to be paid to the Clergyman so nominated Chaplain as aforesaid, out of the County Rate, or Rate lawfully applicable to the Maintenance of such Prisons; and the Amount of Salary shall be regulated in the following Manner; *videlicet*, where the Chaplain shall be appointed to One Prison only, and the Number of Prisoners, including Debtors, which the said Prison is calculated to receive does not exceed Fifty, then the Salary to be paid to him shall not be more than One hundred and fifty Pounds; where the Chaplain shall be appointed to One Prison only, and the Number of Prisoners, including Debtors, which the said Prison is calculated to receive does not exceed One hundred, then the Salary shall not be more than Two hundred Pounds; where the Chaplain shall be appointed to One Prison only, calculated to contain more than One hundred Prisoners, including Debtors, the Salary shall not be more than Two hundred and fifty Pounds; and where the Chaplain shall be appointed to One Prison only, calculated to contain more than Two hundred, or where the Chaplain shall be appointed to Two Prisons, whatever the Number of Prisoners such Two Prisons may be calculated to contain, it shall be lawful for the Justices to appoint the Salary at their Discretion, with reference to the Duties to be performed: Provided also, that when any Two or more Prisons shall be under the Custody of one and the same Keeper, they shall be considered as one Prison, with reference to the Duties and Salary of the Chaplain: Provided also, that in case of Sickness or necessary Engagement, the Chaplain shall appoint a Clergyman to be his Substitute for the Occasion, such Substitute being approved of by the Visiting Justices; and the Name and Residence of such Substitute shall be specified in the Chaplain's Journal.

XXIX. And be it further enacted, That no Clergyman so nominated shall officiate in any Prison until he shall have obtained a Licence for that Purpose from the Bishop of the Diocese wherein the Prison is situate, nor for any longer Time than while such Licence shall continue in force; and Notice of every such Nomination shall, within One Month after it shall take place, be transmitted to the Bishop by the Clerk of the Peace or Town Clerk.

XXX. And be it further enacted, That every such Chaplain shall on every *Sunday*, and on *Christmas Day* and *Good Friday*, perform the appointed Morning and Evening Services of the Church of *England*, and preach at such time or times between the Hours of Nine and Five of the Day, as shall be required by the Rules and Regulations to be made as directed by this Act;

Quarter Sessions may appoint a Chaplain to each Prison.

His Salary.

How far Two Prisons having One Keeper, considered as One.

Clergyman not to officiate till licensed by the Bishop.

Duties of Chaplain.

and

and shall catechise or instruct such Prisoners as may be willing to receive Instruction ; and shall likewise visit the Prison on such other Days, and perform such other Duties as shall be required by the Rules and Regulations to be made as directed by this Act ; and shall administer the Holy Sacrament of the Lord's Supper to such Prisoners as shall be desirous, and as such Chaplain may deem to be in a proper Frame of Mind to receive the same ; and such Chaplain shall also frequently visit every Room and Cell in the Prison occupied by Prisoners, and shall direct such Books to be distributed and read, and such Lessons to be taught in such Prison, as he may deem proper for the religious and moral Instruction of the Prisoners therein ; and he shall visit those who are in solitary Confinement ; and it shall be his particular Duty to afford his spiritual Assistance to all Persons under Warrant or Order for Execution ; and he shall have free Access to all Persons convicted of Murder, any Law, Statute or Usage to the contrary notwithstanding ; except to such Persons as shall be of a religious Persuasion different from that of the Established Church, who shall have made a Request that a Minister of such Persuasion shall be allowed to visit them ; and every such Chaplain shall communicate from time to time to the Visiting Justices any Abuse or Impropriety which may have come to his Knowledge ; and he shall further keep a Journal, in which he shall enter the Times of his Attendance on the Performance of his Duty, with any Observations which may occur to him in the Execution thereof, and such Journal shall be kept in the Prison, but shall regularly be laid before the Justices for their Inspection at every Quarter Sessions, and shall be signed by the Chairman of the Sessions, in proof of the same having been there produced ; and if it shall appear to the Justices in General or Quarter Sessions assembled, that any Chaplain is incompetent to the due Performance of his Duties, or is unfit to be continued in his Office, or shall have refused or wilfully neglected to perform the Duties required of him by the Rules and Regulations to be made as directed by this Act, they are hereby empowered to remove him from such Office.

Journal to be kept by him.

Quarter Sessions may remove Chaplain.

Dissenting Ministers allowed to visit Prisoners.

Power to Quarter Sessions to grant Annuity to any Chaplain incapable from Infirmary, of executing his Office.

XXXI. And be it further enacted, That if any Prisoner shall be of a religious Persuasion differing from that of the Established Church, a Minister of such Persuasion, at the special Request of such Prisoner, shall be allowed to visit him or her at proper and reasonable Times, under such Restrictions imposed by the Visiting Justices as shall guard against the Introduction of improper Persons, and as shall prevent improper Communications.

XXXII. And be it enacted, That in case any Chaplain shall from confirmed Sickness, Age or Infirmary, become incapable of executing the Office in Person, the Justices of the Peace, at any General or Quarter Sessions of the County, Riding, Division, District, City, Town or Place respectively, shall take the Circumstances of the Case into their Consideration ; and if such Justices shall deem it expedient, they are hereby empowered to grant to such Chaplain such Annuity as they in their Discretion shall think proportionate to the Merits and Time of his Services, and may order the Payment out of the Rates lawfully applicable to the building and repairing such Gaols and Prisons : Provided always,

always, that the Amount so paid by way of Superannuation or Allowance to any retired Chaplain of any one Prison, shall not exceed the Amount of Two Thirds of the Salary fixed for the succeeding Chaplain of such Prison.

XXXIII. And be it further enacted, That the Justices in General or Quarter Sessions assembled shall and they are hereby required from time to time to appoint a Surgeon, being a Member of one of the Royal Colleges of Surgeons, to each of the Prisons within their Jurisdiction to which this Act shall extend; and every such Surgeon shall and is hereby required to visit every Prison to which he shall be so appointed Twice at least in every Week, and oftener if necessary, and to see every Prisoner confined therein, whether Criminal or Debtor, and to report to every General or Quarter Sessions the Condition of the Prison, and the State of Health of the Prisoners under his Care; and he shall further keep a Journal, in which he shall enter the Date of every Attendance on the Performance of his Duty, with any Observations which may occur to him in the Execution thereof, and shall sign the same with his Name; and such Journal shall be kept in the Prison, but shall regularly be laid before the Justices for their Inspection at every Quarter Sessions, and shall be signed by the Chairman of the Sessions, in proof of the same having been there produced; and it shall and may be lawful for the Justices, at every General or Quarter Sessions after such Appointment, to direct a reasonable Sum to be paid as Salary to such Surgeon, and also such Sums of Money as shall be due for Medicines, and other Articles for the Sick.

Appointment
of Surgeon.

His Duty.

Journal to be
kept by him.

His Salary.

XXXIV. And be it further enacted, That from and after the Commencement of this Act, there shall be kept in every Prison to which this Act shall extend, a Book, in which the Chaplain and every other Officer of the said Prisons not residing within such Prisons, but attending on or required to attend on such Prison, shall regularly insert the Date of every Visit made by such Chaplain or other such Officer respectively; and every such Entry shall be signed with the Name and in the proper Handwriting of such Chaplain or other Officer respectively, and shall contain such Remarks as may be thought necessary on the Occasion of any such Visit; and every Keeper of every such Prison shall be responsible for the safe Custody of such Book, whole, unmutilated and unaltered, and shall at all Times, when required so to do, produce such Book for Inspection to the Justices at every General or Quarter Sessions, and to the Visiting Justices, or to any Justice of the Peace for the County, Riding, Division, District, City, Town or Place wherein such Prison shall be situate; and the Chaplain shall, on every *Michaelmas* Quarter Sessions, deliver to the Justices a Statement of the Condition of the Prisoners and his Observations thereupon.

Book to be
kept, in which
Visits of Chap-
lain, &c. to be
entered.

XXXV. And Whereas Provision is made in this Act for supplying poor Prisoners with Food and Clothing: And Whereas Bequests have been made, and Benefactions have been given, for supplying such poor criminal Prisoners with these Necessaries; Be it therefore enacted, That it shall and may be lawful for the Justices in General or Quarter Sessions assembled, to apply such Bequests or Benefactions for the Benefit of such poor Prisoners,

How Bequests
and Benefac-
tions may
be applied.

Prisoners, either by providing them with the Implements of Labour, or with the Means of returning to their own Homes, or in such Manner as to the Magistrates may appear expedient.

Jurisdiction of Chief Justices and others to examine into Gifts for Prisoners in London, Middlesex and Surrey, and other Counties, &c.

XXXVI. And be it further enacted, That the Chief Justices of the Courts of King's Bench and Common Pleas, and the Chief Baron of the Court of Exchequer, or any One of them, together with the Lord Mayor and Two of the Aldermen, or with Three of the Aldermen of the City of *London*, for and in respect of the Gaols and Prisons within the City of *London* and the Liberties thereof, and the said Chief Justices or Chief Baron, or any One of them, with Three Justices of the Peace of the Counties of *Middlesex* and *Surrey* respectively, for and in respect of the Gaols and Prisons in the Counties of *Middlesex* and *Surrey*, and the Justices of Gaol Delivery and Great Sessions, and the Justices of Peace of every other County, Riding and Division of a County, at any General or Quarter Sessions of the Peace to be holden for such County, Riding or Division respectively, in their respective Jurisdictions, and all Commissioners for charitable Uses, shall do their best Endeavours and Diligence to examine and discover the several Gifts, Legacies and Bequests bestowed and given for the Benefit and Advantages of the poor Prisoners in the several Gaols and Prisons to which this Act shall extend, and to send for any Deeds, Wills, Writings and Books of Account whatsoever, and any Persons concerned therein, and to examine them upon Oath to make true Discovery thereof (and which such Chief Justices, Chief Barons, Justices of Gaol Delivery and Great Sessions, Mayor, Aldermen and Justices of the Peace, have hereby full Power and Authority to do), and to order and settle the Payment, Recovery and Receipt of all such Gifts, Legacies and Bequests, when so discovered and ascertained, in such easy and expeditious Manner, that the Prisoners for the future may not be defrauded, but receive the full Benefit thereof, according to the true Intent of the Donors, or the Provisions of this Act; and that Lists or Tables of such Gifts, Legacies and Bequests, for the Benefit of the Prisoners in every Gaol or Prison respectively, fairly written, shall be registered by the Clerks of the Peace of the respective Counties and Places in the Rolls of their respective Sessions, without Fee or Reward, and Copies thereof shall be hung up in such Gaols and Prisons respectively, in some open Room or Place, to which the Prisoners may have Resort as Occasion shall require.

Jurisdiction of Commissioners for charitable Uses.

Lists of Gifts registered, and hung up in Gaols.

Prisoners may inspect same.

In what Cases Persons committed for Trial may be employed.

XXXVII. And Whereas Persons are often committed to Prison for Trial, who are willing to be employed in such Work or Labour as can be conveniently executed or done in the Prison to which they are so committed, and it is fit that such Persons should be so employed rather than that they should be obliged to remain idle during their Confinement: Be it therefore enacted, That it shall and may be lawful for any One or more Visiting Justice or Justices of any Prison to which this Act shall extend, to authorize, by an Order in Writing, the Employment of any such Prisoners, with their own Consent, in any such Work or Labour; and it shall be lawful for the Keeper of such Prison to employ such Prisoner in such Work or Labour accordingly, and to pay to such Prisoner's any such Wages or Portion of the same, and

and at such Periods, as shall be directed by such Justice or Justices: Provided always, that it shall not be lawful to place together, on account of such Employment, any Prisoners who would otherwise be kept separate under the Provisions of this Act.

‘ XXXVIII. And Whereas Persons convicted of Offences are frequently sentenced to Imprisonment without being sentenced to Hard Labour; Be it therefore enacted, That it shall be lawful for Two or more Visiting Justices of any Prison, to order that all such Persons confined in such Prison, in pursuance of any Sentence or Conviction, except such Prisoners as shall maintain themselves, shall be set to some Work or Labour not severe: And it is hereby declared, that no such Prisoner, who shall be of Ability to earn, and who shall have the Means of earning or of otherwise providing for his own Subsistence, shall have any Claim to be supported at the Expence of the County, Riding or Division, or by the Sheriff or the Keeper of the Prison; provided that when such Ability shall cease by reason of Sickness, Infirmary, the Want of sufficient Work, or from any other Cause, every such Person shall, during the Continuance of his Inability, receive such Provision and Support as shall be directed for other convicted Prisoners in the same Prison; and the Keeper of every such Prison shall keep an Account of the Work done by every Prisoner so set to work as aforesaid, and shall account to such Prisoner for so much of the net Profits which such Prisoner shall have earned, or for such daily or other Allowance for the Work and Labour done by such Prisoner, as shall be directed either by the Rules and Regulations of such Prison, or in case of no Provision being made on this Head by those Rules and Regulations, then for such Part of the said net Profits, or for such daily or other Allowance as shall be directed by the Visiting Justices, and shall pay the Amount of all Accumulations of such Allowance to such Prisoner at his or her Discharge.

‘ XXXIX. And Whereas it is desirable that Prisoners discharged from Prison should be supplied with the Means of returning to their Families, or to their Place of Settlement, or to some Place of Employment, where they may be engaged in a Life of honest Labour for their Maintenance, and prevented from pursuing evil Courses; Be it therefore enacted, That it shall and may be lawful for any One or more of the Visiting Justice or Justices of any Prison to which this Act shall extend, from whence any Prisoner shall be discharged, to direct that such moderate Sum of Money shall be given and paid to any and every such Prisoner so discharged, who shall not have the Means of returning to his or her Family or Place of Settlement, or resorting to any Place of Employment or honest Occupation, as in the Judgment of such Justice or Justices shall be requisite and necessary for such Purpose, under all the Circumstances attending the Case of any such Prisoner; and that such Sum of Money shall be paid by the Keeper of such Prison to or for the Use of such Prisoner, for the Purpose aforesaid; and that all such Sums shall be provided for, either out of such Bequests or Benefactions as aforesaid, or in such Manner as is by this Act directed with respect to the Expence of the Support and Maintenance of the Prisoners in such Prisons respectively.

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XL. And

Proviso as to Prisoners working together.

Two Visiting Justices may order Prisoners to be employed.

Prisoners able to earn, not to have Support from the County.

Account of Work done kept by Keeper. Allowance for Work done.

For supplying to Prisoners discharged the Means of returning to their Home, &c.

Carrying Spirituous Liquors into Prisons.

Punishment

unless Penalty paid.

Gaoler permitting Sale of Spirits.

Penalty 20l.

Power of Keeper to inquire into and punish certain Offences.

Punishment of refractory Prisoners by Visiting Justices, &c.

XL. And be it further enacted, That if any Person, in Contravention of the existing Rules, shall carry or bring, or attempt or endeavour to carry or bring into any Prison to which this Act shall extend, any Spirituous or Fermented Liquor, it shall be lawful for the Gaoler, Keeper, Turnkey or any other of the Assistants to the said Gaoler or Keeper, to apprehend or cause to be apprehended such Offender, and to carry him or her before a Justice of the Peace (who is hereby empowered to hear and determine such Offence in a summary Way), and if he shall lawfully convict such Person of such Offence, he shall forthwith commit such Offender to the Common Gaol or House of Correction, there to be kept in Custody for any Time not exceeding Three Months, without Bail or Mainprize, unless such Offender shall immediately pay down such Sum of Money, not exceeding Twenty Pounds, and not less than Ten Pounds, as the Justice shall impose upon such Offender to be paid, One Moiety to the Informer, and the other Moiety in Aid of the Rate applicable to the Maintenance of such Prison; and if any Justice shall receive Information upon Oath, that any Spirituous or Fermented Liquor is unlawfully kept or disposed of in any Prison, he may enter and search, or issue his Warrant to enter and search for such Liquor; and in case it shall be found, it shall be lawful for the Person so finding to seize the same, and cause it to be disposed of as the Justice shall direct; and if any Gaoler or Keeper of any Prison shall sell, use, lend or give away, or knowingly permit or suffer to be sold, used, lent or given away, in such Prison, or brought into the same, any Spirituous or Fermented Liquor, in Contravention of the existing Rules of such Prison, he shall for every such Offence, over and above any other Punishment by this Act enacted, forfeit and lose the Sum of Twenty Pounds.

XLI. And be it further enacted, That the Keeper of every Prison shall have Power to hear all Complaints touching any of the following Offences: (that is to say), Disobedience of any of the Rules of the Prison; Assaults by one Person confined in such Prison upon another, when no dangerous Wound or Bruise is given; profane Cursing and Swearing; any indecent Behaviour, and any irreverent Behaviour at Chapel, all of which are declared to be Offences by this Act, if committed by any Description of Prisoners; Absence from Chapel without Leave; Idleness or Negligence in Work, or wilful Mismanagement of it, which are also declared to be Offences by this Act, if committed by any Prisoner under Charge or Conviction of any Crime; and the said Keeper may examine any Persons touching such Offences, and may determine thereupon, and may punish all such Offences by ordering any Offender to close Confinement in the refractory or solitary Cells, and by keeping such Offenders upon Bread and Water only, for any Term not exceeding Three Days.

XLII. And be it further enacted, That in case any Criminal Prisoner shall be guilty of any repeated Offence against the Rules of the Prison, or shall be guilty of any greater Offence than the Gaoler or Keeper is by this Act empowered to punish, the said Gaoler or Keeper shall forthwith report the same to the Visiting Justices, or One of them for the Time being; and any One such Justice, or any other Justice acting in and for the County, or Riding

Riding or Division of a County, or for the District, City, Town or Place to which such Prison belongs, shall have power to inquire upon Oath, and to determine concerning any such Matter so reported to him or them, and to order the Offender to be punished by close Confinement for any Term not exceeding One Month, or by personal Correction in the Case of Prisoners convicted of Felony, or sentenced to Hard Labour.

XLIII. And be it further enacted, That if any Person shall convey or cause to be conveyed into any Prison to which this Act shall extend, any Mask, Vizer or other Disguise, or any Instrument or Arms proper to facilitate the Escape of any Prisoners, and the same shall deliver or cause to be delivered to any Prisoner in such Prison, or to any other Person there, for the Use of any such Prisoner, without the Consent or Privity of the Keeper of such Prison, every such Person shall be deemed to have delivered such Vizer or Disguise, Instrument or Arms, with Intent to aid and assist such Prisoner to escape or attempt to escape; and if any Person shall, by any Means whatever, aid and assist any Prisoner to escape or in attempting to escape from any Prison, every Person so offending, whether an Escape be actually made or not, shall be guilty of Felony, and being convicted thereof, shall be transported beyond the Seas for any Term not exceeding Fourteen Years.

XLIV. And, to the Intent that Prosecutions for Escapes, Breaches of Prison, and Rescues, may be carried on with as little Trouble and Expence as is possible, Be it enacted, That any Offender escaping, breaking Prison, or being rescued therefrom, may be tried either in the Jurisdiction where the Offence was committed, or in that where he or she shall be apprehended and retaken; and in case of any Prosecution for any such Escape, Attempt to escape, Breach of Prison or Rescue, either against the Offender escaping or attempting to escape, or having broken Prison, or having been rescued, or against any other Person or Persons concerned therein, or aiding, abetting or assisting the same, a Certificate given by the Clerk of Assize or other Clerk of the Court in which such Offender shall have been convicted, shall, together with due Proof of the Identity of the Person, be sufficient Evidence to the Court and Jury of the Nature and Fact of the Conviction, and of the Species and Period of Confinement to which such Person was sentenced.

XLV. And be it further enacted, That in case it shall appear at any Time to the Justices at any General or Quarter Sessions of the Peace, holden in any County or Riding, or in any such Division of a County as aforesaid, or in any District, City, Town or Place to which this Act shall extend, by any Report made under the Provisions of this Act, of the State of any Prison, to such Justices at such Sessions, or by any Presentment at any Time made by the Grand Jury at the Assizes, Great Session, Session of Gaol Delivery or Session of the Peace, to be holden for any such County, Riding, Division, District, City, Town or Place, or by any Presentment at any Time made by any Two or more Justices of the Peace in and for the same, and laid before the Justices at such General or Quarter Sessions of the Peace, that any Gaol or House of Correction, to which this Act shall extend, within such County,

Conveying
Vizors, &c.
into Prisons to
assist Prisoners
to escape.

Assisting Pri-
soners to escape.

Transportation.

Method of
Trial and Con-
viction of Of-
fenders making
Escape,
Rescue, &c.

On Report or
Presentment of
Insufficiency
of Prisons,
Quarter Ses-
sions may con-
tract for en-
larging, build-
ing or repairing
the same.

Notice thereof
in some News-
paper of the
County, &c.

Riding, Division, District, City, Town or Place, is insufficient, inconvenient, or in want of Repair, or otherwise inadequate to give Effect to the Rules and Regulations prescribed by this Act, or that there is a Necessity for the Erection of any new Gaol or House of Correction; the Justices assembled at such General or Quarter Sessions, or at the General or Quarter Sessions, or Adjournment thereof, next after any such Report or Presentment made, shall and they are hereby required to cause Notice to be given, Three Times at least, in some public Newspaper circulating within such County, Riding, Division, District, City, Town, or Place, of such Report or Presentment having been laid before such Sessions, and of their Intention to take the same into Consideration at the next ensuing or some subsequent General or Quarter Sessions, or Adjournment thereof; and in case the Justices at such lastmentioned Sessions, or the major Part of them, shall resolve that such Report or Presentment is well founded, then it shall and may be lawful for such Justices, and they are hereby required, at the Sessions mentioned in such Notice, or at a subsequent Sessions, or Adjournment thereof, with the like Notice, to take such Measures, either by Contract or otherwise, as shall appear to them to be requisite and proper, for the altering, enlarging or repairing, or for building or rebuilding any such Gaol or House of Correction, regard being had, in the case of Contracts, to the Reasonableness of the Price and Responsibility of the Contractors; and every Contractor shall give sufficient Security for the due Performance of his Contract to the Clerk of the Peace or Town Clerk for the County, Riding, Division, District, City, Town or Place, to be inspected at all reasonable Times by any Justices, or by any other Person contributing to the Rate of such County, Riding, Division, District, City, Town or Place, without Fee or Reward.

Contractor to
give Security.

Quarter Ses-
sions may pur-
chase Houses,
&c. for building
or enlarging
Prisons.

XLVI. And be it further enacted, That after such Presentment and Notice as aforesaid, it shall and may be lawful for the Justices in General or Quarter Sessions assembled, or the major Part of them, and they shall have full Power and Authority, to purchase any Houses, Buildings, Lands, Tenements, Hereditaments, Ways, Watercourses and other Easements, for the Purpose of enlarging or rendering commodious, or for the building or rebuilding any Prison, and to direct the Property so purchased to be conveyed to such Person or Persons as the said Justices shall think fit, in trust for the Purpose aforesaid, under the Regulations and Directions in this Act contained; and such Houses, Buildings, Lands, Tenements, Hereditaments, Ways, Watercourses, or other Easements, shall, when enclosed and added to such Prison, be deemed and taken to be Parts of such Prison, and to be within the County, Riding, Division, City, District, Town or Place, to the Use of which such Prison may be applied, to all Intents and Purposes whatever, so long as the same shall be used by such County, Riding, Division, City, District, Town or Place for the Purpose of this Act, and no longer.

When Prisons
become unsafe
or inconvenient,
Two Justices
(One a Visitor)

XLVII. Provided also, and be it further enacted, That if it shall at any Time happen, that any such Gaol or House of Correction shall become unsafe or unfit for the Custody of the Prisoners confined therein, between the several Times of holding the
General

General or Quarter Sessions, it shall and may be lawful for any Two or more Justices (one of whom shall be a Visiting Justice for the Prison) for the County, Riding, Division, District, City, Town or Place, to order such Repairs and Alterations to be immediately done and made, as may be necessary and sufficient for the safe and proper Custody of such Prisoners and the upholding of such Prison; and such Justices shall report the same to the next Court of General or Quarter Sessions to be holden for such County, Riding, Division, District, City, Town or Place; and such Court is hereby authorized to order the Payment of such Sum or Sums of Money as shall have been properly expended in such Repairs or Alterations as aforesaid.

may order Repairs, and shall report to Sessions.

XLVIII. And be it further enacted, That every Gaol, House of Correction or other Prison, for any County, Riding or Division, County of a City, or County of a Town, or for any Town, Liberty, Soke or Place, not being a County, but having an exclusive Jurisdiction for the Trial of Felonies or Misdemeanors committed therein, which is now built or shall hereafter be built, together with the Ground whereon the same shall stand, and every Court, Yard, Building and Appurtenance thereunto belonging, with every Addition that shall hereafter be made thereto, which said Gaol, House of Correction, or other Prison, Court, Yard, Building, Appurtenance or Addition, is or shall be situate within the Limits of any other County, Riding or Division, County of a City, County of a Town, or of any other Town, Liberty, Soke or Place not being a County, but having an exclusive Jurisdiction for the Trial of Felonies or Misdemeanors committed therein, shall be deemed and taken to be Part of the County, Riding or Division, County of a City, County of a Town, or of the Town, Liberty, Soke or Place for which the same shall be used as a Gaol, House of Correction, or other Prison, so long as the same shall be so used, and no longer; and the Justices of the Peace, Mayors, Jurats, Coroners, Constables, and other Officers of such County, Riding or Division, County of a City, County of a Town, or of such Town, Liberty, Soke or Place, for which the same shall be used as a Gaol, House of Correction, or other Prison, shall, during the Time that the same shall be so used, have as full Power and Authority therein, as they would have if the same was not situate within the Limits of such other County, Riding or Division, County of a City, County of a Town, or of such Town, Liberty, Soke or Place; any Charter, Law or Usage to the contrary thereof in anywise notwithstanding.

How far Gaols, though locally situate out of County, &c. deemed Part of the County, &c. and subject to Jurisdiction of Justices of County, &c.

XLIX. And be it further enacted, That in the altering, enlarging, repairing, building or rebuilding of any Gaol or House of Correction under this Act, the Justices shall adopt such Plans as shall afford the most effectual Means for the Security, Classification, Health, Inspection, Employment and Religious and Moral Instruction of the Prisoners; the Building shall be so constructed or applied, and the Keepers' and Officers' Apartments so situated, as may best ensure the Safety of the Prison, and facilitate the Controul and Superintendence of those committed thereto; distinct Wards, and dry and airy Cells shall be provided, in which Prisoners of the several Descriptions and Classes hereinafter enumerated may be respectively confined; and it shall be con-

Plans for Prisons to provide separate Places of Confinement, Classification, &c. of Prisoners.

sidered as a primary and invariable Rule, that the Male Prisoners shall in all Cases be separated from the Female, so as to prevent any Communication between them: Provision shall be made for the Separation of Prisoners into the following Classes: If a Gaol; First, Debtors and Persons confined for Contempt of Court on Civil Process; Secondly, Prisoners convicted of Felony; Thirdly, Those convicted upon Trial of Misdemeanors; Fourthly, Those committed on Charge or Suspicion of Felony; Fifthly, Those committed on Charge of Misdemeanors, or for Want of Sureties: If a House of Correction; First, Prisoners convicted of Felony; Secondly, Prisoners convicted upon Trial of Misdemeanors; Thirdly, Those committed on Charge or Suspicion of Felony; Fourthly, Those committed on Charge of Misdemeanors; Fifthly, Vagrants: Places of Confinement shall also be set apart in every Gaol and House of Correction for such Prisoners as are intended to be examined as Witnesses in Behalf of the Crown in any Prosecutions, and such further Means of Classification shall be adopted as the Justices shall deem conducive to good Order and Discipline; separate Rooms shall be provided as Infirmaries or Sick Wards for the Two Sexes, and as far as is practicable for the different Description of Prisoners; and warm and cold Baths, or Bathing Tubs, shall be introduced into such Parts of the Prison as may be best adapted for the Use of the several Classes; proper Yards shall be allotted to the different Classes for Air and Exercise, and each Class shall have the Use of a Privy, and be furnished with a Supply of good Water; a separate sleeping Cell shall, if possible, be provided for every Prisoner; but as the Numbers may sometimes be greater than the Prison is calculated to contain, under the Arrangement required by this Act, and as it is expedient that Two Male Prisoners only should never be lodged together, a small Proportion of Cells or Rooms shall be provided for the Reception of Three or more Persons; every Prison shall contain Rooms and Places properly fitted up for the Exercise of Labour and Industry, and also a competent Number of Cells adapted to solitary Confinement, for the Punishment of refractory Prisoners, and for the Reception of such Persons as may by Law be confined therein; a Chapel shall be provided in every Prison, in such a convenient Situation as to be easy of Access to all the Prisoners; it shall be fitted up with separate Divisions for Males and Females, and also for the different Classes; it shall be strictly set apart for Religious Worship, or for the occasional Religious and Moral Instructions of the Prisoners, and shall never be appropriated to or employed for any other Purpose whatsoever; in Cases where the Justices shall deem it necessary that the Chaplain should reside, either occasionally or permanently, within the Prison or near to it, proper Apartments shall be provided therein, or in the Neighbourhood thereof, for his Accommodation.

Sick Wards.

Baths.

Places for Exercise.

Sleeping Cells.

Places for Work.

Solitary Cells.

A Chapel.

Apartments for Chaplain.

Justices may remove Site of Prisons, upon Presentment of State of the old Site.

L. And be it further enacted, That in case it shall be expressly presented that the Place wherein any old Prison is situated is improper, and that the Prison ought to be removed to some other Part of the County, Riding, Division, District, City, Town or Place, or that a new Gaol or House of Correction is necessary, the Justices in their General or Quarter Sessions assembled shall take such Presentment into their Consideration, and if it shall be resolved

solved by the Justices assembled at Two successive General or Quarter Sessions, or the major Part of them, that such old Prison ought to be removed, or that such new Prison is necessary, it shall be lawful for the Justices so assembled to contract for the building of a new Gaol or House of Correction in any part of the County, Riding, Division, District, City, Town or Place which they may deem most eligible; and whenever the Site of any Prison shall be changed, and the old Site shall be no longer necessary for the Purpose of a Prison, it shall be lawful for the Justices so assembled to make sale thereof, (unless it be the Property of the King's Majesty, His Heirs and Successors, or of some private Individual), for the best Price that can be gotten for the same, and to direct the Purchase Money to be paid to the Treasurer of such County, Riding, Division, District, City, Town or Place, and to direct the Trustee of such Lands and Hereditaments, his Heirs, Executors or Administrators, (according to the Tenure thereof), and the Clerk of the Peace or Town Clerk, to convey the Inheritance of such Site to the Purchaser; and every such Conveyance, together with the Treasurer's Receipt for the Purchase Money, shall give a good and valid Title to the Purchaser; and the Purchase Money shall be applied by the Treasurer in Aid of the Rate of such County, Riding, Division, District, City, Town or Place; and whenever the Building of any Court of Justice is or shall be so attached to any Prison, as to render it impracticable or inconvenient to repair, enlarge, improve or rebuild the said Prison, without also altering or pulling down the Building of the said Court, then and in such Cases it shall be lawful for the Justices in General or Quarter Sessions assembled, to cause such Courts to be altered or pulled down, or to be rebuilt, either on the same or on any other Site, subject to the same Provisions as are by this Act appointed with respect to Gaols.

LL And be it further enacted, That whenever the Justices in General or Quarter Sessions assembled shall deem it necessary that the Prisoners, or any Part of them, shall be removed from any House of Correction within their Jurisdiction, in order that the same may be repaired, improved, enlarged or rebuilt, or on account of any contagious or infectious Disease therein, or of the over-crowded State of such House of Correction, or for any of the Purposes of this Act, it shall and may be lawful for the said Justices, by an Order in Writing to be signed by the Chairman of such General or Quarter Sessions, to direct the Keeper of such House of Correction to remove such Prisoners to such other Prison or Place of Confinement within their Jurisdiction as the said Justices shall appoint, and to confine such Prisoners therein during the Time such Necessity shall exist; and that when such House of Correction shall be repaired, enlarged, improved or rebuilt, it shall be lawful for the said Justices, by a like Order in Writing, to direct the said Keeper to remove to the House of Correction so repaired, enlarged, improved or rebuilt; or when such contagious Disease shall have ceased to exist, or the Purposes for which the Prisoners shall have been so removed shall have been answered, to remove back to the House of Correction from whence the Prisoners came all such Prisoners as shall then remain in his Custody; and that if for any of the Causes above recited, the said Justices so assembled

Sale may be made of old Sites.

(Exception.)

Conveyance.

Where any Courts of Justice are attached to Prisons, they may be altered, &c.

Quarter Sessions may remove Prisoners in case of want of Repair of Prison, or of contagious Disease, and back again when the Cause is removed.

In Case of County Gaols Notice to be

given to Sheriff, who shall remove such Prisoners.

as aforesaid shall deem it necessary to remove the Debtors and other Prisoners from any Common Gaol, the said Justices shall give due and sufficient Notice thereof in Writing to the Sheriff of such County, Riding, Division, City or Town, whereupon it shall be lawful for the said Sheriff to remove such Debtors and other Prisoners to such Prison or other Place of Confinement within his Jurisdiction as the Justices with the Consent of the said Sheriff shall appoint, and to confine them therein during the Time such Common Gaol shall be repairing, enlarging, improving or rebuilding, or during the Continuance of such contagious Disease on account of which the said Prisoners were removed, or during such Time as shall be requisite for any Purposes of this Act; and that when such Gaol shall be made fit for the Reception and safe keeping of such Debtors and other Prisoners, then it shall be lawful for the said Sheriff to remove thither all such Prisoners as shall then be in his Custody; and further, if a new Common Gaol shall be erected, or a Prison previously used for other Purposes shall be adapted to the Use of a Common Gaol, and the Justices in General or Quarter Sessions assembled shall, with the Consent of the Sheriff, order and declare that from a Day to be named such new Gaol or Prison newly adapted to such Purpose, shall become the Common Gaol, it shall be lawful for the Sheriff on that Day, or at any Time thereafter, to remove all Prisoners in his Custody to the lastmentioned Gaol or Prison.

New Gaol, or Prison previously otherwise used, may be declared the County Gaol.

In Cases where immediate Removal of Prisoners is necessary, Visiting Justices empowered to order the same.

LII. And be it further enacted, That whenever any contagious Disease or other Emergency shall render necessary the immediate Removal of the Prisoners, or any of them, confined in any Gaol or House of Correction, and that previous thereto it shall be impossible to obtain for such Purpose the Order of the Justices in General or Quarter Sessions assembled, it shall and may be lawful for the Visiting Justices of such Prison, and they are hereby empowered to issue an Order under their Hands and Seals to the Keeper of every such Prison to remove such Prisoners, or any of them, to such other Prison or other Place of Confinement within their Jurisdiction as shall be specified in such Order.

Order of Visiting Justices laid before Sessions.

LIII. Provided always, and be it enacted, That every such Removal shall be subject to all such Restrictions as to its Duration as is hereby required and directed, and that every such Order of Visiting Justices shall be laid before the Justices assembled at the General or Quarter Sessions of the Peace which shall be held next after such Order shall have been made: Provided also, that the Prisoners confined in any Common Gaol of any County, City, Town or Place, shall not be removed without the Consent of the Sheriff of such County, City, Town or Place: Provided also, that no Removal, made under the Authority of this Act, shall be deemed or taken to be an Escape; and that nothing herein contained shall extend to discharge the Sheriff or other Officer from being answerable for the actual Escape of any Prisoner in his Custody.

Proviso for Removals of Prisoners from County Gaols.

When Amount of Estimate for building, &c. exceeds One Half of the annual County

LIV. And be it further enacted, That when it shall appear that the Amount of any Estimate approved by the Justices, for the building or rebuilding, repairing or enlarging any Gaol or House of Correction, under the Powers of this Act, shall exceed One Half of the Amount of the ordinary annual Assessment for the

Rate of any County or Riding, or of any such Division of a County as aforesaid, or of any District, City, Town or Place, (such ordinary Assessment to be taken on an Average of such Rate for the last Seven Years preceding,) it shall and may be lawful for the Justices, in Quarter Sessions assembled, from time to time to borrow and take up on Mortgage of such Rate, by Instrument in the Form contained in the Schedule to this Act annexed marked (C.), or to the like effect, any Sum of Money not exceeding the Amount of such Estimate, in Sums not less than Fifty Pounds, nor exceeding One hundred Pounds each, at Interest, as to the said Justices shall appear necessary and expedient for the Purposes aforesaid, and to secure every such Sum of Money so borrowed upon the Credit of the said Rate; and it shall and may be lawful for the Justices so assembled, and they are hereby authorized to treat and agree with any Person for the Loan of any such Sums of Money, and by their Order to confirm every such Agreement; and every such Agreement, signed by the Chairman and Two or more other Justices present at the Time of making such Order, shall be and the same is hereby declared to be effectual for securing to the Person so advancing any such Sum of Money every such Sum, with the Interest for the same, on such Terms as in and by such Agreement shall be stipulated; and Copies or Extracts of all such Agreements shall be kept with the Clerk of the Peace; and it shall and may be lawful for every Person who shall be entitled to the Money thereby secured, and such Person is hereby empowered (by indorsing his Name on the Back of such Security) to transfer the same, and his Right to the Principal Money and Interest thereby secured, unto any other Person; and every such Assignee may in like Manner transfer the same again, and so *toties quoties*; and the Person to whom such Security or any such Assignment thereof shall be made, and his Executors, Administrators and Assigns, shall be Creditors upon the said Rate in an equal Degree one with another, and shall not have any Preference with respect to the Priority of any Monies so advanced.

Rate, such County Rate may be mortgaged.

Such Security transferable.

LV. And be it further enacted, That the said Justices shall and they are hereby authorized and required to charge the Rate to be raised upon such County, Riding, Division, District, City, Town or Place, not only with the Interest of the Money so borrowed, but also with the Payment of such further Sum as shall ensure the Payment of the Whole of the Sum borrowed within Fourteen Years from the Time of borrowing the same: and such Sums shall be assessed on the County, Riding, Division, District, City, Town or Place, in such Manner as County Rates are directed to be assessed by the Laws now in being, and paid and applied under the Direction of the Justices, in Discharge of the Interest and of so many of the Principal Sums on the said Securities, as such Money will extend to discharge in each Year, until the Whole of the Money for which such Securities shall be made and the Interest thereof, shall be fully paid and discharged; and the Justices are required to fix One or more Day or Days in each Year on which such Payment shall be made, and shall make Orders for Assessments in due Time, so as to provide for the regular Payment thereof; and they are hereby required to appoint

Quarter Sessions may charge County Rates, so as the Money borrowed be repaid in 14 Years, with Interest.

Books to be kept of Receipts and Payments.

appoint a proper Person to keep an exact and regular Account of all the Receipts and Payments, under the Authority of this Act, in a Book or Books, separate and apart from other Accounts, and the same to adjust and settle in such Manner that it may easily be seen what Interest is growing due, and what principal Money has been discharged, and what remains due; and the Book or Books so adjusted and settled to deliver into Court at every General or Quarter Sessions to be held for such County, Riding, Division, District, City, Town or Place; and the Justices shall and they are required, at every such Sessions, carefully to inspect all such Accounts, and to make Orders for carrying the several Purposes of this Act into Execution, in such Manner as to them shall seem meet; and if at any Time it shall appear to the Justices, that the Person so appointed has neglected such Order, and has not duly and without Delay applied the Money in his Hands to the Purposes hereby directed, such Person shall forfeit Half the Amount of the Money which shall not have been applied to the Purposes of this Act; and the Justices so assembled in Sessions as aforesaid shall direct in what Order such Securities shall be discharged, by drawing Lots or otherwise, as they shall think fit, taking care to discharge in the first Place all such Securities as shall bear the highest Rate of Interest.

Persons appointed in respect thereof neglecting Duty. Penalty.

Bodies Politic, &c. empowered to sell and convey Lands.

LVI. And be it further enacted, That it shall and may be lawful for the King's Most Excellent Majesty, His Heirs and Successors, and for all Bodies Politic and Corporate, and also for all Guardians, Committees, Husbands, Trustees and Attornies of all Persons being Infants, Lunatics, Idiots, under Coverture, or any other Disability, and also for all other Persons who are or shall be seised, possessed of, or interested in any Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, which shall be deemed necessary for the Purposes of this Act, to contract or agree for, and to sell, convey and assure such Houses, Buildings, Lands, Tenements, Hereditaments, Easements and Privileges, unto such Person as shall be named by the Justices at General or Quarter Sessions, in trust and for the Purpose of erecting new Prisons or of enlarging old ones, and the Yards, Courts and Outlets thereunto belonging; and all such Contracts, Agreements, Sales, Conveyances and Assurances shall be valid and effectual in Law to all Intents and Purposes whatsoever; any Law, Statute, Usage or Custom to the contrary notwithstanding.

Where Crown Lands are necessary, Treasury may convey the same.

LVII. And be it further enacted, That whenever any Lands or Hereditaments of the King's Majesty shall be requisite, and shall be contracted for, to be used for the Purposes aforesaid, the same, if held by the King's Majesty, His Heirs or Successors, in the Right of His or their Royal Crown, shall and may be legally conveyed by an Instrument, under the Hands and Seals of the Lord High Treasurer, or of the Commissioners of His Majesty's Treasury, or of any Three of them, and if Parcel of the Duchy of *Lancaster*, by an Instrument under the Hand and Seal of the Chancellor of the same Duchy, and if Parcel of the Duchy of *Cornwall*, by an Instrument under the Hands and Seals of the Officers of the same Duchy, authorized to grant Leases under an Act of the last Session of Parliament, intituled *An Act to enable His Majesty to make Leases, Copies and Grants of Offices*.
Lands

The like as to Duchy of Lancaster and Cornwall.

Lands and Hereditaments, Parcel of the Duchy of Cornwall, or annexed to the same, or any Two of such Officers.

LVIII. And be it further enacted, That whenever any such Corporation, Guardian, Committee, Trustee or Attorney, or other Person interested in any Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, contiguous to any Gaol or House of Correction, which shall be deemed necessary for the Purposes of enlarging or rendering more commodious any such Gaol or House of Correction, upon Notice in Writing to him, her or them given, or left at the Place or Places of Abode of such Person or Persons, or of the Principal Officer or Officers of such Corporation, shall, for the Space of Twenty one Days after such Notice so given or left, neglect or refuse to treat, or shall refuse to accept such Price as shall be offered by the Justices or their Agent, or shall otherwise not agree for the Sale of such Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges; and whenever by reason of Absence or Incapacity any Person shall be prevented from treating for such Sale, then and in every such Case the Justices at the General or Quarter Sessions next after the Termination of such Twenty one Days, or at an Adjournment thereof, shall and they are hereby required to cause Notice to be given Three Times at least in some public Newspaper circulating within such County, Riding, Division, District, City, Town or Place, of their Intention to take into Consideration, at the next ensuing or some subsequent or General Quarter Sessions or Adjournment thereof, the Matter of such Neglect, Refusal or Omission, or Prevention to treat, or to accept of such Price offered, or to agree for such Sale as aforesaid, and the Causes and Reasons thereof respectively; and the Person or Persons, or some Officer of any Corporation so interested as aforesaid, in any such Houses, Buildings, Lands, Tenements, Hereditaments, Easements and Privileges, or some Person on their Behalf respectively, shall have Liberty to attend such Meeting, if they shall think fit, and to state to the Justices there assembled their Reasons for such Neglect, Refusal or Omission as aforesaid; and in case the Justices at such last mentioned Sessions, or the major Part of them, shall, after hearing what the Parties interested as aforesaid, or their Agents, have to allege in Behalf of their respective Interests, and upon due Consideration had of such Matter as aforesaid, resolve to proceed to the Valuation and Purchase of such Lands, Tenements, Hereditaments, Easements or Privileges, notwithstanding such Neglect, Refusal or Omission, or Prevention as aforesaid, then and in every such Case the Justices at such Sessions, or any Two or more of them appointed for that Purpose, shall cause the Value of such Houses, Buildings, Lands, Tenements, Hereditaments, Easements and Privileges, to be inquired into and ascertained by a Jury of indifferent Men of the County, Riding, Division, District, City, Town or Place, wherein the same shall be situate, and to that End shall summon before such Jury, and examine upon Oath (which Oath any One of the Justices is hereby empowered to administer) any Person or Persons whomsoever; and such Justices, or any Two of them, shall, by ordering a View or otherwise, use all Ways and Means for the Information of themselves and of such

If Parties refuse to treat, &c. Value of Premises to be settled by a Jury.

Notice to be given by Quarter Sessions of taking into Consideration the Refusal of Parties to treat.

Jury, and Proceedings thereon.

Jury

Jury in the Premises ; and when such Jury shall have inquired of and ascertained by their Verdict the Value of such Houses, Buildings, Lands, Tenements, Hereditaments, Easements and Privileges, the said Justices shall thereupon order that the Sum which shall so appear to be the Value of such Houses, Buildings, Lands, Tenements, Hereditaments, Easements and Privileges, shall be paid in such Manner as is hereinbefore directed touching the Money to be paid for such Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, for Sale whereof the Persons interested shall contract and agree in Manner aforesaid ; which Verdict and Order shall be filed of Record by the Clerk of the Peace, or other Officer having the Custody of the Records of the County, Riding, Division, District, City, Town or Place, and shall be final and conclusive, to all Intents and Purposes whatsoever, against all Parties and Persons whomsoever, claiming or to claim in Possession, Reversion, Remainder or otherwise, their Heirs and Successors, as well absent as present, Infants, Lunatics, Idiots and Persons under Coverture, or any other Disability whatsoever, Corporations, Guardians, Committees, Husbands, Trustees and Attornies, or any other Person or Persons whomsoever.

Verdict final.

How Jury to be summoned and chosen.

LIX. And be it further enacted, That for the summoning and returning such Juries, such Justices or any Two of them may issue their Warrant to the Sheriff or Officer having the returning of Writs within the County, Riding, Division, District, City, Town or Place within the Limits of which the Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges shall be situate, requiring him to impanel, summon and return an indifferent Jury of Twenty four Persons, qualified to serve on Juries, to appear before the said Justices or any Two of them, at such Time and Place as in such Warrant shall be appointed ; and such Sheriff or Officer is hereby required to impanel, summon and return such Number of Persons accordingly, and out of the Persons so impanelled, summoned and returned, or out of such of them as shall appear upon such Summons, the Justices or any Two of them shall and they are hereby empowered and required to draw by Ballet and to swear or cause to be sworn, Twelve Men, who shall be the Jury for the Purposes aforesaid ; and in Default of a sufficient Number of Jurymen so returned, the said Sheriff or Officer shall take such other honest and indifferent Men of the Bystanders, or that can speedily be procured to attend that Service, as shall make up the Number Twelve ; and all Persons concerned shall have their lawful Challenges against any of the Persons impanelled when they come to be sworn ; and the said Justices or any Two of them shall have Power to impose a Fine or Fines on such Sheriff or Officer, or his Deputy or Deputies, making such Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury and who shall not appear, or appearing shall refuse to be sworn on the said Jury, or being sworn shall refuse to give or shall not give a Verdict, or shall in any other Manner wilfully neglect his or their Duty therein ; and also on any Person who, being summoned and required to give Evidence before the said Jury, shall refuse or neglect to appear, or appearing shall refuse to be sworn or to give Evidence

Fines may be imposed upon Sheriff, Jury and others, for Neglect.

Evidence, so that no such Fine be more than Ten Pounds nor less than Twenty Shillings on any One Person for One Offence.

LX. And be it further enacted, That in case any Jury shall deliver a Verdict for more Money as the Value of the Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges so to be purchased, than shall have been offered for the Purchase thereof by the Justices or their Agent, to any Person capable of contracting for the same, the Costs and Expences of summoning and maintaining the Jury and Witnesses shall be borne and paid out of the same Fund as the Expences of the Buildings to be erected; but if such Jury shall deliver a Verdict for no more or for less Money than the Money which shall have been so offered by such Justices or their Agent, then the Costs and Expences of summoning and maintaining the Jury and Witnesses shall be borne and paid by the Person or Persons with whom such Controversy or Dispute, touching the Value of such Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, shall arise: Provided always, that in all Cases where any Person or Persons shall, by reason of Absence, have been prevented from treating, such Costs and Expences shall be borne and paid out of the same Fund as the Expences of the Buildings to be erected.

Expences of summoning and maintaining Jury and Witnesses how defrayed.

LXI. And be it further enacted, That upon Payment of such Sum and Sums of Money so to be ascertained and judged (that is to say) first in or towards the Payment and Discharge of any Sums due on Charges, Incumbrances and Liens, if any, affecting the several Estates respectively and then to the Owners of the said Estates respectively, if any shall remain for that Purpose, the Person or Persons who shall be so found and adjudged to be the Owners of the said several Estates, of and in the said Houses, Buildings, Lands, Tenements or Hereditaments, Easements or Privileges respectively, and also the Owners of any such Incumbrances, Charges and Liens respectively, shall make and execute, or procure to be made and executed to the Person or Persons so named by such Justices and his or their Heirs, a good and sufficient Conveyance or Conveyances, thereby granting, releasing or assigning to them the said Houses, Buildings, Lands, Tenements or Hereditaments, Easements or Privileges, and all such Estate, Right, Title, Term or Interest therein, or Charge, Incumbrance or Lien thereon; and immediately upon such Payments and Entry of such Verdicts of the said Juries and Judgments, Sentences and Decrees, Orders and other Proceedings as aforesaid, the said Lands, Houses, Buildings and Premises shall vest in the Person or Persons to be so named by the said Justices and his and their Heirs, and he and they shall be deemed in Law to be in the actual Seisin and Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises, in Possession, Remainder, Reversion or Expectancy, or any Charge, Incumbrance or Lien thereon, was of full Age and of sound Mind and Memory, and had actually and duly conveyed the same to such Trustee by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery and Seisin, Fine and Recovery, or by any other legal Conveyance whatsoever.

Conveyance to be made on Payment of Purchase Money.

Effect of such Conveyance.

LXII. And

Application of
Compensation
when exceeding
200l.

LXII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, purchased, taken or used by virtue of the Powers of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, 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 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

, 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, Hereditaments, Easements or Privileges, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Tenements or Hereditaments, or affecting other Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, standing settled therewith to the same or the like Uses, Intents and Purposes; or where such Money shall not be so employed, 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, Hereditaments, Easements or Privileges, 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, Hereditaments, Easements or Privileges, 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 Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application
when Com-
pensation is
less than 200l.
but not less
than 20l.

LXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, 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

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, Hereditaments, Easements or Privileges 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 of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Justices (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 be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

LXIV. 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 Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, so purchased, taken or used for the Purposes of this Act, in such Manner as the Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

LXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, to be purchased by this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises to the Satisfaction of the said Justices; or in case such Person or Persons to whom such Sum or Sums shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, be not known or discovered; then and in every such Case it shall and may be lawful to and for the said Justices to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Persons interested in the said Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges (describing them), subject to the Order, Controul and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum and Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a

Application where Money less than 20l.

In case of not making out Titles, Purchase Money to be paid into the Bank in the Name of the Accountant General in Chancery.

Court may make Order in respect thereof on Motion or Petition.

summary

summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Upon Question touching Title to Money paid into Bank, Person having been in Possession of Premises deemed entitled to the Money until the contrary shewn to the Court of Chancery.

LXVI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, or of any Estate, Right or Interest in any Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges 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 Bank Annuities, the Person or Persons who shall have been in Possession of such Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, 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 said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, or to some Estate or Interest therein.

Court of Chancery may order reasonable Expences of Purchases to be paid.

LXVII. Provided also and be it enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporations entitled to any Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Houses, Buildings, Lands, Tenements, Hereditaments, Easements or Privileges, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of such last mentioned Purchases from time to time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Justices out of any Monies to be received for the Purposes of this Act, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

‘ LXVIII. And

‘ LXVIII. And in order to defray the Expences of the several Matters and Things hereinbefore directed to be done, respecting Gaols, Houses of Correction, and other Prisons, and for the Support and Maintenance of Prisoners confined therein, who are entitled by Law to such Support, and for all other Expences necessary to the Execution of this Act, and not hereinbefore particularly provided for:’ Be it further enacted, That it shall and may be lawful for the Justices, at their General Quarter Sessions assembled, and they are hereby authorized and empowered, to cause such Sums of Money as shall be necessary for all or any of those Purposes, to be raised on the Counties, Ridings, Divisions, Districts, Cities, Towns or Places to which this Act shall extend, in the same Manner as Rates applicable to the building, repairing or maintenance of such Prisons respectively are now directed to be raised by Law.

Expences of Execution of Act charged upon County Rates.

LXIX. And be it further enacted, That all Fines, Forfeitures and Penalties imposed by this Act, or which shall be imposed by virtue of any Rule to be made in pursuance thereof, shall, on Conviction of the Offender before any One Justice of the Peace within his Jurisdiction, be levied by Distress and Sale of the Offender’s Goods and Chattels, by Warrant under the Hand and Seal of such Justice of the Peace, who is hereby authorized to hear and examine Witnesses on Oath or Affirmation, on any Complaint, and to determine the same; and all such Fines, Forfeitures and Penalties, the Application whereof is not hereinbefore particularly directed, shall be paid from time to time to the Treasurer of the County, Riding, Division, District, City, Town or Place for the Time being, and shall be applied and disposed of in aid of the Rate applicable to the Purposes of this Act, and to or for no other Use or Purpose whatsoever; and for want of sufficient Distress, the Offender shall be committed to the Common Gaol or House of Correction for such Term not exceeding Six Calendar Months, nor less than One Month, as such Justice shall think proper.

Recovery and Application of Penalties.

LXX. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That the Justice before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; *videlicet*,

Form of Conviction.

‘ **B**E it remembered, That on _____ in the Year
 ‘ of our Lord _____ A. B. is convicted be-
 ‘ fore me, C. D., One of His Majesty’s Justices of the Peace for
 ‘ the _____ of _____ for that the said A. B. [*specifying*
 ‘ *the Offence, and the Time and Place when and where the same was*
 ‘ *committed, as the Case shall be*], and the said A. B. is for this said
 ‘ Offence adjudged by me, the said Justice to forfeit and pay the
 ‘ Sum of _____ or to be imprisoned in
 ‘ _____ for the Space of _____
 ‘ [*as the Case shall be*]. Given under my Hand and Seal, the Day
 ‘ and Year first above mentioned.’

LXXI. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Conviction of any Justice, in pursuance of this Act, such Person may appeal to the Justices of the Peace at any Quarter Sessions of the County, Riding, Division, District, City, Town or Place wherein such Conviction

Appeal to Quarter Sessions.

Notice.

viction shall have taken place, within Four Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving or causing to be given Ten clear Days' Notice at least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Justice or Justices before whom the Conviction shall have been had, and to the Clerk of the Peace for the County, Riding or Division, District, City, Town or Place, in which such Conviction shall have been had, and within Two Days after such Notice entering into Recognizance before some Justice for such County, Riding or Division, District, City, Town or Place, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Session; and the Justices at such Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of such Session shall be final, binding and conclusive to all Intents and Purposes.

Costs.

Final.

Order or Conviction not quashed for Want of Form. No Certiorari.

Distress not deemed unlawful for want of Form.

In Action for executing Act, General Issue.

Double Costs.

Officers required to per-

LXXII. And be it further enacted, That no Order made touching any of the Matters in this Act contained, nor any Conviction of any Offender against this Act, shall be quashed for Want of Form, or be removed or removeable by *Certiorari*, by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; and that where any Distress shall be made for any Fine, Penalty, or Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed to be unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress or other Proceedings relating thereto; nor shall such Party be deemed a Trespasser *ab initio*, on account of any Irregularity which shall be afterwards done by the Party distraining, but the Person aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action upon the Case; but no Plaintiff shall recover in any Action for such Irregularity as aforesaid, if Tender of sufficient Amends shall have been made by or on Behalf of the Party distraining before such Action brought.

LXXIII. And be it further enacted, That if any Suit or Action shall be prosecuted against any Person for any Thing done in pursuance of this Act, such Person may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done by Authority of this Act; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become nonsuit, or discontinue his or her Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover Double Costs, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be shall certify his Approbation of the Action, and of the Verdict obtained thereupon.

LXXIV. And be it further enacted, That all Matters and Things which

which by this Act the Sheriff of any County is required or authorized to do and perform, shall, in those Districts, Cities, Towns, Liberties or Places where the Sheriff hath no Jurisdiction, be done and performed by the Bailiff or Bailiffs, or other like Officer or Officers, having or exercising within their respective Districts, Cities, Towns and Liberties, Duties analogous to the Duties of the Sheriff of a County; and that all Matters and Things which by this Act the Treasurer of any County is required or authorized to do and perform, shall, in those Places where the County Treasurer hath no Authority, be done and performed by the Officer or Officers having and exercising within such Places, Duties analogous to those of a County Treasurer; and that all Matters and Things which by this Act the Clerk of the Peace of any County, Riding or Division is required or authorized to do and perform, shall, in those Places where the Clerk of the Peace of the County hath no Authority, be done and performed by the Town Clerk or other like Officer having and exercising within such Places Duties analogous to those of the Clerk of the Peace of any County.

form certain Duties in Districts where Sheriff or County Treasurer has no Jurisdiction or Authority.

LXXV. And be it further enacted, That all Actions, Suits and Prosecutions to be commenced against any Person for any Thing done in pursuance of this Act, shall be laid and tried in the County where the Facts were committed, and shall be commenced within Six Calendar Months after the Fact committed, and not otherwise.

Venue, where laid.

LXXVI. And be it further enacted, That nothing in this Act contained shall extend to the Royal Hospital of *Bethlehem* and Prison of *Bridewell*, nor to the *King's Bench* or *Fleet* Prison, or to the Prison of the *Marshalsea* or Palace Courts, the General Penitentiary at *Milbank*, nor to the Penitentiary at *Gloucester*; nor to any Ships or Vessels provided in any Port or navigable River for the Reception and Employment of Convicts sentenced to Transportation; nor to exempt any such Convicts from any Punishment or Discipline to which they were liable by Law before the passing of this Act.

Proviso for certain Prisons, Ships for Convicts, &c.

LXXVII. And be it further enacted, That where any Prison is situate on Lands of the King's Majesty, in Right of His Royal Crown, or of His Duchy of *Lancaster*, or of the Duchy of *Cornwall*, such Lands, with their Appurtenances, shall remain for ever unalienable, so long as they shall be used for the Purpose of such Prison.

Proviso where Prisons built on Crown Land, &c.

LXXVIII. And be it further enacted, That this Act, and the several Clauses, Matters and Things therein contained, shall commence and take Effect from and after the First Day of *September* One thousand eight hundred and twenty three, and not sooner.

Commencement of Act.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

LIST of DISTRICTS, CITIES, TOWNS and PLACES in ENGLAND and WALES, to which this Act shall extend, in addition to Counties at large.

Bristol.	Kingston upon Hull.	Norwich.
Canterbury.	Leicester.	Nottingham.
Chester.	Litchfield.	Portsmouth.
Coventry.	Lincoln.	Worcester.
Exeter.	Liverpool.	York.
Gloucester.	Newcastle upon Tyne.	

SCHEDULE
FORM of Annual Return

1. Number of Prisoners the Prison is capable of containing in separate Sleeping Cells.	2. Number of Prisoners the Prison is capable of containing where more than One Prisoner sleeps in One Cell.	3. Total Number of Prisoners.		4. Number of Debtors.		5. Number of Misdemeanors.		6. Number of Felons.		7. Number of Prisoners committed in the Course of the Year.	8. Number of Tried Prisoners.		9. Number of Untried Prisoners.		10. Number of Prisoners above 17 Years of Age.		11. Number of Prisoners under 17 Years of Age.		
		Mich. 18	Mich. 18	Male.	Female.	Male.	Female.	Male.	Female.		Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	
<i>Note.</i> —The Total of the Columns 4, 5, of the Column No.3.; and the Aggregate																			
19. — Whether Common Goal, House of Correction or Bridewell?																			
20. — Under whose Jurisdiction and Superintendence?																			
21. — Number of Officers, and how appointed?																			
22. — Number of Classes, Wards or Divisions, Work Rooms, Day Rooms and Airing Yards, and whether the same can be extended or increased?																			
23. — Dietary or other Weekly Allowance; and Weekly Cost per Head?																			
24. — Allowance of Clothing and Bedding, and Cost per Head?																			
25. — Description of Employment and Hard Labour?																			
26. — Hours of Labour and of Exercise?																			
27. — Amount of Earnings, how applied, and in what proportion to each Class of Prisoners, to the Officers of the Prison, and to the Fund applicable to the Maintenance of the said Prison?																			
28. — Whether the Classification required by this Act has been observed? If not, For what Reasons; and what Measures have been taken to remedy this Defect?																			
29. — What Duties are performed by the Chaplain, what Provision made for Instruction, and whether Prisoners are supplied with Bibles and other Books?																			
30. — Attendance of the Surgeon, and whether separate Buildings or Apartments are provided for the Sick?																			
31. — Reasons for Non employment of Prisoners, with Reference to Column 15?																			
32. — Reasons for Punishments by Solitary Confinement, by Whipping or Irons?																			
33. — { Is there any Insane Prisoner in Confinement? State his or her Name, Age and for what Offence committed? How long has he or she been in Confinement? How long has he or she been insane?																			
34. — General Observations.																			

SCHEDULE (C.)

FORM of MORTGAGE and Charge upon the County Rate for securing the Money borrowed.

We, *A. B.*, One of His Majesty's Justices of the Peace, and Chairman of the Court of Quarter Sessions of the Peace holden at the
 the Day of for the
 County, &c. of [as the Case may be], *C. D.* and *E. F.*, Esquires, Two other of His Majesty's Justices of the Peace acting for the said County, &c., and assembled in the said Court, in pursuance of the Powers to us given by an Act passed in the
 Year of the Reign of His Majesty King George the Fourth, intituled, &c. [insert the Title of this Act] do hereby, in open Court, mortgage and charge all the Rates to be raised within the said County, &c. [as the Case shall be] under the Description of County Rates, by the Laws now in being, with the Payment of the Sum of which *G. H.*, of
 hath proposed and agreed to lend, and hath now actually advanced and paid towards defraying the Expences of building, repairing, &c. [as the Case shall be] the Gaol, Bridewell or House of Correction at [as the Case shall be] for the said County, &c.: And we do hereby confirm the same unto the said *G. H.*, his Executors, Administrators and Assigns, for securing the Payment of the Sum of and Interest for the same after the Rate of per Centum per Annum, and do order the Treasurer for the said County, &c. or other Person [as the Case shall be] to pay the Interest of the said Sum of
 Half yearly, as the same shall become due, until the Principal shall be discharged, pursuant to the Directions of the said Act.

C A P. LXV.

An Act to extend Two Acts of His late Majesty, for Distribution of Prize Money, to all Cases of Capture that have been made by Foreign Ships or Land Forces in Conjunction with His Majesty's Ships or Land Forces.

[10th July 1823.]

47 G.3. sess.1.
c. 47.

WHEREAS an Act was passed in the Forty seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act to authorize the Payment of Prize Money arising from Captures made by Ships of His Sicilian Majesty in Conjunction with British Ships, to the Sicilian Envoy, for the Use of the Officers and Men of such Ships; and also the Payment of Money arising out of Proceeds of Prizes or Captures made by any other Ships or Vessels belonging to Foreign States in Conjunction with His Majesty's Ships;* and another Act was passed in the Forty eighth Year of His said late Majesty, intituled *An Act for extending the Provisions of an Act made in the Forty seventh Year of His present Majesty, so far as respects the Payment of Prize Money arising by Captures made by Foreign in Conjunction with British Ships, to Captures made by the Land Forces of Foreign States in Conjunction with the British:* And whereas it is expedi-
 ent

48 G.3. c.100.

‘ent that the Provisions of the said Act should be extended to all like Cases of Capture, as therein described, occurring previous to the Termination of the late War, not therein 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 the Provisions of the said Acts shall be extended to all Cases of Capture, as therein described, that may have been made by Foreign Ships or Land Forces in Conjunction with His Majesty’s Ships or Land Forces, in the several Wars in which His Majesty was engaged, between the Time of the passing of the said Acts and the Termination of the late War; and that all Matters and Things contained in the said Acts shall be so extended, in as full a Manner as if they had been herein severally expressed.

extended to all
Captures.

C A P. LXVI.

An Act to authorize, in certain Cases, the Reduction of the Duties payable in *Ireland*, and the Alteration of the Duties and Drawbacks on the Importation and Exportation of Goods between *Great Britain* and *Ireland*.

[10th July 1823.]

‘WHEREAS by the several Acts made in the Parliament of *Great Britain* and in the Parliament of *Ireland* for the Union of *Great Britain*, and by the Seventh Article of the said Union as set forth in the said Acts respectively, it was amongst other Things provided, that in regulating the Taxes in each Country, no Article in *Ireland* should be made liable to any new or additional Duty by which the whole Amount of Duty payable thereon would exceed the Amount which would be payable in *England* on the like Article: And Whereas it may happen that some Article or Articles have been or may be inadvertently made or become liable to a Duty or Duties in *Ireland* exceeding the Amount payable upon or in respect of the like Article or Articles in *England*, contrary to the Intent of the said Acts, and of the said Article of the said Union:’ 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, whenever it shall appear to the Lord High Treasurer or to the Commissioners of His Majesty’s Treasury of the United Kingdom of *Great Britain* and *Ireland*, that any Duty or Duties of any Nature or Kind whatever has or have been, or has or have become payable upon or in respect of any Article or Articles in *Ireland* exceeding the whole Amount of the Duty payable at the same Time upon or in respect of the like Article or Articles in *England*, it shall and may be lawful for the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, to take any such Steps and Proceedings, and to make any such Order, Rule or Regulation, or Orders, Rules or Regulations, and to frame or cause to be framed any such Table or Tables, or Schedule or

39 & 40 G. 3.
c. 67. Art. 7.
40 G. 3. c. 98.
(1.)

When it shall appear that the Duty on any Article in *Ireland* exceeds the Duty payable on the like Article in *England*, Treasury may frame Regulations for its Reduction.

Schedules, and generally to do all such Acts, Matters and Things whatever, as to such Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, shall seem fitting, necessary and expedient for reducing the Duty or Duties upon or in respect of any such Article or Articles to any Amount not exceeding the Rate or Amount of Duty payable on the like Article or Articles in *England*, and for the levying and collecting of such reduced Duty or Duties in lieu and instead of such higher Duty or Duties formerly payable upon such Article or Articles in *Ireland*; and the reduced Duty or Duties, or Sum or Sums, mentioned in any such Order or Regulation, or set forth in any such Table or Schedule, shall be deemed and taken to be the proper Duty or Duties payable or which ought to have been paid in *Ireland* upon or in respect of any such Article or Articles, and shall be levied and paid in like Manner as the former Duty or Duties on the like Article or Articles under any Act or Acts in force in *Ireland*.

39 & 40 G.3.
c.67. Art. 6.

Treasury may make such Regulations for remitting or reducing Duties, or for allowing or increasing Drawbacks, as shall place His Majesty's Subjects in G. B. and Ireland on the same Footing, according to the Sixth Article of Union.

‘ II. And Whereas by the Sixth Article of the said Union between *Great Britain* and *Ireland*, it is provided, that His Majesty's Subjects of *Great Britain* and *Ireland* shall be on the same Footing as to Encouragements and Bounties on the like Articles, being the Growth, Produce or Manufacture of either Country respectively : And Whereas it may happen that certain Duties may be payable and certain Drawbacks may be allowable under the several Acts in force in *Great Britain* and *Ireland* respectively, in respect of certain Goods the Produce or Manufacture of the said Countries respectively, or of the Materials of which such Goods are composed, or of certain Articles necessary for the manufacturing of such Goods, in one of the said Countries and not in the other, or such Duties may be higher or such Drawbacks may be lower in Amount in one Country than the Duties or Drawbacks in respect of the like Goods, Materials or Articles in the other of the said Countries ;’ Be it enacted, That at any Time after the passing of this Act it shall be lawful for the said Lord High Treasurer or Commissioners of His Majesty's Treasury or any Three of them, in any such Case, to take such Steps and to make such Orders, Rules and Regulations, and to form such Schedules or Tables, and generally to do all such Acts, Matters and Things for the remitting or reducing any Duty, or for the allowing or increasing any Drawbacks on such Goods, Materials or Articles as aforesaid, in either Country, as to such Lord High Treasurer or Commissioners of the Treasury shall seem fitting, necessary and expedient for carrying into effect the said recited Article of the Union according to the true Intent and Meaning thereof.

C A P. LXVII.

An Act to declare valid certain Marriages that have been solemnized at *St. Petersburg* since the Abolition of the *British Factory* there. [10th July 1823.]

‘ WHEREAS the *British Factory* at *St. Petersburg* was, by the Manifesto of the Emperor of *Russia*, declared to be abolished from and after the Twentieth Day of *June* in the Year

‘ One

‘ One thousand eight hundred and seven : And Whereas divers
 ‘ Marriages of Subjects of this Realm resident at *St. Petersburg*
 ‘ have, since the said Twentieth Day of *June* One thousand eight
 ‘ hundred and seven been solemnized there by the Chaplain of
 ‘ the *Russia* Company in the Chapel of the said Company, and
 ‘ in private Houses, before Witnesses, according to the religious
 ‘ Ceremonies of the Church of *England* : And Whereas it is
 ‘ expedient to declare the Validity of such Marriages, in order
 ‘ that no Doubts or Disquietude may hereafter arise thereupon :
 ‘ May it therefore please Your Majesty that it may be declared and
 ‘ enacted ; And be it declared and enacted by the King’s most Ex-
 ‘ cellent Majesty, by and with the Advice and Consent of the Lords
 ‘ Spiritual and Temporal, and Commons, in this present Parliament
 ‘ assembled, and by the Authority of the same, That all Marriages
 ‘ (both or one of the Parties thereto being Subjects or a Subject of
 ‘ this Realm) that have, since the said Twentieth Day of *June* One
 ‘ thousand eight hundred and seven, been solemnized, or that shall
 ‘ hereafter be solemnized at *St. Petersburg* by the Chaplain to
 ‘ the said *Russia* Company, or by a Minister of the Church of
 ‘ *England* officiating instead of such Chaplain, in the Chapel of the
 ‘ said *Russia* Company, or in any other Place, before Witnesses,
 ‘ shall be as good and valid in Law, and so deemed in the United
 ‘ Kingdom of *Great Britain* and *Ireland*, and in the Dominions
 ‘ thereunto belonging, as if the same had been solemnized before
 ‘ the Abolition of the said Factory.

Marriages of
 British Sub-
 jects solemnized
 at Saint Peters-
 burgh declared
 valid.

C A P. LXVIII.

An Act for rectifying Mistakes in the Names of the Land Tax
 Commissioners, and for appointing additional Commis-
 sioners, and indemnifying such Persons as have acted with-
 out due Authority in Execution of the Acts therein recited.

[10th July 1823.]

‘ **W**HEREAS an Act was passed in the First and Second Years
 ‘ of the Reign of His present Majesty, intituled *An Act for*
 ‘ *appointing Commissioners for carrying into Execution an Act of*
 ‘ *this Session of Parliament, for granting to His Majesty a Duty*
 ‘ *on Pensions and Offices in England, and an Act made in the Thirty*
 ‘ *eighth Year of the Reign of His late Majesty, for granting an Aid*
 ‘ *to His Majesty by a Land Tax to be raised in Great Britain, for*
 ‘ *the Service of the Year One thousand seven hundred and ninety*
 ‘ *eight* : And Whereas another Act was passed in the Third Year
 ‘ of the Reign of His present Majesty, intituled *An Act for rec-*
 ‘ *tifying Mistakes in the Names of the Land Tax Commissioners,*
 ‘ *and for appointing additional Commissioners, and indemnifying*
 ‘ *such Persons as have acted without due Authority in Execution of*
 ‘ *the Acts therein recited* ; and there may be occasion to appoint
 ‘ other Persons to put in Execution the said Act made in the
 ‘ Thirty eighth Year of the Reign of His late Majesty, for granting
 ‘ an Aid to His Majesty by a Land Tax to be raised in *Great*
 ‘ *Britain*, for the Service of the Year One thousand seven hundred
 ‘ and ninety eight ; and also an Act of this Session of Parliament,
 ‘ intituled *An Act for continuing to His Majesty for One Year*
 ‘ *certain Duties on Sugar, Tobacco and Snuff, Foreign Spirits and*
 ‘ *Sweets,*

1 & 2 G. 4.
 c. 123.

3 G. 4. c. 14.

Ante, c. 3.

‘ *Sweets, 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 twenty three:*’ 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 Persons hereinafter named shall and may and are hereby empowered and authorized to put in Execution the said Acts, and all the Clauses, Powers, Matters and Things whatsoever therein contained, as Commissioners in and for the several and respective Counties and Places of *Great Britain* hereinafter severally and respectively mentioned and expressed, as if they had been named with the other Commissioners in the said Act passed in the First and Second Years of the Reign of His present Majesty, or in the said Act of the last Session of Parliament, and properly described therein; (that is to say),

[*Here follow the Names of the Commissioners for England and Scotland.*]

The Persons herein named appointed Commissioners.

Mistakes in spelling the Names of Commissioners not to vitiate Appointment.

And no Mistake in the Spelling of the Christian or Surname of any Person, or of any Place mentioned in the said Act of the First and Second Years of the Reign of His present Majesty, or the said Act passed in the last Session of Parliament, or this Act, shall be construed to vitiate the Appointment of such Person to be a Commissioner, so that the Person or Place mentioned be designated therein to common Intent and Understanding, or to subject any Person so designated to any Pains, Penalty or Forfeiture, for his acting in the Execution of the Acts herein mentioned.

Commissioners to have the Qualifications required by 38 G. 3. c. 5.

38 G. 3. c. 48.

II. Provided always, and be it enacted, That the several Persons appointed by the said Acts of the First and Second Years of the Reign of His present Majesty, or the said Act passed in the last Session of Parliament, or this Act, shall severally have the Qualifications required by an Act passed in the Thirty eighth Year of His late Majesty’s Reign, intituled *An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One Thousand seven hundred and ninety eight*; and also of an Act of the same Session of Parliament, intituled *An Act to alter and amend so much of an Act passed in the present Session of Parliament, intituled ‘An Act for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and ninety eight,’ as relates to the Qualification of Commissioners*, and shall be subject to the several Penalties and Forfeitures contained in the said Acts respectively.

Provision where Qualifications consist of Personal Estate.

III. Provided also, and be it further enacted, That where, in any City, Liberty or Place, the Qualification shall consist of Personal Estate, it shall be lawful for any Person having a Personal Estate of the Value required by the said Acts, or either of them, to act as such Commissioner in all Cases where such Person shall have been taxed, and shall have paid for such Personal Estate, by

by and upon the last Assessment then made for such City, Liberty or Place, by virtue of any Act for continuing and granting to His Majesty a Duty on Pensions, Offices and Personal Estates in England, passed before the making of such Assessments; any Thing in the said Acts or either of them contained to the contrary notwithstanding.

IV. And Whereas several Persons may have acted as Commissioners for executing the said Acts, without having been properly named as Commissioners by the said Act made in the First and Second Years of the Reign of His present Majesty, intituled *An Act for appointing Commissioners for carrying into Execution an Act of this Session of Parliament, for granting to His Majesty a Duty on Pensions and Offices in England, and an Act made in the Thirty eighth Year of His late Majesty, for granting an Aid to His Majesty by a Land Tax to be raised in Great Britain, for the Service of the Year One thousand seven hundred and ninety eight*, or by the said Act made in the Third Year of the Reign of His present Majesty, intituled *An Act for rectifying Mistakes in the Names of the Land Tax Commissioners, and indemnifying such Persons as have acted without due Authority in Execution of the Acts therein recited*, and others, named in former Acts of Parliament to be Commissioners, may have omitted in the said Acts of the First and Second and Third Years of the Reign of His present Majesty, and may have acted as aforesaid before Notice of such Omission: And Whereas it is expedient that such Persons should be indemnified for such acting, and that all Acts by them done should be confirmed and made valid; Be it therefore enacted, That all Acts done by any such Persons in the Execution of the said Acts, or of any other Acts to be executed by such Commissioners, shall be and are hereby declared to be valid; and that all personal Actions and Suits, Indictments, Informations and all Prosecutions and Proceedings whatsoever, which have been or shall be prosecuted or commenced against any Person or Persons for or by reason of such acting, are declared to be void by virtue of this Act, and shall be quashed and determined; and if any Action or Suit shall be prosecuted or commenced against any Person or Persons for or by reason of such acting, such Person or Persons may plead the General Issue, and give this Act and the special Matter in Evidence.

V. And Whereas by the said Act of the First and Second Years of the Reign of His present Majesty it was provided, that no Person who should have held the Office of Inspector or Surveyor of Assessed Taxes should, from and after the passing of the said Act, be capable of acting as such Commissioner, although such Person might be named in the said Act as such Commissioner; Be it further enacted, That nothing contained in the hereinbefore recited Act shall extend to incapacitate or disqualify any Person who shall have held the said Office of Inspector or Surveyor of Assessed Taxes from acting as a Commissioner of the Land Tax in any other District or Division than that in which he shall have executed the said Office of Inspector or Surveyor of Assessed Taxes, if such Person shall in other respects be duly qualified to act as such Commissioner, and shall actually

Persons having acted as Commissioners under 1 & 2 G. 4. c. 123. & 3 G. 4. c. 14. without having been properly named, indemnified, and Acts done by them valid.

In what case Inspectors or Surveyors not disqualified from acting as Commissioners only for Districts in which they executed Office of Inspector, &c.

actually and *bonâ fide* have resigned the said Office of Inspector or Surveyor of Assessed Taxes, and also acted as such Commissioner previously to the passing of the said Act of the First and Second Years of the Reign of His present Majesty.

C A P. LXIX.

An Act to repeal certain Duties of Customs in *Great Britain*, and to grant other Duties in lieu thereof; to grant certain Bounties on Salted Provisions and Silk Manufactures exported; and to make more effectual Regulations for collecting the Duties of Customs. [11th July 1823.]

59 G.3. c.52.

Certain Duties of Customs under 59 G.3. c. 59. Schedules (A.) and (B.); Export Duties on Coals under Schedule (C.); and Duties on Slate and Stone Coastwise under Schedule (D.) of that Act repealed.

‘ WHEREAS by an Act passed in the Fifty ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal the several Duties of Customs chargeable in Great Britain, and to grant other Duties in lieu thereof*, certain Duties of Customs, and certain Drawbacks in respect thereof, were granted and made payable in *Great Britain*: And Whereas it is expedient to repeal the Duties and Drawbacks upon certain Goods enumerated in the Tables annexed to this Act, and to grant other Duties in lieu thereof, and on certain other Articles:’ Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, the several Duties of Customs payable to His Majesty, His Heirs and Successors, under or by virtue of the said recited Act, and the Tables (A.) and (B.) thereto annexed, upon the Importation into *Great Britain* of any of the Articles enumerated in the Tables marked (A.) and (B.) annexed to this Act, and the respective Drawbacks allowed upon the Exportation from *Great Britain* of the said Articles (except as hereinafter provided), and the Duties on the Exportation from *Great Britain* of Coals and Cinders and Culm of the Produce or Manufacture of *Great Britain*, payable under the Table marked (C.) annexed to the said recited Act, shall cease and determine; and that from and after the passing of this Act the Duties on Slate and Stone of the Production of *Great Britain*, brought Coastwise from any Port or Place within *Great Britain* to any other Port or Place therein, payable under the Table marked (D.) annexed to the said Act, shall cease and determine; save and except in all Cases and so far as shall relate to the recovering, allowing or paying any Arrears of the said Duties and Drawbacks respectively, or to any Fines, Penalties or Forfeitures relating thereto respectively, which may remain unpaid or not allowed, or which shall have been incurred at any Time on or before the Time when such Duties shall respectively cease and determine.

New Duties of Import on certain Articles specified in Schedules (A.) and (B.) of this Act, and on Ex-

II. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, in ready Money, and without any Discount whatever, upon the Goods, Wares and Merchandize specified in the Tables marked (A.) and (B.) to this Act annexed, imported

imported or brought into *Great Britain*, the several Duties of Customs as the same are respectively inserted, described and set forth in Figures in the said Tables; and upon Coals, Cinders and Culm, the Produce and Manufacture of *Great Britain* exported from *Great Britain*, brought Coastwise from any Port or Place in *Great Britain* to any other Port therein, the several Duties of Customs as the same are respectively inserted, described and set forth in Figures in the Table to this Act annexed, marked (C.); and that from and after the passing of this Act, the several Duties of Customs inserted, described and set forth in Figures in the Table marked (D.) annexed to this Act, shall be paid upon Slate, the Production of *Great Britain*, brought Coastwise from any Port or Place in *Great Britain* to any other Port therein; and that all Matters and Things in the said Tables contained shall be deemed Part of this Act; and that no Drawbacks shall be allowed or given on the Exportation of any of the Articles specified and set forth in the Tables marked (A.) and (B.) in respect of the Duties imposed on such Articles by this Act, (except as hereinafter mentioned); any Act or Acts in force immediately before the passing of this Act, or any Law, Usage or Custom to the contrary notwithstanding.

‘ III. And for ascertaining the Degrees of specific Gravity or Strength, according to which the Duty on the Juice of Lemons, Limes and Oranges, imposed by Table (A.) annexed to this Act, shall be collected and paid;’ Be it enacted, That such Degrees of such specific Gravity or Strength shall be ascertained by a Glass Citrometer, which shall be graduated in Degrees in such Manner that Distilled Water being assumed as Unity, at the Temperature of Sixty Degrees by *Fahrenheit's* Thermometer, every Degree of the Scale of such Citrometer shall be denoted by a Variation of Four One thousandth Parts of the specific Gravity of such Water.

IV. Provided always, and be it enacted, That upon the Exportation from *Great Britain* (except to *Ireland*) of any Foreign Rice or Paddy which shall have been cleaned in *Great Britain*, and which shall have paid the Duties payable on the Importation thereof under this Act, and the Tables thereto annexed, there shall be allowed and paid for every Hundred Weight thereof, a Drawback equal in Amount to the Duty paid on every Four Bushels of the Rough Rice or Paddy from which the same shall have been cleaned.

V. Provided always, and be it enacted, That such Drawback upon such Rice so exported, shall be paid and allowed upon such Foreign Rough Rice or Paddy only as shall have been or shall be warehoused upon its first Importation into any Part of *Great Britain*, and as shall be taken out of Warehouse upon Payment of the Duty due upon the Importation of the same, for the sole and express Purpose of being cleaned, and as shall be returned so cleaned into the Warehouse from which it shall have been taken within One Calendar Month from the Time when the Duty shall be paid thereon, and as shall remain in such Warehouse until the same shall be duly exported, and as shall be so exported, and from such Warehouse: Provided also, that the Owner or Proprietor of such Rice, at the Time of re-warehousing such Rice, when cleaned, shall make Oath before the Chief Officer of the Customs at the Port

port of Coals of Schedule (C.), and on Slate Coastwise of Schedule (D.) No Drawback of Duties of Schedules (A.) and (B.) (Exception.)

Citrometer for ascertaining the Strength of Lemon Juice.

Drawback on Foreign Rice exported.

Conditions on which such Drawback obtained.

Oath of identity of Rice.

Port where the same shall be warehoused (and which Oath the said Officer is hereby authorized and required to administer,) that the said Rice is the same which was so taken from the said Warehouse for the Purpose of undergoing the Process of cleaning, and the Duty paid thereon as aforesaid.

Former Drawbacks allowed on Goods having paid former Duties.

VI. Provided also, and be it enacted, That the Drawbacks granted, allowed and made payable on the Exportation of any of the Articles specified in the Schedules (A.) and (B.) to this Act annexed, under and by virtue of any Act or Acts in force immediately before the Tenth Day of *October* One thousand eight hundred and twenty three, shall remain and continue payable with respect to such Goods, Wares and Merchandize as shall have paid the Duties imposed on the Importation thereof, under any Act or Acts in force before the said Tenth Day of *October* One thousand eight hundred and twenty three, and which shall be exported after the said Tenth Day of *October* One thousand eight hundred and twenty three; any Thing in this Act to the contrary in any wise notwithstanding.

Goods imported may be warehoused, and Duty paid on taking out for Home Consumption.

VII. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to compel the Proprietor or Proprietors of Goods, Wares or Merchandize specified in Tables (A.) and (B.) to this Act annexed, to pay the Duties thereon upon the Importation or Landing of such Goods, Wares or Merchandize in *Great Britain*, in any Case where such Goods, Wares or Merchandize may or might by Law be warehoused or otherwise secured without Payment of Duty, or in any Case where the Whole or any Part of the Duties on such Goods, Wares or Merchandize are or may be permitted to be secured by Bond or otherwise; but that in all such Cases the Duties specified in the Tables (A.) and (B.) to this Act annexed may be secured by Bond or otherwise, in such Manner and under such Rules, Regulations, Restrictions and Conditions as are or may be contained in any Act or Acts for that Purpose, except where it is otherwise provided by this Act: Provided also, that in case the Importer or Proprietor of any Goods, Wares or Merchandize specified in Tables (A.) and (B.) to this Act annexed, which shall have been lodged in Warehouses or otherwise secured at any Time on or immediately before the said Tenth Day of *October* One thousand eight hundred and twenty three, and on which the Duties due on the Importation thereof shall not have been paid, shall be desirous of taking any such Goods, Wares or Merchandize out of such Warehouse, or from any Place wherein the same shall be secured, for the Purpose of being used or consumed in *Great Britain*, then and in such case the Duties imposed by this Act shall be payable thereon, notwithstanding such Goods, Wares or Merchandize may have been imported and warehoused before the said Tenth Day of *October* One thousand eight hundred and twenty three, except where it is otherwise provided by this Act.

In what Case Duty payable on Goods warehoused before 10th Oct. 1823.

East India Goods, &c. may be exported from Warehouse to British Colonies, &c. in

VIII. And be it further enacted, That all Goods of the Manufacture of the *East Indies*, *Persia* or *China*, liable to the Payment of any Duties under this Act, or any Act or Acts in force at the Time of the passing of this Act, and which may have been or may be lodged or secured without Payment of Duty in any Warehouse at any Port in the United Kingdom of *Great Britain* and *Ireland*,

Ireland, under the Provisions of any Act or Acts in force for that Purpose, shall and may be delivered out of any such Warehouse for the Purpose of being exported, and shall and may be exported from and out of such Warehouse to any *British* Colony, Plantation, Territory or Dominion, in Vessels of the Burthen of not less than One hundred Tons, without Payment of any Duties of Customs or Excise whatever.

Vessels not less than 100 Tons, Duty free.

IX. And Whereas by the Laws now in force Coral Beads imported into *Great Britain* from any Place within the Limits of the Charter of the United Company of Merchants of *England* trading to the *East Indies* may be lodged and secured in Warehouses without Payment of Duty, and may be exported directly from such Warehouses: And Whereas it is expedient to allow such Coral Beads to be removed from such Warehouses Coastwise by Sea, or by Inland Navigation, or by Land Carriage, to any Port in *Great Britain* to which any *East India* Goods may be legally removed for the Purpose of Exportation: Be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful for the proper Officer or Officers of His Majesty's Customs to grant Permission for the Removal of any such Coral Beads Coastwise by Sea or Inland Navigation, or by Land Carriage, from any Warehouse or Warehouses in the Port of *London* in which such Coral Beads shall have been lodged or secured, to any other Port in *Great Britain* to which any *East India* Goods may by Law be legally removed for the Purpose of Exportation therefrom, due Entry being first made with such Officer or Officers of the Beads so to be removed.

East India Coral Beads may be removed from *London* Warehouses to any Part of *G. B.* for Exportation.

X. Provided always, and be it enacted, That in case any Coral Beads which shall be so removed under the Authority of this Act shall not be well and truly delivered, without Alteration or Diminution, into the Custody and Possession of the Collector and Comptroller at the Port to which the same are entered to be removed, within Three Calendar Months next after the Time when such Coral Beads shall be so removed from the Warehouse or Warehouses in *London*, all such Coral Beads so removed shall be forfeited, and shall and may be seized by any Officer or Officers of His Majesty's Customs; and the Owner, Proprietor or other Person at whose Instance such Coral Beads shall have been removed, and every Person into whose Hands such Coral Beads or any Parts thereof shall knowingly come, or who shall knowingly harbour, keep or conceal such Coral Beads, or any Part thereof, or who shall knowingly permit or suffer the same to be harboured, kept or concealed, shall forfeit Treble the Value thereof.

Coral Beads not duly delivered forfeited, and Treble Value.

XI. And be it further enacted, That before any Sugar imported into *Great Britain*, as being the Produce of any *British* Colony, Plantation or Territory in the *East Indies*, shall be admitted to Entry on Payment of the Duty imposed on such Sugar by this Act, and the Table marked (B.) thereto annexed, the Master or other Person having or taking the Charge or Command of the Ship or Vessel in which any such Sugar shall be imported, shall produce and deliver to the Collector or other Chief Officer of the Customs at the Port of Importation, a Certificate under the Hand and Seal of the Collector or other Chief Officer of the Customs at the Port or Place in the *East Indies* where such Sugar shall have been

Conditions of Importation of Sugar from *British* Colonies, &c. in *East Indies*.

Certificate of Oath by Shipper of Growth of Sugar.

Oath by Master of Identity of Sugar.

If no Certificate or Oath, Sugar charged as herein mentioned.

Bonds, &c. for the Payment of 5s. per Cwt. being Part of the Duty on East India Sugar of the Description herein mentioned to be cancelled.

Portion of Duties on East India Sugar suspended.

Duties on East India Sugar, continued.

been taken on board; or if no such Collector or other Chief Officer of the Customs shall be residing at such Port or Place, then a Certificate shall be produced under the Hand and Seal of the Principal Officer of such Port or Place, or of the Judge or Commercial Resident of the District, testifying that Oath had been made before him, (who is hereby authorized and required to administer such Oath and to grant such Certificate), by the Shipper of such Sugar, that the same was really and *bonâ fide* the Growth, Produce or Manufacture of such *British Colony*, Plantation or Territory; and the Master or other Person having or taking the Charge or Command of such Ship or Vessel in which such Sugar shall be imported into *Great Britain* or *Ireland* respectively, shall make Oath before the Collector or other Chief Officer at the Port of Importation, (who is hereby authorized and required to administer the same), that the Sugar so imported is the same as mentioned and referred to in the said Certificate; and on Failure of such Certificate being produced, and Proof on Oath as aforesaid being made, such Sugar shall be deemed and taken to be the Growth, Produce or Manufacture of some Place in the *East Indies*, not being a *British Colony*, Plantation or Territory, and shall be charged with the Duty imposed by this Act, and the Table marked (B.) thereto annexed, on such Sugar of Foreign Growth, Produce or Manufacture.

XII. Provided always, and be it enacted, That in all Cases where at any Time previous to the passing of this Act any Sugar of the Growth, Produce or Manufacture of any *British Colony*, Plantation or Territory in the *East Indies*, (such Sugar being considered as clayed, or otherwise refined so as to be equal to the Quality of clayed, and being subject and liable under any Act or Acts in force immediately before the passing of this Act to a Duty of Two Pounds Five Shillings for every Hundred Weight thereof), shall have been imported into any Part of the United Kingdom, and any Bond shall have been given or entered into, or any Deposit shall have been made for securing the Payment of Five Shillings per Hundred Weight, Part of the said Duty under any such Act, and being the Amount of the Increase of Duty on such Sugar under any such Act, every such Bond shall from and after the passing of this Act be and become and is hereby declared to be void, and shall be cancelled, and the Amount of every such Deposit shall be restored and repaid under the Directions of the Commissioners of the Customs; and no Payment of the said increased Duty of Five Shillings shall be required for or on account of any such Sugar in respect of which any such Bond shall have been given or any such Deposit made; any thing in any such Act or Acts to the contrary thereof in any wise notwithstanding.

XIII. And be it further enacted, That a Proportion of the Duties by this Act granted on Sugar, the Produce of the *East Indies*, shall and may from time to time be suspended, in such and the like Manner as any Duties of Customs payable on such Sugars at any Time before the passing of this Act may be suspended under or by virtue of any Act or Acts in force immediately before the passing of this Act.

XIV. And be it further enacted, That the Duties imposed and made payable on such Sugar by this Act shall continue in force until

until and upon the First Day of July One thousand eight hundred and twenty four.

‘ XV. And Whereas by an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to repeal the Duties of Customs on the Importation into Great Britain of certain Sorts of Wood and Timber, and certain Drawbacks or Allowances in respect of such Duties, and to grant other Duties and Drawbacks in lieu thereof*; and by the Table (A.) thereto annexed, it is provided that Staves of the Growth and Production of the *British Colonies or Plantations in America*, and imported directly from thence, above Three Inches in Thickness or above Seven Inches in Breadth, and not exceeding Sixty three Inches in Length, shall be deemed Clap Boards, and be charged with Duty accordingly; and above Three Inches in Thickness or above Seven Inches in Breadth, and exceeding Sixty three Inches in Length, shall be deemed Pipe Boards, and be charged with Duty accordingly: And Whereas it is expedient to alter the said Dimensions in the said Act and Table specified; Be it therefore enacted, That from and after the Tenth Day of October One thousand eight hundred and twenty three, Staves of the Growth and Production of the *British Colonies or Plantations in America*, and imported directly from thence, above Three Inches and Half of an Inch in Thickness, or above Seven Inches in Breadth, and not exceeding Sixty three Inches in Length, shall be deemed Clap Boards, and be charged with Duty accordingly; and above Three Inches and Half of an Inch in Thickness, or above Seven Inches in Breadth, and exceeding Sixty three Inches in Length, shall be deemed Pipe Boards, and shall be charged with Duty accordingly.

1 & 2 G. 4. c. 37.
Sch. (A.)

Alterations of
Dimensions of
Plantation
Staves to be
deemed Clap
Boards and
Pipe Boards,
under 1 & 2 G. 4.
c. 37. Sch. (A.)

‘ XVI. And Whereas by the said recited Act passed in the said First and Second Years of the Reign of His present Majesty, and by Table (A.) annexed thereto, certain Drawbacks of the Duties imposed by the said Act are allowed on Fir Timber being Eight Inches square and not exceeding Ten Inches square, of the Growth of *Norway*, and imported directly from thence, which shall have been used or employed in any of the Mines of Tin, Lead or Copper, in the Counties of *Devon* and *Cornwall*: And Whereas it is expedient to alter the said Dimensions in the said Act and Table specified; Be it therefore enacted, That from and after the Tenth Day of October One thousand eight hundred and twenty three, the Drawbacks in the said last recited Act and Table mentioned and specified shall be allowed on Fir Timber, or any Wood chargeable as Fir Timber, being Five Inches square and not exceeding Ten Inches square, of the Growth of *Norway*, and imported directly from thence, which shall be used or employed in any of the Mines of Tin, Lead or Copper, in the Counties of *Devon* and *Cornwall*, under the like Conditions and Regulations as the Drawbacks on Timber of the Dimensions mentioned and specified in the said Act and Table were paid and allowed.

Drawback allowed by 1 & 2 G. 4. c. 37. Sch. (A.) on Fir Timber therein mentioned, extended to Timber herein described.

XVII. And be it further enacted, That from and after the Tenth Day of October One thousand eight hundred and twenty three, it shall be lawful to import into the United Kingdom of *Great Britain* and *Ireland* any Wood fit for Ship building, the Growth or Produce

Wood for Ship building of Growth of New South Wales, &c. may be

Imported Duty free.

Produce of the Colony of *New South Wales*, or any of the Settlements or Dependencies thereof, or *Norfolk Island* or *Van Dieman's Land*, and imported directly from the said Places, during the Period of Ten Years from the First day of *January* One thousand eight hundred and twenty three, without Payment of any Subsidy, Custom or other Duty whatever for the same, provided due Entry shall be made thereof, and such Wood shall be duly landed in the Presence of the proper Officer or Officers at the Port of Importation.

12 G.3. c.50. and 52 G.3. c.18. for Import Duty on Oak Bark, repealed.

XVIII. And be it further enacted, That from and after the passing of this Act, an Act made in the Twelfth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for encouraging the Manufacture of Leather, by lowering the Duty payable upon the Importation of Oak Bark, when the Price of such Bark shall exceed a certain Rate, for a limited Time*; and also an Act made in the Fifty second Year of the Reign of His said late Majesty, for making perpetual the said recited Act of the Twelfth Year of His said late Majesty's Reign, or so much of the said Acts as shall be in force at the Time of the passing of this Act, shall be and the same is and are hereby repealed.

Terms on which Wine may be imported in Packages herein described, as well for Sale as private Use.

XIX. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, it shall and may be lawful to import into *Great Britain* any Wine whatever as well for Sale as for private Use, in Packages each of which shall contain at least Three Dozen reputed Quart Bottles or Flasks, or Six Dozen reputed Pint Bottles or Flasks, on Payment of the same Duties, as well of Customs as Excise, as *French Wine* is or shall be subject to, in such Manner, and under and according to such and the like Rules, Regulations, Conditions and Restrictions, and subject to such and the like Penalties and Forfeitures, as are provided and enacted in any Act or Acts of Parliament with respect to *French Wine* so imported into *Great Britain*, so far as the same are applicable thereto.

Drawback allowed on Exportation of Wine in Quantities herein mentioned.

XX. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, the Drawbacks of the Duties of Customs and Excise payable and allowable by any Act or Acts in force immediately before the said Tenth of *October* One thousand eight hundred and twenty three, upon the Exportation of any Wine, shall cease and determine, and in lieu and instead thereof there shall be paid and allowed, upon the Exportation of any Wine from *Great Britain*, a Drawback of the full Duties of Customs and Excise which shall have been paid upon the Importation thereof into *Great Britain*: Provided always, that such Drawback shall be paid and allowed under the Rules, Regulations, Conditions and Restrictions, and subject to the like Penalties and Forfeitures, as former Drawbacks upon Wine, and shall only be allowed and paid on Wine which shall be exported from *Great Britain* in Packages each containing not less than Three Dozen reputed Quart Bottles or Flasks, or Six Dozen reputed Pint Bottles or Flasks; any Law, Custom or Usage to the contrary notwithstanding.

Tobacco may be exported and imported be-

XXI. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, it shall and may be lawful to carry and export from *Great Britain* to *Ireland*,

Ireland, and from *Ireland* to *Great Britain*, and to import into *Ireland* from *Great Britain*, and into *Great Britain* from *Ireland*, any Tobacco, either manufactured or unmanufactured, in any Ship or Vessel of the Burthen of Seventy Tons or upwards, any thing in any Act or Acts in force in *Great Britain* or *Ireland* immediately before the passing of this Act to the contrary thereof in any wise notwithstanding; subject nevertheless to all such Rules, Regulations, Restrictions, Penalties and Forfeitures, as are imposed upon such Importation and Exportation respectively, in Vessels of the Tonnage in which such Tobacco may be exported or imported, under any Act or Acts in force immediately before the passing of this Act; Provided always, that if any such Tobacco shall be so exported or imported in a Vessel of less Burthen than Seventy Tons according to the Rules of Admeasurement prescribed by Law, all such Tobacco, and also the Ship, Vessel and Boat, with their Materials and Furniture, shall be forfeited, and shall and may be seized by any Officer or Officers of the Customs or Excise.

XXII. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, it shall and may be lawful to export from *Great Britain* to *Ireland*, and from *Ireland* to *Great Britain* respectively, any Goods, Wares or Merchandize liable to Duties on the Importation thereof from Foreign Parts, and to import the same into either Country from the other, subject and liable to such Rules, Regulations, Conditions, Restrictions and Provisions, as such Goods are subject and liable to when removed and carried Coastwise from one Port in *Great Britain* to another Port in the same, under and by virtue of any Act or Acts in force in *Great Britain* immediately before the passing of this Act; and any Ship or Vessel in which such Goods, Wares or Merchandize shall be conveyed from one Country to the other, shall to all Intents and Purposes whatever be deemed and taken to be a Coasting Ship or Vessel, and shall be liable to the Payment of such Duties only, and subject to such Regulations and Restrictions only, as Coasting Vessels are now by Law subject and liable to.

XXIII. Provided always, and be it enacted, That all Goods, Wares and Merchandize which, at any Time before the said Tenth Day of *October* One thousand eight hundred and twenty three, shall have been or shall be imported into *Ireland*, and which at the Time of such Importation shall have been or shall be subject to Duties lower than the Duties payable on the Importation of the like Articles into *Great Britain*, shall, after the said Tenth Day of *October* One thousand eight hundred and twenty three, remain and continue liable to such Duties on Importation into *Great Britain*, and shall be entitled to such Drawbacks on Exportation from *Ireland* to *Great Britain*, and shall be imported and exported under all such Rules and Regulations as were applicable to such Goods, Wares and Merchandize, under any Act or Acts in force immediately before the said Tenth Day of *October* One thousand eight hundred and twenty three, and as if this present Act had not been passed.

XXIV. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful for any Person or Persons to export Tobacco Pipe Clay from any Port in *Great Britain*,

tween G. B. and Ireland in Ships of 70 Tons and upwards.

If exported or imported in Vessels of less Burthen.

Penalty.

Importation of Foreign Goods between G.B. and Ireland under Coast Regulations.

Certain Goods imported into Ireland before Oct. 10. 1823, to continue liable to such Duties on Importation into G.B. &c.

Exportation of Tobacco Pipe Clay allowed.

or in the Isles of *Guernsey, Jersey, Alderney, Sark* or *Man* to any Place whatever, any Prohibition or Penalty, or any Clause, Matter or Thing whatever, contained in any Act or Acts in force immediately before the passing of this Act, to the contrary thereof in any wise notwithstanding.

Conditions under which Blubber, Oil, &c. may be admitted to Entry as of the Fishery of the British Colonies.

XXV. And be it further enacted, That before any Blubber, Train Oil, Head Matter or Whale Fins, the Produce of Fish or Creatures living in the Sea, imported into *Great Britain*, shall be admitted to Entry on Payment of the Duty imposed on such Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins, as being taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported from any *British* Colony, Island, Plantation, Settlement or Territory, the Master or other Person having or taking the Charge or Command of the Ship or Vessel in which the same shall be imported, shall produce and deliver to the Collector or other Chief Officer of the Customs, at the Port of Importation, a Certificate under the Hand and Seal of the Governor or Deputy Governor of such *British* Colony, Island, Plantation, Settlement or Territory, or of the Collector or other Chief Officer of the Customs, of the Port or Place in such *British* Colony, Island, Plantation, Settlement or Territory where such Train Oil, Blubber, Spermaceti Oil, Head Matter or Whale Fins shall have been taken on board; or if no such Governor or Deputy Governor, or Collector or other Chief Officer of the Customs, shall be residing there, then a Certificate shall be produced under the Hand and Seal of the Naval Officer or other Principal Officer of such Port or Place, or of One of His Majesty's Justices of the Peace for the District; or if there shall be no such Naval Officer, or other Principal Officer or Justice of the Peace, then a Certificate shall be produced of Two principal Inhabitants at the Place of Shipment, testifying that Oath hath been made before him or them (who is and are hereby authorized and required to administer such Oath and to grant such Certificate) by the Shipper of such Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins, that the same was really and *bona fide* the Produce of Fish or Creatures living in the Sea, actually caught and taken wholly by His Majesty's Subjects carrying on such Fishery, and usually residing in some Part of His Majesty's Dominions; and the Master or other Person having or taking the Charge or Command of the Ship or Vessel in which the Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins shall be imported into any Part of the United Kingdom, shall make Oath before the Collector or other Chief Officer at the Port of Importation, that the Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins so imported is the same as mentioned and referred to in the said Certificate; and the Importer or Importers, Consignee or Consignees of such Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins, shall also make Oath before the Collector or Comptroller or other proper Officer of the Customs, at the Time of Entry, that to the best of his or their Knowledge and Belief the Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins so imported was actually caught and taken by *British* Subjects usually residing in some Part of His Majesty's Dominions; and on Failure of such Certificates being produced, and Proof on

Oath

Certificate of Oath by Shipper of Produce of Oil, &c. by Governor of Colony, Naval Officer, &c.

Oath by Master of Identity of Oil, &c.

If no Certificate or Oath, Oil, &c. charged as herein mentioned.

Oath as aforesaid being made, such Blubber, Train Oil, Spermaceti Oil, Head Matter and Whale Fins shall be deemed and taken to be of Foreign Fishing, and shall be charged with the Duty by Law imposed upon such Articles of Foreign Fishing.

XXVI. And be it further enacted, That it shall be lawful upon the Return of any Ship or Vessel from the *Greenland Seas* or *Davis's Straits* with any Blubber, being the Produce of Whales or other Creatures living in the Sea, caught and taken in the said Fishery, for the Importers or Proprietors thereof to cause the same to be boiled into Oil at the Port of Importation in the United Kingdom, under the Care and Inspection of the proper Officer or Officers of His Majesty's Customs, and such Oil so produced shall afterwards be admitted to Entry and the Duties paid thereon accordingly; any Law, Custom or Usage to the contrary notwithstanding: Provided always, that in case any Blubber shall have been so imported in any Ship or Vessel employed in the said Fishery, and shall have been boiled into Oil before the said Tenth Day of *October* One thousand eight hundred and twenty three, such Oil shall be admitted to Entry, and the Duty shall be charged thereon, according to the Regulations and Directions of this Act.

Blubber may be boiled into Oil under Inspection of Officers and entered, &c.

Proviso for Blubber imported before Oct. 10. 1823.

XXVII. And be it further enacted, That so long as any Bounties shall be paid or payable for the Support and Encouragement of the Fisheries carried on in the *Greenland Seas* and *Davis's Straits*, or for the Support and Encouragement of the Southern Whale Fisheries, the several Duties of Customs payable under this Act, and the Tables thereto annexed, on the Importation into *Great Britain* of Blubber, Train Oil, Spermaceti Oil, Head Matter and Whale Fins, the Produce of Fish or Creatures living in the Sea, shall not be charged or payable on any Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins, taken and caught on the Banks and Shores of the Island of *Newfoundland* and Parts adjacent, or taken and caught on the *Labrador Coast* and Parts adjacent, wholly by His Majesty's Subjects residing at and carrying on such Fishery from that Island, or from the *Labrador Coast*; but the Payment of such Duties on such Articles so taken and caught shall be and the same is hereby suspended during the Continuance of such Bounties: Provided always, that such Blubber, Train Oil, Spermaceti Oil, Head Matter and Whale Fins, so taken and caught, shall be duly entered and landed, and shall be subject in every respect to all the Regulations required by Law; and that the several Duties hereby suspended shall revive and become payable from and after the Time when such Bounties shall cease, in such and the like Manner as if the said Suspension of Duty had not taken place.

Duties on Blubber, &c. taken at Newfoundland or Labrador Coast suspended.

In what case revived.

XXVIII. And Whereas by an Act made in the Tenth Year of the Reign of King *George* the First, among other Things, for prohibiting the Importation of Chocolate ready made, and Cocoa Paste, it is among other Things enacted, that no Chocolate ready made, or Cocoa Paste, shall be imported or brought into *Great Britain* from any Port or Ports beyond the Seas, upon pain of forfeiting all such Chocolate ready made and Cocoa Paste: And Whereas by an Act passed in the Fourth Year of the Reign of King *George* the Second, intituled *An Act to prevent Frauds in*

10 G.1. c.10. § 2.

4 G.2. c.14. § 12.

51 G. 3. c. 58.
§ 2.

Prohibition on
Importation of
Chocolate ready
made, &c. re-
pealed.

Pease may be
imported for
Seed on Pay-
ment of Duty.

Admission of
Oil Seeds.

Bounty on
Camlets of
Mohair Yarn
under 1 &
2 G. 4. c. 91.
§ 2. repealed.

' *the Revenue of Excise with respect to Starch, Coffee, Tea and*
' *Chocolate*, it is among other Things enacted, that if any Person
' or Persons shall import any Cocoa Nut Shells or Husks, without
' the Nuts thereunto belonging, it shall and may be lawful for any
' Officers of the Customs or Excise or Inland Duties to seize and
' secure the same: And Whereas by an Act made in the Fifty first
' Year of the Reign of His late Majesty King *George* the Third,
' among other Things to prohibit the Importation of Foreign Cho-
' colate into *Ireland*, it is among other Things enacted, that during
' such Time as the Importation of Foreign Chocolate shall be pro-
' hibited in *Great Britain*, it shall not be lawful for any Person or
' Persons to import into *Ireland* any Chocolate whatever, except
' of the Manufacture of *Great Britain*, under Penalty of Forfeiture
' thereof: And Whereas it is expedient that the said Prohibitions
' should no longer continue in force, with regard to Chocolate
' ready made, and Cocoa Paste, the Produce of the *British* Plan-
' tations or Possessions, or any Cocoa Nut Shells or Husks without
' the Nuts: Be it therefore enacted, That from and after the
said Tenth Day of *October* One thousand eight hundred and twenty
three, so much and such Parts of the said several recited Acts, as
relates or relate to the Importation of Chocolate ready made or
Cocoa Paste of the *British* Plantations or Possessions, or to any
Cocoa Nut Shells or Husks without the Nuts, shall be and the
same is and are hereby repealed.

XXIX. And be it further enacted, That from and after the
Tenth Day of *October* One thousand eight hundred and twenty
three, it shall and may be lawful for any Person to import Pease
for Seed into any Part of the United Kingdom, on Payment of
the Duty specified in the Table (A.) to this Act annexed, whatever
the Average Prices of *British* Corn may be, and although the Im-
portation of such Pease and Foreign Corn may be prohibited by
any Act or Acts relating to the Importation of Corn; any thing
contained in any such Act or Acts to the contrary in any wise
notwithstanding.

XXX. And be it further enacted, That at any Time after the
Tenth Day of *October* One thousand eight hundred and twenty
three, it shall and may be lawful to import into any Part of the
United Kingdom of *Great Britain* and *Ireland*, Seeds of any Sort
commonly made use of for the Purpose of extracting Oil there-
from, although the Price of middling *British* Rape Seed shall be
less than Seventeen Pounds Ten Shillings *per* Last, and whatever
the Price of such *British* Rape Seed may be: any Thing in any
Act or Acts in force immediately before the said Tenth Day of
October One thousand eight hundred and twenty three to the con-
trary in any wise notwithstanding; subject nevertheless to the Pay-
ment of such Duties of Customs as shall be payable on such Seeds
so imported at the Time of such Importation.

XXXI. And be it further enacted, That from and after the
Tenth Day of *October* One thousand eight hundred and twenty
three, the Bounty of Allowance made payable on the Exportation
of Camlets made in any Part of the United Kingdom, of Mohair
Yarn mixed with Worsted, under and by virtue of an Act made in
the First and Second Years of the Reign of His present Majesty,
intituled *An Act to grant certain Bounties on the Exportation of*
Stuffs

Stuffs made of Silk mixed with Mohair, and of Stuffs made of Mohair mixed with Worsted, the Manufacture of Great Britain and Ireland, shall be and the same is hereby repealed: Provided always, that the Bounties granted, allowed and made payable by the said Act, shall remain and continue payable under the Regulations contained in or referred to by the said recited Act, upon such Camlets which shall be exported at any Time within Three Calendar Months after the said Tenth Day of October One thousand eight hundred and twenty three.

Bounties to continue in respect of certain Camlets.

XXXII. And be it further enacted, That there shall be paid to any Person or Persons, who, at any Time after the Fifth Day of July One thousand eight hundred and twenty three, shall really and *bonâ fide* export, from any Part of the United Kingdom of Great Britain and Ireland by way of Merchandize, certain Silk Manufactures made in any Part of the said United Kingdom, the several Bounties or Allowances mentioned, specified and set forth in the Table marked (E.) to this Act annexed, in lieu of all former Bounties or Allowances on any Silk Manufactures, under any Act or Acts in force immediately before the said Fifth Day of July One thousand eight hundred and twenty three; and such former Bounties and Allowances shall, from and after the said Fifth Day of July One thousand eight hundred and twenty three, wholly cease and determine; and such Bounties and Allowances under this Act shall be allowed and paid in such and the like Manner, and under such and the like Rules, Regulations, Restrictions, Penalties and Forfeitures, as are prescribed or imposed by the several Laws in force at the Time of the passing of this Act, for granting Allowances on the Exportation of Silk Manufactures.

Bounties on Silk Manufactures exported according to Schedule (E.)

Former Bounties to cease.

XXXIII. And be it further enacted, That from and after the Tenth Day of October One thousand eight hundred and twenty three, upon the Exportation from Great Britain to any Place except Ireland, and upon the Exportation from Ireland to any Place except Great Britain, of any Beef, Pork, Tongues, Ham or Bacon, salted in Great Britain or Ireland, there shall be paid and allowed an Allowance or Bounty of One Shilling for each and every One hundred Pounds Weight thereof, until the Fifth Day of January One thousand eight hundred and twenty five; and that such Bounty or Allowance shall be paid and allowed under the Rules and Regulations of any Act or Acts in force granting an Allowance or Bounty on Articles of the like Nature in Great Britain or Ireland respectively before the Twenty sixth Day of July One thousand eight hundred and twenty two.

Bounty on Export of Salted Provisions.

XXXIV. And Whereas some of the Duties imposed upon the Importation of certain Goods, Wares and Merchandize into Great Britain, are under the Management in part of the Commissioners of Customs, and in part of the Commissioners of Excise, and some other Import Duties are under the Management of the Commissioners of Excise: And Whereas for the Convenience of Trade, and for the better and more economical Collection of the Revenue, it may be found expedient that all Import Duties should be placed under the Management of the Commissioners of Customs, or that such Duties as have heretofore been under the Management in part of the Commissioners of Customs, and

Certain Import Duties may by Order in Council be placed under Management of Commissioners of Customs or Excise.

‘ in part of the Commissioners of Excise, should be wholly managed ‘ either by the Commissioners of Customs, or by the Commissioners ‘ of Excise;’ Be it therefore enacted, That at any Time after the passing of this Act, it shall and may be lawful for His Majesty, by His Order in Council, to declare and direct that all such Duties as aforesaid, or any of them, may be placed under the sole Management of the Commissioners of Customs, or under the sole Management of the Commissioners of Excise, as shall be expressed and directed in such Order, and for a Time to be mentioned in such Order; and such Order in Council shall be published in the *London Gazette*; and such Duties shall, during the Time mentioned in such His Majesty’s Order in Council, become and be placed either under the sole Management of the Commissioners of Customs, or under the sole Management of the Commissioners of Excise, as shall be directed in such Order in Council; and all Drawbacks allowed by Law upon the Exportation of any Articles liable to such Duties, shall be allowed and made payable under the Direction of the Commissioners so named in such Order in Council, any Act or Acts, or any Law, Custom or Usage to the contrary notwithstanding; and the Insertion in the *London Gazette* of any such Order in Council shall be good and sufficient Evidence in all Cases that such Order was made, and was of the Purport and Effect published and contained in such Gazette, without producing or giving any other Evidence of any such Order in Council.

Former Acts in force as to Duties,

XXXV. And be it further enacted, That during the Time mentioned in any such Order in Council as aforesaid, when any such Duties as aforesaid shall be placed under the sole Management of the Commissioners of Customs, or under the sole Management of the Commissioners of Excise, as the Case may be, all and singular Powers and Authorities, and Rules and Regulations, in any wise relating to such Duties, or to the Importation, Entering, Landing, Warehousing, Exportation or Bonding of the Goods or Commodities in respect of which such Duties shall be payable, contained in any Act or Acts of Parliament, or exercised under any Usage or Custom in force at or immediately before the passing of this Act, or granted to and exercised by the Commissioners and Officers of Customs, or by the Commissioners and Officers of Excise respectively, shall, for and during the Time mentioned in any such Order in Council as aforesaid, be executed, exercised and put in force for the securing and collecting such Duties by the Commissioners and Officers of Customs, or by the Commissioners and Officers of Excise, as the Case may be, under whose Management such Duties shall be placed by such Order in Council, as if all and singular such Powers and Authorities had been originally given and granted to the Commissioners, under the Management of whom such Duties shall be placed by such Order in Council as aforesaid; and that all Fines, Penalties and Forfeitures imposed by any such Act or Acts of Parliament, in respect of any Matter or Thing to be done, or refused or neglected to be done, by any Person or Persons in any wise relating to such Duties, or to the Importation, Entering, Landing, Warehousing, Exportation or Bonding of such Goods, without, or under, or contrary to the Warrant, Order, Approbation or Permission of the Commissioners or Officers of Customs or Excise respectively, under

and Penalties.

under whose Management and Collection such Duties were placed before the making of such Order in Council, shall, during the Time mentioned in such Order in Council, be incurred, lost and forfeited, and shall and may be sued for, recovered, levied, mitigated and applied upon the like Act or Acts being done, or refused or neglected to be done, without, or under, or contrary to the Warrant, Order, Approbation or Permission of the Commissioners or Officers of Customs, or Commissioners or Officers of Excise, as the Case may be, under the Management of whom such Duties shall be placed by such Order in Council as aforesaid, in like Manner to all Intents and Purposes whatever, as if all such Powers, Authorities, Rules, Regulations, Fines, Penalties and Forfeitures were specified and set forth, and inserted, contained and repeated in this present Act; any thing in any other Act or Acts of Parliament to the contrary thereof in any wise notwithstanding.

XXXVI. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, no Drawback whatever shall be paid or payable upon any Goods, Wares or Merchandize entered or shipped for Exportation from any Part of the United Kingdom of *Great Britain* and *Ireland*, in any Case where such Goods, Wares or Merchandize shall be unmerchutable by reason of Damage or Decay, and shall thereby become and shall be of less Value for Home Consumption than the Amount of the Drawback payable or allowable by Law in respect thereof, or in respect of Goods, Wares or Merchandize of the Denomination under which such Goods, Wares and Merchandize shall be entered for Exportation; any Thing in this Act or in any other Act or Acts to the contrary in any wise notwithstanding: And if upon Examination by the proper Officers of Customs of any Goods, Wares or Merchandize entered or shipped for Exportation on which any Drawback shall be claimed, such Goods, Wares or Merchandize shall be found to be so unmerchutable and of less Value for Home Consumption than the Amount of the Drawback claimed thereon, or payable or allowable as aforesaid; then and in every such Case, all such Goods, Wares or Merchandize, with the Packages containing the same, shall be forfeited, and the Owner or Proprietor of such Goods, Wares or Merchandize, or the Person who shall cause the same to be entered for Exportation, shall for each such Offence forfeit and lose the Sum of Two hundred Pounds, or Treble the Amount of the Drawback so claimed, at the Election of His Majesty's Attorney General, or of the Commissioners of Customs or Excise for the Time being.

No Drawback allowed on Goods not equal in Value to Amount of Drawback.

Claiming Drawback on unmerchutable Goods.

Penalty.

XXXVII. And Whereas by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repealing the Duties upon Bast or Straw, Chip, Cane and Horsehair Hats and Bonnets, and upon certain Materials for making the same, imported into this Kingdom, and for granting other Duties in lieu thereof, and for the more effectual preventing the fraudulent Importation of such Goods*, it is among other Things enacted, that no Bast or Straw, Chip, Cane or Horsehair Hats or Bonnets, or any Platting or Manufactures therein mentioned, to be used in or proper for making such Hats

10 G.3. c. 43.
§ 6.

repealed.

Hats or Bonnets may be imported into any Port of G. B.

13 & 14 C. 2.
c. 11. § 2.

Collector may require Masters of Vessels arriving from Parts beyond Seas to answer Questions as to Voyage and Cargo, and to produce Bill of Lading, &c. Refusal or producing false Bill of Lading, &c.

Penalty 100l.

13 & 14 C. 2.
c. 11. § 4.

‘ Hats or Bonnets, shall be imported or brought into any Port of *Great Britain*, except into the Port of *London*, upon any Pre- tence whatever: And Whereas it is expedient to allow the ‘ Importation of the Articles herein before enumerated into any ‘ Port of *Great Britain*;’ Be it therefore enacted, That from and after the passing of this Act, so much of the said recited Act as confines the Importation of the said Articles into the Port of *London* shall be and the same is hereby repealed; and the said Articles shall and may be imported into any Port in *Great Britain*, under and subject to the like Rules, Regulations, Restrictions, Penalties and Forfeitures, as are required by the said recited Act upon the Importation of such Articles into the Port of *London*.

‘ XXXVIII. And Whereas by an Act passed in the Thirteenth and Fourteenth Years of the Reign of King *Charles* the Second, intituled *An Act for preventing Frauds and regulating Abuses in His Majesty’s Customs*, it is amongst other Things enacted, that ‘ the Master or Purser of any Ship or Vessel arriving from Parts ‘ beyond the Seas shall make a just and true Entry upon Oath of ‘ the Burthen, Contents and Lading of every such Ship or Vessel, ‘ with the particular Marks, Numbers, Qualities and Contents of ‘ every Parcel of Goods therein laden, to the best of his Know- ‘ ledge, also when and in what Port she took in her Lading, of ‘ what Country built, how manned, who was Master during the ‘ Voyage, and who are the Owners thereof: And Whereas it is ‘ expedient to make further and other Provisions for carrying ‘ into Effect the Purposes of the said recited Act;’ Be it there- fore enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, it shall be lawful for the Collector or other Chief Officer of the Customs at the Port where any such Ship or Vessel shall arrive, and he is hereby authorized and empowered, in Cases where he shall deem it necessary so to do, to call upon the Captain, Master, Purser or other Person (so making any such Oath as aforesaid,) to answer all such Questions relating to his Voyage, and to the Cargo laden on board his Vessel, as shall be demanded of him, or to produce any Bill or Bills of Lading, or a true Copy thereof, for the Whole or any and every Part of the Cargo laden on board his said Ship or Vessel; and in case of Refusal to answer such Questions, or to produce such Bill or Bills of Lading, or such Copy, or if the Bill of Lading or Copy so produced shall be a false Bill of Lading or Copy, or if any Bill of Lading shall be signed or uttered by such Captain, Master, Owner or other Person, and the Goods expressed in the same shall not have been *bonâ fide* shipped on board the said Ship or Vessel, or if the Bill of Lading shall not have been signed by the said Captain, Master, Purser or other Person, or the Copy made or received, previous to his leaving the Country from which he shall have arrived, then and in every such Case such Captain, Master, Purser or other Person, shall forfeit and pay the Sum of One hundred Pounds.

‘ XXXIX. And Whereas by the said recited Act, passed in the ‘ Thirteenth and Fourteenth Years of the Reign of King *Charles* ‘ the Second, Officers of His Majesty’s Customs are authorized ‘ and empowered to enter on board any Ship or Vessel arriving ‘ from Foreign Parts beyond the Seas, and from thence to bring ‘ on

‘ on Shore all Goods for which the Duties are not paid or com-
 ‘ pounded for within Twenty Days after the Entry of the Ship
 ‘ or Vessel, and to secure the same in His Majesty’s Warehouse
 ‘ until the Duties thereon are fully paid: And Whereas it fre-
 ‘ quently happens that the Officers of the Customs or Excise,
 ‘ stationed on board such Ships or Vessels for the Security of the
 ‘ Revenue, are detained on account of a few Packages only of
 ‘ the Cargo of such Ship or Vessel being left on board, whereby
 ‘ considerable Expence is unnecessarily incurred;’ Be it therefore
 enacted, That in all Cases where the Cargo of any Ship or Vessel
 arriving in any Port in *Great Britain*, from Parts beyond the
 Seas, shall have been discharged, with the Exception only of a
 few Packages, it shall and may be lawful for the proper Officer or
 Officers of His Majesty’s Customs or Excise, where that Revenue
 is concerned, and he and they is and are hereby authorized and
 empowered to bring on Shore all such remaining Packages and
 to deposit the same in His Majesty’s Warehouse at the Port of
 Importation, for the Security of the Duties thereon, although
 Twenty Days may not have expired from the Entry of such Ship
 or Vessel.

A few Packages
 remaining on
 board may
 be landed and
 warehoused,
 though Twenty
 Days not exp-
 ired.

‘ XL. And Whereas it is expedient to make further Provisions
 ‘ with respect to Goods landed in *Great Britain* on Bills of Sight,
 ‘ Bills of View or Sufferance:’ Be it therefore enacted, That from
 and after the Tenth Day of *October* One thousand eight hundred
 and twenty three, whenever any Goods, Wares or Merchandize
 shall be landed in *Great Britain* on Bills of Sight, Bills of View or
 Sufferance, the Importer or Importers, Owner or Owners, or Con-
 signee or Consignees, or his or their Agent or Agents, at whose
 Instance or Request such Goods, Wares and Merchandize shall
 be so landed, shall make, and he and they is and are hereby
 required to make, perfect Entry of all such Goods, Wares and
 Merchandize, with the proper Officer or Officers of the Customs
 and Excise, where that Revenue is concerned, appointed for that
 Purpose, and to pay all Duties which may be due and payable
 upon the Importation of such Goods, Wares and Merchandize,
 within Three Days next after the landing thereof; and in case of
 Non-Payment of all such Duties, it shall and may be lawful for
 the proper Officer or Officers of the Customs or Excise, where
 that Revenue is concerned, and he and they is and are hereby
 authorized and required to convey all such Goods, Wares and
 Merchandize to and to deposit the same in His Majesty’s Ware-
 house at the Port of Importation, there to remain for the space
 of One Calendar Month; and if the Importer or Importers, or
 Owner or Owners, or Consignee or Consignees of such Goods,
 Wares and Merchandize, or his or their Agent or Agents, shall
 refuse or neglect to enter such Goods, Wares and Merchandize,
 and to pay the full Duties thereon, together with the Charges of
 Warehouse Rent, on or before the Expiration of such Calendar
 Month, all such Goods, Wares and Merchandize shall be sold
 under the Direction of the Commissioners of Customs or Excise,
 where that Revenue is concerned, and the Produce thereof shall
 be applied towards Payment of the Duties and Charges of Ware-
 house Rent thereon; and the Overplus, if any, shall be paid to
 the

Goods landed
 on Bills of
 Sight, &c. Im-
 porters to per-
 form Entry and
 pay Duty within
 Three Days,
 and in case of
 Non-payment,
 Goods to be
 warehoused,
 and if Duty not
 paid in One
 Month, Goods
 to be sold.

the Proprietor of such Goods, Wares and Merchandize, or other Person authorized to receive the same.

Warehouse
Rent to be pay-
able on Goods
lodged in the
King's Ware-
houses.

XXI. And be it further enacted, That from and after the passing of this Act, whenever any Goods, Wares or Merchandize shall have been or shall be lodged or secured in any of His Majesty's Warehouses in *Great Britain*, for Security of the Duties thereon, it shall and may be lawful for the Commissioners of Customs or Excise, where that Revenue is concerned, and they are hereby authorized and empowered, to charge and demand and receive Warehouse Rent for such Goods, Wares and Merchandize, for all such Time as such Goods, Wares and Merchandize shall remain in such Warehouses, at and after such and the same Rate as is or may be payable for Goods, Wares and Merchandize of the like Nature, when warehoused and secured in any other Warehouse in which such Goods, Wares and Merchandize are or may be by Law allowed to be warehoused and secured without Payment of Duty.

If Duties on
perishable
Goods not paid
in One Month,
or in other Cases
within Three
Months, such
Goods to be
sold.

XLII. And be it further enacted, That in case the Duties payable on any Goods, Wares and Merchandize warehoused in His Majesty's Warehouse for Security of the Duties thereon, shall not have been or shall not be paid within One Calendar Month, in case such Goods, Wares or Merchandize shall be of a perishable Nature, or otherwise within Three Calendar Months next after the Day when such Goods, Wares and Merchandize shall have been or shall be first lodged and secured in such Warehouses, it shall and may be lawful for the Commissioners of Customs, and they are hereby required to order such Goods, Wares and Merchandize to be publicly sold by Auction; and after such Sale, the Produce thereof shall be first applied towards Payment of the Duties and of the Warehouse Rent and all other Charges thereon; and the Overplus, if any, shall be rendered and paid to the Proprietor or other Person lawfully authorized to receive the same.

How Produce
applied.

43 G. 3. c. 128.
§ 1.

XLIII. And Whereas by an Act made in the Forty third Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for the further Regulation of the Collection of the Duties of Customs in Great Britain, in certain Cases*, it is among other Things enacted, that it shall not be lawful for any Person or Persons whatsoever, to lade or put off, or cause to be laden or put off from any Quay, Wharf or other Place on Land, into any Ship, Vessel, Lighter, Boat or Bottom, any Goods, Wares or Merchandize whatsoever, with Intent to export the same to Parts beyond the Seas, until such Person or Persons shall deliver or cause to be delivered, by themselves or Agent, to the Comptrolling Searchers of His Majesty's Customs or some one of them, a true and correct Copy in Writing of the Cocquet or Entry, together with the Indorsement thereon, for all such Goods, Wares and Merchandize so intended to be exported: And Whereas it is expedient to make further Provision with respect to such Goods; Be it enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, if any Goods, Wares or Merchandize intended to be exported from *Great Britain* and liable to the Payment of any Duty on the Exportation thereof, shall be so laden or put off from
any

Goods brought
to any Quay for
Exportation
not agreeing
with the In-
dorsement on
Cocquet.

any Quay, Wharf or other Place on Land, into any Ship, Vessel, Lighter, Boat or Bottom, or shall be brought to any Quay, Wharf or other Place in *Great Britain*, for the Purpose of being shipped for Exportation, and upon Examination of such Goods, Wares or Merchandize by the proper Officer or Officers of His Majesty's Customs, such Goods, Wares and Merchandize shall be found not to agree with the Indorsement upon the Cocquet or the Copy of the Cocquet delivered to the proper Officers for the Shipment of such Goods, that then and in every such Case the whole of the Goods contained in any Package not so agreeing with the Indorsement upon the Cocquet or Copy of the Cocquet as aforesaid, shall be forfeited and shall and may be seized by any Officer or Officers of His Majesty's Customs.

Forfeited.

' XLIV. And for preventing Frauds upon His Majesty's Revenue on the Importation of manufactured Goods which pay Duty according to the Value thereof, by importing some Part of a manufactured Article at one Port, and the remaining Part of such Article at another Port, or by importing such Parts at different Times at the same Port, and placing a small Value upon such Goods in consequence of their being in an imperfect State ;' Be it enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, it shall not be lawful to import any distinct or separate Part of any Article of Foreign Manufacture into the United Kingdom of *Great Britain* and *Ireland*, not accompanied by the other Part, or all the other Parts of such Article, so as to be complete and perfect, and any such distinct or separate Part of any Article of Foreign Manufacture which shall be brought into the United Kingdom, not accompanied by the other Part, or all the other Parts of the same Article, so as to be complete and perfect, shall be forfeited, and shall and may be seized by any Officer or Officers of His Majesty's Customs.

Importation of Parts of manufactured Goods prohibited.

Forfeited.

' XLV. And Whereas it is expedient for the Convenience of Trade, and the Ease and Accommodation of Merchants, that the Oaths now required by Law to be taken with respect to the Import and Export of certain Goods, Wares and Merchandize, should be administered by One only of the proper Officers of the Customs, and that the Signature of One Officer to certain Documents should be sufficient in Law :' Be it therefore enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, in all Cases where any Oath is by any Act or Acts in force required to be taken, relating to the Import, Export or carrying Coastwise of any Goods, Wares or Merchandize, such Oath shall and may be administered by the Collector or other proper Officer of the Customs ; and that the Signature of the Collector or other proper Officer of the Customs to any Document relating to the entering or clearing of any Ships or Vessels, or relating to the Import, Export or carrying Coastwise of any Goods, Wares or Merchandize (save and except such Documents as relate to the Registry of Ships, or to the Payment or Receipt of Money), shall be deemed sufficient, and such Documents (except as aforesaid) shall be as good and valid to all Intents and Purposes whatsoever, as if the same had been signed by Two or more Officers of Customs ; any Thing

Oaths may be administered, and certain Documents signed by One Officer only.

Thing in any Act or Acts, or any Custom or Usage to the contrary thereof in any wise notwithstanding.

‘ XLVI. And Whereas it is expedient for the better Security of the Revenue, and of the Merchants and Traders, to establish Regulations for restraining improper Persons from acting as Agents for transacting Business at the Custom House in *London* ;’

Agents for transacting Business at the Custom House to be licensed by Commissioners of Customs.

Be it therefore enacted, That from and after the Expiration of One Calendar Month next after the passing of this Act, it shall not be lawful for any Person to act as an Agent for transacting any Business at the said Custom House, which shall relate to the Entry or Clearance of any Ship or Ships, or to the clearing of any Goods or Baggage, or the passing of any Entry whatever, upon which any Revenue of Customs shall be due or payable, unless such Persons shall be authorized so to do by Licence under the Hands and Seals of the Commissioners of Customs for the Time being; and it shall be lawful for the said Commissioners, or any Two of them, and they are hereby authorized and empowered to grant any such Licence to any Person or Persons who may require the same; and in such Cases it shall be lawful for the said Commissioners to require a Bond to be given by every Person to whom such Licence shall be granted for the Purpose of acting as such Agent respectively, with One sufficient Surety, in the Sum of One thousand Pounds, conditioned for the faithful and incorrupt Conduct of every such Person, and of his Clerk acting for him as herein provided, and to deliver up such Licence if the same shall be revoked within Seven Days after the Notice of such Revocation.

Bond with Surety required for 1000*l*.

Persons certified by Lord Mayor, &c. may be licensed as Agents without Sureties.

XLVII. Provided always, and be it enacted, That the said Commissioners of Customs shall and they are hereby authorized and required to grant any such Licence, without such Bond or Surety as aforesaid, to any Person being One of the Sworn Brokers of the City of *London*, upon the Production by any such Person of a Certificate signed by the Lord Mayor, or by the proper Officer of the Court of Aldermen of the said City, that such Person is a fit and proper Person to be licensed as such Agent.

Proviso as to Clerks in Custom House. 51 G. 3. c. 71.

XLVIII. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend to authorize the Commissioners of the Customs to grant any Licence to any Officer or Clerk in the Custom House at *London* to act as such Agent, nor to prevent any Officer or Clerk in the Long Room of the said Custom House from passing Entries under the Authority of an Act made in the Fifty first Year of the Reign of His late Majesty, intituled *An Act for the Abolition and Regulation of certain Offices in the Customs*, without any such Licence as is required by this Act.

Treasury may revoke Licence.

XLIX. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Treasury, or any Two of them for the Time being, by any Order in Writing under their Hands, to revoke any Licence granted in pursuance of this Act to any Person or Persons to transact Business at the said Custom House, whenever it shall appear to the said Commissioners expedient so to do.

L. And

L. And be it further enacted, That after the said Commissioners of His Majesty's Treasury shall by any such Order have revoked any such Licence, a Copy of the Order of Revocation shall be delivered to the Person to whom such Licence was granted, or shall be left at his usual Dwelling House or Place of Abode, or Counting House; and from and after the Delivery or leaving of a Copy of such Order as aforesaid, the Licence granted to such Person shall be and the same is hereby declared to be null and void.

After Notice of Revocation, Licence to be void.

LI. And be it further enacted, That if any Person not being licensed to transact Business in Manner hereinbefore recited and authorized by this Act, or whose Licence shall be revoked, or who if licensed shall be in Partnership with any Person or Persons who shall not be licensed as aforesaid, shall act as an Agent in transacting such Business at the said Custom House, every such Person shall for every such Offence forfeit the Sum of One hundred Pounds.

Agents acting without Licence.

Penalty 100l.

LII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Clerk who shall be *bonâ fide* employed in the Service of any Merchant, or of any such Sworn Broker, or of any Two or more Merchants or Brokers in Copartnership, duly authorized by such Merchant or Merchants, or Broker or Brokers, from acting for such Merchant or Merchants, or Broker or Brokers; but it shall be lawful for such Clerk to act for such Merchant or Merchants, or Broker or Brokers, in transacting any Business for or on behalf of his Employer at the Custom House: Provided always, That such Clerk shall be allowed to act only for the Merchant or Merchants, or Broker or Brokers in Copartnership, in whose Service he shall actually be engaged, and for whom he shall be authorized to act, by Writing under his or their Hand or Hands, and not for any other Merchant or Merchants, or Broker or Brokers, unless such Clerk shall be duly licensed so to do under the Authority of this Act.

Proviso for Merchants' and Brokers' Clerks acting for such Merchants or Brokers.

Restriction.

LIII. And Whereas it has happened that Persons acting as Agents have frequently made and attested Declarations as to the Value of Goods without any lawful Authority for so doing, to the great Injury of the Importers or Proprietors of such Goods, Wares and Merchandize, and to the Prejudice of the Revenue; For Remedy whereof be it enacted, That if at any Time after the passing of this Act, any Person or Persons shall make and attest any Declaration of the Value of any Goods, Wares or Merchandize imported, not being the Importer or Proprietor or Consignee of the Goods, Wares and Merchandize mentioned in such Declaration, or not having proper and sufficient Authority from the real Importer or Importers, or Proprietor or Proprietors, or Consignee or Consignees of such Goods, Wares and Merchandize, every such Person shall forfeit the Sum of One hundred Pounds.

Agents declaring Value without Authority.

Penalty 100l.

LIV. And be it further enacted, That whenever any Broker, Agent or Clerk shall make any Application to any Officer or Officers of the Customs to transact any Business relating to the Entry or Clearance of any Ship or Ships, or to Goods, Wares or Merchandize imported or exported, or to the Revenue of Customs thereon,

Officers may refuse to act unless Authority from Merchant produced.

thereon, and such Officer or Officers shall have any Doubt whether such Broker, Agent or Clerk has any Authority from the Merchant or Merchants, or other Person or Persons in whose Name or on whose Behalf any such Broker, Agent or Clerk shall make such Application, it shall be lawful for such Officer or Officers, and he and they is and are hereby authorized to require any such Broker, Agent or Clerk respectively, to produce to such Officer a written Authority from the Merchant or other Person in whose Name or whose Behalf any such Application shall be made; and in Default of the Production of such written Authority, it shall be lawful for such Officer or Officers to refuse to transact any such Business relating to the Entry or Clearance of any Ship or Ships, or to such Goods, Wares or Merchandize, or the Revenue of Customs thereon, or to do any Act, Matter or Thing required to be done by any such Officer in the Execution of his Duty, in respect to such Ship or Ships, or to such Goods, Wares and Merchandize, or the Revenue of Customs thereon; any Act, Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

No Clerk of licensed Agent to act without producing a written Authority.

LV. And be it further enacted, That it shall not be lawful for any Clerk or other Person in the Service or Employ of any Broker or Agent who shall be licensed under the Authority of this Act, to act for such Broker or Agent without a written Appointment from such Broker or Agent for such Purpose, nor unless such Appointment shall by such Clerk be produced to the Commissioners of Customs, and shall be allowed and sanctioned by the Signature of such Commissioners, or any one or more of them, for the Time being.

Duties to be paid into Exchequer, and carried to Consolidated Fund.

LVI. And be it further enacted, That all the Monies arising by 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, and shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*, and shall be appropriated in like Manner and to the like Services as the Duties by this Act repealed would have been if this Act had not passed.

Hereditary Revenue of Scotland.

LVII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to affect or alter the Hereditary Revenue of His Majesty, His Heirs and Successors in *Scotland*, or other Revenues there granted to His Majesty King *George* the Second, during his Life, and reserved to His late Majesty King *George* the Third, during his Life, by an Act made in the First Year of the Reign of His said late Majesty, and reserved to His present Majesty, during his Life, by an Act made in the First Year of His present Majesty's Reign, intituled *An Act for the Support of His Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of Great Britain and Ireland*; but the same, and the Civil List Establishment payable out of the same, shall continue to be paid in like Manner as heretofore; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

1G.4. c.1.

How Duties are to be levied and paid.

LVIII. And be it further enacted, That the Duties and Drawbacks imposed and allowed by this Act, according as they are hereby or may hereafter be made and become Duties of Customs

or

or Excise, shall and may be managed, ascertained, raised, levied, collected, answered, paid, recovered and allowed, in such and the like Manner as former Duties and Drawbacks of Customs or Excise upon Goods, Wares or Merchandize in general, were or might have been managed, ascertained, raised, levied, collected, answered, paid, recovered and allowed, and under and subject to all such Rules, Regulations, Restrictions, Provisions, Pains, Penalties and Forfeitures, and Modes of inflicting and recovering the same, as any such or the like Goods, Wares or Merchandize were particularly subject and liable to by any Act or Acts of Parliament in force on or immediately before the passing of this Act.

LIX. And be it further enacted, That the several Penalties and Forfeitures in this Act mentioned shall and may be prosecuted, determined, recovered, levied, mitigated and disposed of by such Ways, Means and Methods, as any Penalties or Forfeitures may now be prosecuted, determined, recovered, levied, mitigated and disposed, by any Act or Acts relating to the Revenue of the Customs or Excise, where that Revenue is concerned, in *Great Britain*.

Recovery of Penalties.

LX. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed, and not afterwards, and shall be laid in the County or Place where the Cause of Complaint did arise, and not elsewhere ; and the Defendant in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon ; and if the Jury shall find for the Defendant or Defendants in any such Action or Suit, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant had in other Cases to recover Costs by Law.

Limitation of Actions.

Where laid.

General Issue.

Treble Costs.

LXI. And be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to affect, alter, lessen, diminish or prejudice the Rights, Privileges, Liberties, Franchises, Powers or Authorities of the Mayor, and Commonalty and Citizens of the said City of *London*, or of the Lord Mayor of the said City for the Time being, or the Office of Paccage and Scavage, or of Gauger of Wines and other gaugable Articles, or the Duties, Fees, Profits or Emoluments incident thereto, belonging to the said Mayor, and Commonalty and Citizens, or in respect to the Admission, Government and Regulation of the Brokers within the said City and the Liberties thereof.

Proviso for Rights of the City of London.

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

Act may be altered, &c. this Session.

TABLES to which this Act refers.

TABLE (A.)

A TABLE of the DUTIES of CUSTOMS payable on certain Goods, Wares and Merchandize IMPORTED into Great Britain from Foreign Parts (except Goods, Wares and Merchandize of the Growth, Produce or Manufacture of any Place within the Limits of the Charter granted to the United Company of Merchants of England trading to the East Indies, and Goods imported from His Majesty's Settlement of the Cape of Good Hope, and the Territories and Dependencies thereof).

TABLE (A.)—INWARDS.		Duty.
		£. s. d.
Boracic Acid, the lb.	- - - - -	0 0 4
Borax or Tincal, viz.		
— refined, the lb.	- - - - -	0 0 6
— unrefined, the lb.	- - - - -	0 0 3
Bronze, viz. all Works of Art, made of Bronze, the cwt.		1 0 0
Buck Wheat, the Quarter, containing Eight Bushels (until and upon 25th March 1824)	- - - - -	0 10 0
— from and after 25th March 1824	- - - - -	0 14 0
Bugles of all Sorts, the lb.	- - - - -	0 4 0
Camphor, viz.		
— refined, the lb.	- - - - -	0 0 10
— unrefined, the lb.	- - - - -	0 0 5
Chocolate and Cocoa Paste of the British Plantations, the lb.	- - - - -	0 1 9
Cobalt, the lb.	- - - - -	0 1 0
Cocoa Nut Husks and Shells, the lb.	- - - - -	0 0 4
Ginger, preserved, the Produce of the British Plantations in America, the lb.	- - - - -	0 0 6
Gum, viz.		
— Animi, the lb.	- - - - -	0 0 6
— Copal, the lb.	- - - - -	0 0 6
— Lac, viz.		
- - Cake Lac	} for every 100℥. of the Value	- - 10 0 0
- - Lac Dye		
- - Lac Lake		
- - Seed Lac	} for every 100℥. of the Value	- - 5 0 0
- - Stick Lac		
- - Shell Lac, for every 100℥. of the Value		
Hides, viz.		
— Horse, Mare, Gelding, Buffalo, Bull, Cow or Ox Hides in the Hair, not tanned, awed, curried or in any way dressed,		
- - - dry,		
- - - imported in a British built Ship, the cwt.		0 4 8
- - - imported in a Ship not British built, the cwt.		0 14 0
- - - wet,		
- - - imported in a British built Ship, the cwt.		0 2 4
- - - imported in a Ship not British built, the cwt.		0 7 0

TABLE (A.) — INWARDS.		Duty.		
		£.	s.	d.
<i>Hides, viz. Horse, &c. — continued.</i>				
- - -	the Produce of and imported from the West Coast of Africa, not exceeding 14 lb. Weight each Hide, the cwt.	0	2	4
—	Muscovy or Russia Hides, tanned or coloured, the Hide	0	15	0
Juice of Lemons, Limes or Oranges, from and after the 5th January 1824, viz.				
—	raw, the Gallon, for every Degree of specific Gravity or Strength	0	0	0½
—	concentrated, the Gallon, for every Degree of specific Gravity or Strength	0	0	0¾
For the Rules and Regulations by which the Degrees of such specific Gravity or Strength shall be ascertained, See the Act to which this Table is annexed.				
<i>Lead, viz.</i>				
—	Chromate of Lead, the lb.	0	2	0
—	Madder, the cwt.	0	12	0
—	Root, the cwt.	0	5	0
—	Maps, plain or coloured, each Map or Part thereof	0	0	6
—	in Books half bound, or in any way bound, the cwt.	6	10	0
—	in Books unbound, the cwt.	5	0	0
—	Marmalade, the Produce of the British Plantations in America, the lb.	0	0	6
—	Medals (not of Gold or Silver), for every 100l. of the Value	5	0	0
—	Nuts, viz. Castor Nuts, the lb.	0	0	4
<i>Oil, Blubber, Train Oil, Spermaceti Oil or Head Matter, viz.</i>				
—	Blubber, the Produce of Fish or Creatures living in the Sea, taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported directly from any British Colony, Island, Plantation, Settlement or Territory, in a British built Ship or Vessel, owned, navigated and registered according to Law, the Tun, containing 252 Gallons	0	13	4
- - -	the Produce of Fish or Creatures living in the Sea, of Foreign Fishing, the Tun, containing 252 Gallons	22	3	4
—	Train Oil, Spermaceti Oil or Head Matter, the Produce of Fish or Creatures living in the Sea, taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported directly from any British Colony, Island, Plantation, Settlement or Territory, in a British built Ship or Vessel, owned, navigated and registered according to Law, the Tun, containing 252 Gallons	1	0	0
—	Train Oil, Spermaceti Oil or Head Matter, the Produce of Fish or Creatures living in the Sea, of Foreign Fishing, the Tun, containing 252 Gallons	33	5	0
<i>Pepper, viz.</i>				
—	Capsicum or Chillies, the lb.	0	2	6
—	Cayenne, the lb.	0	2	6
—	Guinea Pepper, the lb.	0	2	6
—	Long Pepper, the lb.	0	2	6

TABLE (A.)—INWARDS.

	Duty.
	£. s. d.
Platting of Bast, Chip, Cane or Horse hair, the lb. - -	1 0 0
Prints and Drawings, viz.	
— plain, each - - - - -	0 0 1
— coloured, each - - - - -	0 0 2
— in Books half bound, or in any way bound, the cwt. -	6 10 0
— in Books, unbound, the cwt. - - - - -	5 0 0
Rice, viz.	
— the Produce of, and imported directly from any British Colony, Plantation, Territory or Dominion, - - - - -	
— - - - rough, and in the Husk or Paddy, the Bushel -	0 0 7½
— not being the Produce of, and imported directly from any British Colony, Plantation, Territory or Dominion, and Rice the Produce of any other Country or Place, - - - - -	
— - - - rough, and in the Husk or Paddy, the Bushel -	0 2 6
For the Allowances on the Exportation of Clean Rice produced from such rough Rice, See the Act to which this Table is annexed.	
Sago or Sago Powder, the cwt. - - - - -	1 10 0
Seed, viz.	
— Acorns, the Bushel - - - - -	0 1 0
— Burnet Seed, the cwt. - - - - -	1 0 0
— Caraway Seed, the cwt. - - - - -	1 10 0
— Castor Seed, the lb. - - - - -	0 0 4
— Forest Seed, the lb. - - - - -	0 1 0
— Grass Seeds of all Sorts, the cwt. - - - - -	1 0 0
— Hemp Seed, the Quarter, containing 8 Bushels (until 5th April 1824) - - - - -	1 0 0
— - - - after 5th April 1824 - - - - -	2 0 0
— - - - the Produce of, and imported from the British Colonies or Plantations in America, the Quarter, containing 8 Bushels - - - - -	0 1 0
— Leek Seed, the lb. - - - - -	0 1 6
— Lucern Seed, the cwt. - - - - -	1 0 0
— Mustard Seed, the Bushel - - - - -	0 8 0
— Onion Seed, the lb. - - - - -	0 1 6
— Parsley Seed, the lb. - - - - -	0 0 1
— Pease, when prohibited to be imported as Corn, the Bushel -	0 7 6
— Shrub or Tree Seed, not otherwise enumerated or described, the lb. - - - - -	0 1 0
— Trefoil Seed, the cwt. - - - - -	1 0 0
— All Seeds (except Flax Seed and Linseed) not before enumerated or otherwise charged with Duty, commonly made use of for the Purpose of extracting Oil therefrom, the Last, containing 10 Quarters, each Quarter containing 8 Bushels - - - - -	10 0 0
Segars manufactured from Tobacco, (Note — Also liable to Duties of Excise,) the lb. - - - - -	0 12 0
Shells of Mother of Pearl, for every 100l. of the Value - -	5 0 0
Skins, viz.	
— Calves' Skins and Kip Skins, in the Hair, not tanned, tawed, curried or in any way dressed	

TABLE (A.) — INWARDS.		Duty.
		£. s. d.
Skins, viz. Calves' Skins, &c. — continued.		
----- dry,		
----- imported in a British built Ship, the cwt. -		0 4 8
----- imported in a Ship not British built, the cwt. -		0 14 0
----- wet,		
----- imported in a British built Ship, the cwt. -		0 2 4
----- imported in a Ship not British built, the cwt. -		0 7 0
----- the Produce of and imported from the West Coast of Africa, not exceeding 7 lbs. Weight each Skin, the cwt. -		0 2 4
— Deer Skins, viz.		
----- Indian, half-dressed, the Skin -		0 0 8
----- undressed, or shaved, the Skin -		0 0 4
— Lamb Skins, undressed, the 100 Skins -		
		0 14 0
— Nutria Skins, undressed, the 100 Skins -		
		0 12 6
— Seal Skins, Skins of Seals taken in any Foreign Fishery, by Persons not being British Subjects, the Skin -		
		0 1 6
Specimens of Minerals, Fossils or Ores, not particularly enumerated or described, nor otherwise charged with Duty, each Specimen not exceeding in Weight 14 lbs. -		
		Free.
----- exceeding in Weight 14 lbs. each, for every 100ℓ. of the Value -		5 0 0
Specimens illustrative of Natural History, not otherwise enumerated or described, for every 100ℓ. of the Value -		
		5 0 0
Spirits, viz.		
— Whiskey the Produce of the British Colonies or Plantations in America, the Gallon -		
		0 1 3
Stone, viz.		
— Marble Blocks, the Solid Foot -		
		0 3 0
— Marble in any way manufactured (except Grave Stone and Paving Stones), the cwt. -		
		0 3 0
— Stone to be used for the Purpose of Lithography, the cwt. -		
		0 3 0
Succades, the Produce of the British Plantations in America, the lb. -		
		0 0 6
Sulphur Impressions, for every 100ℓ. of the Value -		
		5 0 0
Tamarinds, the Produce of the British Plantations in America, the lb. -		
		0 0 6
Tapioca or Tapioca Powder, the cwt. -		
		1 10 0
Tares, the Quarter, containing 8 Bushels -		
		0 10 0
Tobacco, manufactured, (Note — Also liable to Duties of Excise,) the lb. -		
		0 12 0
Tow, if of Flax, from the passing of this Act,		
----- imported in a British built Ship, the cwt. -		0 0 5
----- imported in a Ship not British built, the cwt. -		0 0 8
— if of Hemp,		
----- imported in a British built Ship, the cwt. -		0 9 6
----- imported in a Ship not British built, the cwt. -		0 10 4
Turnerick, the lb. -		
		0 0 4

TABLE (A). — INWARDS.		Duty.
		£. s. d.
Vases, ancient, not of Stone or Marble, for every 100 <i>l.</i> of the Value	- - - - -	5 0 0
Wax, viz.		
— Bees' Wax, unmanufactured, the Produce of and imported from any British Colony, Plantation or Territory, the cwt.	- - - - -	2 6 6
Whale Fins, viz.		
— taken and caught wholly by His Majesty's Subjects, usually residing in any Part of His Majesty's Dominions, and imported directly from any British Colony, Island, Plantation, Settlement or Territory, in a British built Ship or Vessel, owned, navigated and registered according to Law, the Ton, containing 20 cwt.	- - - - -	3 3 4
— of Foreign Fishing, the Ton, containing 20 cwt.	- - - - -	95 0 0
Wood, viz.		
— Cedar Wood, the Produce of, and imported from any British Colony, Plantation or Territory in North America, the Ton, containing 20 cwt.	- - - - -	1 0 0
Wool, viz.		
— Bison or Buffalo Wool, the Produce of any British Colony, and imported directly from such Colony, the lb.	- - - - -	0 0 4
— the Produce of, and imported from any Foreign Colony, the lb.	- - - - -	0 0 6
Yarn, viz.		
— Camel or Mohair Yarn, the lb.	- - - - -	0 0 10
Zaffre, the cwt.	- - - - -	0 0 4

TABLE (B.)

A TABLE of the DUTIES of CUSTOMS payable on certain Goods, Wares and Merchandize, being of the Growth, Produce or Manufacture of any Place within the Limits of the Charter granted to the United Company of Merchants of England trading to the East Indies, imported into Great Britain; and on Goods, Wares and Merchandize imported into Great Britain from His Majesty's Settlement of the Cape of Good Hope and the Territories and Dependencies thereof.

TABLE (B.) — INWARDS.		Duty.
		£. s. d.
Argol, the cwt.	- - - - -	0 4 9
Boraic Acid, the lb.	- - - - -	0 0 4
Borax, or Tincal, viz.		
— refined, the lb.	- - - - -	0 0 6
— unrefined, the lb.	- - - - -	0 0 3
Camphor, viz.		
— refined, the lb.	- - - - -	0 0 10
— unrefined, the lb.	- - - - -	0 0 5

TABLE (B.) — INWARDS.		Duty.		
		£.	s.	d.
Chocolate or Cocoa Paste of the British Possessions, the lb.	-	0	1	9
Cocoa Nut Husks and Shells, the lb.	-	0	0	4
Ginger, viz. preserved, the lb.	-	0	0	6
Gum, viz.				
— Animi, the lb.	-	0	0	6
— Copal, the lb.	-	0	0	6
— Lac, viz.				
- - Cake Lac,	} for every 100℥. of the Value	10	0	0
- - Lac Dye,				
- - Lac Lake,				
- - Seed Lac,	} for every 100℥. of the Value	5	0	0
- - Stick Lac,				
- - Shell Lac, for every 100℥. of the Value	-	20	0	0
Hides, viz.				
— Horse, Mare, Gelding, Buffalo, Bull, Cow or Ox Hides, in the Hair, not tanned, tawed, curried or in any way dressed, the cwt.	-	0	4	8
Iron, in Bars and unwrought, the Produce or Manufacture of any British Colony, Plantation or Territory in the East Indies, the Ton of 20 cwt.	-	1	0	0
Madder or Munjeet, viz.				
— Madder, the cwt.	-	0	12	0
— Root, the cwt.	-	0	5	0
Maps, plain or coloured, each Map or Part thereof	-	0	0	6
— in Books half bound, or in any way bound, the cwt.	-	6	10	0
— in Books unbound, the cwt.	-	5	0	0
Marmalade, the lb.	-	0	0	6
Medals, not of Gold or Silver, for every 100℥. of the Value	-	5	0	0
Nuts, viz. Castor Nuts, the lb.	-	0	0	4
Oil, Blubber, Train Oil, Spermaceti Oil and Head Matter, viz.				
— Blubber, the Produce of Fish or Creatures living in the Sea, taken and caught by the Crew of a British built Ship or Vessel, wholly owned by His Majesty's Subjects usually residing in Great Britain, Ireland or the Islands of Guernsey, Jersey, Alderney, Sark or Man, registered and navigated according to Law, and imported in any such Shipping, the Tun, containing 252 Gallons	-	0	5	6
— Blubber, the Produce of Fish or Creatures living in the Sea, taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported directly from the Cape of Good Hope or from any British Colony, Settlement or Territory within the Limits of the East India Company's Charter, in a British built Ship or Vessel, owned, navigated and registered according to Law, the Tun, containing 252 Gallons	-	0	13	4
— Blubber, the Produce of Fish or Creatures living in the Sea, of Foreign Fishing, the Tun, containing 252 Gallons	-	22	3	4
— Train Oil, Spermaceti Oil or Head Matter, the Produce of Fish or Creatures living in the Sea, taken and caught by the Crew of a British built Ship or Vessel, wholly owned by His Majesty's Subjects usually residing in Great	-			

TABLE (B.) — INWARDS.

	Duty.
	£. s. d.
Oil, Blubber, &c. — <i>continued.</i>	
Britain, Ireland or the Islands of Guernsey, Jersey, Alderney, Sark or Man, navigated and registered according to Law, the Tun, containing 252 Gallons	0 8 3
— Train Oil, Spermaceti Oil or Head Matter, the Produce of Fish or Creatures living in the Sea, taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported directly from the Cape of Good Hope or from any British Colony, Settlement or Territory within the Limits of the East India Company's Charter, in a British built Ship or Vessel, owned, navigated and registered according to Law, the Tun, containing 252 Gallons	1 0 0
— Train Oil, Spermaceti Oil or Head Matter, the Produce of Fish or Creatures living in the Sea, of Foreign Fishing, the Tun, containing 252 Gallons	33 5 0
Pepper, <i>viz.</i>	
— Capsicum or Chillies, the lb.	0 2 6
— Cayenne, the lb.	0 2 6
— Guinea Pepper, the lb.	0 2 6
— Long Pepper, the lb.	0 2 6
Prints and Drawings, <i>viz.</i>	
— plain, each	0 0 1
— coloured, each	0 0 2
— in Books half bound, or in any way bound, the cwt.	6 10 0
— in Books unbound, the cwt.	5 0 0
Rice, <i>viz.</i>	
— the Produce of any of the British Territories in the East Indies, if rough and in the Husk or Paddy, the Bushel	0 0 7½
— the Produce of any other Country or Place, if rough and in the Husk or Paddy, the Bushel	0 2 6
Sago, or Sago Powder, the cwt.	1 10 0
Seed, <i>viz.</i>	
— Castor Seed, the lb.	0 0 4
Segars manufactured from Tobacco, the lb.	0 12 0
<i>Note.</i> — Segars are also liable to Duties of Excise.	
Shells of Mother of Pearl, for every 100 <i>l.</i> of the Value	5 0 0
Skins, <i>viz.</i>	
— Calves' Skins and Kip Skins, in the Hair, not tanned, tawed, curried or in any way dressed, the cwt.	0 4 8
— Lamb Skins, undressed, the 100 Skins	0 14 0
— Seal Skins, Skins of Seals, taken in any Foreign Fishery by Persons not being British Subjects, the Skin	0 1 6
— Sheep Skins, undressed, the Dozen Skins	0 2 3
Soap, <i>viz.</i>	
— hard, the cwt.	1 8 0
— soft, the cwt.	1 3 0
Specimens of Minerals, Fossils or Ores, not particularly enumerated or described, nor otherwise charged with Duty, each Specimen not exceeding in Weight 14 lbs.	Free.
— exceeding in Weight 14 lbs. each, for every 100 <i>l.</i> of the Value	5 0 0

TABLE (B.)—INWARDS.	Duty.		
	£.	s.	d.
Specimens illustrative of Natural History, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value -	5	0	0
Succades, the lb. - - - - -	0	0	6
Sugar, not being Sugar Candy nor refined, — the Growth, Produce or Manufacture of any British Colony, Plantation or Territory in the East Indies, the cwt. - - - - -	2	0	0
— the Growth, Produce or Manufacture of China, Java, the Eastern Islands or any other Country or Place in the East Indies, the cwt. - - - - -	3	3	0
Tallow, the cwt. - - - - -	0	3	2
Tamarinds, the lb. - - - - -	0	0	6
Tapioca, or Tapioca Powder, the cwt. - - - - -	1	10	0
Tobacco, manufactured, (<i>Note</i> — Tobacco is also liable to Duties of Excise,) the lb. - - - - -	0	12	0
Turmerick, the lb. - - - - -	0	0	4
Wax, <i>viz.</i> Bees' Wax, unmanufactured, the Produce of and imported from any British Colony, Plantation or Territory, the cwt. - - - - -	2	6	6
Whale Fins, <i>viz.</i> — taken and caught by the Crew of a British built Ship or Vessel, wholly owned by His Majesty's Subjects usually residing in Great Britain, Ireland or the Islands of Guernsey, Jersey, Alderney, Sark or Man, navigated and registered according to Law, and imported in any such Shipping, the Ton, containing 20 cwt. - - - - -	2	7	6
— taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported directly from the Cape of Good Hope, or from any British Colony, Settlement or Territory within the Limits of the East India Company's Charter, in a British built Ship or Vessel, owned, navigated and registered according to Law, the Ton, containing 20 cwt. - - - - -	3	3	4
— of Foreign Fishing, the Ton, containing 20 cwt. - - - - -	95	0	0
Wood, <i>viz.</i> — Beef Wood, unmanufactured, imported from New South Wales, the Ton, containing 20 cwt. - - - - -	0	5	0
— unmanufactured, of the Produce of New South Wales, or the Settlements and Dependencies thereof, Norfolk Island, or Van Dieman's Land, not being particularly enumerated or described, nor otherwise charged with Duty, for every 100 <i>l.</i> of the Value. - - - - -	5	0	0

TABLE (C.)

A TABLE of the DUTIES of CUSTOMS payable on Coals, Cinders and Culm, the Produce or Manufacture of Great Britain, exported from Great Britain.

TABLE (C.)—OUTWARDS.		Duty.
		£. s. d.
Coals and Cinders, usually sold by Measure; viz.		
—	exported to the Isle of Man, the Chaldron, Winchester Measure	0 1 6
—	exported to any British Colony, Settlement or Plantation, the Chaldron, Winchester Measure	0 2 6
—	exported to any other Place,	
- - -	in a British built Ship, the Chaldron, Newcastle Measure	0 17 0
- - -	in a Ship not British built, the Chaldron, Newcastle Measure	1 10 3
Coals exported in certain Quantities from the Ports of Newcastle and Swansea to the Islands of Jersey, Guernsey and Alderney, the Chaldron, Newcastle Measure		
	For the Conditions, Regulations and Restrictions under which Coals may be so exported, See 6 G. 3. c. 40.	0 12 0
Coals and Cinders usually sold by Weight, viz.		
—	exported to the Isle of Man, the Ton, containing 20 cwt.	0 1 0
—	exported to any British Colony, Settlement, or Plantation, the Ton, containing 20 cwt.	0 1 8
—	exported to any other Place,	
- - -	in a British built Ship, the Ton, containing 20 cwt.	0 5 9
- - -	in a Ship not British built, the Ton, containing 20 cwt.	0 10 0
Any Coals which shall have been screened through a Riddle or Screen, the Bars of which not being in any Part thereof more than Three eighth Parts of an Inch asunder, shall, on Exportation from any Part of Great Britain, be subject and liable to such and the like Duties, and no other, as are or may be charged and payable on Culm exported from Great Britain to Foreign Parts.		
For the Rules, Regulations and Conditions under which such Coals can only be exported on Payment of the Duty on Culm, See 56 G. 3. c. 127.		
Culm, viz.		
—	exported to the Isle of Man, the Chaldron, Winchester Measure	0 0 6
—	exported to any British Colony, Settlement or Plantation, the Chaldron, Winchester Measure	0 1 0
—	exported to any other Place,	
- - -	in a British built Ship, the Chaldron, Newcastle Measure	0 4 6
- - -	in a Ship not British built, the Chaldron, Newcastle Measure	0 8 0
—	and further, for every 100 ^l . of the true and real Value of all such Coals and Cinders and Culm so exported	0 10 0

TABLE (D.)

A TABLE of the DUTIES of CUSTOMS payable on Slate, of the Production of Great Britain, brought Coastwise from any Port or Place in Great Britain, to any other Port therein.

TABLE (D.) — COASTWISE.	Duty.
Slates delivered by Tale, viz.	£. s. d.
— Doubles, not exceeding 13 Inches in Length, or 7 Inches in Breadth, the 1000	0 6 0
— Ladies, exceeding 13 Inches in Length and 7 Inches in Breadth, and not exceeding 16 Inches in Length and 8 Inches in Breadth, the 1000	0 13 0
— Countesses, exceeding 16 Inches in Length and 8 Inches in Breadth, and not exceeding 20 Inches in Length and 10 Inches in Breadth, the 1000	1 2 6
— Duchesses, exceeding 20 Inches in Length and 10 Inches in Breadth, and not exceeding 24 Inches in Length and 12 Inches in Breadth, the 1000	1 15 6
Slates delivered by Weight, viz.	
— Queen or Size Rag Slates, the Ton, containing 20 cwt.	0 13 0
— Imperial or Milled Slates, the Ton, containing 20 cwt.	0 15 6
— Slab Slates, the Ton, containing 20 cwt.	0 13 0
— Block Slates, the Ton, containing 20 cwt.	0 14 6
— Westmorland Rag Slates, the Ton, containing 20 cwt.	0 14 6
— Slate or Slates, not otherwise enumerated or described, for every 100 ^l . of the Value thereof	25 0 0

TABLE (E.)

A TABLE of the BOUNTIES and ALLOWANCES payable on Silk Manufactures made in any Part of the United Kingdom of Great Britain and Ireland, when exported by way of Merchandize from any Part of the said United Kingdom.

TABLE (E.) BOUNTIES.	Bounty.
Ribbons of Silk only, or of Silk mixed with Gold or Silver,	£. s. d.
- - - if not wholly or not in Part composed of Spun Silk, the lb.	0 10 0
- - - if wholly or in Part composed of Spun Silk, the lb.	0 6 8
Silk Lace, and Stuffs of Silk only, or of Silk mixed with Gold and Silver,	
- - - if not wholly or not in Part composed of Spun Silk, the lb.	0 12 0
- - - if wholly or in Part composed of Spun Silk, the lb.	0 6 8
Silk Stockings, Silk Gloves and other Articles of Silk Hosiery,	
- - - if not wholly or not in Part composed of Spun Silk, the lb.	0 7 6
- - - - or if Stockings with Cotton Feet and Tops, or either of them, the lb.	0 3 9
- - - if wholly or in Part composed of Spun Silk, the lb.	0 4 0

TABLE (E.) BOUNTIES.		Bounty.
		£. s. d.
Silk Stockings, &c. — <i>continued.</i>		
----- - - - - or if Stockings with Cotton Feet and Tops, or either of them, the lb. -		0 2 0
----- Stockings of Silk and Cotton mixed, the lb. -		0 3 0
Silk Fringes, Silk Trimmings, Silk Lacing, Stitching or Sewing Silk, the lb. -		0 4 0
Ribbons and Stuffs (except Bombazines) of Silk mixed with Incle, Cotton Wool, Worsted, Grogam Yarn, Mohair Yarn, or either or all of them, - - - if Two Third Parts of both the Warp and the Shoot be Silk, the lb. -		0 4 0
- - - if the Whole of the Warp or the Whole of the Shoot be Silk, the lb. -		0 3 0
- - - if Two Third Parts of the Warp or Two Third Parts of the Shoot be Silk, the lb. -		0 2 0
Bombazines, the lb. -		0 1 6
Silk Lace and Ribbons, and Stuffs of Silk only, or of Silk mixed with Gold or Silver, ornamented with Embroidery, Tambour, Needle Work, Lace or Fringe, provided the Ornaments on or attached to such Lace, Ribbons and Stuffs respectively are of Incle Cotton, Worsted or either or all of them, the lb.		0 4 0

C A P. LXX.

An Act for the better Administration of Justice in the Equity
Side of the Court of Exchequer in *Ireland*.

[11th July 1823.]

‘ **W**HEREAS it hath appeared, by Reports made to the King’s
‘ most Excellent Majesty from the Commissioners appoint-
‘ ed by His Majesty upon an Address of the Knights, Citizens
‘ and Burgesses, in Parliament assembled, to inquire into the Du-
‘ ties and Emoluments of the Officers, Clerks and Ministers of
‘ Justice in all Temporal and Ecclesiastical Courts in *Ireland*, that
‘ the several Ministerial Officers of the Equity Side of His Ma-
‘ jesty’s Court of Exchequer in *Ireland* require Regulations for
‘ ensuring the more easy, cheap and expeditious Administra-
‘ tion of Justice in the said Court: And Whereas some of such
‘ Regulations may be carried into effect by General Orders of the
‘ said Court; but certain other Regulations are required which
‘ cannot be carried into effect without the Aid of Parliament:
‘ And Whereas it is expedient that the Fees to be taken by the
‘ said several Officers of the said Court should be ascertained and
‘ regulated by Law:’ May it therefore please Your Majesty that
‘ it may be enacted; And be it 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 Parliam-
‘ ent assembled, and by the Authority of the same, That from
‘ and after the Commencement of this Act, it shall and may be
‘ lawful for the several Officers in, of or belonging to the said
‘ Court, mentioned and described in the several Tables to this Act
‘ annexed, to ask, demand, have, receive, take and accept, for and
‘ by

The Officers of
the Court of
Exchequer em-
powered to take
the Fees spe-
cified in Tables
annexed.

by reason, and on account of the several Acts, Matters and Things to be done in or concerning the Business of their several and respective Offices, or of the several Services to be performed touching or concerning such Offices, the several Fees, Payments and Sum and Sums of Money in the said Tables hereunto annexed respectively mentioned, and none other or greater Fees or Sums of Money whatever; and that no Officer or Attendant of the said Court, nor any Deputy or Clerk of any such Officer, nor any Person acting in any of the said Offices of the said Court, or doing any Part of the Business thereof, mentioned in the said Tables or either of them, shall ask, demand or receive, from any of the Suitors of the said Court, or from any Person or Persons whomsoever on their Behalf, any Fee or Sum or Sums of Money whatever, on account of, or for the Performance of, or under pretence of performing any Act, Matter or Thing whatsoever, in anywise relating to the Business of the said Court, not mentioned in the said Tables, or some or one of them, as payable for or in respect of such Act, Matter or Business, except under the Provisions of this Act, any Law, Usage or Custom at any Time heretofore made, used or exercised, to the contrary in anywise notwithstanding; and that the said Tables, and all Directions, Matters and Things contained therein, shall be taken as Part of this Act to all Intents and Purposes whatsoever.

II. Provided always, and be it enacted, That it shall and may be lawful for the said Court from time to time to vary and alter the Amount of any of the Fees aforesaid, by decreasing or increasing the same, or to abolish any of the said Fees altogether; and also to direct and authorize the Payment of any new or additional Fee to the several Officers and Persons in the said Tables mentioned, or any of them, or to any other Persons, for or in respect of any Matters or Things mentioned in the said Tables, or any of them, or of any other Matter or Things to be done in the Execution of the Duty of the Office of such Officers or Persons respectively; and all such Fees, the Amount whereof shall be so altered, and also such new or additional Fees which shall be so made payable, and also any Order for the Abolition of any Fee, shall be specified and set forth in a Table or Tables to be made by order of the said Court, and signed by Three at least of the Barons thereof, and such Order shall specify the Grounds and Reasons upon which such Fees shall have been altered, abolished or made payable respectively; and a Copy of every such Order, signed as aforesaid, shall be transmitted by the Chief Baron of the said Court to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, who shall cause Copies of the same to be laid before both Houses of Parliament, immediately after the Commencement of the then next Session of Parliament; and thereupon every such Fee shall be and be deemed and taken to be a legal Fee according to the Terms of such Order, and payable and receivable as such from and after the last Day of such Session of Parliament, as if the same had been included in any of the Tables annexed to this Act.

III. Provided also, and be it enacted, That it shall and may be lawful for the said Court to make any such Order or Orders of the said Court, for the altering or discharging any Course of Proceedings

Fees may be altered or new Fees allowed by Order of the Court.

Such Orders to be transmitted to Lord Lieutenant, who shall cause Copies thereof to be laid before Parliament.

Court may alter Course of Proceedings in Suits, and

Stamp Duties applied to Process so altered.

ceedings in Suits pending or to be brought at the Equity Side of the said Court, and to direct that such Process shall issue, and in such Manner and Course in all such Suits as to the said Court shall appear fit and expedient, in the same Manner and with the same Force and Effect in all respects as if this Act had not passed; and that no Clause, Matter or Thing contained in any Act or Acts from time to time in force in *Ireland*, for the granting or regulating the Payment of any Stamp Duty, or any Process in any Suit at the Equity Side of the said Court, shall extend or be construed to extend to prevent, alter or affect the Course of any of such Proceedings, or the issuing of any such Process, or to Warrant or authorize the Receipt of any greater Fee, by the Alteration of the Number of Words in any Sheet of Proceeding; and that the several Stamp Duties from time to time imposed or payable on any such Proceeding or Process shall be paid and payable upon the same as altered by the said Court, or upon such Proceeding or Process as shall be substituted for any which may be abolished, such Process or Proceeding being by such Order declared to be so substituted.

Deputies or Clerks taking Fees contrary to Act.

IV. And be it further enacted, That if any Officer at the Equity Side of the said Court, mentioned in the said Tables, or either of them, shall at any Time after the Commencement of this Act ask or demand, or shall have, take, accept or receive from any Suitor, Solicitor or other Person whomsoever, save and except only from the Principal Officer by and under whom any such Deputy or Clerk, or other Person, shall be immediately employed, any Gift, Fee, Reward or Remuneration, for or by reason, or on account, or under pretext of any Service of their own, or of any Person or Persons employed by or under them respectively, in any of the Offices of the said Court, or if any such Deputy or Clerk, or other Person, shall ask or demand, or shall have, take, receive or accept any Gift, Fee or Reward, Gratuity or Remuneration, for or by reason, or on account, or under pretext of the Services of their Principals or Employers, or for or by reason, or on account, or under pretext of any Matter or Thing whatever, done in and about the Business of their respective Offices, other than and except only such Fees and Sums of Money as shall from time to time be lawful, under the Provisions of this Act, every Deputy, Clerk or other Person so offending, shall for every such Offence forfeit and lose the Sum of One hundred Pounds.

Penalty 100l.

Principals in Offices taking Fees contrary to Act.

V. And be it further enacted, That if any Person who shall hold any of the said Offices mentioned and described in any of the Tables to this Act annexed shall by himself, or by his Deputy, or by any Clerk or Person authorized on his Behalf, wilfully and knowingly ask, demand, have, take, receive or accept, directly or indirectly, any Gift, Fee, Reward, Gratuity or Remuneration, for or by reason, or on account, or under pretext of any Service in any of the Offices in the said Tables specified, other than and except only such Fees and Sums of Money as shall from time to time be lawful under the Provisions of this Act, or shall wilfully and knowingly ask, demand, have, take or receive or accept, directly or indirectly, any Gift, Fee, Reward, Gratuity or Remuneration, for or by reason, or on account, or under pretext of any Service in any way concerning or relating to the Business of any

any of the said respective Offices, not then allowed to be taken under the Provisions of this Act, every such Person so offending shall for every such Offence forfeit and lose the Sum of One hundred Pounds, and shall also forfeit and lose all and every Office and Offices in or under the said Court, which such Person shall hold or be possessed of at the Time of such Offence, and shall for ever after be incapable and incapacitated from holding any Office in or under the said Court.

Penalty 100l.
Loss of Office,
and Incapacity.

VI. And be it further enacted, That from and after the Third Day of the *Michaelmas* Term next after the passing of this Act, no Person whatsoever shall in anywise act in the Business of any of the Offices or Places in the Equity Side of the said Court of Exchequer, mentioned in the Tables to this Act annexed, or any of them; or shall do any Act relating to the Business of any such Office, whether as a Principal or Deputy, or a Clerk, until such Person shall have taken and subscribed, before the Chief or one other Baron of the said Court, an Oath in the Form following; that is to say,

Oath of Office
by Officers of
Court of Ex-
chequer.

‘ I *A.B.* do solemnly swear, That I will, to the best of my Knowledge, Skill and Judgment, execute and perform such of the Duties of the Office of at the Equity Side of the Court of Exchequer in *Ireland*, as I shall personally execute, and that I will well and faithfully pay every Deputy or Clerk, whom I shall or may at any Time employ in any Part of the Business of the said Office, such Salaries and Allowances as they shall from time to time be respectively entitled to by Law, or such additional Sum as I shall contract or agree to pay them respectively; and that I will not by myself, or by any Deputy or Clerk, or other Person or Persons, ask or demand, or have, take, accept or receive any Gift, Fee, Reward, Gratuity or Remuneration whatever, other than such as shall at the Time of receiving the same be authorized and allowed by the Tables which shall be then in force, or under the Provisions of some Act of Parliament; and that I will in all Things relating to my said Office conduct myself according to the Rules and Regulations which shall from time to time be in force for the Regulation of such Office, and of the Business thereof.

Oath.

‘ So help me GOD.’

And any Officer, Deputy, Clerk or other Person, who shall at any Time after the Third Day of the said *Michaelmas* Term personally act in any Matters relating to the Business of any such Office in the said Court, without having taken and subscribed such Oath as aforesaid, shall for every Day on which he shall so act forfeit the Sum of Twenty Pounds.

Acting without
having taken
Oath.
Penalty 20l.
per Day.

VII. And be it further enacted, That every Officer at the Equity Side of the said Court of Exchequer shall, on or before the Third Day of the *Michaelmas* Term next after the passing of this Act, and every Officer of the said Court who shall be hereafter appointed, within Three Calendar Months after he shall have taken the Oath of Office required by this Act, affix or cause to be affixed or hung up in his Office a Table of all such Fees as it shall be then lawful to receive pursuant to the Directions of this Act, in his said Office, in respect of the Business thereof; and if at any Time

Officers to affix
Tables of Fees
in their Offices.

And so upon any Alteration or Addition of Fees.

Penalty 20l. per Day.

Officers every Five Years to deliver to Chief Remembrancer, on Oath, a Table of Fees taken in his Office during the preceding Five Years.

Chief Remembrancer to check such Tables, and if correct to file them, and transmit Copies to Privy Council.

Time any of such Fees shall be altered or abolished, or any new Fee or Fees authorized according to the Directions of this Act, in respect of the Business of such Office, then and in every such Case such Officer shall, within One Week from the Time of such Change, alter such Table so kept in his Office pursuant and according to such Change, and to the Order for making the same; and such Table shall at all Times be written or printed in fair and legible Characters, and shall be framed and glazed, so as to be preserved from being erased or altered in any other Manner save as aforesaid, and shall be always kept affixed or hung up in such Manner that the same shall be accessible to and legible by all Persons resorting to such Office; and in case such Table shall not be so affixed or hung up, and continually kept so framed and glazed and legible in the said Office, such Officer shall, for every Day on which such Table shall not be so kept and legible as aforesaid in such Office, forfeit the Sum of Twenty Pounds.

VIII. And be it further enacted, That every Officer at the Equity Side of the said Court of Exchequer shall, in every Five Years, that is to say, in *Michaelmas* Term One thousand eight hundred and twenty eight, and in like Manner on some Day in *Michaelmas* Term One thousand eight hundred and thirty three, and so in *Michaelmas* Term in every Fifth Year succeeding, deliver to the Chief Remembrancer of the said Court, in open Court, a Table or Schedule, under the Hand and Seal of such Officer respectively, specifying and setting forth the Rate of all Fees charged or received in the Office of such Officer at any Time during Five Years then next immediately preceding, and paid to or received by such Officer, or any his Deputy or Clerk, or other Person whatsoever, directly or indirectly, for the Benefit of such Officer, or his Deputy or Clerks respectively; and every such Officer shall, at the Time of the Delivery of such Table, make Oath to the Truth thereof in open Court, to the best of his Knowledge and Belief, which Oath shall be written at the Foot of such Table, and shall be signed by such Officer.

IX. And be it further enacted, That the Chief Remembrancer of the said Court shall, upon the Receipt of such Tables, carefully examine the same and the several Fees therein stated and set forth, and shall compare the same with the several Fees contained in the Tables to this Act annexed, and with such Orders of the said Court as may have altered the said Fees, or any of them, or may have added any new or other Fees; and in case it shall appear to such Chief Remembrancer, upon Examination, that any Fee or Fees contained in the said Table shall exceed in Amount the Fee allowed to be taken according to the Tables to this Act annexed, or any Orders of the said Court for altering the same, or shall not be included in or allowed by such Tables or Orders respectively, the said Chief Remembrancer shall file all such Tables of Fees to which on Examination no Objection shall appear, or which shall be approved of by the said Court, and shall transmit a Copy of every such Table of Fees so filed, signed by such Chief Remembrancer, to the Clerk of His Majesty's Privy Council in *Ireland*, on or before the Thirty first Day of *December* next ensuing every such *Michaelmas* Term in which the same shall have been delivered as aforesaid.

X. And

X. And be it further enacted, That the said Chief Remembrancer of the said Court shall, on or before the Thirty first Day of *December* next after every such *Michaelmas* Term, in each Fifth Year, transmit to the Clerk of His Majesty's Privy Council in *Ireland* a List of all Officers of the said Court who shall have neglected or omitted to deliver the Tables required by this Act, for the Five Years preceding such *Michaelmas* Term; and if any Officer shall omit or neglect to deliver such Table as is required by this Act, or if the Chief Remembrancer shall neglect or omit to transmit to the Privy Council Copies of the Tables so delivered as aforesaid, by the Officers of the said Court, or any of them, or shall neglect or omit to transmit a List of such Officers so neglecting to deliver in such Tables, every such Officer and Chief Remembrancer so making Default shall forfeit the Sum of Two hundred Pounds.

Remembrancer to transmit to Privy Council Lists of Officers omitting to return Table of Fees.

Penalty 200l.

XI. And be it further enacted, That from and after the First Day of *August* next after the passing of this Act, it shall not be lawful for any Person who now holds or shall hereafter hold any of the Offices of the said Court, mentioned and specified in any of the Tables to this Act annexed, or who now is or shall hereafter be appointed a Deputy or Clerk to any Person who now holds or shall hereafter hold any such Office, to act or practise, either in his own Name or in the Name of any other Person or Persons, as an Attorney or Solicitor, in any of the Courts of Law or Equity in *Ireland*; and every such Officer or Person who shall directly or indirectly, by himself, or any other Person in Partnership with or in trust for him, act as such Attorney or Solicitor, contrary to the true Intent and Meaning of this Act, shall for every Time he shall so act forfeit the Sum of Two hundred Pounds.

Officers disabled from practising as Solicitors or Attornies.

Penalty 200l.

XII. And be it further enacted, That all Officers of the said Court of Exchequer who shall be entitled to any Fees under the Provisions of this Act shall employ in their respective Offices a sufficient Number of Writing Clerks to make Copies of Bills, Pleadings, Affidavits, Orders, Decrees and other Things belonging to their respective Offices, and required by or on Behalf of the Suitors of the said Court, and to do and perform all other Business requisite to be done and performed in such respective Offices, so that the Business of any Suitor of the said Court shall not be unnecessarily delayed therein; and such Officer shall pay to every such Writing Clerk for all Copies made by such Writing Clerk after the Rate of not less than One Penny Halfpenny for every Office Sheet, consisting of Seventy two Words of every such Copy made by such Clerk, and for a Part or Portion of any Office Sheet; and it shall not be lawful for any such Officer to cause or direct, or knowingly permit any such Copy, or any Part thereof, to be made in any other Place or by any other Person, than in the proper Office of such Officer, and by a Writing Clerk employed in such Office, and paid exclusively by such Officer after the Rate aforesaid, at least; and every such Officer shall be responsible for the Accuracy of every Copy so made in his Office, and for the same being duly compared with the Original from which it shall be made; and every such Officer who shall cause or direct, or knowingly permit any Copy to be made contrary to this Act, or who shall not pay the Writing Clerk for writing the

Officers to keep Writing Clerks.

Pay of such Clerks.

Officers not to permit Copies to be made out of their Offices.

Responsible for Accuracy of Copies.

Penalty 20l.

In case of want of Room, Court may make annual Order for permitting Copies to be made out of the Office.

What shall be deemed lawful Fees for Copy of Pleadings, &c.

Solicitors may prepare Copies of Decrees, Affidavits, &c. and mark Fees thereon ;

and Drafts of Decrees, &c.

In Copies, &c. Fraction of a Sheet, &c. may be charged as a whole Sheet.

same, according to the Rate by this Act directed at the least, shall for every such Offence forfeit the Sum of Twenty Pounds.

XIII. Provided always, and be it enacted, That if at any Time or Times it shall be ascertained by Affidavit or otherwise, to the Satisfaction of the Court, that any Officer of the said Court hath not in his Office sufficient Room for the reasonable Accommodation of himself, his Deputies and Assistants, and of a sufficient Number of Clerks to do and perform the Business so required to be done in such Office as aforesaid, then and in every such Case it shall and may be lawful to and for such Court to make an Order declaring that the same has been so proved, and that it shall be lawful for such Officer to cause, direct or permit any such Copy, or any Part thereof, to be made in any Place and by any Person whatever ; and that for every Copy or Part of a Copy which shall be so made in any other Place than the said Office, such Officer, in ascertaining and charging his Fees in respect thereof, shall allow out of the Fees usually payable on such Copies or Parts of Copies, One Penny Halfpenny for every Office Sheet thereof ; and every such Order shall be good and valid, and shall be a sufficient Justification in all respects to any Person acting in pursuance thereof, for One Year from the Date thereof, unless sooner rescinded, and shall and may be renewed from time to time, until by reason of new Buildings or new Arrangements, or otherwise, sufficient Room shall have been obtained for the Purposes in that Behalf aforesaid ; and the Residue only of the Fees to which such Officer would then be lawfully entitled in case such Copying had been regularly done in his Office, which shall remain after such Deduction as aforesaid, shall be deemed and taken to be the lawful Fees or Fee of such Officer in such Case.

XIV. Provided also, and be it further enacted, That it shall and may be lawful for any Attorney or Solicitor of the said Court to prepare, for the Attestation of the proper Officers of the said Court, Engrossments and Copies of all or any such Decrees, Reports, Accounts, Affidavits and other Matters or Things as such Attorney or Solicitor shall have occasion to file ; and that every such Officer shall compare and attest such Copy, and shall in such Case deduct and allow, out of the Fee payable to such Officer for such attested Copy, the Sum of One Penny Halfpenny for every Office Sheet thereof, and shall mark the Fees on such Documents, pursuant to this Act, as if such Copy had been prepared by such Officer ; and further, that it shall and may be lawful for any Attorney or Solicitor of the said Court to prepare Drafts of Decrees and all other Documents, in like Manner as the Attornies or Solicitors of the said Court have heretofore been accustomed to do.

XV. And be it further enacted, That in all Copies, Engrossments, Exemplifications or Extracts of any Rules, Pleadings, Decrees or other Matters chargeable according to the Length thereof, whether the Charge for the same shall be computed according to the Sheet, the Skin, the Roll or the Side, a Fraction of a Sheet, Skin, Roll or Side respectively, of any such Copy, Engrossment, Exemplification or Extract, may be charged for by any Officer as an entire Sheet, Skin, Roll or Side ; provided that on each such Copy, Engrossment, Exemplification or Extract respectively, there shall

shall be charged only One such Fraction of a Sheet, Skin, Roll or Side respectively.

XVI. And be it further enacted, That in all Copies of Accounts and Schedules whatsoever issued from any Office at the Equity Side of the said Court, the Charge or Fee whereupon is or are or shall or may be lawfully computed according to the Contents, all Sums of Money, and Dates of the Year and Days of the Month, and Numbers, shall be expressed in Figures, and shall be charged as if the same were expressed in Figures and not in Words, in Manner and according to the Directions following; (that is to say,) One Pound, or any Number of Pounds, shall be charged as One Word; One Shilling, or any Number of Shillings, shall be charged as One Word; One or more Penny or Pence, whether with or without any Fraction of a Penny, shall be charged as One Word; every Fraction of a Penny not joined with any Penny or Pence shall be charged as One Word, whether the same shall occur singly or shall be combined in any Mode or Form whatsoever; and any definite Number whatever shall be charged as One Word and no more.

XVII. And be it further enacted, That upon the Back of all Copies, Engrossments, Exemplifications and Writings which shall be issued from any Office at the Equity Side of the said Court, or by any Officer at the Equity Side of the said Court, there shall be endorsed and written by the said Officer, or his sufficient Deputy or Clerk, the full Amount of all Office Fees charged on such Copy, Engrossment, Exemplification or Writing respectively, and the Rate of such Fees, and the mode of Charge according to which such Fees shall be computed, and the Number of Sheets, Skins or Sides on which such Fees shall be charged or calculated; and upon any Taxation of Costs between Party and Party, or between Attorney and Client, such Copy, Engrossment, Exemplification or Writing shall be produced before the Taxing Officer in all Cases where it shall appear to him practicable; and it shall not be lawful for the Taxing Officer to allow any Charge of any Solicitor or Attorney, with respect to any such Document so produced upon which the Amount and Rates of Fees shall not be so endorsed, but that all and every such Charge shall be struck out of the Bills of such Solicitor or Attorney by such Taxing Officer.

XVIII. And for the Removal of Doubts as to the Extent of the Duty of the Taxing Officer at the Equity Side of the said Court, Be it further enacted, That upon all Taxations of Bills of Costs, whether between Party and Party or between Attorney and Client, it shall be the bounden Duty of the Taxing Officer, whether he shall be required so to do or not, and whether any Objection shall have been made or not, to examine and ascertain by all reasonable Methods, that each and every Charge in any Bill of Costs contained, (whether such shall be a Fee for Counsel, Solicitor or Officer of Court, or Stamp Duty, or any other Disbursement whatsoever, or any Charge for Business done by the Person charging the same,) is the proper Charge which, under the Circumstances of the Case, ought to be made; and that upon all such Taxation the Taxing Officer shall determine upon all Charges made by any Officer of the said Court of Exchequer, and allow all

In Copies, Sums, Dates and Numbers to be expressed in Figures and charged as such

Charge of Fees to be endorsed on Copies and Documents.

No Allowance of Charge not endorsed.

Taxing Officers to examine into Justice of Charges on Bills of Costs;

and determine thereon.

such as shall appear to him made according to the true Right of such Officer respectively.

Proviso for Taxing Officer taxing Bills of Costs for Business previous to Michaelmas 1823.

XIX. Provided always, and be it further enacted, That nothing in this Act contained shall be construed to prevent the Taxing Officer of said Court from taxing all Bills of Costs for Business done previous to the First Day of *Michaelmas* Term One thousand eight hundred and twenty three, according to the Rules and Regulations by which any Bill of Costs were taxable at or immediately previous to the Day of passing this Act.

XX. And Whereas the Office of Chief Remembrancer of the said Court of Exchequer is now vested in the Most Honourable *Richard Marquess Wellesley* and the Right Honourable *William Lord Maryborough*, for and during the Life of and for the Benefit of the said *Marquess Wellesley*, and the said Office has been granted in Reversion to *Richard Wellesley* Esquire, during his Life: And Whereas the Duties of the said Office have heretofore been performed by a Deputy, and by certain Clerks acting under him, entitled the Register, the Clerk in Register's Office, the Secondary and the Filazer: And Whereas it is expedient that the Duties heretofore appertaining to the said Office of Chief Remembrancer should in future be performed by the Chief Remembrancer, and certain other Officers, as hereinafter provided; Be it therefore enacted, That the Grants of the said Office of Chief Remembrancer, heretofore made to the said *Richard Marquess Wellesley* and *William Lord Maryborough*, and to the said *Richard Wellesley* Esquire, shall, from and after the passing of this Act, absolutely cease and determine; and that the said *Richard Marquess Wellesley* and *Richard Wellesley* successively shall receive such Compensation as hereinafter provided, for the Loss by them sustained by reason of this Act; and that *Anthony Richard Blake*, Barrister at Law, the present Deputy Chief Remembrancer of the said Court, shall, from and after the passing of this Act, become and be Chief Remembrancer of the said Court, and shall hold the said Office during his good Behaviour, and that it shall be his Office and Duty to receive all such References, on Matters of Account, and on all other Matters and Things on the Equity Side of the said Court, and to report thereupon to the said Court, as shall be ordered by the said Court, and to perform all such other Duties heretofore appertaining to the said Office of Chief Remembrancer as have heretofore been performed by the Deputy Chief Remembrancer of the said Court for the Time being, save as hereinafter provided.

XXI. And be it further enacted, That for the Performance of the several Duties heretofore appertaining to the said Office of Chief Remembrancer, which have heretofore been performed by the said Officers or Clerks called the Register, the Clerk in the Register's Office, the Secondary and the Filazer, there shall be at the Equity Side of the said Court a Register, an Assistant Register, a Filazer and a Secondary; and that *Francis Harrison Biddulph*, the Person at present performing the Duties of Register in the said Chief Remembrancer's Department, shall be the Register at the Equity Side of the said Court; and that *George James Baldwin*, the Person at present performing the Duties of Clerk in the Register's Office in the said Department, shall be the Assistant

Grants of Office of Chief Remembrancer to cease.

The present Deputy appointed Chief Remembrancer.

Register, Assistant Register, Secondary and Filazer appointed.

Assistant Register ; and that *James Cathrew*, the Person at present performing the Duties of Secondary in the same Department, shall be the Secondary at the Equity Side of the same Court ; and that *Richard Eames*, the Person at present performing the Duties of Deputy Filazer in the said Department, shall be the Filazer at the Equity Side of the said Court ; and that the said several Officers shall hold their said several Offices during good Behaviour, and shall perform the several Duties mentioned and allotted to them respectively in the Tables to this Act annexed.

XXII. Provided always, and be it further enacted, That the said Chief Remembrancer shall at all Times superintend the Conduct and Proceedings of the several Officers at the Equity Side of the said Court, and shall inspect their several and respective Offices, and all Records, Books, Accounts, Papers and Documents therein respectively, and shall hear and receive all Complaints which may be made to him of or concerning any Neglect, Delay or Misconduct in any of the said Offices respectively, and shall inquire into the same, and shall admonish such Officers respectively when he shall find reason so to do ; and in any Case which he shall deem of sufficient Importance, shall report the Facts specially to the Court ; and it is hereby declared to be the Duty of all the subordinate Officers and their Clerks to submit themselves quietly and respectfully to such Superintendence and Admonition as aforesaid.

Duties of Chief Remembrancer.

XXIII. Provided also, and be it enacted, That from and after the Commencement of this Act, it shall not be necessary for the Chief Remembrancer to sign or attest any Document whatever, issuing from the Office of the Register, Assistant Register, Secondary or Filazer, or any other or either of them, but that every such Document shall be signed or attested by the Officer issuing the same.

Documents to be signed by Officers issuing them.

XXIV. And be it further enacted, That upon the said Office of Chief Remembrancer becoming vacant at any future Time, it shall be lawful for His Majesty, His Heirs and Successors, by any Letters Patent under the Great Seal of *Ireland*, to grant the said Office of Chief Remembrancer of the said Court of Exchequer in *Ireland* unto any Person being a practising Barrister at Law, of Ten Years' standing at the least, and who shall during that Period have actually practised as such in some one of His Majesty's Courts at *Dublin* or *Westminster*, to hold the said Office during his good Behaviour ; and that upon any of the said Offices of Register, Assistant Register, Secondary or Filazer becoming vacant at any future Time, it shall be lawful for His Majesty, by Letters Patent under the Great Seal of *Ireland*, to appoint a proper Person to such Office, to hold the same during his good Behaviour.

On Vacancy of Chief Remembrancer, Register, &c. His Majesty may grant the same.

XXV. And in order to ascertain the Amount of the annual Compensation which ought to be made to the said Marquess *Wellesley* during his Life, and to the said *Richard Wellesley* in Remainder during his Life, for the Loss sustained by them by reason of this Act ; Be it further enacted, That the Chief Justice of His Majesty's Court of King's Bench in *Ireland* for the Time being, the Master of the Rolls in *Ireland* for the Time being and the Chief Justice of the Court of Common Pleas in *Ireland*

Compensation for the present Grant of the Office of Chief Remembrancer to be ascertained.

on the average Amount of the Salary, Fees, &c. for Seven Years, &c.

for the Time being, or any Two of them, shall, upon the Application of the said Marquess *Wellesley* and *Richard Wellesley* respectively, or of the said Marquess *Wellesley* or *Richard Wellesley* alone, make Inquiry into and ascertain the average annual Amount of the Salary, Fees and Emoluments of or appertaining to the said Office of Chief Remembrancer for the Seven Years ending the First of *January* One thousand eight hundred and twenty two, excluding therefrom all such Emoluments and Fees as shall appear to have arisen from any new Fees, or from any Increase of Fees introduced by or subsequently to the Appointment of the present Holders of the said Office, or to have arisen from computing the Contents of Office Sheets at Seventy two Words instead of Ninety Words each, or from any other Fees which may have been demanded or received contrary to the Provisions of any Act of Parliament, or otherwise contrary to Law; and for those Purposes it shall be lawful for the said Chief Justice of the Court of King's Bench, the said Master of the Rolls and the said Chief Justice of the Common Pleas, or any Two of them, and he or they are hereby authorized, empowered and required, by all such Ways or Means as to him and them shall seem fit and proper, to ascertain the same, and to examine such Persons or Witnesses as they shall think proper to require, together with all such Accounts, Books and Vouchers as they shall call for, and they shall thereupon certify under their Hands and Seals, or under the Hands and Seals of Two of them, the average Amount of the yearly Income of the said Office so reduced by the Exclusion of such Emoluments and Income as aforesaid, for the said Period of Seven Years, distinguishing the Gross Income from the Net Income, and stating the Particulars of the Disbursements out of the Gross Income, which constitute the Difference between the Gross and the Net Income, so far as they can ascertain the same; and the said Certificate shall contain a Statement of the particular Fees, Profits and Emoluments on which such Averages shall have been taken as aforesaid, and also of the Fees, Profits and Emoluments heretofore received, which shall be excluded from such Averages; and the said Certificate shall be filed in the Office of the Auditor General in *Dublin* Castle, and shall remain there as a Record, and a Copy thereof shall be transmitted to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, who shall cause Copies of the same to be laid before both Houses of Parliament, immediately after the Commencement of the then next Session of Parliament, and the said Certificate shall be final and conclusive from and after the last Day of such Session of Parliament, unless Parliament shall otherwise provide: Provided always, that from and after the filing of the said Certificate there shall be issued and paid to the said Marquess *Wellesley* or his Assigns during his Life, and after his Decease to the said *Richard Wellesley*, and his Assigns during his Life, yearly and every Year, out of and charged upon the Consolidated Fund of *Great Britain* and *Ireland*, after Payment of all Sums previously charged upon the same Fund, (unless Parliament shall otherwise provide,) a Sum equal to the Sum which shall be so ascertained by such Certificate to be the net annual average Amount of the Income and Emoluments of the said Office of Chief

Average Amount to be certified.

Certificate filed as of Record.

After filing of Certificate, the annual Amount of Average to be issued out of Consolidated Fund;

Chief Remembrancer, in full Compensation for the same; such annual Sum to be paid and payable by Four Quarterly Payments in each and every Year, on every Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September* and Twenty fifth Day of *December*; the First Payment thereof to be made on the First of the said Days as shall first happen after the passing of this Act, † are in Proportion only to the Time which shall immediately next happen after the passing of this Act, and also such Proportion of any such Quarterly Payment as at the Times of the Decease of the said Marquess *Wellesley* or *Richard Wellesley* shall be due from the Quarter Day next preceding the Time of such Decease.

and paid Quarterly.

† Sic.

‘ XXVI. And Whereas some Delay may occur in ascertaining the Amount of the annual Income of the said Office of Chief Remembrancer, and procuring such Certificate as hereinbefore directed; Be it therefore enacted, That in the Meantime and until such Certificate shall be obtained and filed as aforesaid, it shall and may be lawful for the Commissioners of His Majesty’s Treasury to order that there shall be issued and be paid and payable to the said *Richard Marquess Wellesley*, and his Assigns, and in the Event of the Death of the said Marquess, to the said *Richard Wellesley* and his Assigns, such annual Sum or Sums of Money on account of the Compensation to be thereafter awarded to said Chief Remembrancer as to them shall appear to be just and reasonable, but not exceeding the net average Amount of the Income and Emoluments of the said Office, as reported by the Commissioners appointed to inquire into the Duties, Salaries and Emoluments of the Officers, Clerks and Ministers of Justice in all Temporal and Ecclesiastical Courts in *Ireland*, for Three Years, ending the First Day of *January* One thousand eight hundred and twenty; such annual Sum to be paid and payable to the said *Richard Marquess Wellesley* and his Assigns, or in the Event of his Death, to the said *Richard Wellesley* or his Assigns, by Four Quarterly Payments in each and every Year, free and clear of all Taxes and Deductions whatsoever, on every Twenty fifth Day of *March*, Twenty fourth Day of *June*, Twenty ninth Day of *September* and Twenty fifth Day of *December*, the First Payment thereof on account as aforesaid to be made on the First of said Days which shall next happen after the Commencement of this Act, and in Proportion to the Time which shall immediately next happen after the Commencement of this Act; such Payment (if any) to be credited on the Foot of such annual Income as it shall appear by said Certificate, when filed as aforesaid, that said *Richard Marquess Wellesley* or *Richard Wellesley* is entitled to; and in case the Sum or Sums so to be paid as aforesaid shall exceed the Sum to which they or either of them shall appear by said Certificate to be entitled to, then and in such Case such Excess or Overplus shall be deducted from the Quarterly Payment which shall next happen after the filing of said Certificate.

Until Certificate Treasury to order such Sum on account of Compensation to be awarded to Chief Remembrancer as shall appear just;

and paid Quarterly.

Proviso where such Sums shall exceed Certificate.

‘ XXVII. And Whereas the said Commissioners so appointed as aforesaid have recommended that the Duty of Taxation at the Equity Side of the said Court of Exchequer should cease to be performed by the Chief Remembrancer of the said Court, and that the said Chief Remembrancer should receive certain

A Salary of 3000L. per Annum to the Chief Remembrancer, and Fees abolished.

The above Sum to be issued out of Consolidated Fund.

Tax free, and paid Quarterly.

If Chief Remembrancer resign, &c. in the Course of a Quarter, a proportionate Part

‘ stated Fees for the Performance of his remaining Duties, and
 ‘ that the Duty of Taxation should in future be performed by a
 ‘ distinct Taxing Officer, to be appointed for that Purpose, and
 ‘ that such Taxing Officer should be paid by a Salary, and not by
 ‘ Fees; but it is deemed more expedient that the said Duty of
 ‘ Taxation should continue to be performed as heretofore by the
 ‘ Chief Remembrancer, and that in lieu of the Fees recommended
 ‘ for him by the said Commissioners, and also in lieu of all Fees
 ‘ heretofore payable to him, for or in respect of the said Duty of
 ‘ Taxation, or for or in respect of any other Duty appertaining
 ‘ to the said Office of Chief Remembrancer of the said Court, the
 ‘ said Chief Remembrancer shall receive a clear Salary of Three
 ‘ thousand Pounds *per Annum* :’ (a) Be it therefore enacted, That
 from and after the First Day of *August* next it shall not be lawful
 for the Chief Remembrancer of the said Court to have, take or
 receive, or to ask, demand or require, any Fee, Reward, Emolu-
 ment or Sum of Money whatsoever, from any Suitor of the said
 Court of Exchequer, or from any Solicitor or Attorney or other
 Person whomsoever, acting on Behalf of any Suitor of the said
 Court, for any Matter or Thing done or performed, or required to
 be done or performed by any such Chief Remembrancer in the
 Execution of his Duty as such, either in Cases where such Chief
 Remembrancer has heretofore received or been entitled to any
 Fees, or in any other Case whatever, any Law, Usage or Custom
 to the contrary in anywise notwithstanding; but all such Fees,
 Rewards and Emoluments shall, from and after the First Day of
August next, entirely cease and determine. (a) [*Irish Currency.*
See § 28. post.]

XXVIII. And be it further enacted, That from and after the
 Commencement of this Act there shall be issued, and paid and
 payable during his good Behaviour, to the said Chief Remem-
 brancer of the said Court for the Time being, out of and charged
 and chargeable upon the Consolidated Fund of the United King-
 dom of *Great Britain and Ireland*, after paying and reserving suf-
 ficient 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 such Consolidated Fund, but with Preference to all other Pay-
 ments which shall or may be hereafter charged upon or payable
 out of the said Fund, the annual Sum of Three thousand Pounds
Irish Currency; (b) every such annual Sum to be issued in pur-
 suance of this Act shall from time to time from thenceforth be
 payable and paid Quarterly, free and clear from all Taxes and
 Deductions whatsoever, on every Twenty fifth Day of *March*,
 Twenty fourth Day of *June*, Twenty ninth Day of *September* and
 Twenty fifth Day of *December*, the First Payment thereof to be
 made on the First of the said Quarterly Days which shall imme-
 diately next follow the Commencement of this Act, and in
 Proportion only to the Time which shall have then elapsed from
 the Commencement of this Act. (b) [*See Section 27. ante.*]

XXIX. Provided always, and be it further enacted, That
 whenever any Person holding or who shall hold the Office of
 Chief Remembrancer in *Ireland* shall, during the Course of any
 Quarter, resign or quit his said Office, or shall die, then the Per-
 son so resigning or quitting, or the Executors or Administrators
 of

of such Person so dying (as the Case may be) shall be entitled to such proportionate Part of such Salary as shall have accrued during such Part of the said Quarter as such Person shall have executed the said Office; and every Chief Remembrancer to be hereafter appointed shall, on the Quarter Day next after his Appointment, be entitled to have and receive out of the said Consolidated Fund such Proportion of such Salary as shall have arisen from the Date of the Letters Patent of his Appointment.

XXX. And be it further enacted, That in all References or Matters before the said Chief Remembrancer, in which it has been heretofore customary to issue Summonses for the Parties to attend, the said Chief Remembrancer shall continue to issue Summonses from time to time, and shall not in any Case, or under any Pretence whatever, proceed on any such Reference or Matter, unless a Summons for the Meeting at which such Proceeding shall be required shall have been signed by him, and shall be produced before him at the Meeting for proceeding on such Reference or Matters.

XXXI. And Whereas Delays and Adjournments of Meetings on References and Proceedings in the said Office of Chief Remembrancer frequently take place for the Accommodation and Convenience, or through the Negligence and Nonattendance of one of the Parties concerned in such Reference or Proceeding; and it is unreasonable and unjust that the Party attending and prepared to proceed should pay the Expence of Meetings so rendered Nugatory by the Nonattendance of the opposite Party, even though the Party so attending should, by a final Decree or otherwise, be ordered to pay the several Costs of the Cause; Be it therefore enacted, That at any and every Meeting which shall be had before the said Chief Remembrancer upon any Summons issued in Manner aforesaid, he shall on the Back of the Summons for such Meeting, to be produced to him according to the Directions of this Act, indorse or cause to be indorsed, and shall sign such Order, as under the Circumstances of the Case shall to him seem fit, as to the Payment of the Costs of such Meeting, and as to the Person or Persons by whom the Costs of such Meeting shall be paid, as between Party or Party, or whether such Costs shall abide the Rule, Order or Decree, as to the Payment of Costs, which may be made on the Hearing of the Cause, or whether such Costs shall be paid by the Complainant or Defendant, or other Party in the Cause or Matter, independent of any General Order or Decree which may be pronounced by the Court as to the general Costs of such Cause or Matter, or whether, as between Solicitor and Client, the Costs of such Meeting in the said Office, so as aforesaid rendered nugatory, shall constitute a fair and reasonable Charge against the Client; and every such Summons, with such Order so thereon indorsed, and signed by the said Chief Remembrancer, shall, on the Taxation of such Costs, be produced to the Taxing Officer when taxing such Costs, who shall allow or disallow the Costs in respect thereof accordingly, either as between Party and Party, or as between Solicitor and Client, or otherwise, according to the Order so as aforesaid indorsed on the Back of such Summons; and in no Case shall the Officer, upon the Taxation of any Bill of Costs, allow any Sum or Sums

of Salary allowed.

In Business before Chief Remembrancer, Summonses shall continue to be issued.

In Meetings before Chief Remembrancer, he is to indorse on Summons his Order as to Costs, which shall be produced to Taxing Officer.

No Sums allowed if Sum-

mons not produced.

Sums as and for the Expences of any such Meeting or Proceeding, unless the Summons on which Meeting was had be produced before such Officer at the Time of such Taxation.

Proviso for Fees for Business previous to Aug. 1. 1828.

XXXII. Provided always, and be it further enacted, That nothing in this Act shall extend to prevent the said Chief Remembrancer, or any other Officer at the Equity Side of the said Court of Exchequer, from taking or receiving or recovering all such Fees as shall be legally and *bonâ fide* due to any such Officer, for any Business done or for any Services performed in the Execution of the Duty of his Office at any Time previous to the First Day of *August* next.

Two Chief Examiners instead of Four to do the Duty.

XXXIII. And Whereas there are at present Four Examiners at the Equity Side of the said Court of Exchequer; Be it enacted, That from and after the Commencement of this Act there shall be but Two Chief Examiners at the Equity Side of the said Court, who shall perform the several Duties mentioned and specified for them in the Tables in that Behalf hereto annexed; and that the said Two Examiners shall be appointed by the Chief Baron of the said Court by Deed, to be by him duly executed and enrolled in the said Court.

Appointment.

XXXIV. And be it further enacted, That the Two First Examiners to be appointed under the Provisions of this Act shall be appointed from among the Four present Examiners of the said Court.

Court to report to Lord Lieutenant Compensation to the Two Examiners not appointed.

XXXV. And be it further enacted, That the said Court shall report to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, whether in their Opinion any and what Compensation ought to be made to the Two Examiners of the said Court who shall not be so appointed, or either of them, or to any present Officer or Officers at the Equity Side of the said Court, and on what Ground, for any Loss which may be sustained by such Officer or Officers in consequence of this Act, or the Provisions therein contained, a Copy of which Report shall be laid before both Houses of Parliament immediately after the Commencement of the then next Sessions of Parliament.

All Officers to execute the Duty in Person, except in Case of Sickness, &c. How and by whom Deputies appointed in such Cases.

XXXVI. And be it further enacted, That from and after the Commencement of this Act the said Chief Remembrancer, and every other Officer of the Equity Side of the Court of Exchequer, shall respectively execute the Duty of his Office in Person, except only in case of Sickness, or necessary Absence; and that in any such Case it shall and may be lawful to and for such Chief Remembrancer or other Officer, by Deputation in Writing under his Hand and Seal, by and with the Consent in Writing of the Chief Baron, or in his Absence then of the next senior Baron of the said Court then in *Dublin*, to appoint a Deputy to execute the Duties of such Chief Remembrancer or other Officer during such Period as shall be specified in such Deputation; and the Name of such Deputy, and also the Occasion for appointing him, and the Approbation of such Chief or other Baron, and the Time for which such Appointment is to continue, shall be specified and set forth in such Deputation; and such Deputation shall be signed or indorsed by such Chief or other Baron; and the Period mentioned in such Deputation may be prolonged if necessary by such Officer, with the Approbation of such Chief or other Baron, by the

the Indorsement of the said Officer, and of the said Chief or other Baron, upon such Deputation.

XXXVII. And be it enacted, That from and after the Commencement of this Act it shall and may be lawful for the several Officers hereinafter named, and the said Officers are hereby fully authorized, empowered and directed, to take Affidavits or Affirmations, Answers, Examinations or other Matters whatever, to be put in on Oath in the Equity Side of the said Court of Exchequer, and relating to the Business thereof, and to administer the necessary Oaths and Affirmations for that Purpose; that is to say, the Chief Remembrancer, the Register, the Secondary and the Filazer; and all such Answers, Oaths, Affidavits or Affirmations, shall be of the same Force, Validity and Effect, and shall and may be filed, used and acted upon respectively, as fully and effectually to all Intents and Purposes whatsoever, as if the same had been sworn or affirmed before the said Court, or all or any of the Barons thereof.

XXXVIII. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by Letters Patent under the Great Seal of *Ireland*, to give and grant unto any Person who may or shall have executed the Office of Chief Remembrancer of the said Court for the Term of Twenty Years, or to any Person having executed the said Office for any shorter Period not less than Ten Years, or who shall, after his Appointment to any such Office, have become afflicted with any permanent Infirmary, disabling him from the due Execution of his Office, and who shall be desirous of resigning the same, an Annuity or yearly Sum of Money, not exceeding the Sum of One thousand five hundred Pounds *Irish* Currency, in case he shall have served in such Office Twenty Years, and not exceeding One thousand Pounds in case he shall have served for such shorter Period; and an Annuity, not exceeding Two thousand Pounds, in case he shall have served in such Office Twenty five Years; and an Annuity, not exceeding Two thousand five hundred Pounds, in case he shall have served in such Office for Thirty Years or more; in which Letters Patent the Cause or Ground for making thereof shall be distinctly stated and specified; and the Annuity or yearly Sum so granted shall be paid accordingly out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, by even and equal Quarterly Payments, on the Fifth Day of *January*, Fifth Day of *April*, Fifth Day of *July* and Tenth Day of *October* in every Year, from the Period of which he shall resign his said Office, for and during the Term of his natural Life, without any Deduction for Fees, or Poundage, or otherwise.

XXXIX. Provided always, and be it further enacted, That no Allowance shall in any Case be made under this Act to any Chief Remembrancer, by way of retired Salary or Pension, unless such Chief Remembrancer shall have served in the same Office during the full Term of Ten Years.

XL. Provided nevertheless, and be it further enacted, That every such Chief Remembrancer, being desirous to resign his Office, shall, before he resigns, take and subscribe the following Oath before the Chief or some other Baron of the said Court:

‘ I A. B.

Chief Remembrancer, Register, Secondary and Filazer empowered to take Affidavits, &c.

His Majesty empowered to allow Chief Remembrancer an Annuity after a Length of Service, &c.

1500L.

1000L.

2000L.

2500L. I. C. in the several Cases herein mentioned.

In what Case retired Allowance.

Before Resignation, Chief Remembrancer to take the following

Oath.

‘ I *A. B.* do solemnly swear, That I neither have received nor will receive directly or indirectly, by myself or by any one in trust for me, any Sum or Sums of Money, Gift, Promise or Engagement as a Consideration, Inducement or Reward for my Resignation of the Office of Chief Remembrancer of His Majesty’s Court of Exchequer in *Ireland*. So help me GOD.’

Court may remove any Officer (except Chief Remembrancer) for Misconduct.

XLI. And be it further enacted, That it shall and may be lawful to and for the said Court of Exchequer, upon Complaint duly made, and after full Enquiry into the alleged Grounds thereof, by Affidavit or otherwise, as the said Court shall think fit, to remove any Officer of the said Court, except the Chief Remembrancer of the said Court, from his Office, for any Offence or Misconduct therein which such Court shall deem deserving of such Punishment, and thereupon such Officer shall cease to hold or be entitled to such Office.

When an Examination of Witnesses is necessary to be taken before Chief Remembrancer, Court may order him to appoint a Person for that Purpose, who shall be under the Control of the Court.

‘ XLII. And Whereas several Abuses and Inconveniences to the Suitors had arisen from the Practice of the said Court relative to the Examination of Witnesses under Commissions issuing out of the said Court to Commissioners for that Purpose, and it is expedient that all such Abuses and Inconveniences should be corrected and a better System introduced:’ Be it therefore enacted, That from and after the Commencement of this Act, in all Cases where it may be necessary that an Examination of Witnesses should take place, either in chief in any Cause, or in aid of any Enquiry or Account ordered or directed to be made or taken before the Chief Remembrancer of the said Court, other than the Examinations of Witnesses before the Examinators of the said Court, an Order shall be made by the said Court for referring it to the said Chief Remembrancer of the said Court, according to the usual Practice of the said Court in such Case, to approve of and appoint one fit and proper Person to act as Examiner in all such Cases so referred; and such Person so to be approved of and appointed by such Chief Remembrancer shall, so far as the same is practicable, be totally unconnected with either or any of the Parties interested in such Cause; and such Person so approved of and appointed shall be, and shall be taken as, and shall be considered to be an Officer of the said Court of Exchequer, and shall be subject to such summary Interference and Control of the said Court as any other Officer of the said Court in this Act particularly mentioned; and a Commission shall issue to such Person so as aforesaid appointed, authorizing and empowering him to proceed in the Examination of all such Witnesses as may be necessary, in the same Manner and according to the same Forms as are at present established (save and except in Cases where such established Practice is altered by this Act) touching and concerning the Examination of Witnesses under Commissions to examine Witnesses issuing out of the Court of Exchequer in *Ireland* at any Time before the Commencement of this Act; and every Person so approved of and appointed a Commissioner to examine Witnesses under the Provisions of this Act, before he shall exercise any of the Duties of such Commissioner, shall take and subscribe, before the Chief or other Baron of the said Court, or other Person duly authorized to administer the same, the following Oath; and such Oath shall be annexed to the said

The Person appointed Examiner of Witnesses shall take the following

said Commissioner, and shall be returned with the said Commission to the said Court, to be there filed and recorded; (that is to say,)

‘ I *A.B.* do swear, That I will, according to the best of my Skill and Knowledge, truly and faithfully perform the Duty of a Commissioner to examine Witnesses pursuant to the Powers vested in me by the annexed Commission; and that I will truly, faithfully and without Partiality to any or either of the Parties in this Cause, take and write down the Examinations and Depositions of all and every Witness and Witnesses who shall be produced before and examined by me upon the Interrogatories filed for that Purpose; and that until Publication in the said Cause shall duly pass, I will not publish, disclose or make known any Part of the Purport or Contents of any Deposition of any Witness to be taken by me; and further, that I will fairly and truly enter and set down in Writing, in the Dominical of such Examination, the Hours of the Day, on each Day that I shall be employed as such Commissioner, at which I shall respectively commence and conclude the Examination of the Witnesses under such Commission, as also the real and true Cause or Causes of my not commencing such Examination at or before Eleven of the Clock in the Forenoon if such should be the Case, and also of my not continuing such Examination ’till Three o’Clock in the Afternoon if such should be the Case, as also by whose Delay or Default, so far as I can judge, such Examination was not commenced and continued (as the Case may be) from Eleven o’Clock in the Forenoon till Three in the Afternoon.
‘ So help me GOD.’

Oath.

XLIII. And be it further enacted, That no Witness who shall reside more than Thirty Miles from the City of *Dublin* shall in any Case be obliged to leave his or her House in order to be examined before any Chief Examiner or Assistant, or Examiner to the Chief Remembrancer; but that all such Witnesses who shall reside or be in *Ireland*, and more than Thirty Miles from the City of *Dublin*, shall and may be examined before a Commissioner so to be appointed unless such Witness, and also the Party producing such Witness, shall choose that he or they should be examined in *Dublin* before One of the Chief Examiners, or before the Clerk or Examiner appointed by the Chief Remembrancer to examine in aid of Enquiries or Accounts to be taken before him; and it shall be lawful for every such Commissioner to cross examine any Witness produced before him, in case he shall be required so to do by any Person against whom the direct Examinations of such Witnesses shall have been taken; and it shall be lawful for every Commissioner so to be appointed to receive such Fees and Allowances for the Execution of his Duty in the Examination of Witnesses, and for the Expences of such Commissioner in travelling, and they shall respectively be subject to such other Rules and Regulations as shall be for that Purpose from time to time authorized, directed and made by any Order or Orders of the said Court of Exchequer.

Witness residing more than 30 Miles from Dublin may be examined by a Commissioner.

Fee and Expences of Commissioners.

XLIV. And be it enacted, That no such Examiner shall in any Case appoint a Deputy, unless and until the Occasion for such Appointment, and also the Person to be appointed, shall have been approved

No Examiner to appoint a Deputy, unless approved

approved of by
the Court, &c.

approved of by the Court, upon a Petition verified by Affidavit ; and that nothing shall be considered by the Court as a fit Occasion for such Appointment, but Inability in the Principal to attend, either from Sickness or from unavoidable Business ; and such Order shall be regularly entered in the Registrar's Office ; and no such Appointment shall continue for any longer Time than shall be allowed or directed by such Order, either by fixing a precise Time, or by some general Words, or by Reference to some Matter capable of being distinctly ascertained, or in such other Manner as the Court shall think proper ; and if any such Appointment shall be made otherwise than as aforesaid, or for any longer Period than as aforesaid, then and in every such Case such Chief Examiner making such Appointment, and also such Deputy, if he shall presume to act therein, shall be deemed guilty of a Contempt of the Court, and be punished accordingly.

Offence deemed
a Contempt of
Court.

Examiner to
take Examination
himself.

XLV. And be it further enacted, That every Examiner, Deputy Examiner and Commission Examiner shall take down the Depositions of all Witnesses, on their Examination, with his own Hand, and that no Clerk shall be present at any such Examination ; and that every Clerk who shall be employed before Publication, so as to have any Access to any Deposition or Depositions, shall, before he shall act in the Execution of such Office, and he is hereby required to take and subscribe the following Oath before the Examiner by whom such Clerk shall respectively be so employed ; such Examiners, Deputy Examiner and Commission Examiner, is hereby empowered and required to administer the said Oath.

Clerks having
Access to De-
positions to take
the following

Oath.

‘ I *C. D.* do swear, That, according to the best of my Skill and Knowledge, I will truly and faithfully execute and exercise the Office of a Copying Clerk in the Office of *A. B.*, one of the Examiners of His Majesty's Court of Exchequer in *Ireland*, whereunto I am admitted, so long as I shall continue to hold the said Office ; and that I will also well and faithfully preserve and keep such of the King's Records wherewith I shall be entrusted, or whereunto I shall have access, and that I will not publish, disclose or make known to any Person or Persons whatsoever the Particulars, or the Purport or Contents of any Deposition or Depositions copied or read by me in the Execution of my said Office, or to which I shall have access thereby, until Publication thereof respectively shall duly pass.

‘ So help me GOD.’

Chief Remem-
brancer em-
powered to
appoint Clerks
and Examiners,
who shall be en-
rolled in Court.

‘ XLVI. And Whereas it is expedient that Provision should be made for the Examination of Witnesses in aid of the Statement of Accounts or other Enquiries depending before the Chief Remembrancer in the Court of Exchequer respectively, under any Orders or Decrees of the said Court, and that such Examination should be had before the said Chief Remembrancer or his Clerk or Examiner respectively ; Be it therefore enacted, That it shall and may be lawful to and for the Chief Remembrancer of the said Court to appoint, by Instrument under Hand and Seal, any Person whom he shall think proper to be his Clerk and Examiner during his Pleasure ; and such Instrument being enrolled in the said Court of Exchequer, such Person shall be such Assistant and Examiner accordingly, and shall as such be an

Officer of the said Court ; and that from and after the Commencement of this Act no Person shall be or be deemed or taken or considered to be, to any Purpose whatsoever, the Clerk and Examiner of the said Chief Remembrancer, but under and by virtue of such Appointment, so enrolled.

XLVII. And be it further enacted, That every such Clerk and Examiner of the Chief Remembrancer, before he shall act as such in the Examination of any Witness, shall take the following Oath before the Chief Remembrancer by whom he shall be appointed, or before any Baron of the said Court.

Clerks and Examiners to take the following

‘ I *A. B.* do swear, That I will, according to the best of my Skill and Knowledge, truly and faithfully execute and exercise the Office of Clerk and Examiner of His Majesty’s Court of Exchequer in *Ireland*, so long as I shall continue to hold the said Office ; and that I will well and faithfully preserve and keep all such Records, Interrogatories, Depositions, Deeds, Documents and Instruments whatsoever, wherewith I shall be entrusted, or whereto I shall have access under or by virtue of my said Office ; and that I will not publish, disclose or make known to any Person whatsoever the Particulars, Purport or Contents of any Deposition or Depositions taken, copied or read by me in the Execution of my said Office, or to which I shall have access thereby, until Publication thereof respectively shall duly pass. ‘ So help me GOD.’

Oath.

XLVIII. And be it further enacted, That in all Cases where an Examination shall be directed by the said Court of Exchequer, upon, under or in aid of any Account, Enquiry or other Matter whatsoever, which shall at any Time be depending before the Chief Remembrancer of the said Court, it shall and may be lawful to and for such Chief Remembrancer, if he shall think proper, and if he shall not so think proper, then to and for such his Clerk and Examiner, if such Chief Remembrancer shall think fit, without any Commission whatsoever, to examine all Witnesses who shall be produced before him touching any Matter as to which such Examination of Witnesses shall have been so directed, or arising thereout, and to take down in Writing the Depositions of all such Witnesses in the Manner and Form usual in such Cases.

In what case Chief Remembrancer, &c. may, without Commission, examine Witnesses.

XLIX. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Chief Remembrancer of the said Court to accept of any Sum of Money, or Security for Money, or to stipulate for or receive any Share or Proportion of the Profits of the said Offices, or receive any other valuable Consideration whatsoever, as and for a Consideration for the Appointment of any Person whatsoever to the Office or Place of Clerk or Examiner to said Chief Remembrancer.

Chief Remembrancer not to accept of Consideration for Appointment of Clerk or Examiner.

L. And be it further enacted, That from and after the Commencement of this Act there shall be issued and paid and payable out of, and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* (after paying and 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 said Consolidated Fund, but with

500l. Irish, out of Consolidated Fund yearly, viz. 400l. to Accountant General, and to his Clerk 100l. Quarterly.

Preference

Preference to all other Payments which shall or may be hereafter charged upon or payable out of the said Fund,) the annual Sum of Five hundred Pounds *Irish* Currency; and which Sum of Money so to be issued shall from time to time be applied in Payment of the following Sums; that is to say, to the Accountant General of the said Court the annual Sum of Four hundred Pounds, for and in lieu of any Salary to which he is by Law entitled; and to his Clerk the Sum of One hundred Pounds; which Salaries shall commence from the First of *August* next, and shall be payable by equal Quarterly Payments, free and clear of all Deductions whatsoever, for Pells, Poundage or otherwise, on the Twenty ninth Day of *September*, Twenty fifth Day of *December*, Twenty fifth Day of *March* and Twenty fourth Day of *June* in every Year.

Accountant General allowed certain Fees for Copies of Accounts.

No Fee for Business in the Accountant General's Office.

Extortion and Penalty 50l.

Court may appoint a Broker for Sales and Purchases of Stock.

Ll. And be it further enacted, That from and after the Commencement of this Act it shall and may be lawful for the said Accountant General, by himself or his Clerks, to ask, demand and receive, for all Copies of all Accounts extracted from the Books of the said Accountant General, the Sum of Two Pence for every Line on the Debtor Side of such Account, and the like Sum of Two Pence for every Line on the Creditor Side of such Account, if the said Account shall consist of Forty Lines, or any less Number, on each Side of the said Account; and if the said Account shall consist of any greater Number of Lines than Forty on each Side of the said Account, then the Sum of One Pound and no more; and that from and after the Commencement of this Act it shall not be lawful for the said Accountant General or any Clerk or other Person in his Office, to ask, demand or receive any Fee for any Certificate of any Balance of Stock or Cash on any Account in the Books of the said Accountant General, nor for any other Business, Matter or Thing whatsoever in or relating to the Office of the said Accountant General; and if any Clerk or other Person belonging to or employed in, or who shall hereafter belong to or be employed in the Office of such Accountant General, shall take any other Fee or Reward on account of any Business, Matter or Thing whatsoever in or relating to the Office of Accountant General, or do the Duty of any Clerk therein, every such Person shall be deemed guilty of Extortion, and shall and may be prosecuted for the same by Indictment or Information; or upon Complaint thereof made to the said Court of Exchequer, shall be punished for the same as for a Contempt of the said Court, and shall forfeit the Sum of Fifty Pounds.

LII. And be it further enacted, That it shall and may be lawful to and for the said Court of Exchequer from time to time, at their Will and Pleasure, to appoint a Broker or Brokers, by whom all Sales and Purchases of Stock with the Privity of the Accountant General of the said Court shall be made, and to remove such Broker or Brokers at their Will and Pleasure; and such Broker shall be entitled to receive the usual Commission of Brokerage on any such Sale and Purchase; and whenever such Commission or Brokerage shall amount to One Guinea, or any greater Sum, then and in any such Case such Broker shall thereout pay the Stamp Duty of Half a Guinea, to be charged on the Approbation of such Sale or Purchase by the Chief Remembrancer.

LIII. And

LIII. And be it further enacted, That from and after the Commencement of this Act, the Office of Clerk of the Reports of the said Court of Exchequer shall be and the same is hereby abolished; and that all Matters and Things which are now by Law required to be done and performed by the Clerk of the Reports in the said Court, shall be done and performed by the Registrar at the Equity Side of the said Court; any Law, Usage or Custom to the contrary in anywise notwithstanding.

Office of Clerk of the Reports abolished.

LIV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to limit, abridge, bar, prejudice or defeat any Action or Indictment, or any Remedy or Proceeding whatsoever, which at any Time heretofore may or might have been brought, found, had or taken against any Officer, Deputy or Clerk in or under the said Court, of, for or in respect of any Misconduct in Office which may have accrued or taken place, or which may take place at any Time before the Commencement of this Act; but that all such Actions, Indictments, Remedies and Proceedings for any such Misconduct, may be brought, found, had or taken, as if this Act had never been made.

Proviso for Action against Officer of Court for Misconduct in Office.

LV. And be it further enacted, That all and every Penalties and Penalty to be incurred and forfeited in pursuance or by virtue of this Act, or any of the Matters herein contained, shall and may be sued for and recovered by any Person who will sue for the same by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at the Four Courts *Dublin*, and not elsewhere, in which no Essoign, Protection or Wager of Law, nor more than One Imparance, shall be allowed; and that One Moiety of every such Penalty shall be for the Use of His Majesty, His Heirs and Successors, and One Moiety thereof to the Use of the Person or Persons who shall sue for the same.

Penalties how recovered and applied.

LVI. And be it further enacted, That this Act, and the several Provisions therein contained, shall commence and take Effect from the First Day of *August* next, except in such Cases where any other Period is mentioned for the Commencement of any of the Provisions thereof.

Commencement of Act.

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

Act may be altered, &c. this Session.

TABLES to which this Act refers.

No. 1.— TABLE of all the FEES which it shall be lawful for the Chief Clerk and Examiner to the Chief Remembrancer of the Court of Exchequer in Ireland, or any other Person employed in his Office, to demand or accept for or on account of any Matter or Thing done in or concerning the Business of the said Office.

	£.	s.	d.
1. For examining and taking down in Writing the Depositions of the First Witness in any Cause or Matter, in answer to the First Interrogatory in each Set of Interrogatories on which he shall be examined	0	3	8
2. For like to every other Interrogatory which shall be exhibited at the Desire of the Party to such Witness	0	2	2

	£.	s.	d.
3. For examining and taking down in Writing the Deposition of the Second and each other Witness who shall be examined in such Cause or Matter, in answer to each Interrogatory which shall be exhibited to such Witness - - -	0	2	2
4. For examining a Witness when the Examiner shall be required to go out of his Office for the Purpose - - -	1	2	9
5. For each Sheet, consisting of Seventy two Words, of Copies of such Depositions and of Interrogatories, when required, and attesting same as true Copies - - -	0	0	6½
6. For preparing the fair Copy or Transcript of the Draft of each Report prepared by the Chief Remembrancer for his Signature, for each Sheet containing Seventy two Words, reckoning however the Year when expressed by Figures as One Word, and any Number of Pounds expressed by Figures as One Word, and the like as to Shillings and as to Pence - - -	0	0	6½
7. For Copies of Charges, Discharges and all other Documents which shall be required from the Office of the Chief Remembrancer or his Examiner, for each Sheet containing Seventy two Words, calculating Figures as above expressed - - -	0	0	6½
8. Making Search for any Papers which have been more than Three Years in the Office, and of which no Copy shall be required - - -	0	2	6
9. For any Certificate for which no Fee is otherwise provided -	0	2	6

The above Fees shall be apportioned between the said Chief Clerk and Examiner, and any other Clerk or Clerks in the said Office, in such Manner as the Chief Remembrancer shall direct.

No. 2. — TABLE of all the FEES which it shall be lawful for the Register or Assistant Register of the Equity Side of the Court of Exchequer in Ireland, or any Clerk or other Person in their Employment, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the said Office; and which shall be apportioned between them in Manner following; the said Register to receive Three Fifths, and the said Assistant Register to receive the remaining Two Fifths of the Entire of said several Fees.

	£.	s.	d.
1. For drawing, entering and signing every Order upon Debate, if not exceeding One Side or Sheet containing Seventy two Words - - -	0	2	6
2. If it exceeds One Side or Sheet, for every Side or Sheet after, of Seventy two Words each - - - Any One Fraction of a Sheet to be charged as an entire Sheet, but not more than One Fraction to be charged for any One Document.	0	0	10
3. For drawing, entering and signing every Order upon hearing of a Cause - - -	0	6	8
4. If it exceeds One Side or Sheet of Seventy two Words, for every Side or Sheet of Seventy two Words - - -	0	0	10

	£.	s.	d.
5. For drawing, entering and signing every Decretal Order -	0	12	6
6. If it exceeds One Side or Sheet of Seventy two Words, for every such Side or Sheet after the First - - -	0	0	10
7. For drawing, entering and signing every final Dismiss -	0	9	2
8. If it exceeds One Side or Sheet of Seventy two Words, for each Side or Sheet after - - -	0	0	10
9. For enrolling every Final Decree and every Final Dismiss, for each Roll of Ten Sheets or Seventy two Words each -	0	13	4
10. For drawing, entering and signing every Order upon a Petition - - - - -	0	2	6
11. If it exceed One Side or Sheet of Seventy two Words, for every such Side or Sheet after - - -	0	0	10
12. For drawing, entering and signing every Order for an Attachment, Dedimus, Commission to examine Witnesses, to rejoin, for an Injunction, for Publication, to dissolve an Injunction, for a Serjeant at Arms, for hearing a Cause, Duces tecum or any Rule of Course, or Side Bar or Attornies' Rule - - - - -	0	2	6
No Allowance as for a Second Side to be made for any such.			
13. For entering, filing and furnishing attested Copies of any Report, Certificate, Exception, Account, Submission, Award, Commission of Partition, Judge's Certificate or Order of the Lords - - - - -	0	3	6
14. If the Copy exceeds One Side or Sheet of Seventy two Words, for every such Side or Sheet after the First, the Year where expressed in the Document by Figures to be calculated as One Word, the Number of Pounds expressed as One Item to be reckoned as One Word, and the same as to Shillings and Pence - - - - -	0	0	10
15. For receiving and filing every Affidavit, and furnishing Copy thereof to the Party filing the same, for the First Sheet of Seventy two Words - - - - -	0	2	0
16. Each subsequent Sheet - - - - -	0	0	10
17. For every Copy of Notes on hearing - - - - -	0	6	8
18. If it exceeds One Side or Sheet of Seventy two Words, for every such Side or Sheet after - - - - -	0	0	10

The Register and Assistant Register shall perform all such Duties at the Equity Side of the said Court as have heretofore been performed in the Chief Remembrancer's Office by the Officers or Clerks called the Register and the Clerk in the Register's Office, except that they shall not be charged with the Custody of the Deposition of Witnesses; and they shall also perform any other Duty or Duties which the Court shall require of them as Duties which ought to appertain to the Office of Register of said Court; and the Register and Assistant Register shall each keep a Clerk, to be approved of by the Chief Remembrancer, who shall fix the Salaries of such Clerks respectively.

No. 9.—TABLE of all the FEES which it shall be lawful for the Secondary at the Equity Side of the Court of Exchequer in Ireland, or any Clerk or other Person in his Employment, to demand or accept, for or on account of any Act, Matter or Thing done in or concerning the Business of Secondary of the said Court.

	£.	s.	d.
1. For making out and entering every Writ of Subpœna to answer - - - - -	0	0	6
2. For Ditto every Subpœna to rejoin, Subpœna to hear Judgment and Subpœna ad testificandum - - - - -	0	3	0
3. For Ditto every Subpœna for Costs - - - - -	0	5	6
4. For Ditto every other Subpœna - - - - -	0	7	6
5. For making out and entering every Writ of Dedimus potestatem to take an Answer or Answers, or to examine Witnesses, Commission to empower Arbitrators to examine, Commission of Partition or Perambulation, and each other Commission which shall issue pursuant to special Order - - - - -	0	7	6
6. For Ditto every Writ of Attachment, whether directed to the Sheriff or Pursuivant, and whether for Want of Appearance or Answer, or pursuant to Order of Court - - - - -	0	5	10
7. For Ditto every Proclamation of Rebellion, Commission of Rebellion, and Serjeant at Arms, each - - - - -	0	7	6
8. For Ditto every Writ of Sequestration - - - - -	0	11	4
9. For Ditto every Writ of Injunction - - - - -	0	7	6
10. For Ditto every Writ of Scire facias on a Decree - - - - -	0	7	6
11. For Ditto every Writ of Assistance - - - - -	0	5	0
12. For Ditto every Writ of Extendi facias or Levavi facias - - - - -	0	12	0
13. For entering and filing every Recognizance entered into in any Cause, and giving Certificate of Enrolment thereof - - - - -	0	15	10
14. For filing and entering every other Recognizance, except Sheriff's Recognizance, and every Bond to the Crown, each - - - - -	0	2	0
15. For Ditto every Sheriff's Recognizance, the Fee prescribed by Statute - - - - -	0	2	6
16. For preparing and furnishing an attested Copy of any Recognizance filed in the Office, when required - - - - -	0	6	8
17. For making Search for Recognizances or Crown Bonds entered into or executed by any particular Person, and giving Abstracts, if required, of the Recognizances or Bonds, if any appearing on Record entered into by such Person, or making Search for any particular Recognizance, of which a Copy shall not be required by the Person desiring to have such Search made - - - - -	0	3	4
When a Search and Certificate is required of a certain Recognizance or a Crown Bond being filed or not being filed:			
18. For making such Search, and furnishing Certificate thereof - - - - -	0	5	10
19. For a Search, and furnishing a negative Certificate, as required by the Statute with respect to Judgments in the Law Courts and Recognizances in the Court of Chancery, for Recognizances or Crown Bonds entered into or acknowledged by any particular Person, and filed in the Office, where there shall be no Abstract, or but One Abstract - - - - -	0	6	8

	£.	s.	d.
20. If there shall be more than One Abstract, a further Fee for each Abstract after the First, of - - -	0	1	0
21. For preparing and entering Vacate of Recognizance acknowledged in any Cause, and giving Certificate thereof - -	0	6	8
22. For the like of any other Recognizance, and for cancelling and giving up Crown Bonds, and filing such Consents and other Documents as may be necessary to warrant the vacating or cancelling thereof - - -	0	2	0
23. For enrolling Indentures of Apprenticeship to Attornies, as required by the Statute, the Fee thereby prescribed, of	0	1	0
24. For preparing and issuing every Writ of Scire facias upon a Recognizance or Crown Bond - - -	0	8	8
25. For filing Writ and Return, and also for filing any Pleading founded thereon - - -	0	3	4
26. For entering every Rule to plead on Proceedings on such Recognizances or Bonds, and every other Rule or Order	0	2	0
27. For the Copy of every such Order when required, be it long or short - - -	0	2	0
28. For enrolling Judgment on Scire facias, for each Roll consisting of Ten Sheets of Seventy two Words, each - -	0	13	4
29. For entering and enrolling every Custodiam, for each Roll as above - - -	0	13	4
30. For entering and enrolling every Order for a Custodiam, for each Roll as above - - -	0	13	4
31. For swearing every Officer, except Sheriffs, into Office - -	1	2	9
32. For attending, swearing and the passing of every Sheriff's Account, and giving Constat of Debet (the Fee allowed by Statute) - - -	0	3	4
33. For receiving, entering and reading Petitions of Reduction, and entering and making out Orders thereon - -	0	8	6
34. For entering every Appearance, besides the Fee given by the Stamp Act - - -	0	0	6
35. For filing every Pleading necessary to be filed in the said Office - - -	0	1	6
36. For attested Copies of such Pleadings, per Sheet of Seventy two Words - - -	0	0	6½
37. For filing every Petition, Affidavit or other Document, furnishing a Copy thereof to the Party filing the same, for the First Sheet of Seventy two Words - - -	0	2	0
38. For every other Sheet of Seventy two Words - - -	0	0	10
39. For every Search which any Person shall require to have made for any Record or other Document, for which no Fee is hereinbefore provided, Searches in the Rule Books and Attachment Books for the last Three Years, or for every Document of which, when found, a Copy shall be required - - -	0	2	6
40. For every Certificate for which no Fee is hereinbefore provided - - -	0	2	6
41. For attending in any Court with any Record or Pleading -	0	10	0

The Secondary shall perform all such Duties at the Equity and Revenue Sides of the Court of Exchequer, as have heretofore been performed in the

Chief Remembrancer's Office by the Secondary, or Clerk in the Secondary's Office; and he shall also perform any other Duty or Duties which the Court shall require of him, as Duties which ought to appertain to the Office of Secondary of said Court; and he shall keep a Clerk, to be approved of by the Chief Remembrancer, who shall fix the Salary of such Clerk.

No. 4.—TABLE of all the FEES which it shall be lawful for the Filazer at the Equity Side of the Court of Exchequer in Ireland, or any Clerk or other Person in his Employment, to demand or accept for or on account of any Matter or Thing done in or concerning the Business of the said Office.

	£.	s.	d.
1. For filing and entering every Bill, Answer, Replication, Rejoinder and each other Equity Pleading - - -	0	1	6
2. For amending Bill, Answer or other Pleading, pursuant to Order - - - - -	0	2	6
3. For attested Copies of Pleadings, for each Sheet of Seventy two Words - - - - -	0	0	6½
In Cases of Schedules annexed to Pleadings, the Year when expressed by Figures to be reckoned as One Word, and any Number of Pounds expressed by Figures to be reckoned as One Word, and the like as to Shillings and as to Pence.			
4. For comparing and re-attesting Copies of Pleadings, when required for the Purpose of Proof, for every Twenty Sheets of Seventy two Words each which such Copy shall contain - - -	0	1	0
5. For every Search for Pleadings, and taking down, for the Inspection of the Party requiring same, the Document sought for, when found - - - - -	0	2	6
6. For every other such †, save and except Searches in the Bill Books for the preceding Ten Years - - - - -	0	2	6
7. For every Search for and furnishing Certificate of the Pleadings filed in any Cause, with the Period of filing same, and the Length thereof; also that any particular Pleading has or has not been filed; and also a Certificate of the Names of Parties in any Cause, or any other Certificate required by any Party - - - - -	0	2	6
8. For receiving and entering any Appearance, besides the Fee given by Stamp Act - - - - -	0	0	6
9. For attending in any Court† with any Record or Pleading - - -	0	10	0
† Sic.			

The Filazer shall perform all such Duties at the Equity Side of the said Court as have heretofore been performed in the Chief Remembrancer's Office by the Officers or Clerks called the Filazer and Deputy Filazer; and he shall also perform any other Duty or Duties which the Court shall require of him, as Duties which ought to appertain to the Office of Filazer of said Court; and he shall keep a Clerk, to be approved of by the Chief Remembrancer, who shall fix the Salary of such Clerk.

No. 5.—TABLE of all the FEES which it shall be lawful for the Examiners in Chief at the Equity Side of the Court of Exchequer, or any Clerk or other Person employed by them or in their Offices respectively, to demand or accept for or on account of any Act, Matter or Thing done in or concerning the Business of the Examiner's Office.

	£.	s.	d.
1. For the First Witness examined in a Cause (whether upon one Interrogatory, or upon several Interrogatories) in the Examiner's Office, or by either of the Persons holding the Situation of Chief Examiner - - - -	0	3	8
2. For every other Witness examined in like Manner in the same Cause - - - -	0	2	2
3. For the Copy of all such Depositions as are taken by the Examiners in Chief in Person, to be paid by the Party lodging the Interrogatory or Interrogatories, for each Sheet of Seventy two Words - - - -	0	0	10
4. For all other Copies of Interrogatories and Depositions required by any Person out of the Office, for each Sheet of Seventy two Words - - - -	0	0	6½
5. For every Search within Twelve Months for any Document or Documents, of which there shall not be a Copy or Copies required by the Person desiring to have such Search made - - - -	0	2	6
6. For looking into every Term before - - - -	0	0	4
7. For every Deed or other Document which shall be exhibited to a Witness on his Examination by or before the Examiners in Chief, or either of them, and for certifying the same as having been so exhibited - - - -	0	2	0
8. For every Certificate which the Officer shall be required to give - - - -	0	2	6
9. For swearing and examining every Witness where the Officer shall, under the Authority of the Court, go out of his Office for the Purpose - - - -	0	16	8
If the Officer shall be required to go beyond the Limits of the Circular Road, Dublin, the Charge for such Examination to be such as shall be expressed in the Order.			
10. For comparing with Originals and reattesting the Copies of any Depositions which shall be required to be made use of in any Court of Common Law, or on an Appeal, for each Book or Deposition - - - -	0	6	8

The Examiners shall perform all such Duties at the Equity Side of the Court of Exchequer as have heretofore been performed by the Examiners to the Chief and other Barons, and shall have the Custody of the Depositions of all Witnesses examined or cross examined in any Matter or Cause pending at the Equity Side of the said Court, whether taken before them or any Commissioner or Commissioners appointed under or by virtue of the Provisions of this Act, or otherwise; save such Depositions as shall be taken upon any Reference to the Chief Remembrancer, the said Chief Remembrancer being to have the Charge and Custody of all Depositions so taken.

C A P. LXXI.

An Act for defraying the Charge of Retiring Pay, Pensions and other Expences of that Nature, of His Majesty's Forces serving in *India*; for establishing the Pensions of the Bishop, Archdeacons and Judges; for regulating Ordinations; and for establishing a Court of Judicature at *Bombay*.

[11th July 1823.]

53 G. 3. c. 52.

§ 128.

53 G. 3. c. 155.

§ 55.

‘ WHEREAS by an Act made and passed in the Thirty third
 ‘ Year of the Reign of His late Majesty King George the
 ‘ Third, intituled *An Act for continuing in the East India Com-*
 ‘ *pany, for a further Term, the Possession of the British Territories*
 ‘ *in India, together with their exclusive Trade, under certain Limi-*
 ‘ *tations; 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*; it is enacted, that all Sums issued by the Pay-
 ‘ master General of His Majesty's Forces for and on account of
 ‘ His Majesty's Forces serving in *India*, or for raising and sup-
 ‘ plying Recruits for the same, shall be repaid by the said United
 ‘ Company, and that the actual Expences only which are incurred
 ‘ for the Support and Maintenance of the said Troops shall be
 ‘ borne and defrayed by the said United Company: And Whereas,
 ‘ by another Act made and passed in the Fifty third Year of the
 ‘ Reign of His said late 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 Pri-*
 ‘ *ileges; 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*; it is
 ‘ enacted, that for and during the Continuance of the Possession
 ‘ and Government of the said Territorial Acquisitions and Re-
 ‘ venues in said United Company, the Rents, Revenues and
 ‘ Profits arising from the said Territorial Acquisitions, after de-
 ‘ fraying the Charges and Expences of collecting the same, should
 ‘ be applied and disposed of to and for the Uses and Purposes and
 ‘ in the Order of Preference thereafter expressed, and to or for
 ‘ no other Use or Purpose or in any other Manner whatsoever,
 ‘ any Act or Acts of Parliament then in force to the contrary
 ‘ notwithstanding; and in the first Place in defraying all the
 ‘ Charges and Expences of raising and maintaining the Forces,
 ‘ as well *European* as Native Military, Artillery and Marine on
 ‘ the Establishments in the *East Indies* and Parts aforesaid, and of
 ‘ maintaining the Forts and Garrisons there, and providing War-
 ‘ like and Naval Stores; but no Provision has been made for the
 ‘ Charge incurred for Retiring Pay and Pensions and other Ex-
 ‘ pences of that Nature, arising in respect of His Majesty's Forces
 ‘ serving in *India*; and the said United Company in Consider-
 ‘ ation thereof have agreed to pay, for those Purposes, the annual
 ‘ Sum

‘ Sum of Sixty thousand Pounds, to commence from the Thirtieth Day of *April* One thousand eight hundred and twenty two, out of the Territorial Revenues in the *East Indies*, 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 over and above all Sum and Sums of Money now payable by the said United Company in respect of His Majesty’s Forces serving in the *East Indies*, the annual Sum of Sixty thousand Pounds, to commence from the said Thirtieth Day of *April* One thousand eight hundred and twenty two, shall be paid out of the Rents, Revenues and Profits arising from the said Territorial Acquisitions, in full Discharge and Satisfaction of all Claims upon the said Company for Retiring Pay, Pensions and other Expences of that Nature, granted or payable by His Majesty or by Authority of Parliament or otherwise, in respect of any of the Forces of His Majesty which have served, are now serving or which hereafter may serve in the *East Indies*; such annual Sum of Sixty thousand Pounds to be payable by the said United Company out of any Money in their Treasury applicable to the Territorial Charges in the *East Indies*, by even Quarterly Payments, on the Thirtieth Day of *July*, the Thirtieth Day of *October*, the Thirtieth Day of *January* and the Thirtieth Day of *April* in every Year, into the Receipt of His Majesty’s Exchequer, there to remain at the Disposal of Parliament; and such Payments shall be charged upon and borne by the Rents, Revenues and Profits arising from the Territorial Acquisitions, in the same Order as the Charges and Expences of raising and maintaining the said Forces are now charged and borne.

In addition to the Sum now payable, the E. I. C. to pay yearly 60,000*l.* in Satisfaction of Retiring Pay, Pensions or other Allowances in respect of the Forces in India. Paid quarterly.

‘ II. And Whereas by the said Act of the Fifty third Year of the Reign of His said late Majesty King *George* the Third, Provision was made for granting certain Pensions to the Bishop of *Calcutta*, and the Archdeacons of *Calcutta*, *Madras* and *Bombay* respectively, who should have exercised in the *East Indies* or Parts in the said Act mentioned, for Fifteen Years, the Office or Offices of Bishop or Archdeacon; and it is expedient to shorten the Period during which such Bishops and Archdeacons respectively are required to hold their said Offices before such Pensions could be granted to them respectively, and to make other Provisions respecting such Pensions;’ Be it enacted, That so much of the said Act as relates to such Pensions shall be and the same is hereby repealed.

53 G.S. c.155. § 54.

repealed.

III. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, in Manner in the said Act mentioned, to grant to any such Bishop who shall have exercised in the *East Indies* or Parts aforesaid, for Ten Years, the Office of Bishop or Archdeacon, and to any such Archdeacon who shall have exercised in the *East Indies* or Parts aforesaid, for Ten Years, the Office of Archdeacon, Pensions not exceeding such Sums respectively as His Majesty by the said Act of the Fifty third Year of the Reign of His late Majesty is empowered to grant to any such Bishop or Archdeacon.

Pensions to Bishop and Archdeacons.

IV. Provided also, and be it further enacted, That if any Person residing any Time in the *East Indies* or Parts aforesaid, as One

Chaplains appointed Archdeacons to be

entitled to Pension, in a certain Proportion. Further Provision as to Chaplains.

One of the Chaplains of the said United Company, shall have been or shall be appointed to the Office of such Archdeacon as aforesaid, and shall have resided in the *East Indies* or Parts aforesaid as such Archdeacon Seven Years, the Period of Residence of such Person as Chaplain shall be accounted and taken as and for a Residence as such Archdeacon, in the Proportion of Three Years Residence as such Chaplain to Two Years Residence as such Archdeacon: Provided also, that nothing herein contained shall extend or be construed to extend to prejudice the Right of any Person being or having been a Chaplain of the said United Company, to any Benefit he may be entitled to as under or by virtue of any Regulation now in force or hereafter to be made by the said United Company or their Court of Directors, nor to prejudice or affect the Right of the said United Company or their Court of Directors, to make, repeal, vary or alter any Regulation or Regulations respecting the Chaplains of the said United Company, or the Pay or Allowances, Pensions or Retirements of such Chaplains which the said United Company or their Court of Directors may now lawfully make, repeal, vary or alter.

Residence and Expence of Visitations of Bishop to be defrayed by Company. Proviso.

‘ V. And Whereas it is proper that a suitable House of Residence should be provided for the said Bishop, and that the Expences of his Visitations should be defrayed by the said Company;’ Be it therefore further enacted, That it shall and may be lawful for the said Company, and they are hereby required to provide a suitable House at *Calcutta* for the Residence of the said Bishop, and that the Expence of the Visitations to be made by the said Bishop from time to time shall be defrayed by the said Company, out of the Revenues of the *British Territories* in *India*: Provided always, that no greater Sum on account of providing such House, or of such Visitations, be at any Time issued, than shall from time to time be defined and settled by the Court of Directors of the said Company with the Approbation of the Commissioners for the Affairs of *India*, any Law or Statute to the contrary notwithstanding.

Bishop of Calcutta may admit Persons to Holy Orders.

‘ VI. And Whereas Doubts have arisen whether the Bishop of *Calcutta*, in conferring Holy Orders, is subject to the several Provisions and Limitations established by the Laws of this Realm or Canons Ecclesiastical, as to the Titles of the Persons to be ordained, and as to the Oaths and Subscriptions to be by such Persons taken and made;’ Be it further declared and enacted, That it shall and may be lawful for the Bishop of *Calcutta* for the Time being to admit into the Holy Orders of Deacon and Priest respectively any Person whom he shall, upon Examination, deem duly qualified, specially for the Purpose of taking upon himself the Cure of Souls or officiating in any Spiritual Capacity within the Limits of the said Diocese of *Calcutta* and residing therein; and that a Declaration of such Purpose, and a written Engagement to perform the same, under the Hand of such Person, being deposited in the Hands of such Bishop, shall be held to be a sufficient Title with a view to such Ordination; and that in every such Case, it shall be distinctly stated in the Letters of Ordination of every Person so admitted to Holy Orders, that he has been ordained for the Cure of Souls within the Limits of the said Diocese of *Calcutta* only; and that unless such Person shall be a *British Subject*

Subject of or belonging to the United Kingdom of *Great Britain and Ireland*, he shall not be required to take and make the Oaths and Subscriptions which Persons ordained in *England* are required to take and make: Provided always, that nothing herein contained shall be construed to repeal or affect the Provisions of an Act passed in the Fifty third Year of the Reign of His late Majesty King *George the Third*, 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, or any Letters Patent issued by His late Majesty, or by His present Majesty, their Heirs and Successors, in virtue of the said Act or of their lawful Prerogative.*

Proviso for
53 G. 3. c. 155.
and for Letters
Patent.

‘ VII. And Whereas His late Majesty King *George the Second* did, by His Letters Patent bearing Date at *Westminster* the Eighth Day of *January* in the Twenty sixth Year of His Reign, grant unto the United Company of Merchants of *England* trading to the *East Indies* His Royal Charter, thereby, amongst other Things, constituting and establishing Courts of Civil, Criminal and Ecclesiastical Jurisdiction at the United Company's respective Settlements at *Madraspatnam, Bombay* or the Island of *Bombay*, and *Fort William* in *Bengal*: And Whereas the said Charter, in as far as it respects the Administration of Justice at *Bombay*, has been altered and changed by virtue of an Act passed in the Thirty seventh Year of His late Majesty King *George the Third*, intituled *An Act for the better Administration of Justice at Calcutta, Madras and Bombay; and for preventing British Subjects from being concerned in Loans to Native Princes in India; and by Letters Patent granted by His said late Majesty King George the Third, and bearing Date at Westminster on the Twentieth Day of February* in the Thirty eighth Year of His Reign, amongst other Things, for the Establishment of a Court called “ The Court of the Recorder of *Bombay*.” And Whereas the said Charter of the Eighth Day of *January* in the Twenty sixth Year of the Reign of His Majesty King *George the Second*, so far as it respects the Administration of Justice at *Fort William* in *Bengal*, has been altered and changed by virtue of an Act passed in the Thirteenth Year of His said late Majesty King *George the Third*, intituled *An Act for establishing certain Regulations for the better Management of the Affairs of the East India Company, as well in India as in Europe, and by divers subsequent Statutes*: And Whereas the said lastmentioned Charter, so far as it respects the Administration of Justice at *Madras*, has been altered or changed by virtue of the said Act of the Thirty seventh Year of His said late Majesty King *George the Third*, and also by an Act of the Thirty ninth and Fortieth Years of His said late Majesty, intituled *An Act for establishing certain Regulations for the Government of the British Territories in India, and the better Administration of Justice within the same*: And Whereas it may be expedient, for the better Administration of Justice in the said Settlement of *Bombay*, that a Supreme Court

Letters Patent
Jan. 26. 26 G. 2.

37 G. 3. c. 142.

13 G. 3. c. 63.

39 & 40 G. 3.
c. 79.

Supreme Court
of Judicature
at Bombay
established.

‘ of Judicature should be established at *Bombay*, in the same
‘ Form and with the same Powers and Authorities as that now
‘ subsisting by virtue of the several Acts before mentioned at *Fort*
‘ *William in Bengal* :’ Be it therefore enacted, That it shall and
may be lawful for His Majesty, His Heirs and Successors, by
Charter or Letters Patent under the Great Seal of *Great Britain*,
to erect and establish a Supreme Court of Judicature at *Bombay*
aforesaid, to consist of such and the like Number of Persons, to
be named from time to time by His Majesty, His Heirs and Suc-
cessors, with full Power to exercise such Civil, Criminal, Ad-
miralty and Ecclesiastical Jurisdiction, both as to Natives and
British Subjects, and to be invested with such Powers and Au-
thorities, Privileges and Immunities, for the better Administration
of the same, and subject to the same Limitations, Restrictions and
Controul, within the said Town and Island of *Bombay*, and the
Limits thereof, and the Territories subordinate thereto, and within
the Territories which now are or hereafter may be subject to or
dependent upon the said Government of *Bombay*, as the said Su-
preme Court of Judicature at *Fort William* in *Bengal*, by virtue of
any Law now in force and unrepealed doth consist of, is invested
with, or subject to, within the said *Fort William*, or the Places
subject to or dependent on the Government thereof: Provided
always, that the Governor and Council at *Bombay*, and the Go-
vernor General at *Fort William* aforesaid, shall enjoy the same
Exemption and no other, from the Authority of the said Supreme
Court of Judicature to be there erected, as is enjoyed by the said
Governor General and Council at *Fort William* aforesaid for the
Time being, from the Jurisdiction of the Supreme Court of Ju-
dicature there already by Law established.

Proviso for Ex-
emptions.

Records of
Mayor's Court
at Bombay to
be delivered
over to Supreme
Court.

37 G.S. c. 142.

VIII. And be it further enacted, That if His Majesty, His Heirs
or Successors, shall grant such Charter as aforesaid, and erect
such Supreme Court of Judicature at *Bombay* as aforesaid, all
the Records, Muniments and Proceedings whatsoever, of and be-
longing to the late Mayor's Court at *Bombay*, or to the late Court
of Oyer and Terminer and Gaol Delivery, which were by the
said Act passed in the Thirty seventh Year of His said late Ma-
jesty King *George* the Third directed to be delivered over, pre-
served and deposited in the new Courts erected by virtue of the
said Act, and all Records, Muniments and Proceedings whatsoever,
of and belonging to the said Court of the Recorder of *Bombay*,
or to any of the Courts established under and by virtue of the said
Act passed in the Thirty seventh Year of the Reign of His said
late Majesty King *George* the Third, shall from, and immediately
after such Supreme Court of Judicature, as His Majesty is hereby
empowered to erect, shall be established at *Bombay*, be delivered
over to be preserved and deposited for safe Custody in the said
Supreme Court of Judicature to be erected at *Bombay*, to which
all Parties concerned shall and may have resort and recourse upon
Application to the said Court.

So much
of Charter
and 37 G.S.
c. 142. as relate
to Court of
Recorder

IX. And be it further enacted, That so much of the Charter
granted by His said late Majesty King *George* the Third, for
erecting the Court of the Recorder of *Bombay*, as relates to the
Appointment of such Recorder and the erecting of such Courts
of Judicature at *Bombay*, in case a new Charter shall be granted
by

by His Majesty, His Heirs or Successors, and shall be openly published at *Bombay*, from and immediately after such Publication shall cease and determine, and be absolutely void to all Intents and Purposes whatsoever; and all Powers and Authorities granted by the said Act of the Thirty seventh Year of His said late Majesty King *George* the Third, to the said Court of the Recorder at *Bombay*, shall cease and determine and be no longer exercised by the said Court, but the same shall and may be exercised by the Supreme Court of Judicature to be erected by virtue of this Act, in the Manner and to the Extent hereinbefore directed.

Repealed.

X. And be it further enacted, That when the said Supreme Court of Judicature which His Majesty is hereby empowered to erect shall be erected, the Court of Directors of the said United Company shall and they are hereby required to direct and cause to be paid certain and established Salaries to the Chief Justice and each of the Judges of such Supreme Court of Judicature at *Bombay*, as shall be by the new Charter established; that is to say, to the Chief Justice Fifty two thousand two hundred *Bombay* Rupees by the Year; and to each of the Puisne Judges of the said Supreme Court of Judicature at *Bombay*, Forty three thousand five hundred *Bombay* Rupees by the Year; and that such Salaries shall be paid and payable to each and every of them respectively out of the Territorial Revenues of the said Settlement of *Bombay*.

Salaries to Chief Justice and each of the Judges.

How Payable.

XI. And be it further enacted, That the said Salaries of such Chief Justice and Judges shall commence and take place from and after their respectively taking upon them the Execution of their Office as aforesaid, and that all such Salaries shall be in lieu of all Fees of Office, Perquisites, Emoluments and Advantages whatsoever; and that no Fees of Office, Perquisites, Emoluments or Advantages whatsoever, shall be accepted, received or taken in any Manner or on any Account or Pretence whatsoever, other than such Salaries or Allowances as are in and by this Act directed to be paid.

Salaries to be in lieu of all Fees.

XII. And be it further enacted, That the said Court of Directors shall and they are hereby required to pay and advance to every Person who shall be appointed Chief Justice of the said Supreme Court to be erected in pursuance of this Act, and who shall be resident in the United Kingdom at the Time of his Appointment, the Sum of One thousand two hundred Pounds, and to every Person who shall be appointed Puisne Judge of the said Court, and who shall be resident in the United Kingdom at the Time of his Appointment, the Sum of One thousand Pounds, for the Purpose of defraying the Expences of their Equipment and Voyage.

Defraying Expences of Equipment and Voyage of Chief Justice and Judges.

XIII. Provided always, and be it further enacted, That when either of the Judges of the Supreme Court of Judicature, which His Majesty is hereby empowered to erect at *Bombay*, shall respectively leave *India*, the Salary payable under and by virtue of this Act to any such Judge shall cease and be no longer paid; any thing herein contained to the contrary thereof in any wise notwithstanding.

Salary to cease on Judge's leaving India.

XIV. And be it further enacted, That so much of the said Acts of the Thirty seventh and of the Thirty ninth and Fortieth Years

37 G. 3. c. 142. & 39 & 40 G. 3. c. 79. § 8. repealed.

Years of His late Majesty King *George* the Third, as relates to the Time during which the Chief Justices, Judges and Recorder of the Courts therein mentioned are required to reside in *India* before any Allowances can lawfully be made to them upon Retirement, or which limits the Amount in the Whole to be paid on account of such Allowances, shall be and the same is hereby repealed.

Pensions to Chief Justices and Judges of Fort William, Madras, Bombay and Prince of Wales's Island on Resignation. What Residence entitled to Allowance.

XV. And be it further enacted, That if either of the Chief Justices or Puisne Judges of the said Supreme Court of Judicature of *Fort William*, or of the said Supreme Court of Judicature at *Madras*, or of the said Supreme Court of Judicature to be erected at *Bombay*, or the Recorder of the Court of Judicature of *Prince of Wales's Island*, shall resign his Office in consequence of Age, Infirmary or other Cause, to be approved by His Majesty, His Heirs or Successors, it shall and may be lawful for His Majesty, His Heirs and Successors, by Warrants under the Sign Manual, to direct and authorize an Allowance to be made out of the Revenues of the *British Territories* in *India* to such Chief Justice, Judge or Recorder so resigning: Provided always, that it shall not be lawful for His Majesty to direct any such Allowance to be made to any Person who shall not have resided in *India* for Ten Years, either as Chief Justice or Puisne Judge of One of the said Supreme Courts, or as Recorder of *Bombay*: and that it shall not be lawful for His Majesty to direct any larger Allowance to be made to any Chief Justice of any of the said Supreme Courts so retiring as aforesaid, than the Amount hereafter limited for the Allowance to be made to the Puisne Judges of such Courts respectively, unless he shall have holden the Office of such Chief Justice during Five Years of such his Residence in *India* as aforesaid; nor if he shall have holden the said Office of Chief Justice during such Five Years of such his Residence in *India* as aforesaid, shall it be lawful to direct any larger Allowance to be made to the Chief Justice of the said Supreme Court of *Fort William*, than the Sum of Two thousand Pounds Sterling *per Annum*, nor to either of the Chief Justices of the said Supreme Courts of *Madras* or *Bombay*, than the Sum of One thousand six hundred Pounds Sterling *per Annum*; and that it shall not be lawful for His Majesty to direct any Allowance to be made to either of the Puisne Judges of the said Court of *Fort William*, so retiring as aforesaid, than the Sum of One thousand five hundred Pounds Sterling *per Annum*; nor to either of the Puisne Judges of the said Supreme Courts at *Madras* and *Bombay*, than the Sum of One thousand two hundred Pounds Sterling *per Annum*; and that it shall not be lawful for His Majesty to direct any Allowances to be made to the Recorder of the said Court of Judicature of *Prince of Wales's Island*, unless he shall have resided in the *East Indies* as such Recorder Ten Years, nor in that Case any larger Allowance than the Sum of One thousand Pounds Sterling *per Annum*.

Allowances limited.

Time of Judge's acting as Recorder of Prince of Wales's Island, to be reckoned as Part of his

XVI. Provided also, and be it further enacted, That if any Person having for any Time resided in the *East Indies* as Recorder of the said Court of Judicature of *Prince of Wales's Island*, shall have been or shall be appointed to the Office of Chief Justice or Puisne Judge of either of the said Supreme Courts of *Fort William*, *Madras* or *Bombay*, the Period of Residence of such Person

in

in the *East Indies*, as such Recorder of the said Court of Judicature of *Prince of Wales's Island*, shall be accounted and taken as and for a Residence in *India* as a Puisne Judge of such Courts respectively, in the Proportion of Three Years' Residence as such Recorder to Two Years' Residence as such Puisne Judge; and that if such Person shall have resided in the *East Indies* as such Recorder, or as such Chief Justice or Puisne Judge for Ten Years, it shall and may be lawful for His Majesty, His Heirs and Successors, in Manner hereinbefore mentioned, to direct such Allowance to be made to such Person as might lawfully be directed in case such Person had resided the whole of such Time as such Chief Justice or Puisne Judge as aforesaid.

Service as a Judge.

XVII. And be it further declared and enacted, That it hath been and is and shall be lawful for the Supreme Court of Judicature at *Madras*, within *Fort Saint George* and the Town of *Madras* and the Limits thereof, and the Factories subordinate thereto, and within the Territories which now are or hereafter may be subject to or dependent upon the Government of *Madras*; and that it shall be lawful for the said Supreme Court of Judicature at *Bombay*, to be created by virtue of this Act, within the said Town and Island of *Bombay* and the Limits thereof, and the Factories subordinate thereto, and within the Territories which now are or hereafter may be subject to or dependent upon the said Government of *Bombay*; and the said Supreme Courts respectively are hereby required, within the same respectively, to do, execute, perform and fulfil all such Acts, Authorities, Duties, Matters and Things whatsoever, as the said Supreme Court of *Fort William* is or may be lawfully authorized, empowered or directed to do, execute, perform and fulfil within *Fort William* in *Bengal* aforesaid, or the Places subject to or dependent upon the Government thereof.

Courts at Madras and Bombay to have the same Powers as the Court at Fort William in Bengal.

XVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect any Warrant which may have been granted by His Majesty before the passing of this Act, in virtue of any Act now in force, for the Payment of a Pension to any Person who has resigned the Office of Chief Justice or Judge of the Supreme Court of Judicature at *Fort William* in *Bengal* or at *Madras*, nor to affect the Power of His Majesty to grant such Warrants in favour of any Person now exercising the Office of Chief Justice or Judge; and that any such Warrant and Warrants shall be obligatory on the said Company, in like Manner and under the same Restrictions and Provisions as if this Act had not passed.

Proviso for Pensions at present paid.

C A P. LXXII. .

An Act to repeal the several Duties and Drawbacks of Customs chargeable and allowable in *Ireland*, on the Importation and Exportation of certain Foreign and Colonial Goods, Wares and Merchandize, and to grant other Duties and Drawbacks in lieu thereof, equal to the Duties and Drawbacks chargeable and allowable thereon in *Great Britain*.

[11th July 1823.]

‘ WHEREAS for the further carrying into Effect the Provi-
 ‘ sions and Purposes contained in the Two several Acts for
 ‘ the Union of *Great Britain* and *Ireland*, passed in the Parlia-
 ‘ ments of *Great Britain* and *Ireland* respectively, and also in an
 ‘ Act passed in the Parliament of the United Kingdom in the Fifty
 ‘ sixth Year of the Reign of His late Majesty King *George* the
 ‘ Third, for uniting and consolidating into one Fund all the Public
 ‘ Revenues of *Great Britain* and *Ireland*, and providing for the
 ‘ Application thereof to the general Services of the United King-
 ‘ dom; it hath become expedient that equal Duties should be im-
 ‘ posed on the Importation of certain Articles into both Countries
 ‘ from Foreign Parts and that equal Drawbacks should be allowed
 ‘ upon the Exportation to Foreign Parts of all such Articles from
 ‘ both Countries;’ Be it therefore enacted by the King’s most Ex-
 ‘ cellent Majesty, by and with the Advice and Consent of the Lords
 ‘ Spiritual and Temporal, and Commons, in this present Parliament
 ‘ assembled, and by the Authority of the same, That from and after
 ‘ the Tenth Day of *October* One thousand eight hundred and
 ‘ twenty three, all and singular the Duties of Customs payable to
 ‘ His Majesty, His Heirs and Successors, by Virtue of any Act or
 ‘ Acts in force in *Ireland* on or immediately before the Tenth Day
 ‘ of *October* One thousand eight hundred and twenty three, upon
 ‘ the Importation into *Ireland* of the Foreign or Colonial Goods,
 ‘ Wares or Merchandize, (that is to say) Goods, Wares or Merchan-
 ‘ dize not being the Growth, Produce or Manufacture of *Great*
 ‘ *Britain*, mentioned, specified and set forth in the Tables to this Act
 ‘ annexed marked (A.) and (B.), and the respective Drawbacks al-
 ‘ lowed upon the Exportation of any such Goods, Wares or Mer-
 ‘ chandize from *Ireland*, shall cease and determine, except such
 ‘ Duties of Customs as have been granted or imposed on any of the
 ‘ said Articles for any local Purposes in *Ireland*, by any Act or
 ‘ Acts of Parliament; and which Duties are appropriated to such
 ‘ local Purposes by the several Acts by which the said Duties are
 ‘ granted or imposed or regulated, and save and except in all Cases
 ‘ relating to the recovering or allowing any Arrears of the said Du-
 ‘ ties and Drawbacks respectively, which may remain unpaid or not
 ‘ allowed on the said Tenth Day of *October* One thousand eight
 ‘ hundred and twenty three, or relating to any Fines, Penalties or
 ‘ Forfeitures in respect thereof, which shall have been incurred at
 ‘ any Time before the said Tenth Day of *October* One thousand
 ‘ eight hundred and twenty three.

II. And be it further enacted, That from and after the Tenth
 Day of *October* One thousand eight hundred and twenty three, in
 lieu

56 G. 3. c. 98.

From Oct. 10.
 1823. existing
 Duties of Cus-
 toms in *Ireland*,
 on Articles spe-
 cified in Tables
 (A.) and (B.),
 and Drawbacks
 thereon, re-
 pealed.
 (Exception.)

New Duties
 and Drawbacks

lieu and instead of the several Duties of Customs hereby made to cease and determine, there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, upon the Importation into *Ireland* of the several Foreign or Colonial Goods, Wares and Merchandize; (that is to say), Goods, Wares and Merchandize not being the Growth, Produce or Manufacture of *Great Britain*, mentioned, specified and set forth in the Tables (A.) and (B.) to this Act annexed, Duties of Customs equal in Amount to the Duties charged and payable upon the Importation of the like Goods, Wares and Merchandize into *Great Britain*; and that upon the Exportation from *Ireland* of certain of such Goods, Wares and Merchandize to Foreign Parts, there shall be allowed and given Drawbacks equal in Amount to the Drawbacks allowed on the Exportation of such Goods, Wares and Merchandize from *Great Britain*, under any Act or Acts of Parliament in force in *Great Britain*; and that such Duties shall be raised, levied, collected and paid upon and in respect of the several Articles enumerated in the Tables to this Act annexed marked (A.) and (B.), imported or brought into *Ireland*, and according to the several Amounts of such Duties respectively inserted, described and set forth in Figures in the said Tables; and that such Drawbacks shall be paid and allowed according to the several Amounts thereof respectively inserted, described and set forth in Figures in the said Tables, any Law, Custom or Usage to the contrary notwithstanding; and that the said Tables, and all Matters and Things therein contained, shall be deemed Part of this Act.

III. Provided always, and be it enacted, That nothing in this Act, or the Tables thereto annexed, mentioned, specified or contained, shall extend or be construed to extend to repeal or alter the Amount of the Duties payable on Barilla or on Salt, or on any Sorts of Wood imported into *Ireland*, payable under any Act or Acts in force immediately before the passing of this Act; but that the Duties payable on such Barilla, Salt and Wood under any such Act or Acts, and all Drawbacks in respect of such Duties, and all Rules and Regulations applicable to such Duties and Drawbacks, shall remain and continue in force to all Intents and Purposes, as if this Act had not been had or made.

IV. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, no Duty whatever shall be charged or payable, nor shall any Drawback be allowed or allowable in *Great Britain* or *Ireland* respectively, upon the Importation into or Exportation from either Country to the other, of any Goods, Wares or Merchandize, subject to Duties of Customs under this Act, or subject to Duties of like Amount on Importation into *Great Britain*, upon which the Duties so due and payable shall have been paid in the Country into which such Goods, Wares or Merchandize shall have been first imported, and from which Country such Goods, Wares or Merchandize shall be exported to the other; nor upon the Importation or Exportation of any Articles composed in the whole or in part of any Material which shall have paid any such Duty; any thing contained in the said Acts of Union, or in any other Act or Acts in force immediately before the passing of this Act, or

of Customs made payable in *Ireland* on Articles in Tables (A.) and (B.) equal to those in G. B. and as set forth in Tables.

Duties and Drawbacks on Barilla, Salt and Wood imported, to remain.

No Counter-vailing Duty or Drawback on Import or Export of Goods, having paid Duties in G. B. or *Ireland*, or manufactured from Materials having paid such Duty.

any Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

Proviso for Goods imported into Ireland before Commencement of Act at lower Duties than in G. B. and exported to G. B.

V. Provided always, and be it enacted, That all Goods, Wares and Merchandize which, at any Time before the said Tenth Day of *October* One thousand eight hundred and twenty three, shall have been or shall be imported into *Ireland*, and which at the Time of such Importation shall have been or shall be subject to Duties lower than the Duties payable on the Importation of the like Articles into *Great Britain*, shall, after the said Tenth Day of *October* One thousand eight hundred and twenty three, remain and continue liable to such Duties on Importation into *Great Britain*, and shall be entitled to such Drawbacks on Exportation from *Ireland* to *Great Britain*, and shall be imported and exported under all such Rules and Regulations as were applicable to such Goods, Wares and Merchandize under any Act or Acts in force immediately before the said Tenth Day of *October* One thousand eight hundred and twenty three, and as if this present Act had not been had or made.

Trade between G. B. and Ireland to be a Coasting Trade from Day mentioned in Warrant of Treasury for that Purpose.

VI. And be it further enacted, That at any Time after the passing of this Act, it shall and may be lawful for the Lord High Treasurer, or for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three of them, by any Warrant or Order in Writing, signed by him or them, and published in the *London* and *Dublin Gazettes*, to direct and declare, that from a Day to be named in such Warrant or Order the Trade between *Great Britain* and *Ireland* shall be taken and deemed to be a Coasting Trade, and from and after the Day mentioned in such Warrant or Order, such Trade shall be and become a Coasting Trade accordingly; and all Ships and Vessels in which Goods, Wares or Merchandize shall be transported, carried and conveyed from any Port in *Great Britain* to any Port in *Ireland*, or from any Port in *Ireland* to any Port in *Great Britain* respectively, shall be deemed and taken and held to be Coasting Ships and Vessels to all Intents and Purposes whatsoever, subject nevertheless to such Rules, Regulations, Restrictions and Conditions, and to such Penalties and Forfeitures, as are hereinafter provided and contained.

Entry to be made of Goods exported from either Country to the other. Penalty 100l. Goods liable to Duty, not duly entered, forfeited.

VII. Provided always, and be it enacted, That no Goods, Wares or Merchandize shall be laden on board any Ship or Vessel, to be transported, carried or conveyed from any Port in *Great Britain* to any Port in *Ireland*, or from any Port in *Ireland* to any Port in *Great Britain*, until due Entry of such Ship or Vessel shall have been made at the Custom House at the Port of Lading, under a Penalty of One hundred Pounds, to be paid by the Master or other Person having the Charge or Command of such Ship or Vessel; and if any Goods, Wares or Merchandize, subject to Duty of Customs or Excise in either Country, or prohibited to be exported from either Country to Foreign Parts, shall be laden on board any Ship or Vessel for the Purpose of being carried from one Country to the other, before such Goods, Wares or Merchandize shall have been duly entered at the Custom House, or if the same shall be shipped without a proper Clearance, and the Presence or Authority of a proper Officer, all such Goods, Wares

Wares or Merchandize shall be forfeited, and shall and may be seized by any Officer of the Customs.

VIII. Provided also, and be it enacted, That within Twenty four Hours after the Arrival of any Ship or Vessel in any Port of *Great Britain* from any Port in *Ireland*, or in any Port in *Ireland* from any Port in *Great Britain*, and before any Goods, Wares or Merchandize be unshipped, the Master shall make due Entry of such Ship or Vessel, upon Oath, at the Custom House at the Port of Arrival, under the Penalty of One hundred Pounds, to be paid by the Master or other Persons having the Charge or Command of such Ship or Vessel; and if any Goods, Wares or Merchandize, subject to Duty of Customs or Excise in either Country, or prohibited to be imported into either Country from Foreign Parts, shall be unladen from any such Ship or Vessel before the same shall have been duly entered at the Custom House, or without the Presence or Authority of a proper Officer, such Goods, Wares or Merchandize shall be forfeited, and may be seized by any Officer of the Customs.

Entry to be made on Arrival of Ships from one Country to the other.

Penalty.

IX. And be it further enacted, That it shall and may be lawful for the Commissioners of Customs, by and with the Consent and Approbation of the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, from time to time to make such Rules and Orders as shall be necessary for ascertaining the Form and Manner of the Entries of all Ships and Vessels, and of all Goods, Wares and Merchandize, Inwards and Outwards, between *Great Britain* and *Ireland*, and the Regulations, Restrictions and Conditions under which all such Ships and Vessels shall and may be entered and cleared, and such Goods Wares and Merchandize shall and may be entered and shipped or landed, and exported or imported into either of the said Countries from the other; and such Rules and Orders, when approved of and signed by the said Commissioners of the Treasury, or any Three of them, shall be good, valid and effectual to all Intents and Purposes whatsoever, for the regulating such Ship and Vessel, and Goods, Wares and Merchandize, and the Importation and Exportation thereof between the said Countries, and shall be published in the *London* and *Dublin* Gazettes, and shall be in force and commence and take effect from such Time as shall be mentioned in such Approbation of the Commissioners of the Treasury.

Orders for regulating Entries, &c. made by Customs, with Approbation of Treasury, and published in the Gazettes.

X. Provided also, and be it enacted, That upon any Re-importation into *Ireland* from any Place or Country other than *Great Britain*, of any Foreign or Colonial Goods, Wares or Merchandize, which shall have been previously exported from *Ireland*, the like Duties shall be due and chargeable upon such Goods, Wares and Merchandize as are by this Act granted upon the First Importation into *Ireland* of such Goods, Wares and Merchandize.

Goods liable to Duty on Re-importation.

XI. And be it further enacted, That the several and respective Duties by this Act granted on the Importation into *Ireland* of the Goods, Wares and Merchandize mentioned and set forth in this Act, and the Tables marked (A.) and (B.) thereto annexed, shall be charged and payable on all such Goods, Wares and Merchandize as shall not have been entered on or before the said Tenth Day of *October* One thousand eight hundred and twenty three, or

Duty payable on Goods not entered, or on which Duty has not been paid before.

on which the Duties due and payable on the Importation thereof shall not have been paid before the said Tenth Day of *October* One thousand eight hundred and twenty three, notwithstanding such Goods, Wares or Merchandize may have been imported into *Ireland* before the said Tenth Day of *October* One thousand eight hundred and twenty three.

Goods imported may be warehoused, and Duty paid on taking out for Home Consumption.

XII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to compel the Proprietor or Proprietors of Goods, Wares or Merchandize, specified in Tables (A.) and (B.) to this Act annexed, to pay the Duties thereon, upon the Importation or landing of such Goods, Wares or Merchandize in *Ireland*, in any Case where such Goods, Wares or Merchandize may or might by Law be warehoused, or otherwise secured without Payment of Duty, or in any Case where the Whole or any Part of the Duties on such Goods, Wares or Merchandize are or may be permitted to be secured by Bond or otherwise; but that in all such Cases, the Duties specified in the Tables (A.) and (B.) to this Act annexed may be secured by Bond or otherwise, in such Manner, and under such Rules, Regulations, Restrictions and Conditions, as are or may be contained in any Act or Acts for that Purpose, except where it is otherwise provided by this Act: Provided also, that in case the Importer or Proprietor of any Goods, Wares or Merchandize, specified in Tables (A.) and (B.) to this Act annexed, which shall have been lodged in Warehouses, or otherwise secured, at any Time on or immediately before the said Tenth Day of *October* One thousand eight hundred and twenty three, and on which the Duties due on the Importation thereof shall not have been paid, shall be desirous of taking any such Goods, Wares or Merchandize out of such Warehouse, or from any Place wherein the same shall be secured, for the Purpose of being used or consumed in *Ireland*, then and in such Case the Duties imposed by this Act shall be payable thereon, notwithstanding such Goods, Wares or Merchandize may have been imported and warehoused before the said Tenth Day of *October* One thousand eight hundred and twenty three.

Charging Foreign Spirits with Duty in proportion to their Strength.

XIII. And be it further enacted, That all Rum, Brandy, Spirits, Aqua Vitæ and Strong Waters, which shall be brought or imported into *Ireland*, and for which any Duties shall be payable under this Act, or the Tables thereto annexed, and which shall be found to be above the Strength of Proof, shall be charged with and shall pay the Duties payable thereon, according to such Tables: Provided always, that where any such Rum, Brandy, Spirits, Aqua Vitæ or Strong Waters, shall be fairly and regularly imported, and no Artifice, Means or Contrivance shall be used or employed, either by sweetening the same, or otherwise, whereby the Officers of the Revenue may be deceived or imposed upon in respect of the true Strength thereof, then and in such Case, but not otherwise, it shall and may be lawful to and for the said Officers to charge such Rum, Brandy, Spirits, Aqua Vitæ and Strong Waters, with Duty as Single Spirits, and also with a further Duty in proportion to the Degree of Strength in which such Spirits shall be above Proof, and such Rum, Brandy, Spirits, Aqua Vitæ and Strong Waters, shall be liable to the Payment of such Duty

so

so charged, and no more, accordingly; any thing in this Act or the Tables thereto annexed, or in any other Act or Acts, to the contrary thereof in any wise notwithstanding.

‘XIV. And for ascertaining the Degrees of specific Gravity or Strength according to which the Duty on the Juice of Lemons, Limes and Oranges imposed by Table (A.) annexed to this Act, shall be calculated and paid,’ Be it enacted, That such Degrees of specific Gravity or Strength shall be ascertained by a Glass Citrometer, which shall be graduated in Degrees in such Manner that distilled Water being assumed as Unity at the Temperature of Sixty Degrees by *Fahrenheit's* Thermometer, every Degree of the Scale of such Citrometer shall be denoted by a Variation of Four One thousandth Parts of the specific Gravity of such Water.

Degree of Gravity of Lemon, Lime and Orange Juice ascertained by a graduated Citrometer.

‘XV. And Whereas it is expedient to allow the Importation of any Sort of Wine whatever in Bottles or Flasks, as well for Sale as for private Use, in Packages containing at least Six Dozen reputed Quart Bottles or Flasks, upon Payment of the like Duty as is now by Law payable on *French Wine*,’ Be it therefore enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, it shall and may be lawful to import into *Ireland* any Wine whatever, as well for Sale as for private Use, in Packages each of which shall contain at least Six Dozen reputed Quart Bottles or Flasks, on Payment of the same Duties as *French Wine* is now subject to.

Importation of Wine in Packages, Duty as French Wine.

XVI. And be it further enacted, That from and after the said Tenth Day of *October* One thousand eight hundred and twenty three, every Master of any Ship or Vessel belonging in the Whole or in any Part to any of His Majesty's Subjects, navigated with any Foreign made Sail or Sails, or who shall have any Foreign made Sail or Sails on board his Ship or Vessel, shall, at the Time of making his Entry or Report of such Ship or Vessel at the Custom House of any Port in *Ireland* where such Ship or Vessel shall be entered, make an Entry and Report upon Oath of all and every Foreign made Sail and Sails used in or being on board any such Ship or Vessel, and the Master of such Ship or Vessel shall, before such Ship or Vessel shall be cleared by the Officers of the Customs Inwards, where such Ship or Vessel makes any Discharge of her Lading, pay to His Majesty, His Heirs and Successors, the like and the same Duties as are charged upon all Foreign made Sails imported by way of Merchandize, in the Tables to this Act annexed; and in default, the said Sails shall be forfeited, and shall and may be seized by any Officer or Officers of His Majesty's Customs in *Ireland*; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Where Ships navigated with Foreign made Sails, Duty shall be paid on such Sails.

Penalty.

XVII. And be it further enacted, That in all Cases where any Duty is by this Act imposed on the Goods, Wares or Merchandize specified and mentioned in the Table marked (A.) annexed to this Act, imported into *Ireland*, according to the Value thereof, such Value shall be taken and estimated upon the Declaration of the Importer or Proprietor of such Goods, or his known Agent or Factor, in Manner and Form following; (that is to say),

For ascertaining Value of Goods paying Duty ad valorem, by Declaration of Importer.

‘I A. B. do hereby declare, That the Goods mentioned in this Entry, and contained in the Packages, [here specifying the several

' several Packages, and describing the several Marks and Numbers,
 ' as the Case may be,] are of the Growth, Production or Manu-
 ' facture [as the Case may be] of and that
 ' I am the Importer or Proprietor thereof, [or, that I am duly
 ' authorized by the Importer or Proprietor thereof, as the Case
 ' may be,] and I do enter the same at the Value of
 ' . Witness my Hand the Day
 ' of A. B.' The above
 ' Declaration, signed the Day of in the
 ' Presence of C. D. (Officer of the Customs.)'

Officer may
 detain such
 Goods, if not
 truly valued,
 paying to Im-
 porter his Valu-
 ation, and
 10 per Cent.
 thereon ;

and Import
 Duties that
 have been paid.

Such Goods
 sold by Com-
 missioners of
 Customs.

How Produce
 of Sale dis-
 posed of.

Which Declaration shall be written upon the Warrant or Entry of
 such Goods, Wares or Merchandize, and shall be subscribed with
 the Hand of the Importer or Proprietor thereof, or his known
 Agent or Factor; and if upon View and Examination of such
 Goods, Wares or Merchandize by the proper Officer or Officers
 of the Customs, it shall appear to him or them that such Goods,
 Wares or Merchandize are not valued according to the true and
 real Value thereof, then it shall and may be lawful for the proper
 Officer or Officers of the Customs to detain such Goods, Wares or
 Merchandize, and to cause the same to be conveyed into His
 Majesty's Warehouse, or otherwise properly secured at the Port
 of Importation, and to take such Goods, Wares or Merchandize
 for the Use and Benefit of His Majesty, His Heirs or Successors,
 within Eight Days from the landing thereof, in case the Goods,
 Wares or Merchandize shall have been imported into the Port of
Dublin, and within Fifteen Days from the landing thereof, in case
 the Goods, Wares or Merchandize shall have been imported into
 any other Port in *Ireland*; and it shall be lawful for the Com-
 missioners of the Customs for the Time being to direct the Col-
 lector of the Port within which such Goods, Wares, or Merchan-
 dize may have been entered, to pay, out of any Money in his
 Hands arising from the Revenue of Customs, to the Importer or
 Proprietor of such Goods, Wares or Merchandize, the Amount
 of the Value thereof as so declared, together with an Addition
 of Ten Pounds *per Centum* thereon, and also the Duties paid on
 the Importation of such Goods, Wares or Merchandize, but with-
 out any further Allowance, either on account of Freight or any
 other Charge or Expence whatever, which Payment shall be made
 within Fifteen Days after the said Goods, Wares or Merchandize
 shall have been so taken as aforesaid.

XVIII. And be it further enacted, That such Payment so made
 to the Importer or Proprietor of such Goods, Wares or Merchan-
 dize, shall be in full Satisfaction for the same, to all Intents and
 Purposes; and it shall and may be lawful for the Commissioners
 of His Majesty's Customs for the Time being, to cause the said
 Goods, Wares or Merchandize to be fairly and publicly sold to
 the best Advantage; and in case there shall be any Overplus re-
 maining from the Produce of such Sale, after deducting the Value
 so ascertained as aforesaid, together with the Addition of Ten
 Pounds *per Centum* thereon, and of the Duties paid on the Im-
 portation, and also the Charges arising from the warehousing and
 sale of such Goods, Wares or Merchandize, then and in such
 Case the said Commissioners shall and may order one Moiety of
 such

such Overplus to be paid to the Officer or Officers of the Customs concerned in the View and Examination of such Goods, Wares or Merchandize, as an Encouragement for the faithful Discharge of his or their Duty, and the other Moiety of such Overplus, together with the Value of the Goods so ascertained as aforesaid, with the Addition of Ten Pounds *per Centum*, and also of the Duties paid or payable on the Importation thereof, shall be paid for the Use of His Majesty, to the Collector of His Majesty's Customs in that Port within which the said Goods, Wares or Merchandize shall have been sold; but in case it shall so happen that the Produce of such Sale, after deducting the Charges arising from warehousing, securing or sale of such Goods, Wares or Merchandize, shall not exceed the Value of such Goods, Wares or Merchandize so ascertained as aforesaid, with the Addition of Ten Pounds *per Centum* thereon, and the Duties paid on the Importation thereof, that then and in such Case the whole Produce of the Sale of such Goods, Wares or Merchandize, after deducting the Charges arising from the warehousing, securing and Sale thereof, shall be paid for the Use of His Majesty, into the Hands of the Collector of His Majesty's Customs in that Port within which the said Goods shall have been sold, any Law, Custom or Usage to the contrary notwithstanding.

XIX. And be it further enacted, That if any Person or Persons shall make and attest any such Declaration as aforesaid, not being the Importer or Proprietor or Consignee of the Goods, Wares and Merchandize mentioned in such Declaration, or not having proper and sufficient Authority from the real Importer or Importers, Proprietor or Proprietors, or Consignee or Consignees, of such Goods, Wares and Merchandize, every such Person shall forfeit the Sum of One hundred Pounds, to be recovered by any Person who will sue for the same, by Action of Debt or on the Case, or Bill, Plaint or Information, in any of His Majesty's Courts of Record in *Dublin*, in which no Essoign or Wager of Law, nor more than One Impar lance shall be allowed.

Agents declaring Value without Authority.

Penalty 100l.

XX. And be it further enacted, That so long as any Bounties shall be paid or payable for the Support and Encouragement of the Fisheries carried on in the *Greenland Seas* and *Davis's Straights*, or for the Support and Encouragement of the Southern Whale Fisheries, the several Duties of Customs payable under this Act, and the Tables thereto annexed, on the Importation into *Ireland* of Blubber, Train Oil, Spermaceti Oil, Head Matter and Whale Fins, the Produce of Fish or Creatures living in the Sea, shall not be charged or payable on any Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins, taken and caught on the Banks and Shores of the Island of *Newfoundland*, and Parts adjacent, or taken and caught on the *Labrador Coast*, and Parts adjacent, wholly by His Majesty's Subjects residing at and carrying on such Fishery from that Island, or from the *Labrador Coast*, but the Payment of such Duties on such Articles so taken and caught shall be and the same is hereby suspended during the Continuance of such Bounties: Provided always, that such Blubber, Train Oil, Spermaceti Oil, Head Matter and Whale Fins, so taken and caught, shall be duly entered and landed, and shall be subject in

Duties on Blubber, &c. taken at Newfoundland or Labrador Coast suspended.

In what case
revived.

every respect to all the Regulations required by Law; and that the several Duties hereby suspended shall revive and become payable from and after the Time when such Bounties shall cease, in such and the like Manner as if the said Suspension of Duty had not taken place.

On what Con-
ditions Blub-
ber, Oil, &c.
may be ad-
mitted to Entry
as of Fishery of
British Co-
lonies.

XXI. And be it further enacted, That before any Blubber, Train Oil, Head Matter or Whale Fins, the Produce of Fish or Creatures living in the Sea, imported into *Ireland*, shall be admitted to Entry on Payment of the Duty imposed on such Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins, as being taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported from any *British* Colony, Island, Plantation, Settlement or Territory, the Master or other Person having or taking the Charge or Command of the Ship or Vessel in which the same shall be imported, shall produce and deliver to the Collector or other Chief Officer of the Customs at the Port of Importation, a Certificate under the Hand and Seal of the Governor or Deputy Governor of such *British* Colony, Island, Plantation, Settlement or Territory, or of the Collector or other Chief Officer of the Customs of the Port or Place in such *British* Colony, Island, Plantation, Settlement or Territory, where such Train Oil, Blubber, Spermaceti Oil, Head Matter or Whale Fins, shall have been taken on board; and if no such Governor or Deputy Governor or Collector, or other Chief Officer of the Customs, shall be residing there, then a Certificate shall be produced under the Hand and Seal of the Naval Officer, or other principal Officer of such Port or Place, or of One of His Majesty's Justices of the Peace for the District; or if there shall be no such Naval Officer, or other Principal Officer or Justice of the Peace, then a Certificate shall be produced of Two principal Inhabitants at the Place of Shipment, testifying that Oath hath been made before him or them (who is and are hereby authorized and required to administer such Oath, and to grant such Certificate) by the Shipper of such Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins, that the same was really and *bonâ fide* the Produce of Fish or Creatures living in the Sea, actually caught and taken wholly by His Majesty's Subjects carrying on such Fishery, and usually residing in some Part of His Majesty's Dominions; and the Master or other Person having or taking the Charge or Command of the Ship or Vessel in which the Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins, shall be imported into any Part of the United Kingdom, shall make Oath before the Collector or other Chief Officer, at the Port of Importation, that the Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins so imported, is the same as mentioned and referred to in the said Certificate; and the Importer or Importers, Consignee or Consignees, of such Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins, shall also make Oath before the Collector or Comptroller, or other proper Officer of the Customs, at the Time of Entry, that to the best of his or their Knowledge and Belief the Blubber, Train Oil, Spermaceti Oil, Head Matter or Whale Fins so imported, was actually caught and taken by *British* Subjects, usually residing in some Part of His Majesty's Dominions;

Certificate of
Oath of Shipper
of Produce of
Oil, &c.

Oath by Master
of Identity of
Oil, &c.

Dominions; and on failure of such Certificates being produced, and Proof on Oath as aforesaid being made, such Blubber, Train Oil, Spermaceti Oil, Head Matter and Whale Fins, shall be deemed and taken to be of Foreign Fishing, and shall be charged with the Duty by Law imposed upon such Articles of Foreign Fishing.

If no such Oath and Certificate, Oil, &c. taken to be of Foreign Fishing.

XXII. And be it further enacted, That whenever it shall appear by Notices in the *London* or *Dublin Gazette*, in Manner directed by Law, that the Average Price of Brown or Muscovado Sugar of the *British Plantations* (ascertained and taken in Manner prescribed by Law in *Great Britain*), for any Period required by Law, shall be below Forty nine Shillings the Hundred Weight, then and in such Case it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three of them for the Time being, and they are hereby authorized to suspend, until a new Average shall be published in the said Gazette, according to Law, the Payment of One Shilling in the Hundred Weight, Part of the Duty on Sugar of the *British Plantations* granted by this Act and the Table marked (A.) thereunto annexed; and if such Average Price shall be below Forty eight Shillings, then Two Shillings of the said Duties respectively; and if such Average Price shall be below Forty seven Shillings, then Three Shillings of such Duties respectively; and to continue such Suspension from time to time, if the Case shall so require, according to the Averages published as aforesaid.

Suspension of Proportion of Duty on Sugar, when Average Prices are below the Rates herein mentioned.

XXIII. And be it further enacted, That before any Sugar imported as being the Produce of any *British Colony, Plantation* or Territory in the *East Indies*, shall be admitted to Entry on Payment of the Duty imposed on such Sugar by this Act and the Table marked (B.) thereto annexed, the Master or other Person having or taking the Charge or Command of the Ship or Vessel in which any such Sugar shall be imported, shall produce and deliver to the Collector or other Chief Officer of the Customs at the Port of Importation in *Ireland*, a Certificate under the Hand and Seal of the Collector or other Chief Officer of the Customs at the Port or Place in the *East Indies* where such Sugar shall have been taken on board, or if no such Collector or other Chief Officer of the Customs shall be residing at such Port or Place, then a Certificate shall be produced under the Hand and Seal of the Principal Officer of such Port or Place, or of the Judge or Commercial Resident of the District, testifying that Oath had been made before him (who is hereby authorized and required to administer such Oath and to grant such Certificate) by the Shipper of such Sugar, that the same was really and *bonâ fide* the Growth, Produce or Manufacture of such *British Colony, Plantation* or Territory; and the Master or other Person having or taking the Charge or Command of such Ship or Vessel in which such Sugar shall be imported into *Great Britain* or *Ireland* respectively, shall make Oath before the Collector or other Chief Officer at the Port of Importation (who is hereby authorized and required to administer the same), that the Sugar so imported is the same as mentioned and referred to in the said Certificate; and on failure of such Certificate being produced, and Proof on Oath

Before Sugar of *British Settlements* in *India* is admitted to Entry, Master to deliver to Collector a Certificate of Produce, and make Oath of Identity of Sugar.

If no such Oath or Certi-

as

ficane, Sugar taken to be Foreign.

as aforesaid being made, such Sugar shall be deemed and taken to be the Growth, Produce or Manufacture of some Place in the *East Indies* not being a *British Colony, Plantation or Territory*, and shall be charged with the Duty imposed by this Act, and the Table marked (B.) thereto annexed, on such Sugar of Foreign Growth, Produce or Manufacture.

Duties on East India Sugar may be suspended.

XXIV. And be it further enacted, That a Proportion of the Duties by this Act granted on Sugar, the Produce of the *East Indies*, shall and may from time to time be suspended in such and the like Manner as any Duties of Customs payable on such Sugars at any Time before the passing of this Act may be suspended under or by virtue of any Act or Acts in force immediately before the passing of this Act.

Continuance of Duties.

XXV. And be it further enacted, That the Duties imposed and made payable on such Sugar by this Act shall continue in force until and upon the First Day of *July* One thousand eight hundred and twenty four.

Foreign manufactured Tobacco may be imported.

XXVI. And be it further enacted, That from and after the said Tenth Day of *October* One thousand eight hundred and twenty three, it shall and may be lawful to import into *Ireland* any Foreign manufactured Tobacco, upon Payment of the Duties imposed in the Tables marked (A.) and (B.) to this Act annexed; any Act or Acts to the contrary thereof in anywise notwithstanding.

No Allowance on Currants, &c. for Damage.

XXVII. And be it further enacted, That no Allowance or Abatement shall at any Time be made out of or from the Duties by this Act and the Tables thereto annexed imposed upon any Currants, Figs or Raisins, for or on account or in respect of any Damage which such Currants, Figs or Raisins may have sustained in any Voyage or otherwise; any Law, Custom or Usage to the contrary in anywise notwithstanding.

Former Drawbacks allowed on Goods having paid former Duties.

XXVIII. Provided also, and be it enacted, That the Drawbacks granted, allowed and made payable on the Exportation of any of the Articles specified in the Schedules (A.) and (B.) to this Act annexed, under and by virtue of any Act or Acts in force immediately before the Tenth Day of *October* One thousand eight hundred and twenty three, shall remain and continue payable with respect to such Goods, Wares and Merchandize as shall have paid the Duties imposed on the Importation thereof, under any Act or Acts in force before the said Tenth Day of *October*, One thousand eight hundred and twenty three, and which shall be exported at any Time after the said Tenth Day of *October* One thousand eight hundred and twenty three; any Thing in this Act to the contrary in anywise notwithstanding.

Drawback of Duties allowed on Exportation of Wine in Packages containing Three Dozen Quart or Six Dozen Pint Bottles.

XXIX. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, the Drawbacks of the Duties of Customs payable and allowable by any Act or Acts in force immediately before the said Tenth Day of *October* One thousand eight hundred and twenty three, upon the Exportation from *Ireland* of any Wine, shall cease and determine, and in lieu and instead thereof there shall be paid and allowed, upon the Exportation of any Wine from *Ireland*, a Drawback of the full Duties which shall have been paid

paid upon the Importation thereof into *Ireland*: Provided always, that such Drawback shall be paid and allowed under the Rules, Regulations, Conditions, Restrictions, and subject to the like Penalties and Forfeitures as former Drawbacks upon Wine, and shall only be allowed and paid on Bottled Wine which shall be exported from *Ireland* in Packages, each containing not less than Three Dozen reputed Quart Bottles or Flasks, or Six Dozen reputed Pint Bottles or Flasks; any Law, Custom or Usage to the contrary notwithstanding.

XXX. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal or discontinue any Drawback of the Duties of Customs on any Sort of Wine intended for the Use of Admirals, Captains and other Commissioned Officers, serving in any of His Majesty's Ships of War, or for the Use of Commissioned Officers of the Royal Marines, or of Persons acting as such, for their Consumption on board of such of His Majesty's Ships as they shall serve in, by any Act or Acts of Parliament in force in *Ireland* on or immediately before the said Tenth Day of *October* One thousand eight hundred and twenty three: Provided always, that all the Conditions, Regulations and Restrictions contained in any Act or Acts of Parliament in force in *Ireland* immediately before the said Tenth Day of *October* One thousand eight hundred and twenty three, relating to any such Drawbacks of the Duties of Customs on such Wine, shall be duly observed and enforced in relation thereto.

Proviso for Drawback on Wine for the Navy and Marines.

XXXI. And be it further enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, the Drawback mentioned, specified and set forth in the Table marked (B.) to this Act annexed, in respect of Thrown Silk exported from *Ireland*, which shall be thrown in *Ireland* from a larger Quantity of Raw Silk imported into any Part of the United Kingdom from any Place within the Limits of the Charter granted to the United Company of Merchants of *England* trading to the *East Indies*, shall not be paid or allowed, unless Oath be first made before the Collector of the Customs at the Port of Exportation, by the Throwster of such Thrown Silk, that the said Thrown Silk was produced solely from Raw Silk which had been so imported into *Ireland*, and for which the Duties of Customs had been duly paid, and that the same was duly exported; the proper Officer of Customs also certifying the shipping thereof, and all such other Requisites being duly performed, as are necessary to be done and performed with regard to Raw Silk exported from *Ireland*.

For regulating Payment of Drawback on East India Silk thrown in *Ireland*.

XXXII. Provided always, and be it enacted, That upon the Exportation from *Ireland* (except to *Great Britain*) of any Foreign Rice or Paddy which shall have been cleaned in *Ireland*, and which shall have paid the Duties payable on the Importation thereof under this Act and the Tables thereto annexed, there shall be allowed and paid for every Hundred Weight thereof a Drawback equal in Amount to the Duty paid on every Four Bushels of the Rough Rice or Paddy from which the same shall have been cleaned.

Drawback on Exportation of Foreign Rice.

XXXIII. Pro-

Conditions on which Drawback on such Rice shall be obtained.

XXXIII. Provided always, and be it enacted, That such Drawback upon Rice so exported shall be paid and allowed upon such Foreign Rough Rice or Paddy only as shall have been or shall be warehoused upon its first Importation into any Part of *Ireland*, and as shall be taken out of Warehouse upon Payment of the Duty due upon the Importation of the same for the sole and express Purpose of being cleaned, and as shall be returned so cleaned into the Warehouse from which it shall have been taken within One Calendar Month from the Time when the Duty shall be paid thereon, and as shall remain in such Warehouse until the same shall be duly exported, and as shall be so exported from such Warehouse: Provided also, that the Owner or Proprietor of such Rice, at the Time of rewarehousing such Rice when cleaned, shall make Oath before the Chief Officer of the Customs at the Port where the same shall be warehoused (and which Oath the said Officer is hereby authorized and required to administer), that the said Rice is the same which was so taken from the said Warehouse for the Purpose of undergoing the Process of cleaning, and the Duty paid thereon as aforesaid.

Drawback on Coals used in Mines, 1s. 9d. on British Coals, and the whole Duties on all other Coals.

XXXIV. And Whereas it is expedient to grant to the Proprietors of Mines in *Ireland* Advantages respecting the Coals used in such Mines, similar to those granted in respect of Mines in the County of *Cornwall* in *Great Britain*; Be it therefore enacted, That from and after the Tenth Day of *October* One thousand eight hundred and twenty three, for all Coals which shall be consumed in Fire or Steam Engines used for drawing Water or drawing Ores, dead Stuff or Rubbish, or for stamping or pulverising Ores, or for any other Purposes, in Mines of Copper, Tin, Lead, Zinc, Arsenic or other Metal, in any Part of *Ireland*, and for all Coals used in roasting, calcining, smelting or refining any Copper, Tin, Lead, Zinc, Arsenic or other Metal, or any of their Ores in any Part of *Ireland*, and for which all the Duties payable by Law shall be fully paid and satisfied, a Drawback shall be allowed and paid of One Shilling and Nine Pence *per* Ton upon all Coals, the Produce of *Great Britain*, imported into *Ireland*; and upon all Coals imported into *Ireland* from Foreign Parts a Drawback shall be allowed and paid of the whole of the Duties paid on the Importation thereof.

Proof on Oath of Payment of Duty, &c. previously to receiving Drawback.

XXXV. Provided always, and be it enacted, That before Payment of any Drawback shall be made upon any Coals so used or consumed as aforesaid in *Ireland*, Proof shall be made upon Oath, either by some one of the Proprietors or Adventurers in such Mine or Work, or by some managing Agent of such Mine or Work, before the Collector or Comptroller of the Customs (which Oath they are hereby respectively authorized and required to administer) of the Port at which such Coals were imported into *Ireland*, that such Proprietor, Adventurer or Agent verily believes that all Duties upon such Coals have been actually paid, and that such Coals were *bonâ fide* used and consumed in such a Manner as to entitle them to the Drawback under the Provisions of this Act, and the Amount of such Drawback shall be paid by such Collector or Comptroller accordingly to the Person making Proof as aforesaid.

XXXVI. And

‘ XXXVI. And Whereas some of the Duties imposed upon the Importation of certain Goods, Wares and Merchandize into *Ireland*, are under the Management in Part of the Commissioners of Customs, and in Part of the Commissioners of Excise, and some other Import Duties are under the Management of the Commissioners of Excise: And Whereas, for the Convenience of Trade and for the better and more economical Collection of the Revenue, it may be found expedient that all Import Duties should be placed under the Management of the Commissioners of the Customs, or that such Duties as have heretofore been under the Management in Part of the Commissioners of the Customs, and in Part of the Commissioners of Excise, should be wholly managed, either by the Commissioners of the Customs or by the Commissioners of Excise:’ Be it therefore enacted, That at any Time after the passing of this Act it shall and may be lawful for His Majesty, by His Order in Council, to declare and direct that all such Duties as aforesaid, or any of them, may be placed under the sole Management of the Commissioners of Customs, or under the sole Management of the Commissioners of Excise, as shall be expressed and directed in such Order, and for a Time to be mentioned in such Order; and such Order in Council shall be published in the *Dublin Gazette*, and such Duties shall during the Time mentioned in such His Majesty’s Order in Council become and be placed under the sole Management of the Commissioners of the Customs, or under the sole Management of the Commissioners of Excise, as shall be directed in such Order in Council; and all Drawbacks allowed by Law upon the Exportation of any Articles liable to such Duties shall be allowed and made payable, under the Direction of the Commissioners so named in such Order in Council, any Act or Acts, or any Law, Custom or Usage to the contrary notwithstanding; and the Insertion in the *Dublin Gazette* of any such Order in Council shall be good and sufficient Evidence in all Cases that such Order was made, and was of the Purport and Effect published and contained in such Gazette, without producing or giving any other Evidence of any such Order in Council.

XXXVII. And be it further enacted, That during the Time mentioned in any such Order in Council aforesaid, when any such Duties as aforesaid shall be placed under the sole Management of the Commissioners of Customs, or under the sole Management of the Commissioners of Excise, as the Case may be, all and singular the Powers and Authorities, and Rules and Regulations in any wise relating to such such Duties, or to the Importation, Entering, Landing, Warehousing, taking an Account of, Removal, Delivery, Exportation or Bonding of the Goods or Commodities, in respect of which such Duties shall be payable, contained in any Act or Acts of Parliament, or exercised under any Usage or Custom in force at or immediately before the passing of this Act, or granted to and exercised by the Commissioners and Officers of Customs, or by the Commissioners and Officers of Excise respectively, shall, for and during the Time mentioned in any such Order in Council as aforesaid, be executed, exercised and put in force for the securing and collecting such Duties by the Commissioners

Certain Import Duties may, by Order in Council, be placed under the sole Management of Customs or Excise;

so as to Drawbacks.

Evidence of Order having been made.

Existing Powers relating to any such Duties may be exercised by the Commissioners under whose Management they shall be placed.

How Fines, &c.
sued for, &c.

missioners and Officers of Customs, or by the Commissioners and Officers of Excise, as the Case may be, under whose Management such Duties shall be placed by such Order in Council, as if all and singular such Powers and Authorities had been originally given and granted to the Commissioners, under the Management of whom such Duties shall be placed by such Order in Council as aforesaid; and that all Fines, Penalties and Forfeitures imposed by any such Act or Acts of Parliament, in respect of any Matter or Thing to be done, or refused or neglected to be done by any Person or Persons in any wise relating to such Duties, or to the Importation, Entering, Landing, Warehousing, taking an Account of, Removal, Delivery, Exportation or Bonding of such Goods, without or under or contrary to the Warrant, Order, Approbation or Permission of the Commissioners or Officers of Customs or Excise respectively, under whose Management and Collection such Duties were placed before the making of such Order in Council, shall, during the Time mentioned in such Order in Council, be incurred, lost and forfeited, and shall and may be sued for, recovered, levied, mitigated and applied, upon the like Act or Acts being done, or refused or neglected to be done, without or under or contrary to the Warrant, Order, Approbation or Permission of the Commissioners or Officers of Customs, or the Commissioners or Officers of Excise, as the Case may be, under the Management of whom such Duties shall be placed by such Order in Council as aforesaid, in like Manner, to all Intents and Purposes whatsoever, as if all such Powers, Authorities, Rules, Regulations, Fines, Penalties and Forfeitures were specified and set forth, and inserted, contained and repeated in this present Act; any thing in any Act or Acts of Parliament contained to the contrary thereof in anywise notwithstanding.

‘ XXXVIII. And Whereas, until further Provisions shall be made for regulating the Jurisdiction of the Commissioners of Customs and Excise, it is expedient to make Provision for the issuing of Warrants of the Commissioners of Customs and Port Duties, and of the Commissioners of Inland Excise and Taxes in *Ireland*, and of their respective Sub Commissioners, for levying any Fines, Penalties or Forfeitures; Be it therefore enacted, That from and after the passing of this Act any and every Adjudication, Judgment or Sentence of any competent Number of the said Commissioners respectively, or of any competent Number of their respective Sub Commissioners, which shall have been or shall be made or pronounced, shall and may be executed, and shall be deemed and held to have been duly executed, by virtue of any Warrant or Warrants under the Hands and Seals of any competent Number of Commissioners of Customs or Excise respectively, or of any competent Number of their Sub Commissioners respectively for the Time being, although the Commissioners or Sub Commissioners setting their Hands and Seals to such Warrant or Warrants, were not or shall not be the particular Commissioners or Sub Commissioners by whom such Adjudication, Judgment or Sentence shall have been or shall be made or pronounced, or although such Commissioners or Sub Commissioners so setting their Hands and Seals to any such Warrant or Warrants were

Warrants for executing Judgments may be under the Hands and Seals of Commissioners, &c. although not the same who gave the Judgment.

were not or shall not be Commissioners or Sub Commissioners at the particular time or times when such Adjudication, Judgment or Sentence was or shall be made or pronounced; any Law, Usage or Custom to the contrary in anywise notwithstanding.

XXXIX. And be it further enacted, That the Duties and Drawbacks by this Act and the Tables thereto annexed, granted, allowed and made payable, shall be paid and payable, and received and receivable, according to the Amount thereof in *British* Currency, and according to the *British* Weights and Measures of the several Articles, and shall be under the Management of the Commissioners of the Customs for the Time being; and that all Monies arising from the Duties imposed by this Act (the necessary Charges of receiving and accounting for the same excepted) shall from time to time be paid into the Receipt of His Majesty's Exchequer, and shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and shall be appropriated and applied in the same Manner as the Duties hereby repealed were directed to be appropriated and applied by any Act or Acts in force immediately before the said Tenth Day of *October* One Thousand eight hundred and twenty three.

XLI. And be it further enacted, That in all Cases where Duties are imposed, or Drawbacks are allowed by this Act, upon any Goods, Wares or Merchandize, according to the Weight, Tale, Gauge, Measure or Value thereof, the same shall in every Case be understood and deemed and taken to apply in the same Proportion, and after the same Rate, to any greater or less Quantity or Value.

XLI. Provided always, and be it enacted, That so much of the Duties by this Act imposed on Linseed Oil and Cocoa Nuts imported, as shall remain after deducting the Hereditary Duties thereon, shall be paid and issued by the Commissioners of His Majesty's Treasury for the Time being to the Trustees for encouraging the Linen and Hempen Manufactures of *Ireland*, to be by them applied towards encouraging the raising of Flax Seed in *Ireland*; and that all Duties paid to, and all Sums granted to the Trustees of the Linen and Hempen Manufactures, shall be exempted from the Payment of all Fees.

XLII. And be it further enacted, That the Duties of Customs granted by this Act shall and may be managed, ascertained, raised, levied, collected, received, answered, paid, allowed and recovered, in such and the like Manner as the Duties on the said Goods, Wares and Merchandizes hereby repealed were or might have been managed, ascertained, raised, levied, collected, received, answered, paid, allowed and recovered, and under such Rules, Regulations, Restrictions, Provisions, Pains, Penalties and Forfeitures, as such Goods, Wares and Merchandize are or may be subject and liable to, by any Act or Acts of Parliament made or to be made for securing the Revenue of Customs, or for the Regulation or Improvement thereof; and the several Clauses, Powers and Directions therein contained shall be in full Force and Effect as to the said Duties, and as to all Penalties and Forfeitures under this Act, as fully and effectually, to all Intents and

Duties payable in *British* Currency, under Management of Commissioners of Customs, and carried to Consolidated Fund.

Duties paid in Proportion to Quantity.

Application of Duties on Linseed Oil, &c.

Duties of Customs to be levied under Laws of Customs.

and Purposes, as if they were at large repeated and re-enacted in this Act.

All Clauses in former Acts not repealed or altered, extended to this Act, and continued. 45G.3. c.18.

XLIII. And be it further enacted, That all the Clauses, Provisions, Rules, Regulations, Restrictions, Conditions, Penalties and Forfeitures contained in an Act made in the Forty fifth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for granting unto His Majesty, until the Twenty fifth Day of March One thousand eight hundred and six, certain Rates and Duties, and to allow certain Drawbacks and Bounties on Goods, Wares and Merchandize imported into and exported from Ireland, in lieu of former Rates and Duties, Drawbacks and Bounties*, and in any other Act or Acts relating to the Revenues of Customs in *Ireland*, which were in force immediately before the passing of this Act, and which are not expressly altered or repealed, or otherwise provided for by this present Act, and which relate to the Importation or Exportation of any Goods, Wares or Merchandize, or which relate to the Payment or Application of any Duty, or any Allowance of Drawback, on or in respect of any Goods, Wares or Merchandize, mentioned and specified in the said recited Acts or any of them, shall be and continue in force until the same shall be altered or repealed; and the same shall be applied and put in Execution with respect to the Duties and Drawbacks by this Act granted and allowed, as fully and effectually, to all Intents and Purposes whatsoever, as if all such Clauses, Provisions, Rules, Regulations, Restrictions and Conditions, Penalties and Forfeitures, were fully repeated and re-enacted in this Act.

Act may be altered, &c. this Session.

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

TABLES to which this Act refers.

TABLE (A.)

A TABLE of the DUTIES of CUSTOMS payable on Goods, Wares and Merchandize imported into Ireland from Foreign Parts, (except Goods, Wares and Merchandize of the Growth, Produce or Manufacture of any Place within the Limits of the Charter granted to the United Company of Merchants of England trading to the East Indies, and Goods imported from His Majesty's Settlement of the Cape of Good Hope, and the Territories and Dependencies thereof); and of the Drawbacks to be allowed on the Exportation of such Goods, Wares and Merchandize.

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
A.	£. s. d.	£. s. d.
Acacia, the lb. - - - - -	0 2 0	0 1 4
Acetous Acid, See Vinegar.		
Acorus, the lb. - - - - -	0 0 10	0 0 6
Adiantum, the lb. - - - - -	0 0 8	0 0 5
Agaric, the cwt. - - - - -	1 18 0	—
Agates, or Cornelians, viz.		
— polished or otherwise manufactured, for every 100l. of the Value - -	60 0 0	—
— rough or unmanufactured, for every 100l. of the Value - - - - -	20 0 0	—
— Beads, See Beads.		
Alderney, Island of, See Guernsey.		
Ale, See Beer.		
Alkali, not being Barilla, viz.		
— any Article containing Soda or Mineral Alkali, whereof Mineral Alkali is the most valuable Part, (such Alkali not being otherwise particularly charged with Duty)		
— - - - - if not containing a greater Proportion of such Alkali than 20 per centum,		
— - - imported in a British built ship, the cwt. - - - - -	0 11 4	0 5 8
— - - imported in a Ship not British built, the cwt. -	0 12 0	0 5 8
— - - - - if containing more than 20 per Centum, and not exceeding 25 per Centum of such Alkali,		
— - - imported in a British built ship, the cwt. - - - - -	0 15 0	0 7 6
— - - imported in a Ship not British built, the cwt. -	0 15 8	

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Alkali — any Article containing Soda, &c. <i>contin.</i>		
- - - - - if containing more than 25 per Centum, and not exceeding 30 per Centum of such Alkali,		
- - - imported in a British built Ship, the cwt. - - -	0 18 4	0 9 2
- - - imported in a Ship not British built, the cwt. -	0 19 0	0 9 2
- - - - - if containing more than 30 per Centum, and not exceeding 40 per Centum of such Alkali,		
- - - imported in a British built Ship, the cwt. - - -	1 3 4	0 11 8
- - - imported in a Ship not British built, the cwt. -	1 4 0	0 11 8
- - - - - if containing more than 40 per Centum of such Alkali,		
- - - imported in a British built Ship, the cwt. - - -	1 10 0	0 15 0
- - - imported in a Ship not British built, the cwt. -	1 10 8	0 15 0
Alkanet Root, the lb. - - - - -	0 0 10	0 0 6
Alkermes, Confection of, the oz. - - -	0 1 8	—
Almond Paste, for every 100℥. of the Value -	60 0 0	—
Almonds, <i>viz.</i>		
— Bitter, the cwt. - - - - -	1 11 8	1 8 0
— Jordan, the cwt. - - - - -	4 15 0	4 4 0
— of any other Sort, the cwt. - - -	2 7 6	2 2 0
— Oil of, <i>See</i> Oil.		
Aloes, <i>viz.</i>		
— Hepatica, or Barbadoes Aloes, the lb. -	0 1 3	0 0 10
— Socotorina, imported directly from the Place of their Growth, the lb.	0 2 6	0 1 8
- - - - - imported not directly from the Place of their Growth, the lb. - - - - -	0 3 9	0 2 6
— of any other Sort, the lb. - - - - -	0 0 9	0 0 6
Alum, the cwt. - - - - -	0 17 6	—
— Roch, the cwt. - - - - -	0 11 8	—
Amber, <i>viz.</i>		
— Beads, <i>See</i> Beads.		
— Oil of, <i>See</i> Oil.		
— Rough, the lb. - - - - -	0 1 8	0 1 1
— not otherwise enumerated or described, for every 100℥. of the Value - - -	60 0 0	—
Ambergris, the oz. - - - - -	0 5 0	—
Ambra Liquida, the lb. - - - - -	0 3 4	—

TABLE (A) — INWARDS.

	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
America, United States of.		
<i>Note.</i> — Upon the Importation into any Part of Ireland, of any Goods, Wares or Merchandize, being the Growth, Production or Manufacture of any of the Territories of the United States of America, direct from the said Territories, in any Ship or Vessel built in the Countries belonging to the said States, or any of them, or taken by any of the Ships or Vessels of War belonging to the Government, or any of the Inhabitants of the said States, having Commissions or Letters of Marque and Reprisal from the Government of the said States, and condemned as lawful Prize in any Court of Admiralty there, such Ship or Vessel being owned by the Subjects of the said States, or any of them, and whereof the Master and Three fourths of the Mariners are also Subjects of the said States, no higher or other Duties shall be charged or paid than such as are charged and payable upon Goods, Wares and Merchandize of the like Denomination or Description, being the Growth, Production or Manufacture of any of the Territories of the United States of America, and being imported in British built Ships or Vessels navigated and registered according to Law, <i>See</i> 59 Geo. 3. c. 54. which Act is to continue in force so long as the Convention between His late Majesty and the United States of America shall continue in force.		
Ammi, or Amios Seed, <i>See</i> Seed.		
Ammoniac, <i>viz.</i>		
——— Gum, <i>See</i> Gum Ammoniac.		
——— Sal, <i>See</i> Sal Ammoniac.		
Anacardium, <i>See</i> Cashew Nuts.		
Anchovies, <i>See</i> Fish.		
Angelica, the lb. - - - - -	0 0 10	0 0 6
Angusturæ Cortex, <i>See</i> Bark.		
Animi Gum, <i>See</i> Gum.		
Anniseed, <i>See</i> Seed.		
——— Oil of, <i>See</i> Oil.		
Annotto, or Rocou, <i>viz.</i>		
——— Flag, the lb. - - - - -	0 0 5	—
——— Roll or any other Sort, not otherwise enumerated or described, the lb. -	0 1 0	—
Antimony, <i>viz.</i> -		
——— Crude, the cwt. - - - - -	0 15 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Antimony, <i>continued.</i>		
Regulus of Antimony, the cwt.	2 0 0	—
Apples, the Bushel	0 4 0	—
dried, the Bushel	0 7 0	—
Aquafortis, the cwt.	0 14 3	—
Arabic, Gum, <i>See</i> Gum.		
Archelia, <i>See</i> Orchal.		
Argol, the cwt.	0 4 9	—
Aristolochia, the lb.	0 0 10	0 0 6
Armenian Bole, } <i>See</i> Bole Armenic.		
Armenic Bole, }		
Arquebusade Water, <i>See</i> Spirits.		
Arrow Root or Powder, the lb.	0 0 2	—
Arsenic, <i>viz.</i>		
White, the cwt.	0 14 3	—
of any other Sort, the cwt.	0 18 8	—
Asafœtida, imported directly from the Place of its Growth, the lb.	0 0 10	0 0 6
imported not directly from the Place of its Growth, the lb.	0 1 3	0 0 9
Asarum Root, the lb.	0 0 8	0 0 5
Ashes, <i>viz.</i>		
Pearl and Pot, imported in a British built Ship, the cwt.	0 11 2	—
imported in a Ship not British built, the cwt.	0 12 0	—
of the British Plantations in America, and imported directly from thence, the cwt.	0 1 8	—
Soap and Wood, the cwt.	0 1 8	—
not otherwise enumerated or described, for every 100℥. of the Value	20 0 0	—
For the Drawback on Ashes used in bleaching Linen, <i>See</i> 54 Geo. 3. c. 129. § 23.		
Asphaltum, the lb.	0 0 10	0 0 6
Asses, each	3 6 6	—
Attar of Roses, <i>See</i> Otto of Roses.		
Auripigmentum, <i>See</i> Orpiment.		
B.		
Bacon or Hams, the cwt.	2 16 0	—
Badger Skins, <i>See</i> Skins.		
Balaustia, the lb.	0 0 10	—
Balls, <i>viz.</i> Washing Balls, the lb.	0 1 8	—
Balm of Gilead, <i>See</i> Balsam.		
Balsam, <i>viz.</i>		
Canada, the lb.	0 1 3	0 0 10
Copaiba or Capivi, the lb.	0 2 0	0 1 4

TABLE (A).—INWARDS.	British Currency.	
	Duty.	Drawback.
<i>Balsam, continued.</i>	£. s. d.	£. s. d.
— Riga, the lb. - - - -	0 1 0	—
- - - and further, as Foreign Spirits, for every Gallon British Content -	1 10 6½	—
— Balm of Gilead, Balsam of Peru, of Tolu, and all Balsams not otherwise enumerated or described, the lb. - -	0 4 6	—
Bandstring Twist, the Dozen Knots, each Knot containing 32 Yards - - - -	0 5 0	—
Barbadoes Tar, <i>See</i> Tar.		
Bark, <i>viz.</i>		
— Angustura Bark, the lb. - - - -	0 2 0	0 1 4
— Cascarella Bark, <i>See</i> Eleutheria Bark, in Bark.		
— Cinchona Bark, <i>See</i> Peruvian Bark, in Bark.		
— Clove Bark, the lb. - - - -	0 0 10	0 0 6
— Cork Tree Bark, <i>See</i> Oak Bark, in Bark.		
— Eleutheria or Cascarella Bark, the lb. -	0 2 0	0 1 4
— Guaiacum Bark, the cwt. - - - -	1 8 0	0 18 8
— Jesuits' Bark, <i>See</i> Peruvian Bark, in Bark.		
— Oak Bark, the cwt. - - - -	0 0 8	—
— Oak Bark, Solid Vegetable Extract from Oak Bark, <i>See</i> Extract.		
- - - - - Black Oak, or Quercitron Bark, for the Purpose of dying, imported from any Country not in Europe, in Casks containing not less than 150 lbs. net, the cwt. - - - -	0 2 0	—
- - - - - otherwise imported, for every 100 <i>l.</i> of the Value - - - -	20 0 0	—
— Peruvian or Jesuits' Bark, the lb. - - -	0 2 0	0 1 4
- - - - - Extract or Preparation of, <i>See</i> Extract.		
— Red Mangrove Bark, imported in Casks containing not less than 150 lbs. net, the cwt. -	0 0 8	—
- - - - - otherwise imported, for every 100 <i>l.</i> of the Value - - - -	20 0 0	—
— Sassafras Bark, the lb. - - - -	0 0 8	0 0 5
— Simarouba Bark, the lb. - - - -	0 1 0	0 0 8
— Winter's Bark, the lb. - - - -	0 0 8	0 0 5
— Bark not otherwise enumerated or described, being for the Use of Dyers or of Tanners, and for no other Use or Purpose whatever, for every 100 <i>l.</i> of the Value -	20 0 0	—
— Bark not particularly enumerated or described, nor otherwise charged with Duty, whether pulverized or not, the lb. -	0 2 0	—
Barley, <i>See</i> Corn.		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Barley, Hulled, <i>See</i> Pearl Barley.		
Barras, Dutch, <i>See</i> Canvas, in Linen.		
Basins of Marble, <i>See</i> Marble, in Stone.		
Basket Rods, the Bundle, not exceeding Three Feet in Circumference at the Band	-	-
Baskets, for every 100 <i>l.</i> of the Value	- 0 3 2	-
Bast Ropes, the cwt.	- 50 0 0	-
— or Straw Hats or Bonnets, <i>See</i> Hats.	- 0 10 0	-
— Platting, or other Manufacture of Bast or Straw, for making Hats or Bonnets, <i>See</i> Platting.		
Bay Berries, <i>See</i> Berries.		
Bay, Oil of, <i>See</i> Oil.		
Bay Yarn, <i>See</i> Woollen Yarn, in Yarn.		
Bdellium, imported directly from the Place of its Growth, the lb.	- - - 0 1 8	- - - 0 1 1
— imported not directly from the Place of its Growth, the lb.	- - - 0 2 6	- - - 0 1 8
Beads, <i>viz.</i>		
— Amber Beads, the lb.	- - - 0 12 0	-
— Coral Beads, the lb.	- - - 0 15 10	-
— Crystal Beads, the 1,000	- - - 1 8 6	-
— Jet Beads, the lb.	- - - 0 3 2	-
— Beads not otherwise enumerated or described, for every 100 <i>l.</i> of the Value	- 50 0 0	-
Beans, <i>See</i> Corn.		
— Kidney or French Beans, the Bushel	- 0 0 10	-
Bear Skins, } <i>See</i> Skins.		
Beaver Skins, }		
— Wool, <i>See</i> Wool.		
Bed Feathers, <i>See</i> Feathers for Beds, in Feathers.		
Beds, <i>See</i> Feather Beds.		
Bear or Big, <i>See</i> Corn.		
Beer, <i>viz.</i>		
— Mum, the Barrel containing 32 Gallons British Content	- - - 3 2 2	-
— Spruce Beer, the Barrel containing 32 Gallons British Content	- - - 3 7 0	-
— or Ale of all other Sorts, the Barrel containing 32 Gallons British Content	- - - 2 14 0	-
Bees Wax, <i>See</i> Wax.		
Bell Metal, <i>See</i> Metal.		
Belvidere Raisins, <i>See</i> Raisins.		
Benjamin, or Benzoin, the lb.	- - - 0 2 0	- 0 1 4
Benzoin, <i>See</i> Benjamin.		
Bergamot, Essence of, <i>See</i> Essence.		
Berries, <i>viz.</i>		
— Bay, the cwt.	- - - 0 11 1	-
— Juniper, the cwt.	- - - 0 11 1	-
— Yellow, for Dyers Use, the cwt.	- - - 1 8 6	-

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Berries, <i>continued.</i>		
— Berries for Dyers Use, not otherwise enumerated or described, the cwt.	1 3 9	—
— Berries not for Dyers Use, not otherwise enumerated or described, for every 100ℓ. of the Value	50 0 0	—
Bezoar Stones, the oz.	0 2 6	—
Bigg or Bear, <i>See</i> Corn.		
Birds, <i>viz.</i> Singing Birds, the Dozen	0 8 0	—
Bitumen Judaicum, the lb.	0 0 10	0 0 6
Blacking, the cwt.	3 12 0	—
Black Latten, <i>See</i> Latten.		
Black Lead, <i>See</i> Lead.		
Bladders, the Dozen	0 0 6	—
Blocks of Marble, <i>See</i> Marble Blocks, in Stone.		
Blubber, <i>See</i> Train Oil, in Oil.		
Bole Armenic, or Armenian Bole, the cwt.	0 8 0	0 5 4
Bones of Cattle and other Animals, and of Fish, except Whale Fins, for every 100ℓ. of the Value	1 0 0	—
Bonnets, <i>See</i> Hats.		
Books, printed or manuscripts, <i>viz.</i>		
— half bound, or in any way bound, the cwt.	6 10 0	—
— unbound, the cwt.	5 0 0	—
Boracic Acid, the lb.	0 0 4	—
Borax or Tincal, <i>viz.</i>		
— refined, the lb.	0 0 6	—
— unrefined, the lb.	0 0 3	—
Botargo, <i>See</i> Fish.		
Bottles, <i>viz.</i>		
— of Earth or Stone, the Dozen	0 3 2	—
— " " " " " and further, for every cwt.	0 5 0	—
— of Glass covered with Wicker, the Dozen Quarts	1 2 0	—
— " " " " " and further, for every cwt.	6 6 0	—
— of Green or Common Glass, full or empty, not of less Content than One Pint, and not being Phials, the Dozen Quarts	0 8 0	—
— " " " " " and further, for every cwt.	0 8 2	—
— of Glass, not otherwise enumerated or described, for every 100ℓ. of the Value	80 0 0	—
— " " " " " and further, for every cwt.	6 6 0	—
<i>Note.</i> — Flasks in which Wine or Oil is imported are not subject to Duty.		
Boxes of all Sorts, for every 100ℓ. of the Value	50 0 0	—
Brandy, <i>See</i> Spirits.		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Brass, viz.		
— Manufactures of, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value - - - - -	50 0 0	—
— Powder of, for Japanning, <i>See</i> Powder.		
— Wire, <i>See</i> Wire.		
Brazil, <i>See</i> Portugal.		
Bricks or Clinkers, the 1,000 - - - - -	1 2 6	—
Brimstone, viz.		
— rough, imported in a British built Ship, the cwt. - - - - -	0 15 0	—
- - - imported in a Ship not British built, the cwt. - - - - -	0 15 10	—
— in Rolls, imported in a British built Ship, the cwt. - - - - -	1 0 0	—
- - - - imported in a Ship not British built, the cwt. - - - - -	1 0 8	—
— in Flour, imported in a British built Ship, the cwt. - - - - -	1 3 9	—
- - - - imported in a Ship not British built, the cwt. - - - - -	1 5 0	—
The Duty paid on rough Brimstone may be repaid on such as is consumed in making Oil of Vitriol, Aquafortis or Nitrous Acid, <i>See</i> 46 Geo. 3. c. 87. § 70.		
Bristles, viz.		
— dressed, imported in a British built Ship, the Dozen lbs. - - - - -	0 12 0	—
- - - - imported in a Ship not British built, the Dozen lbs. - - - - -	0 13 0	—
— rough or undressed, imported in a British built Ship, the Dozen lbs. - - - - -	0 3 7	—
- - - - - in a Ship not British built, the Dozen lbs. - - - - -	0 4 0	—
Bronze, all Works of Art made of Bronze, the cwt. - - - - -	1 0 0	—
— Powder, <i>See</i> Powder.		
Bruges Thread, <i>See</i> Thread.		
Buck or Deer Skins, <i>See</i> Skins.		
Buck Wheat, the Quarter containing Eight Bushels (until and upon the 25th March 1824, inclusive) - - - - -	0 10 0	—
— from and after the 25th March 1824, containing Eight Bushels - - - - -	0 14 0	—
Buffalo Hides, <i>See</i> Hides.		
— Horns, <i>See</i> Horns.		
— Tails, <i>See</i> Tails.		
Bugles, viz.		
— Great, the lb. - - - - -	0 4 0	—
— Small or Seed, the lb. - - - - -	0 4 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Bullion and Foreign Coin of Gold or Silver, Duty free.		
Bull Rushes, the Load containing 63 Bundles	0 12 0	—
Bulls Hair, <i>See</i> Cow Hair, in Hair.		
— Hides, <i>See</i> Buffalo Hides, in Hides.		
— Horns, <i>See</i> Horns.		
— Tails, <i>See</i> Buffalo Tails, in Tails.		
Burgundy Pitch, <i>See</i> Pitch.		
Burrachas, <i>See</i> Caoutchouc.		
Burrs for Mill Stones, <i>See</i> Stones.		
Busts of Bronze, <i>See</i> Bronze.		
— or Figures of Marble or Stone, <i>See</i> Marble in Stone.		
— - - - - not otherwise enumerated or described, for every 100 <i>l.</i> of the Value	50 0 0	—
Butter, imported in a British built Ship, the cwt.	1 0 0	—
— imported in a Ship not British built, the cwt.	1 5 0	—
C.		
Cables tarred or untarred, whether in use or otherwise, the cwt.	1 1 6	—
Cable Yarn, <i>See</i> Yarn.		
Cajaputa, Oil of, <i>See</i> Oil.		
Cake Lac, <i>See</i> Lac, in Gum.		
Cakes made of Linseed, <i>See</i> Linseed Cakes.		
— Rape Seed, <i>See</i> Rape Cakes.		
Calabar Skins, <i>See</i> Squirrel Skins, in Skins.		
Calaminaris Lapis, <i>See</i> Lapis.		
Calamus Aromaticus, the lb.	0 0 10	0 0 6
Calf Skins, <i>See</i> Skins.		
Calves Velves, the cwt.	0 11 6	—
Cambogium, <i>See</i> Gamboge.		
Cambrics, <i>See</i> Linen.		
Camel Hair, <i>See</i> Hair.		
— or Mohair Yarn, <i>See</i> Yarn.		
Camomile Flowers, the lb.	0 0 6	0 0 4
Camphor, <i>viz.</i>		
— refined, the lb.	0 0 10	—
— unrefined, the lb.	0 0 5	—
Canada Balsam, <i>See</i> Balsam.		
Canary Seed, <i>See</i> Seed.		
Cancrorum Oculi, the lb.	0 1 3	0 0 10
Candles, <i>viz.</i>		
— Spermaceti, the lb.	0 2 6	—
— Tallow, the cwt.	3 3 4	—
— Wax, the lb.	0 2 6	—
Candlewick, the cwt.	4 8 8	—
Cane Hats or Bonnets, <i>See</i> Hats.		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Cane, <i>continued.</i>		
— Plating, or other Manufacture of Cane, to make Hats or Bonnets, <i>See</i> Plating.		
Canella Alba, the lb. - - - -	0 0 8	0 0 5
Canes, <i>viz.</i>		
— Rattans, the 1,000 - - - -	1 0 0	—
— Reed Canes, the 1,000 - - - -	1 6 6	—
— Walking, for every 100 <i>l.</i> of the Value -	50 0 0	—
Cantharides, the lb. - - - -	0 3 6	0 2 4
Canvas, <i>See</i> Linen.		
Caoutchouc, or Elastic Gum, the lb. - -	0 0 5	—
Cape of Good Hope. For the Duties and Drawbacks on Goods, Wares and Merchandize imported from the Settlement of the Cape of Good Hope, and the Territories and Dependencies thereof, <i>See</i> Table (B.)		
Capers, the lb. - - - -	0 1 0	—
Capita Papaverum, the 1,000 - - - -	0 3 6	0 2 4
Caps, <i>viz.</i>		
— Cotton, for every 100 <i>l.</i> of the Value -	50 0 0	—
— Worsted, for every 100 <i>l.</i> of the Value -	50 0 0	—
Capsicum, <i>See</i> Pepper.		
Carraway, Oil of, <i>See</i> Oil.		
— Seeds, <i>See</i> Seed.		
Cardamoms, the lb. - - - -	0 2 0	0 1 4
— Extract or Preparation of, <i>See</i> Extract.		
Cards, <i>viz.</i> Playing Cards, the Dozen Packs -	4 0 0	—
Cariophyllorum Cortex, <i>See</i> Clove Bark, in Bark.		
— Oleum, <i>See</i> Oil of Cloves.		
Carmenia Wool, <i>See</i> Goat Hair, in Hair.		
Carmine, the oz. - - - -	0 4 0	—
Carpets, <i>viz.</i>		
— of Turkey, under Four Yards Square, the Carpet - - - -	1 10 0	—
— - - - - Four Yards Square, and not exceeding Six Yards Square, the Carpet - - - -	5 10 0	—
— - - - - exceeding Six Yards Square, the Carpet - - - -	8 15 0	—
— not otherwise enumerated or described, for every 100 <i>l.</i> of the Value -	50 0 0	—
Carrabe, <i>See</i> Succinum.		
Carriages of all Sorts, for every 100 <i>l.</i> of the Value	50 0 0	—
Carrot Seed, } <i>See</i> Seed.		
Carthamus Seed, }		
Carui Oleum, <i>See</i> Oil of Carraway.		
Cascarilla Cortex, <i>See</i> Eleutheria Bark, in Bark.		
Cashew Gum, <i>See</i> Gum.		
— Nuts, <i>See</i> Nuts.		
Casks, empty, for every 100 <i>l.</i> of the Value -	50 0 0.	—

TABLE (A.) — INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Cassia, <i>viz.</i>						
—— Buds, the lb. - - - -	0	2	6	—	—	—
—— Fistula, the lb. - - - -	0	0	10	0	0	6
—— Lignea, the lb. - - - -	0	2	6	—	—	—
—— Oil of, <i>See Oil.</i>						
Cast Iron, <i>See Iron.</i>						
Castor, the lb. - - - -	0	5	0	0	3	4
—— Oil of, <i>See Oil.</i>						
—— Seed, <i>See Seed.</i>						
Casts of Busts, Statutes, or Figures, not otherwise enumerated or described, the cwt. - -	0	2	6	—	—	—
Catechu, <i>See Terra Japonica.</i>						
Callings, Harpstrings, or Lutestrings, the Gross, containing Twelve Dozen Knots	0	6	4	—	—	—
Cat Skins, <i>See Skins.</i>						
Caviare, <i>See Fish.</i>						
Cayenne Pepper, <i>See Pepper.</i>						
Chalk, <i>viz.</i>						
—— prepared or otherwise manufactured, and not otherwise enumerated or described, for every 100 <i>l.</i> of the value - -	40	0	0	—	—	—
—— unmanufactured, and not otherwise enumerated or described, for every 100 <i>l.</i> of the Value - - - -	20	0	0	—	—	—
Charts, <i>See Maps.</i>						
Cheese, imported in a British built Ship, the cwt.	0	10	6	—	—	—
—— imported in a Ship not British built, the cwt. - - - -	0	18	0	—	—	—
Chemical Oil, <i>See Oil.</i>						
Cherries, the cwt. - - - -	0	18	8	—	—	—
—— dried, the lb. - - - -	0	0	8	—	—	—
Chesnuts, <i>See Nuts.</i>						
Chillies, <i>See Pepper.</i>						
Chimney Pieces of Marble or Stone, sculptured, <i>See Chimney Pieces, in Stone.</i>						
China Root, the lb. - - - -	0	1	3	0	0	10
China Ware or Porcelain, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value - - - -	75	0	0	—	—	—
Chip Hats or Bonnets, <i>See Hats.</i>						
Chip, Manufactures of, to make Hats or Bonnets, <i>See Plating.</i>						
Chocolate and Cocoa Paste of the British Plantations, the lb. - - - -	0	1	9	—	—	—
Chromate of Lead, <i>See Lead.</i>						
Cider, the Tun, containing 252 Gallons, British Content - - - -	29	14	6	—	—	—
Cinders, the Ton, containing 20 cwt. - - - -	2	0	0	—	—	—
Cinnabaris Nativa, the lb. - - - -	0	2	0	0	1	4
Cinnamon, the lb. - - - -	0	3	6	0	3	2

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Cinnamon, <i>continued</i> .		
— the Produce of and imported from any British Colony or Plantation, the lb.	0 2 6	0 2 3
Cinnamoni Oleum, <i>See</i> Oil of Cinnamon.		
Citrat of Lime, the lb. - - - -	0 1 6	—
Citron preserved with Salt, for every 100℥. of the Value - - - -	20 0 0	—
— - - - - Sugar, <i>See</i> Succades.		
Citron Water, <i>See</i> Spirits.		
Civet, the oz. - - - -	0 4 9	—
Clinkers, <i>See</i> Bricks.		
Clocks, for every 100℥. of the Value - -	50 0 0	—
Cloths, Woollen, <i>See</i> Wool, Articles made of.		
Clover Seed, <i>See</i> Seed.		
Cloves, the lb. - - - -	0 3 0	0 2 7
— the Produce of and imported from any British Colony or Plantation, the lb. -	0 2 0	0 1 9
— Oil of, <i>See</i> Oil.		
Coals, the Ton, containing 20 cwt. - -	2 0 0	—
Cobalt, the lb. - - - -	0 1 0	—
Coculus Indicus, imported directly from the Place of its Growth, the lb. - - - -	0 2 6	—
— imported not directly from the Place of its Growth, the lb. -	0 3 9	—
— Extract, or Preparation of, <i>See</i> Extract.		
Cochineal, the lb. - - - -	0 2 6	—
— Dust, the lb. - - - -	0 0 5	—
Cocoa Nuts, for every 100℥. of the Value - -	20 0 0	—
— Oil of, <i>See</i> Oil.		
Cocoa Nuts, <i>viz.</i> of the Growth or Produce of any British Colony or Plantation, the lb. - - - -	0 1 0	—
— of any other Country or Place, the lb. -	0 2 6	—
Cocoa Nut Husks, or Cocoa Shells, the lb. -	0 0 4	—
Codilla of Flax, subject to Duty as Flax, for which <i>See</i> Flax.		
— of Hemp, subject to Duty as Hemp, for which <i>See</i> Hemp.		
Coffee, <i>viz.</i> the Produce of any British Colony or Plantation in America, or of His Majesty's Dominions in Africa, the lb. -	0 1 0	—
— of any other Country, the lb. - .	0 2 6	—
Coin, <i>viz.</i>		
— of Copper, <i>See</i> Copper.		
— Foreign, of Gold or Silver, <i>See</i> Bullion.		
Cole Seed, <i>See</i> Seed.		
Colocynth, <i>See</i> Coloquintida.		
Colophonia, <i>See</i> Rosin.		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
Coloquintida, or Colocynth, imported directly from the Place of its Growth, the lb. -	£. s. d. 0 1 8	£. s. d. 0 1 1
— imported not directly from the Place of its Growth, the lb. -	0 2 6	0 1 8
Colours for Painters, <i>See</i> Painters Colours.		
Columbo Root, the lb. -	0 2 0	0 1 4
Comfits, the lb. -	0 2 6	—
Coney Skins, <i>See</i> Skins.		
— Wool, <i>See</i> Wool.		
Confection of Alkermes, <i>See</i> Alkermes.		
Contraervæ Radix, <i>See</i> Radix.		
Copaiba or Capivi Balsam, <i>See</i> Balsam.		
Copal Gum, <i>See</i> Gum.		
Copper, <i>viz.</i>		
— Ore, the cwt. -	1 1 0	—
— Old, fit only to be remanufactured, the cwt. -	1 9 2	—
— in Plates, and Copper Coin, the cwt. -	3 0 0	—
— unwrought, <i>viz.</i>		
— in Bricks or Pigs, Rose Copper, and all Cast Copper, the cwt. -	2 14 2	—
— part wrought, <i>viz.</i>		
— Bars, Rods, or Ingots, hammered or raised, the cwt. -	3 15 6	—
— Wire, <i>See</i> Wire.		
— Manufactures of Copper, not otherwise enumerated or described, and Copper Plates engraved, for every 100 <i>l.</i> of the Value -	50 0 0	—
Copperas; <i>viz.</i>		
— Blue, the cwt. -	0 5 0	—
— Green, the cwt. -	0 5 0	—
— White, the cwt. -	0 12 0	—
Coral; <i>viz.</i>		
— Beads, <i>See</i> Beads.		
— in Fragments, the lb. -	0 1 0	—
— whole, polished, the lb. -	0 12 0	—
— - - unpolished, the lb. -	0 5 6	—
Cordage, tarred or untarred, whether in use or otherwise (standing or running Rigging in Use excepted), the cwt. -	1 1 6	—
Cordial Waters, <i>See</i> Spirits.		
Coriander Seed, <i>See</i> Seed.		
Cork, imported in a British built Ship, the cwt. -	0 8 0	—
— imported in a Ship not British built, the cwt. -	0 8 9	—
Corks, ready made, the lb. -	0 7 0	—

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Corn. For the Duties payable on Foreign Corn when admitted for Home Consumption, See the Act of 3 Geo. 4. cap. 60.		
Cornu Cervi Calcinatum, the lb. - - -	0 0 8	—
Cortex, See Bark.		
Costus, the lb. - - - - -	0 1 0	0 0 8
Cotton; viz.		
—— Caps, See Caps.		
—— Manufactures of Cotton, or of any other Article mixed with Cotton, being chequered or striped, or printed, painted, stained, or dyed after the Manufacture, or in the Thread or Yarn before the Manufacture, and not being particularly enumerated or described, nor otherwise charged with Duty, for every 100ℓ. of the Value - - - - -	75 0 0	—
—— Manufactures of Cotton, not otherwise enumerated or described, for every 100ℓ. of the Value - - - - -	50 0 0	—
—— Stockings, See Stockings.		
—— Thread, See Thread.		
—— Wool, or Waste of Cotton Wool, See Wool.		
—— Yarn, See Yarn.		
Couhage, the lb. - - - - -	0 1 3	0 0 10
Cow or Ox Hair, See Hair.		
—— Hides, See Buffalo Hides, in Hides.		
—— Horns, See Horns.		
—— Tails, See Buffalo Tails, in Tails.		
Cowitch, See Couhage.		
Crabs Eyes, See Cancrorum Oculi.		
Cranberries, the Gallon - - - - -	0 1 3	—
The Duty on Cranberries, being the Produce of and imported directly from the Island of Newfoundland, is suspended until the 5th Day of July 1824, See the Act 59 Geo. 3. c. 83.		
Crayons, for every 100ℓ. of the Value - - -	40 0 0	—
Cream of Tartar, the cwt. - - - - -	0 15 10	—
Crystal; viz.		
—— Beads, See Beads.		
—— rough, for every 100ℓ. of the Value -	20 0 0	—
—— cut, or in any way manufactured, for every 100ℓ. of the Value - - - - -	60 0 0	—
Cubebs, the lb. - - - - -	0 2 0	—
Cucumbers; viz.		
—— pickled, the Gallon, British Content	0 2 6	—
—— preserved in Salt and Water, for every 100ℓ. of the Value - - - - -	20 0 0	—
Culm, the Ton, containing 20 cwt. - - -	2 0 0	—

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
Cummin Seed, <i>See</i> Seed.		
Currants, imported in a British built Ship, the cwt.	£. s. d. 2 4 4	£. s. d. 2 0 0
—— imported in a Ship not British built, the cwt. - - - - -	2 7 6	2 0 0
<i>Note.</i> —No Allowance of the Duty on Currants to be made on account of Damage. <i>See</i> the Act to which this Table is annexed.		
Cuttle Shells, the 1000 - - - - -	0 12 6	—
Cyder, <i>See</i> Cider.		
Cyprus, Turpentine of, <i>See</i> Turpentine.		
D.		
Damask Tabling, Towelling, or Napkining, <i>See</i> Linen.		
Dates, the cwt. - - - - -	4 10 3	4 0 0
Deer Skins, <i>See</i> Skins.		
Denia Raisins, <i>See</i> Raisins.		
Derelict.—Foreign Liquors, Derelict, Jetsam, Flotsam, Lagan, or Wreck, brought or coming into Ireland, are subject to the same Duties and entitled to the same Drawbacks as Liquors of the like Kind regularly imported.		
Diagrydium, <i>See</i> Scammony.		
Diamonds, Duty-free.		
Diaper Tabling, Towelling, or Napkining, <i>See</i> Linen.		
Dice, the Pair - - - - -	1 6 2	—
Dimity, <i>See</i> Cotton Manufactures.		
Dittany, the lb. - - - - -	0 1 0	0 0 8
Dog Skins, } <i>See</i> Skins.		
Dog Fish Skins, }		
Dog Stones, <i>See</i> Stones.		
Down, imported in a British built Ship, the lb. -	0 1 3	—
—— imported in a Ship not British built, the lb.	0 1 5	—
Dragon's Blood, <i>See</i> Sanguis Draconis.		
Drawings, <i>See</i> Prints.		
Drillings, <i>See</i> Linen.		
Drugs, on which specific Duties are payable according to the Quantity, <i>See</i> the several Articles in alphabetical Course.		
—— not particularly enumerated or described, nor otherwise charged with Duty, for every 100℥. of the Value - - - - -	50 0 0	—
Duck, <i>See</i> Sail Cloth, in Linen.		
Dust, perfumed, <i>See</i> Hair Powder.		
Dutch Barras, <i>See</i> Canvas, in Linen.		
E.		
Earthenware, not otherwise enumerated or described, for every 100℥. of the Value - - - - -	75 0 0	—
East-Country Linen, <i>See</i> German-Linen, in Linen.		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
East Indian Goods. For the Duties and Drawbacks on Goods imported from Places within the Limits of the Charter granted to the United Company of Merchants of England trading to the East Indies, or from the Cape of Good Hope, See Table (B.)		
Eels, See Fish.		
Eggs, the 120	0 0 10	—
Elastic Gum, See Caoutchouc.		
Elbing Canvas, See Canvas, in Linen.		
Elemi Gum, See Gum.		
Elephants Teeth, viz.		
———— not exceeding the Weight of 21lbs. each Tooth, the cwt.	2 0 0	—
———— exceeding the Weight of 21lbs. each Tooth, the cwt.	4 0 0	—
Eleutheria Cortex, See Bark.		
Elk Hair, See Cow Hair, in Hair.		
— Skins, See Skins.		
Emeralds, See Jewels.		
Emery Stones, See Stone.		
Enamel, the lb.	0 7 2	—
Enulæ Campanæ Radix, See Radix.		
Eringii Radix, See Radix.		
Ermine Skins, See Skins.		
Essence, viz.		
———— of Bergamot, or of Lemon, the lb.	0 4 6	—
———— of Spruce, for every 100l. of the Value	20 0 0	—
———— not otherwise enumerated or described, the lb.	0 4 6	—
Euphorbium, the lb.	0 0 8	0 0 5
Extract, viz.		
———— Cardamoms	} Extract or Preparation of, for every 100l. of the Value	—
———— Coculus Indicus		
———— Grains, viz.		
———— - - - Guinea Grains,		
———— - - - of Paradise	75 0 0	—
———— Liquorice		
———— Nux Vomica		
———— Oak Bark, Solid Vegetable Extract from Oak Bark, or other Vegetable Substances, to be used for the Purpose of Tanning Leather, and for no other Purpose whatever, the cwt.	0 3 0	—
———— Opium	} Extract or Preparation of, for every 100l. of the Value	—
———— Pepper, viz.		
———— - - - Guinea Pepper	75 0 0	—
———— Peruvian, or Jesuits Bark, Extract or Preparation of, the lb.	0 5 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
<i>Extract, continued.</i>		
— Quassia, Extract or Preparation of, for every 100l. of the Value - - -	75 0 0	—
— Radix Rhatanizæ, Extract or Preparation of, the lb. - - -	0 5 0	—
— Vitriol, Extract or Preparation of, for every 100l. of the Value - - -	75 0 0	—
Extract or Preparation of any Article, not being particularly enumerated or described nor otherwise charged with Duty, for every 100l. of the Value - - -	50 0 0	—
F.		
Faro Raisins, <i>See</i> Raisins.		
Feather Beds, <i>See</i> Feathers for Beds.		
<i>Note.</i> — The Duty on Feather Beds is payable according to the Quantity of Feathers contained therein.		
Feathers, <i>viz.</i>		
— for Beds, imported in a British built Ship, the cwt. - - -	4 8 8	—
- - - imported in a Ship not British built, the cwt. - - -	4 15 0	—
— Ostrich, dressed, the lb. - - -	2 15 6	—
- - - undressed, the lb. - - -	1 0 0	—
— not otherwise enumerated or described, <i>viz.</i>		
- - - dressed, for every 100l. of the Value - - -	50 0 0	—
- - - undressed, for every 100l. of the Value - - -	20 0 0	—
Fennel Seed, <i>See</i> Seed.		
Fenugreek Seed, <i>See</i> Seed.		
Figs, imported in a British built Ship, the cwt. -	1 1 6	0 19 0
— imported in a Ship not British built, the cwt. -	1 3 0	0 19 0
<i>Note.</i> — No Allowance of the Duty on Figs to be made on account of Damage, <i>See</i> the Act to which this Table is annexed.		
Filtering Stones, <i>See</i> Stones.		
Fish, <i>viz.</i>		
— Anchovies, the lb. - - -	0 1 0	—
— Botargo, the lb. - - -	0 1 0	—
— Caviare, the cwt. - - -	0 12 0	—
— Eels, the Ship's Lading - - -	13 1 3	—
— Lobsters, Duty free.		
— Oysters, the Winchester Bushel - - -	0 1 6	—
— Stock Fish, the 120 - - -	0 5 0	—
— Sturgeon, the Keg, not exceeding Five Gallons British Content - - -	0 7 6	—
— Turbots, Duty free.		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Fish, <i>continued.</i>		
— Fresh Fish, of British taking, and imported in British built Ships or Vessels, Duty free.		
— Cured Fish, of British taking and curing, Duty free.		
For the Conditions, Regulations and Restrictions, under which any such Fish may be imported Duty free, See 45 G.3. cap. 18. sec. 20, 21.		
Fisher Skins, See Skins.		
Fishing Nets, Old, See Rags.		
Fish Oil, See Train Oil, in Oil.		
Fitches Skins, See Skins.		
Flanders Tiles, See Tiles.		
Flannel, See Wool, Articles made of.		
Flasks, See Bottles.		
Flax, or Tow of Flax, from and after the passing of this Act, <i>viz.</i>		
— dressed, imported in a British built Ship, the cwt.	10 14 6	—
— - - - imported in a Ship not British built, the cwt.	11 3 6	—
— rough or undressed, imported in a British built Ship, the cwt.	0 0 5	—
— - - - imported in a Ship not British built, the cwt.	0 0 8	—
Flax Seed, See Seed.		
Flint Stones for Potters, See Stones.		
Flock Paper, See Paper.		
Flocks, the cwt.	0 19 0	—
Floss Silk, See Waste Silk, in Silk.		
Flotsam, See Derelict.		
Flour, See Corn.		
Flower Roots, for every 100 <i>l.</i> of the Value	20 0 0	—
Flowers, Artificial, not made of Silk, for every 100 <i>l.</i> of the Value	50 0 0	—
Forest Seed, See Seed.		
Fossils, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value	20 0 0	—
— Specimens of, See Specimens.		
Fox Skins, } See Skins.		
— Tails, }		
Frames for Pictures, Prints or Drawings, for every 100 <i>l.</i> of the Value	50 0 0	—
Frankincense, See Olibanum.		
French Beans, See Beans.		
Furriers Waste, for every 100 <i>l.</i> of the Value	20 0 0	—
Furs, See Skins.		
Fustic, See Wood.		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
G.		
Galangal, imported directly from the Place of its Growth, the lb. - - -	0 0 6	0 0 4
— imported not directly from the Place of its Growth, the lb. - - -	0 0 9	0 0 6
Galbanum, imported directly from the Place of its Growth, the lb. - - -	0 1 4	0 0 10
— imported not directly from the Place of its Growth, the lb. - - -	0 2 0	0 1 3
Galley Tiles, <i>See</i> Tiles.		
Galls, the cwt. - - - -	0 11 2	—
Gamboge, the lb. - - - -	0 1 8	0 1 1
Garden Seed, <i>See</i> Seed.		
Garnets, <i>viz.</i>		
— cut, the lb. - - - -	1 10 0	—
— rough, the lb. - - - -	0 10 0	—
Gauze of Thread, for every 100 <i>l.</i> of the Value -	50 0 0	—
Geldings, <i>See</i> Horses.		
Gen Sal, <i>See</i> Sal.		
Geneva, <i>See</i> Spirits.		
Gentian, the lb. - - - -	0 0 6	0 0 4
German Linen, <i>See</i> Linen.		
Gilt Wire, <i>See</i> Wire.		
Ginger, the cwt. - - - -	2 13 0	—
— the Produce of the British Plantations, Colonies or Settlements in America, or the West Coast of Africa, the cwt. -	1 3 0	1 0 0
— preserved, the lb. - - - -	0 3 2	—
— - - - of the British Plantations in America, the lb. - - - -	0 0 6	—
Ginseng, the lb. - - - -	0 1 6	0 1 0
Glass, <i>viz.</i>		
— Beads, <i>See</i> Beads.		
— Bottles, <i>See</i> Bottles.		
— Crown, German, Sheet or any Kind of Window Glass, not being Plate Glass, the cwt. -	11 4 0	—
— Flint Glass, the cwt. - - - -	12 9 0	—
— Plate Glass, for every Square Foot Superficial Measure - - - -	0 6 7	—
— - - - and further, for every cwt. - - - -	6 6 0	—
— Glass Manufactures, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value -	80 0 0	—
— - - - and further, for every cwt. - - - -	6 6 0	—
Glasses for Watches, <i>See</i> Watch Glasses.		
Glovers Clippings, fit only to make Glue, the cwt. -	0 4 9	—
Glue, the cwt. - - - -	0 12 0	—
Goat Hair, <i>See</i> Hair.		
— Skins, <i>See</i> Skins.		

TABLE (A.)—INWARDS.	British Currency.			
	Duty.			Drawback.
	£.	s.	d.	£. s. d.
Goat, <i>continued.</i>				
— Wool, <i>See</i> Goat Hair, in Hair.				
Gold Coin, <i>See</i> Bullion.				
— Leaves, <i>See</i> Leaves.				
— Plate, <i>See</i> Plate.				
Goose Quills, <i>See</i> Quills.				
Grain, <i>See</i> Corn.				
Grains, <i>viz.</i>				
— Guinea Grains, the lb. - - -	0	2	0	—
- - - - Extract, or Preparation of, <i>See</i> Grains, in Extract.				
— of Paradise, the lb. - - -	0	2	0	—
- - - - Extract, or Preparation of, <i>See</i> Grains, in Extract.				
Granilla, the lb. - - -	0	0	10	—
Grapes, for every 100 <i>l.</i> of the Value - -	50	0	0	—
— Rape of, <i>See</i> Rape of Grapes.				
Grave Stones, <i>See</i> Stone.				
Grease, the cwt. - - -	0	1	8	—
Greaves for Dogs, the cwt. - - -	0	2	0	—
Grogram Yarn, <i>See</i> Yarn.				
Guiaiacum Cortex, <i>See</i> Bark.				
— Gum, <i>See</i> Gum.				
Guernsey, Island of.				
<p>For the Conditions, Regulations and Restrictions, under which Goods, Wares and Merchandize of the Growth, Production and Manufacture of the Islands of Guernsey, Jersey, Sark or Alderney (Salt excepted), may be imported from those Islands by the Inhabitants thereof, without Payment of any Duty, except such Duty as shall be payable for the like Goods of the Growth, Production and Manufacture of Great Britain, <i>See</i> 45 Geo. 3. cap. 18. sec. 18.</p> <p>But Foreign Goods, having been lawfully imported into the said Islands, and Foreign Goods and Commodities in part or fully manufactured in either of them, or any Salt whatever imported into Ireland from any of the said Islands, shall not be exempt from Payment of all such Customs, Duties and Impositions as are payable for the like Goods when imported from any Foreign Nation or Country of which they are the Growth, Product or Manufacture, <i>See</i> 45 Geo. 3. cap. 18. sec. 19.</p>				
Guinea Grains, <i>See</i> Grains.				
— Pepper, <i>See</i> Pepper.				

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Gum, <i>viz.</i>		
— Ammoniac, imported directly from the Place of its Growth, the lb. -	0 1 3	0 0 10
- - - - - imported not directly from the Place of its Growth, the lb. -	0 1 10	0 1 3
— Animi, the lb. - - - - -	0 0 6	—
— Arabic, the cwt. - - - - -	0 12 0	—
— Cake Lac, <i>See</i> Lac, in Gum.		
— Cashew, the cwt. - - - - -	0 7 6	0 5 0
— Copal, the lb. - - - - -	0 0 6	—
— Elemi, the lb. - - - - -	0 0 8	0 0 5
— Guaiacum, the lb. - - - - -	0 1 10	0 1 2
— Juniper, <i>See</i> Gum Sandarach.		
— Kino, or Gum Rubrum Astringens, the lb.	0 1 6	0 1 0
— Lac, <i>viz.</i>		
- - - Cake Lac } for every 100 <i>l.</i> of the Value	10 0 0	—
- - - Lac Dye } for every 100 <i>l.</i> of the Value	5 0 0	—
- - - Lac Lake } for every 100 <i>l.</i> of the Value	20 0 0	—
- - - Shell Lac, for every 100 <i>l.</i> of the Value		
— Opopanax, imported directly from the Place of its Growth, the lb. -	0 3 6	0 2 4
- - - - - imported not directly from the Place of its Growth, the lb. -	0 5 3	0 3 6
— Rubrum Astringens, <i>See</i> Gum Kino.		
— Sagapenum, imported directly from the Place of its Growth, the lb. -	0 0 10	0 0 6
- - - - - imported not directly from the Place of its Growth, the lb. -	0 1 3	0 0 9
— Sandarach or Juniper, the cwt. -	0 19 0	0 12 8
— Sarcocolla, imported directly from the Place of its Growth, the lb. -	0 0 10	0 0 6
- - - - - imported not directly from the Place of its Growth, the lb. -	0 1 3	0 0 9
— Seed Lac, <i>See</i> Lac, in Gum.		
— Senegal, the cwt. - - - - -	0 12 0	—
— Shell Lac, } <i>See</i> Lac, in Gum.		
— Stick Lac, }		
— Tacamahaca, the lb. - - - - -	0 2 0	0 1 4
— Tragacanth, imported directly from the Place of its Growth, the lb. -	0 1 0	0 0 8
- - - - - imported not directly from the Place of its Growth, the lb. -	0 1 6	0 1 0
— Gum not particularly enumerated or described, or otherwise charged with Duty, for every 100 <i>l.</i> of the Value -	50 0 0	—
Gunpowder, the cwt. - - - - -	3 0 0	—
Gutting Canvas, <i>See</i> Canvas, in Linen.		
Gypsum, the Ton, containing 20 cwt.	11 8	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Gypsum, <i>continued.</i>		
the Produce of, and imported from any British Colony, Plantation or Settlement in America, the Ton, containing 20 cwt.	0 1 3	—
H.		
Hair, <i>viz.</i>		
— Camel's Hair, the lb. - - -	0 1 8	—
— Cow, Ox, Bull or Elk Hair, the cwt. -	0 18 4	—
— Goats Hair, or Turkey Goats Wool, the lb. -	0 0 6	—
— Hats made of Hair, <i>See</i> Hats.		
— Horse Hair, for every 100 <i>l.</i> of the Value -	20 0 0	—
— Human Hair, the lb. - - -	0 5 0	—
— Hair, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value -	20 0 0	—
Hair Powder, the cwt. - - -	9 15 0	—
— perfumed, or Perfumed Dust, the cwt. - - -	13 13 0	—
Hams, <i>See</i> Bacon.		
Hare Skins, <i>See</i> Skins.		
— Wool, <i>See</i> Wool.		
Harp Strings, <i>See</i> Catlings.		
Hart Horns, <i>See</i> Horns.		
Hats, <i>viz.</i>		
— Bast, Chip, Cane or Horse Hair Hats or Bonnets, each Hat or Bonnet not exceeding 22 inches in Diameter, the Dozen -	1 0 0	—
- - - - each Hat or Bonnet exceeding 22 Inches in Diameter, the Dozen -	2 0 0	—
— Straw Hats or Bonnets, each Hat or Bonnet not exceeding 22 Inches in Diameter, the Dozen -	3 8 0	—
- - - - each Hat or Bonnet exceeding 22 Inches in Diameter, the Dozen -	6 16 0	—
— made of or mixed with Felt, Hair, Wool or Beaver, the Hat - - -	0 10 6	—
Hay, the Load, containing 36 Trusses, each Truss being 56 lbs. - - -	1 4 0	—
Head Matter, <i>See</i> Train Oil, in Oil.		
Heath for Brushes, the cwt. - - -	0 9 2	—
Helebore, the lb. - - -	0 0 6	0 0 4
Hemp, <i>viz.</i>		
— dressed, imported in a British built Ship, the cwt. - - -	4 15 0	—
- - - imported in a Ship not British built, the cwt. - - -	5 0 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Hemp, <i>continued.</i>		
— rough or undressed, or any other Vegetable Substance of the Nature and Quality of undressed Hemp, and applicable to the same Purposes,		
- - - imported in a British built Ship, the cwt.	0 9 2	—
- - - imported in a Ship not British built, the cwt.	0 10 4	—
- - - the Produce of the British Plantations in America, the Ton, containing 20 cwt.	0 8 0	—
— Seed, <i>See</i> Seed.		
- - - Oil, <i>See</i> Oil.		
Hessen Canvas, <i>See</i> Canvas, in Linen.		
Hides, <i>viz.</i>		
— Horse, Mare, Gelding, Buffalo, Bull, Cow or Ox Hides in the Hair, not tanned, tawed, curried or in any way dressed, <i>viz.</i>		
- - - dry,		
- - - imported in a British built Ship, the cwt.	0 4 8	—
- - - imported in a Ship not British built, the cwt.	0 14 0	—
- - - wet,		
- - - imported in a British built Ship, the cwt.	0 2 4	—
- - - imported in a Ship not British built, the cwt.	0 7 0	—
— the Produce of, and imported from the West Coast of Africa, not exceeding 14 lbs. Weight each Hide, the cwt.	0 2 4	—
— tanned and not otherwise dressed, the lb.	0 1 0	—
— Tails, <i>See</i> Tails.		
— Elk, <i>See</i> Skins.		
— Losh Hides, the lb.	0 1 8	—
— Muscovy or Russia Hides, tanned or coloured, the Hide	0 15 0	—
— Hides or Pieces of Hides, raw or undressed, not particularly enumerated or described, nor otherwise charged with Duty, imported from any British Colony or Plantation in America, for every 100ℓ. of the Value	5 17 6	—
— Hides or Pieces of Hides, raw or undressed, not particularly enumerated or described, nor otherwise charged with Duty, for every 100ℓ. of the Value	20 0 0	—

TABLE (A.) — INWARDS.

British Currency.

Duty.

Drawback.

£. s. d.

£. s. d.

TABLE (A.) — INWARDS.		British Currency.	
		Duty.	Drawback.
		£. s. d.	£. s. d.
<i>Hides, continued.</i>			
— Hides or Pieces of Hides, tanned, tawed, curried or in any way dressed, not particularly enumerated or described, or otherwise charged with Duty, for every 100 <i>l.</i> of the Value	- - -	75 0 0	—
Hog's Lard, <i>See</i> Lard.			
Hones, the 100	- - - - -	1 3 0	—
Honey, the cwt.	- - - - -	0 15 0	—
Hoofs of Cattle, for every 100 <i>l.</i> of the Value	- - -	20 0 0	—
<i>Hoops, viz.</i>			
— of Iron, the cwt.	- - - - -	1 3 9	—
— of Wood, the 1000	- - - - -	0 15 0	—
Hops, the cwt.	- - - - -	8 11 0	—
Horns, Horn Tips and Pieces of Horn, not otherwise charged with Duty, the cwt.	- - -	0 5 0	—
Horse Hair, <i>See</i> Hair.			
— Hats or Bonnets, <i>See</i> Hats.			
— Hides, <i>See</i> Hides.			
Horses, Mares or Geldings, each	- - -	6 13 0	—
Hulled Barley, <i>See</i> Pearl Barley.			
Human Hair, <i>See</i> Hair.			
Hungary Water, <i>See</i> Spirits.			
Husks or Knubs of Silk, <i>See</i> Knubs, in Silk.			
Husse Skins, <i>See</i> Skins.			
I & J.			
Jalap, the lb.	- - - - -	0 2 0	0 1 4
Japonica Terra, <i>See</i> Terra.			
Iceland Moss, <i>See</i> Lichen Islandicus, in Moss.			
Jersey, Island of, <i>See</i> Guernsey.			
Jessamine Oil, <i>See</i> Oil.			
Jesuits Bark, <i>See</i> Peruvian Bark, in Bark.			
Jet, the lb.	- - - - -	0 2 0	—
— Beads, <i>See</i> Beads.			
Jetsam, <i>See</i> Derelict.			
Jewels, Emeralds, Rubies and all other Precious Stones (except Diamonds), not otherwise enumerated or described, not set or in any Way manufactured, for every 100 <i>l.</i> of the Value	- - - - -	20 0 0	—
— set or in any way manufactured, for every 100 <i>l.</i> of the Value	- - - - -	50 0 0	—
Jews' Pitch, <i>See</i> Bitumen Judaicum.			
India Rubbers, <i>See</i> Caoutchouc.			
Indigo, the lb.	- - - - -	0 0 5	—
Ink for Printers, the cwt.	- - - - -	1 1 0	—
<i>Inkle, viz.</i>			
— unwrought, the lb.	- - - - -	0 0 10	—
— wrought, the lb.	- - - - -	0 5 2	—

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Ipecacuannæ Radix, <i>See</i> Radix.		
Iris Root, <i>See</i> Orrice Root.		
Iron, <i>viz.</i>		
— in Bars or unwrought,		
- - - the Produce of any British Colony or Plantation in America, and imported from thence, the Ton containing 20 cwt.	1 2 2	—
— in Bars or unwrought,		
- - - the Produce of any other Country,		
- - - imported in a British built Ship, the Ton containing 20 cwt.	6 10 0	—
- - - imported in a Ship not British built, the Ton containing 20 cwt.	7 18 4	—
— slit or hammered into Rods, and Iron drawn or hammered less than $\frac{3}{4}$ of an Inch square,		
- - - imported in a British built Ship, the cwt.	1 0 0	—
- - - imported in a Ship not British built, the cwt.	1 1 6	—
— Cast, for every 100 <i>l.</i> of the Value	20 0 0	—
— Hoops, <i>See</i> Hoops.		
— old broken, and old Cast Iron, the Ton containing 20 cwt.	0 17 6	—
— Ore, the Ton containing 20 cwt.	0 8 9	—
— Pig Iron, the Ton containing 20 cwt.	0 17 6	—
- - - the Produce of and imported from the British Plantations in America, the Ton containing 20 cwt.	0 8 0	—
— Wire, <i>See</i> Wire.		
— Wrought, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value	50 0 0	—
Isinglass, the cwt.	2 7 6	—
— the Produce of and imported from the British Plantations in America, the cwt.	0 15 10	—
Juice of Lemons, Limes or Oranges, from and after the 25th Day of January 1824, <i>viz.</i>		
— raw, the Gallon, for every Degree of Specific Gravity or Strength	0 0 0 $\frac{1}{2}$	—
— concentrated, for every Degree of specific Gravity or Strength, the gallon	0 0 0 $\frac{1}{2}$	—
For the Rules and other Regulations by which the Degrees of such specific Gravity or Strength shall be ascertained, <i>See</i> the Act to which this Table is annexed.		
Juniper Berries, <i>See</i> Berries.		
— Gum, <i>See</i> Gum Sandarach.		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Juniper, <i>continued.</i>		
— Oil of, <i>See</i> Oil.		
Junk, old, <i>See</i> Rags, old.		
K.		
Kelp, <i>See</i> Alkali.		
Kidney Beans, <i>See</i> Beans.		
Kid Skins, <i>See</i> Skins.		
Kino Gum, <i>See</i> Gum.		
Knubs of Silk, <i>See</i> Knubs, in Silk.		
L.		
Lac, <i>See</i> Lac, in Gum.		
Lace, <i>viz.</i>		
— Silk Lace, for every 100 <i>l.</i> of the Value -	40 0 0	—
- - - Plain, being Net or Tulle, for every Square Yard - - -	0 2 0	—
— Thread Lace, <i>viz.</i>		
- - - - - under 5 <i>s.</i> the Yard in Value, the Yard - - - - -	0 2 6	—
- - - - - of 5 <i>s.</i> and under 10 <i>s.</i> the Yard in Value, the Yard - - - - -	0 4 0	—
- - - - - of 10 <i>s.</i> and under 15 <i>s.</i> the Yard in Value, the Yard - - - - -	0 4 9	—
- - - - - of 15 <i>s.</i> and under 20 <i>s.</i> the Yard in Value, the Yard - - - - -	0 6 9	—
- - - - - of 20 <i>s.</i> and under 25 <i>s.</i> the Yard in Value, the Yard - - - - -	0 8 4	—
- - - - - of 25 <i>s.</i> the Yard in Value, or upwards, for every 100 <i>l.</i> of the Value - - - - -	40 0 0	—
Lagan, <i>See</i> Derelict.		
Lake Lac, <i>See</i> Lac, in Gum.		
Lamb Skins, <i>See</i> Skins.		
Lambs Wool, <i>See</i> Sheeps Wool, in Wool.		
Lamp Black, the cwt. - - - - -	3 6 6	—
Lapis, <i>viz.</i>		
— Calaminaris, the cwt. - - - - -	0 8 0	—
— Lazuli, the lb. - - - - -	0 3 2	—
— Tutia, the lb. - - - - -	0 0 8	—
Lard, the cwt. - - - - -	0 8 0	—
Latten, <i>viz.</i>		
— Black, the cwt. - - - - -	1 8 0	—
— Shaven, the cwt. - - - - -	2 10 0	—
— Wire, <i>See</i> Wire.		
Lavender Flowers, the lb. - - - - -	0 0 10	—
— Oil of, <i>See</i> Oil.		
— Water, <i>See</i> Spirits.		
Lawns, <i>See</i> Linen.		
Lazu li Lapis, <i>See</i> Lapis.		

TABLE (A). — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Lead, <i>viz.</i>		
— Black, the cwt.	0 4 0	—
— Chromate of Lead, the lb.	0 2 0	—
— Ore, the Ton, containing 20 cwt.	1 16 0	—
— Pig, for every 100 <i>l.</i> of the Value	20 0 0	—
— Red, the cwt.	0 8 4	—
— White, the cwt.	0 10 4	—
Leaf Metal, <i>See</i> Metal.		
Leather, any Article made of Leather, or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value	75 0 0	—
Leaves of Gold, the 100 Leaves	0 3 0	—
Leaves of Roses, the lb.	0 0 10	—
Lees of Wines, <i>See</i> Wine Lees.		
Lemons, imported in a British built Ship, the 1,000	1 5 0	—
— imported in a Ship not British built, the 1,000	1 7 6	—
— Essence of, <i>See</i> Essence of Bergamot.		
— Juice of, <i>See</i> Juice.		
— Peel of, the lb.	0 0 5	—
— preserved in Salt and Water, for every 100 <i>l.</i> of the Value	20 0 0	—
— in Sugar, <i>See</i> Succades.		
Lentiles, the Bushel	0 0 10	—
Leopard Skins, <i>See</i> Skins.		
Lexia Raisins, <i>See</i> Raisins.		
Lichen Islandicus, <i>See</i> Moss.		
Lignum, <i>viz.</i>		
— Quassia, <i>See</i> Quassia.		
Lime Stones, <i>See</i> Stone.		
Limes, Juice of, <i>See</i> Juice.		
Limonum Cortex, <i>See</i> Lemons, Peel of.		
— Sal, <i>See</i> Sal.		
Linen, <i>viz.</i>		
— Cambrics and Lawns, commonly called French Lawns, plain, the Piece not exceeding 8 Yards in Length, and not exceeding 7-8ths of a Yard in Breadth	0 9 6	0 4 0
— more, the Piece, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 2 0	—
— exceeding 8 Yards in Length, or exceeding 7-8ths of a Yard in Breadth, the Piece, and in that Proportion for a greater or less Quantity	0 12 0	0 5 0

TABLE (A.) — INWARDS.	British Currency.			
	Duty.			Drawback.
	£.	s.	d.	£. s. d.
Linen, — Cambrics and Lawns, <i>continued.</i>				
more, the Piece, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0	2	6	—
— Canvas, <i>viz.</i>				
- - - Hessen Canvas, or Dutch Barras, - - - imported in a British built Ship, the 120 Ells -	2	13	1	1 2 4
more, the 120 Ells, pay- able on the first Entry thereof, whether to be secured in Warehouses or not -	0	11	2	—
- - - imported in a Ship not Bri- tish built, the 120 Ells more, the 120 Ells, pay- able on the first Entry thereof, whether to be secured in Warehouses or not -	2	15	6	1 2 4
- - - Packing Canvas, Guttings, Spruce, Elbing or Queensborough Canvas, - - - imported in a British built Ship, the 120 Ells -	1	15	8	0 15 0
more, the 120 Ells, pay- able on the first Entry thereof, whether to be secured in Ware- houses or not -	0	7	6	—
- - - imported in a Ship not Bri- tish built, the 120 Ells more, the 120 Ells, pay- able on the first Entry thereof, whether to be secured in Ware- houses or not -	1	17	4	0 15 0
— Damask Tabling, of the Manufacture of the Kingdom of the United Netherlands, <i>viz.</i>				
- - - not exceeding 1 Ell $\frac{1}{8}$ in Breadth, the Yard -	0	10	0	0 4 2
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0	2	0	—
- - - exceeding 1 Ell $\frac{1}{8}$, and under 2 Ells in Breadth, the Yard -	0	11	6	0 4 10

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Linen, — Damask Tabling, &c. <i>continued.</i>		
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 2 6	—
- - - of the Breadth of 2 Ells, and under 3 Ells in Breadth, the Yard	0 13 1	0 5 6
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 2 9	—
- - - of the Breadth of 3 Ells, or upwards, the Yard	0 19 0	0 8 0
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 4 0	—
— Damask Tabling, of the Manufacture of Silesia, or of any other Place, not otherwise enumerated or described, the square Yard	0 2 6	0 1 0
more, the square Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 0 6	—
— Damask Towelling and Napking, of the Manufacture of the Kingdom of the United Netherlands, the Yard	0 4 0	0 1 8
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 0 10	—
— Damask Towelling and Napking, of the Manufacture of Silesia, or of any other Place, not otherwise enumerated or described, the Yard	0 1 3	0 0 6
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 0 3	—
— Diaper Tabling of the Manufacture of the Kingdom of the United Netherlands, viz.		
- - - not exceeding 1 Ell $\frac{1}{2}$ in Breadth, the Yard	0 5 2	0 2 2

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Linen, — Diaper Tabling, &c. <i>continued.</i>		
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 1 1	—
- - - exceeding 1 Ell $\frac{1}{2}$, and under 2 Ells in Breadth, the Yard	0 6 0	0 2 6
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 1 3	—
- - - of the Breadth of 2 Ells, and under 3 Ells, in Breadth, the Yard	0 6 4	0 2 8
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 1 4	—
- - - of the Breadth of 3 Ells or upwards, the Yard	0 9 1	0 3 10
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 1 11	—
— Diaper Tabling of the Manufacture of Silesia, or of any other Place, not otherwise enumerated or described, the Yard	0 2 11	0 1 2
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 0 7	—
— Diaper Towelling and Napkining, of the Manufacture of the Kingdom of the United Netherlands, the Yard	0 2 1	0 0 10
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 0 5	—
— Diaper Towelling and Napkining, of the Manufacture of Silesia, or of any other Place, not otherwise enumerated or described, the Yard	0 1 3	0 0 6
more, the Yard, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 0 3	—
— Drillings and Pack Duck, <i>viz.</i>		
- - - imported in a British built Ship, the 120 Ells	4 11 1	1 18 4

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Linen, — Drillings and Pack Duck, <i>continued.</i>		
more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 19 2	—
- - - imported in a Ship not British built, the 120 Ells -	4 15 0	1 18 4
more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	1 0 0	—
— German, Switzerland, East Country (except Russia), and Silesia Cloth, plain, <i>viz.</i>		
- - - not exceeding 31½ Inches in Breadth,		
- - - - imported in a British built Ship, the 120 Ells -	2 18 3	1 4 6
more, the 120 Ells, pay- able on the first Entry thereof, whether to be secured in Ware- houses or not -	0 12 3	—
- - - - imported in a Ship not British built, the 120 Ells -	3 0 4	1 4 6
more, the 120 Ells, pay- able on the first Entry thereof, whether to be secured in Ware- houses or not -	0 12 8	—
- - - exceeding 31½ Inches, and not exceeding 36 Inches in Breadth,		
- - - - imported in a British built Ship, the 120 Ells -	6 2 9	2 11 8
more, the 120 Ells, pay- able on the first Entry thereof, whether to be secured in Ware- houses or not -	1 5 10	—
- - - - imported in a Ship not British built, the 120 Ells -	6 6 8	2 11 8
more, the 120 Ells, pay- able on the first Entry thereof, whether to be secured in Ware- houses or not -	1 6 8	—
- - - exceeding 36 Inches in Breadth, - - - - imported in a British built Ship, the 120 Ells -	9 8 9	3 19 6

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Linen, — German, &c. <i>continued.</i>		
more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	1 19 9	—
- - - - - imported in a Ship not British built, the 120 Ells -	9 14 9	3 19 6
more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	2 1 0	—
— Hinderlands, Brown, under 22½ Inches in Breadth,		
- - - - - imported in a British built Ship, the 120 Ells -	1 13 3	0 14 0
more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 7 0	—
- - - - - imported in a Ship not British built, the 120 Ells -	1 14 10	0 14 0
more the 120 Ells payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 7 4	—
— Lawns, <i>viz.</i>		
- - - Silesia, and all other Lawns, plain, (except Cambrics and French Lawns), not bleached in the Kingdom of the United Netherlands the Piece not exceeding 8 Yards in Length -	0 6 4	0 2 8
more, the Piece, payable on the first Entry, thereof, whether to be secured in Warehouses or not -	0 1 4	—
- - - Silesia, and all other Lawns, plain, (except Cambrics and French Lawns), bleached in the Kingdom of the United Netherlands, the Piece, not exceeding 8 Yards in Length -	0 7 11	0 3 4

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Linen, — German, &c. <i>continued.</i>		
— Lawns, Silesia, more, the Piece, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 1 8	—
— Linen, of the Manufacture of the Kingdom of the United Netherlands, plain, not otherwise enumerated or described, <i>viz.</i>		
- - - - - not exceeding 1 Ell $\frac{1}{8}$ in Breadth, the Ell - more, the Ell, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 2 11	0 1 2
- - - - - exceeding 1 Ell $\frac{1}{8}$, and under 2 Ells in Breadth, the Ell - more, the Ell, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 0 7	—
- - - - - exceeding 1 Ell $\frac{1}{8}$, and under 2 Ells in Breadth, the Ell - more, the Ell, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 3 2	0 1 4
- - of the Breadth of 2 Ells, and under 3 Ells in Breadth, the Ell - more the Ell, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 0 8	—
- - of the Breadth of 2 Ells, and under 3 Ells in Breadth, the Ell - more the Ell, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 3 7	0 1 6
- - of the Breadth of 3 Ells or upwards, the Ell - more, the Ell, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 0 9	—
- - of the Breadth of 3 Ells or upwards, the Ell - more, the Ell, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 5 2	0 2 2
— Pack Duck, <i>See</i> Drillings in Linen.	0 1 1	—
— Russia Linen, plain, <i>viz.</i>		
- - - Towelling and Napkining of the Manufacture of Russia,		
- - - not exceeding 22 $\frac{1}{2}$ Inches in Breadth,		
- - - imported in a British built Ship the 120 Ells - more, the 120 Ells payable on the first Entry thereof, whether to be secured in Warehouses or not	1 11 5	0 13 2
- - - not exceeding 22 $\frac{1}{2}$ Inches in Breadth,	0 6 7	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Linen,—Russia Linen, &c. <i>continued.</i>		
- - imported in a Ship not British built, the 120 Ells - more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	1 14 2	0 13 2
— Russia Linen, plain, not otherwise enumerated or described,		
- - - not exceeding 22½ Inches in Breadth,		
- - imported in a British built Ship, the 120 Ells - more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	1 12 3	0 13 6
- - imported in a Ship not British built, the 120 Ells - more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 6 9	—
- - - exceeding 22½ Inches, and not exceeding 31½ Inches in Breadth,		
- - imported in a British built Ship, the 120 Ells - more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	1 13 11	0 13 6
- - - exceeding 31½ Inches, and not exceeding 36 Inches in Breadth,	0 7 1	—
- - imported in a British built Ship, the 120 Ells - more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	2 11 3	1 1 6
- - imported in a Ship not British built, the 120 Ells - more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	0 10 9	—
- - - exceeding 31½ Inches, and not exceeding 36 Inches in Breadth,		
- - imported in a Ship not British built, the 120 Ells - more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not -	2 13 1	1 1 6
- - - exceeding 36 Inches in Breadth,		
- - imported in a British built Ship, the 120 Ells -	0 11 2	—
- - imported in a British built Ship, the 120 Ells -	3 16 0	1 12 0

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Linen,—Russia Linen, &c. <i>continued.</i>		
more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 16 8	—
- - imported in a Ship not British built, the 120 Ells	3 19 4	1 12 0
more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not	0 16 8	—
- - - exceeding 36 Inches, and not exceeding 45 Inches in Breadth,		
- - imported in a British built Ship, the 120 Ells	6 17 5	2 17 10
more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not	1 8 11	—
- - imported in a Ship not British built, the 120 Ells	7 0 2	2 17 10
more, the 120 Ells, payable on the first Entry thereof, whether to be secured in Warehouses or not	1 9 6	—
- - - exceeding 45 inches in Breadth,		
- - imported in a British built Ship, the 120 Ells	9 10 0	4 0 0
more, the 120 Ells payable on the first Entry thereof, whether to be secured in Warehouses or not	2 0 0	—
- - imported in a Ship not British built, the 120 Ells	9 17 6	4 0 0
more, the 120 Ells payable on the first Entry thereof, whether to be secured in Warehouses or not	2 1 6	—
— Sail Cloth or Sail Duck, <i>viz.</i>		
- - - not exceeding 36 Inches in Breadth,		
- - imported in a British built Ship, the 120 Ells	5 7 4	—

T t 2

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Linen, — Sail Cloth, &c. <i>continued.</i>		
- - imported in a Ship not British built, the 120 Ells	5 13 1	—
- - - exceeding 36 Inches in Breadth, - - imported in a British built Ship, the 120 Ells -	8 19 3	—
- - imported in a Ship not British built, the 120 Ells -	9 7 0	—
— Sails, for every 100ℓ. of the Value -	104 9 2	—
<i>Note.</i> — Foreign made Sails on board any Ship or Vessel belonging to any of His Majesty's Subjects, whether in use or not, are to be charged with the like Duties as Foreign made Sails, imported by way of Merchandize, See the Act to which this Schedule is annexed.		
— Linen, not being chequered or striped, or not being printed, painted, stained, or dyed, after the Manufacture, or in the Thread or Yarn before the Manufacture, and not being otherwise enumerated or described, for every 100ℓ. of the Value	63 6 8	26 13 4
... more, for every 100ℓ. of the Value, payable, on the first Entry thereof, whether to be secured in Warehouses or not - - -	13 6 8	—
— Linen, chequered or striped, or printed, painted, stained, or dyed, after the Manufacture, or in the Thread or Yarn before the Manufacture, not being prohibited to be imported into, nor worn nor used in Ireland, and not being otherwise enumerated or described, for every 100ℓ. of the Value - - -	172 10 0	—
— German and Russia Linen, chequered or striped, the Thread or Yarn of which the same is made being coloured, stained, or dyed, before the Manufacture exported to any Island under the Dominion of His Majesty in the West Indies, in which Description the Bahama Islands, and the Bermudas or Somers Islands are included, for every 100ℓ. of the Value - - -	—	117 10 0
Linen Yarn, See Yarn.		
Linn Boards See Boards, in Wood.		
Linseed, See Seed.		
— Cakes, the cwt. - - - -	0 0 2	—
— Oil, See Oil.		
Lion Skins, See Skins.		

TABLE (A.) — INWARDS.	British Currency.			
	Duty.		Drawback.	
	£.	s. d.	£.	s. d.
Lipari Raisins, <i>See</i> Raisins.				
Liquorice Juice, or Succus Liquoritiæ, the cwt. -	3	15 0	—	
—— Powder, the cwt. - - -	5	10 0	—	
—— Root, the cwt. - - -	3	3 4	—	
—— Extract or Preparation of, <i>See</i> Extract.				
Liquors. Foreign Liquors — Derelict, Jetsam, Flotsam, Lagan, or Wreck, brought or coming into Ireland, are subject to the same Duties, and entitled to the same Drawbacks as Liquors of the like Kind regularly imported.				
Litharge of Gold or Silver, the cwt. -	0	2 0	—	
Litmus, the cwt. - - -	0	4 0	—	
Liverwort, <i>See</i> Lichen Islandicus, in Moss.				
Lobsters, <i>See</i> Fish.				
Long Pepper, <i>See</i> Pepper.				
Losh Hides, <i>See</i> Hides.				
Lucern Seed, <i>See</i> Seed.				
Lupines, the cwt. - - -	0	5 0	—	
Lutestrings, <i>See</i> Catlings.				
M.				
Macaroni, as Vermicelli, <i>See</i> Vermicelli.				
Mace, the lb. - - -	0	4 6	0 4 0	
—— the Produce of and imported from any British Colony or Plantation, the lb. -	0	3 6	0 3 2	
—— Oil of, <i>See</i> Oil.				
Madder, the cwt. - - -	0	12 0	—	
—— Madder Root, the cwt. - - -	0	5 0	—	
Mangrove Bark, <i>See</i> Bark.				
Manna, the lb. - - -	0	1 3	0 0 10	
Manuscripts, <i>See</i> Books.				
Maps, plain or coloured, each Map or Part thereof - - -	0	0 6	—	
—— in Books, <i>See</i> Books.				
Marble, <i>See</i> Stone.				
Marbles for Children, <i>See</i> Toys.				
Mares, <i>See</i> Horses				
—— Hides, <i>See</i> Horse Hides, in Hides.				
Marjoram, Oil of, <i>See</i> Oil.				
Marmalade, the lb. - - -	0	1 3	—	
—— of the British Plantations in America, the lb. - - -	0	0 6	—	
Martin Skins, } <i>See</i> Skins.				
—— Tails, }				
Mastic, imported directly from the Place of its Growth, the lb. - - -	0	1 4	0 0 10	
—— imported not directly from the Place of its Growth, the lb. - - -	0	2 0	0 1 3	

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Mats, viz.		
— of Russia, imported in a British built Ship, the 100	1 3 9	—
— - - - imported in a Ship not British built, the 100	1 5 0	—
— not otherwise enumerated or described, for every 100l. of the Value	50 0 0	—
Matting, for every 100l. of the Value	50 0 0	—
Mattresses, for every 100l. of the Value	50 0 0	—
Maw Seed, See Seed.		
Mead, or Metheglin, the Gallon British Content	0 5 6	—
Meal, See Corn.		
Medals, viz.		
— of Gold or Silver — Duty free.		
— of any other Sort, for every 100l. of the Value	5 0 0	—
Medlars, the Bushel	0 5 0	—
Melasses, the cwt.	1 3 9	—
— the Produce of, and imported from the British Plantations in America, the cwt.	0 10 0	—
Melting Pots for Goldsmiths, See Pots.		
Mercury, prepared, for every 100l. of the Value	50 0 0	—
Metal, viz.		
— Bell Metal, the cwt.	1 0 0	—
— Leaf Metal (except of Leaf Gold) the Packet, containing 250 Leaves	0 0 8	—
Metheglin, See Mead.		
Mill Boards, the cwt.	3 8 2	—
Millet Seed, See Seed.		
Mill Stones, See Stone.		
Mineral Water, See Water.		
Minerals not otherwise enumerated or described, for every 100l. of the Value	20 0 0	—
— Specimens of, See Specimens.		
Mink Skins, See Skins.		
Mohair Yarn, See Camel Yarn, in Yarn.		
Molasses, See Melasses.		
Mole Skins, See Skins.		
Morels, the lb.	0 2 9	—
Moss, viz.		
— Lichen Islandicus or Liverwort, the lb.	0 0 8	—
— Rock, for Dyers Use, the Ton containing 20 cwt.	1 15 0	—
— not otherwise enumerated or described, for every 100l. of the Value	20 0 0	—
Mother of Pearl Shells, See Shells.		
Mules, each	5 0 0	—
Mum, See Beer.		
Musical Instruments, for every 100l. of the Value	50 0 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Musk, the oz. - - - -	0 5 0	0 3 4
Musquash Skins, <i>See</i> Skins.		
Mustard Seed, <i>See</i> Seed.		
Myrrh, imported directly from the Place of its Growth, the lb. - - - -	0 1 8	0 1 1
— imported not directly from the Place of its Growth, the lb. - - - -	0 2 6	0 1 8
Myrtle Wax, <i>See</i> Wax.		
N.		
Napkining, <i>See</i> Linen.		
Nardus Celtica, the cwt. - - - -	1 0 0	0 13 4
— Indica, <i>See</i> Spikenard.		
Natron, <i>See</i> Alkali.		
Nest Boxes, <i>See</i> Boxes.		
Neats Tongues, <i>See</i> Tongues.		
Neroli Oil, <i>See</i> Oil of Orange Flower.		
Nets, <i>viz.</i> old Fishing Nets, fit only for making Paper or Pasteboard, <i>See</i> Rags.		
Nutmegs, the lb. - - - -	0 3 6	0 3 2
— the Produce of and imported from any British Colony or Plantation, the lb. - - - -	0 2 6	0 2 3
— Oil of, <i>See</i> Oil.		
Nutria Skins, <i>See</i> Skins.		
Nuts, <i>viz.</i>		
— Cashew Nuts, the lb. - - - -	0 2 0	0 1 4
— Castor Nuts, the lb. - - - -	0 0 4	—
— Chesnuts, the Bushel - - - -	0 4 0	—
— Pistachio Nuts, imported directly from the Place of their Growth, the lb. - - - -	0 0 10	—
— - - - - imported not directly from the Place of their Growth, the lb. - - - -	0 1 3	—
— Small Nuts, the Bushel - - - -	0 4 0	—
— Walnuts, the Bushel - - - -	0 4 0	—
— Nuts not otherwise enumerated or described, for every 100l. of the Value - - - -	20 0 0	—
Nux Vomica, the lb. - - - -	0 2 6	—
— Extract, or Preparation of, <i>See</i> Extract.		
O.		
Oak Bark, <i>See</i> Bark.		
Oakum, the cwt. - - - -	0 4 9	—
Oatmeal, } <i>See</i> Corn.		
Oats, }		
Ochre, or Oaker, the cwt. - - - -	0 6 9	—

TABLE (A.)—INWARDS.	British Currency.			
	Duty.			Drawback.
	£.	s.	d.	£. s. d.
Oculi Cancrorum, <i>See</i> Cancrorum Oculi.				
Oil, viz.				
— of Almonds, the lb.	0	0	10	—
— of Amber, or Succinum, the lb.	0	5	6	—
— of Anniseed, the lb.	0	4	0	—
— of Bay, the lb.	0	0	3	—
— of Cajaputa, the oz.	0	1	0	—
— of Carraway, the lb.	0	2	6	—
— of Cassia, the oz.	0	5	0	—
— of Castor, the lb.	0	1	3	—
— Chemical Oil not otherwise enumerated or described, the lb.	0	4	0	—
— of Cinnamon, the oz.	0	5	0	—
— of Cloves, the oz.	0	2	0	—
— of Cocoa Nut, the cwt.	0	2	6	—
— of Fennel, the lb.	0	4	0	—
— Fish Oil, <i>See</i> Train Oil, in Oil.				
— of Hemp Seed, the Tun containing 252 Gallons, British Content	33	5	0	—
— of Jessamine, the lb.	0	4	0	—
— of Juniper, the lb.	0	2	0	—
— of Lavender, the lb.	0	4	0	—
— of Linseed, the Tun containing 252 Gallons, British Content	33	5	0	—
— of Mace, the oz.	0	2	6	—
— of Marjoram, the lb.	0	4	0	—
— of Nutmegs, the oz.	0	2	6	—
— Olives, imported in a British built Ship, the Tun containing 252 Gallons, British Content	15	13	0	—
— - - imported in a Ship not British built, the Tun containing 252 Gallons, British Content	16	13	0	—
— of Orange Flower or Neroli, the oz.	0	2	0	—
— of Palm, the cwt.	0	2	6	—
— Perfumed Oil, not otherwise enumerated or described, the lb.	0	4	0	—
— of Pine, the lb.	0	0	8	—
— of Rape Seed, the Tun containing 252 Gallons, British Content	33	5	0	—
— of Rhodium, the oz.	0	5	0	—
— Rock Oil, the lb.	0	0	10	—
— of Rosemary, the lb.	0	4	0	—
— of Roses, <i>See</i> Otto of Roses.				
— of Rosewood, the oz.	0	5	0	—
— Salad Oil, <i>See</i> Oil of Olives.				
— of Sandal Wood, the oz.	0	2	6	—
— of Sassafras, the lb.	0	2	6	—
— Seal Oil, <i>See</i> Train Oil, in Oil.				

TABLE (A) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Oil, <i>continued.</i>		
— Seed Oil, not otherwise enumerated or described, the Tun containing 252 Gallons, British Content	33 5 0	—
— of Spermaceti, <i>See</i> Train Oil, in Oil.		
— of Spike, the lb.	0 4 0	—
— of Succinum, <i>See</i> Oil of Amber.		
— of Thyme, the lb.	0 4 0	—
— Train Oil, Blubber, Spermaceti Oil, and Head Matter, <i>viz.</i>		
----- Blubber, the Produce of Fish or Creatures living in the Sea, taken and caught by the Crew of a British built Ship or Vessel, wholly owned by His Majesty's Subjects usually residing in Great Britain, Ireland or the Islands of Guernsey, Jersey, Alderney, Sark or Man, registered and navigated according to Law, and imported in any such Shipping, the Tun containing 252 Gallons, British Content	0 5 6	—
----- Blubber, the Produce of Fish or Creatures living in the Sea, taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported directly from any British Colony, Island, Plantation, Settlement or Territory, in a British built Ship or Vessel, owned, navigated, and registered according to Law, the Tun containing 252 Gallons, British Content	0 13 4	—
For the Suspension of the Duty on Blubber, imported directly from the Island of Newfoundland, or the Coast of Labrador, until the 5th of July 1824, <i>See</i> the Act to which this Table is annexed.		
For the Conditions, Regulations and Restrictions, under which Blubber may be admitted to Entry as British taken and caught, on Payment of Duty as before mentioned (as the Case may be,) <i>See</i> the Act 45 Geo. 3. c. 18. sec. 22, 23,		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Oil— Train Oil, Blubber, &c. — <i>continued.</i> 24, and the Act to which this Table is annexed.		
- - - - - Blubber, the Produce of Fish or Creatures living in the Sea of Foreign Fishing, the Tun containing 252 Gallons, British Content For the Conditions and Regulations, according to which the Quantity of Oil contained in Blubber, imported from the Greenland Seas or Davis's Streights, is to be ascertained, <i>See</i> the Act to which this Table is annexed.	22 3 4	—
- - - - - Train Oil, Spermaceti Oil, or Head Matter, the Produce of Fish or Creatures living in the Sea, taken and caught by the Crew of a British built Ship or Vessel, wholly owned by His Majesty's Subjects usually residing in Great Britain, Ireland, or the Islands of Guernsey, Jersey, Alderney, Sark or Man, registered and navigated according to Law, and imported in any such Shipping, the Tun containing 252 Gallons, British Content	0 8 3	—
- - - - - Train Oil, Spermaceti Oil, or Head Matter, the Produce of Fish or Creatures living in the Sea, taken and caught wholly by His Majesty's subjects usually residing in any Part of His Majesty's Dominions, and imported directly from any British Colony, Island, Plantation, Settlement or Territory, in a British built Ship or Vessel, owned, navigated and registered according to Law, the Tun containing 252 Gallons, British Content For the Suspension of the Duty on Train Oil, Spermaceti Oil or Head Matter, imported directly from the Island of Newfoundland, or the Coast of Labrador, until the 5th July 1824, <i>See</i> the Act to which this Table is annexed. For the Conditions, Regulations	1 0 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Oil — Train Oil, &c. <i>continued.</i>		
and Restrictions, under which Train Oil, Spermaceti Oil or Head Matter, may be admitted to Entry as British taken and caught, on Payment of Duty as before mentioned (as the Case may be), <i>See</i> the Act 45 Geo. 3. c. 18. sec. 22, 23, 24, and the Act to which this Table is annexed.		
- - - Train Oil, Spermaceti Oil, or Head Matter, the Produce of Fish or Creatures living in the Sea, of Foreign Fishing, the Tun containing 252 Gallons, British Content -	33 5 0	—
— of Turpentine, the lb. - - - -	0 0 8	—
— of Vitriol, the lb. - - - -	0 0 6	—
— Walnut Oil, the lb. - - - -	0 0 6	—
— Whale Oil, <i>See</i> Train Oil, in Oil.		
— Oil not particularly enumerated or described, nor otherwise charged with Duty, for every 100℥. of the Value - - - -	50 0 0	—
Oker, <i>See</i> Ochre.		
Olibanum, imported directly from the Place of its Growth, the cwt. - - - -	2 7 6	1 11 8
— imported not directly from the Place of its Growth, the cwt. - - - -	3 11 3	2 7 6
Olives, the Gallon, British Content - - - -	0 2 6	—
— Oil of, <i>See</i> Oil.		
Onion Seed, <i>See</i> Seed.		
Onions, the Bushel - - - - -	0 3 0	—
Open Tapes, <i>See</i> Tapes.		
Opium, imported directly from the Place of its Growth, the lb. - - - -	0 9 0	0 6 0
— imported not directly from the Place of its Growth, the lb. - - - -	0 13 6	0 9 0
— Extract or Preparation of, <i>See</i> Extract.		
Opopanax Gum, <i>See</i> Gum.		
Orange Flower Oil, <i>See</i> Oil.		
— Water, the Gallon, British Content	0 3 2	—
Oranges, imported in a British built Ship, the 1,000	1 5 0	—
— imported in a Ship not British built, the 1,000 - - - - -	1 7 6	—
— Juice of, <i>See</i> Juice.		
— Peel of, the lb. - - - - -	0 0 6	—
Orchal, Orchelia, or Archelia, the cwt. - - - -	0 16 8	—
Orchelia, <i>See</i> Orchal.		
Ordinary Oil of Olives, <i>See</i> Oil.		

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Ore, viz.		
— Copper, See Copper.		
— Gold, See Bullion.		
— Iron, See Iron.		
— Lead, See Lead.		
— Platina. See Platina.		
— Silver, See Bullion.		
— not otherwise enumerated or described, for every 100ℓ. of the Value	20 0 0	—
— Specimens of, See Specimens.		
Orpiment, the cwt.	1 8 6	—
Orrice, or Iris Root, the cwt.	1 8 6	—
Orsedew, the lb.	0 1 3	—
Ostrich Feathers, See Feathers.		
— Wool, See Wool.		
Otter Skins, See Skins.		
Otto, or Attar, or Oil of Roses, the oz.	0 6 0	—
Ounce Skins, See Skins.		
Outnal Thread, See Thread.		
Ox Hair, See Cow Hair, in Hair.		
— Hides, See Buffalo Hides, in Hides.		
— Horns, See Horns.		
— Tails, See Buffalo Tails, in Tails.		
Oysters, See Fish.		
P.		
Pack Duck, See Drillings in Linen.		
— Thread, See Thread.		
Packing Canvas, See Canvas, in Linen.		
Paddy. See Rice.		
Painted Paper, See Paper.		
Painters' Colours, not otherwise enumerated or described, for every 100ℓ. of the Value	50 0 0	—
Paintings on Glass, for every 100ℓ. of the Value	80 0 0	—
— — — — — and further, for every cwt. of glass	6 6 0	—
Palm Oil, See Oil.		
Panthers Skins, See Skins.		
Pantiles, See Tiles.		
Paper, viz.		
— Brown Paper made of old Rope or Cordage only, without separating or extracting the Pitch or Tar therefrom, and without any Mixture of other Materials therewith, the lb.	0 0 10	—
— printed, painted, or stained Paper, or Paper Hangings, or Flock Paper, the Yard square	0 1 7	—
— Waste Paper, or Paper of any other Sort, not particularly enumerated or described, nor otherwise charged with Duty, the lb.	0 1 7	—

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
Paradise, Grains of, <i>See</i> Grains.	£. s. d.	£. s. d.
Parchment, the Dozen Sheets - - -	0 10 0	—
Pasteboards, the cwt. - - -	3 8 2	—
Paving Stones, <i>See</i> Stones.		
— Tiles, <i>See</i> Tiles.		
Pearl Ashes, <i>See</i> Ashes.		
Pearl Barley, the cwt. - - -	0 17 6	—
Pearls, for every 100 <i>l.</i> of the Value - -	5 0 0	—
Pears, the Bushel - - -	0 7 6	—
— dried, the Bushel - - -	0 10 0	—
Peas, <i>See</i> Corn and Seed.		
Pebble Stones, <i>See</i> Stones.		
Pellitory, the lb. - - -	0 0 6	0 0 4
Pelts, <i>See</i> Skins.		
Pencils, for every 100 <i>l.</i> of the Value - -	50 0 0	—
— of Slate, <i>See</i> Slate Pencils.		
Pens, for every 100 <i>l.</i> of the Value - - -	50 0 0	—
Peony Seed, <i>See</i> Piony Seed, in Seed.		
Pepper, <i>viz.</i>		
— Cayenne Pepper, and Guinea Pepper, the lb. - - -	0 2 6	—
— Long Pepper, the lb. - - -	0 2 6	—
— Capsicum or Chillies, the lb. - - -	0 2 6	—
Perfumed Dust, <i>See</i> Hair Powder.		
— Oil, <i>See</i> Oil.		
Perry, the Tun containing 252 Gallons, British Content - - -	34 18 0	—
Peruvianus Cortex, <i>See</i> Peruvian Bark, in Bark.		
Pickles of all Sorts, not otherwise enumerated or described, the Gallon, British Content -	0 5 0	—
Picture Frames, <i>See</i> Frames.		
Pictures, <i>viz.</i>		
— under Two Feet Square, the Picture -	3 8 0	—
— of Two Feet Square, and under Four Feet Square, the Picture - - -	6 16 0	—
— of Four Feet Square, or upwards, the Picture - - -	10 4 0	—
Pig Iron, <i>See</i> Iron.		
— Lead, <i>See</i> Lead.		
Pill Boxes, <i>See</i> Boxes.		
Pimento, <i>viz.</i>		
— of the British Plantations, the lb. -	0 0 10	0 0 9
— not of the British Plantations, the lb. -	0 1 3	—
Pine Oil, <i>See</i> Oil.		
Pink Root, the lb. - - -	0 0 10	0 0 6
Piony or Peony Seed, <i>See</i> Seed.		
Pistachio Nuts, <i>See</i> Nuts.		
Pitch, <i>viz.</i>		
— imported in a British built Ship, the cwt. -	0 0 10	—
— imported in a Ship not British built, the cwt.	0 0 11	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Pitch, <i>continued.</i>		
— the Produce of any British Colony or Plantation, the cwt. - - -	0 0 9	—
— Burgundy Pitch, the cwt. - - -	0 14 3	—
— Jew's Pitch, <i>See</i> Bitumen Judaicum.		
Plain Tiles, <i>See</i> Tiles.		
Plants, Shrubs, and Trees alive, Duty free.		
Plaster of Paris, the cwt. - - -	0 2 6	—
Plate, <i>viz.</i>		
— battered, fit only to be remanufactured, <i>See</i> Bullion.		
— of Gold, the oz. Troy - - -	3 16 9	—
— of Silver Gilt, the oz. Troy - - -	0 6 4	—
- - - part Gilt, the oz. Troy - - -	0 6 0	—
- - - ungilt, the oz. Troy - - -	0 4 6	—
Plated Wire, <i>See</i> Gilt Wire, in Wire.		
Plate Glass, <i>See</i> Glass.		
Platina, the oz. - - -	0 1 0	—
— Ore of, for every 100 <i>l.</i> of the Value - - -	5 0 0	—
Platting, or other Manufactures to be used in or proper for making Hats or Bonnets, <i>viz.</i>		
— of Bast, Chip, Cane, or Horse Hair, the lb. - - -	1 0 0	—
— of Straw, the lb. - - -	0 17 0	—
Playing Cards, <i>See</i> Cards.		
Plums dried, the lb. - - -	0 1 3	—
Polishing Rushes, for every 100 <i>l.</i> of the Value - - -	20 0 0	—
— Stones, <i>See</i> Stones.		
Polonia Wool, <i>See</i> Wool.		
Potatum, for every 100 <i>l.</i> of the Value - - -	50 0 0	—
Pomegranates, the 1,000 - - -	1 10 0	—
— Peels of, the cwt. - - -	0 15 0	—
Poppies Heads, <i>See</i> Capita Papaverum.		
Porcelain, <i>See</i> China Ware.		
Portugal, Territories and Dominions of the Crown of.		
<i>Note.</i> — Goods, Wares, and Merchandize, being of the Growth, Produce, or Manufacture of any of the Territories or Dominions of the Crown of Portugal, imported directly from any of the said Territories or Dominions, in a Ship or Vessel built in any of the said Territories or Dominions, or taken by any Ship or Vessel of War belonging to the Portuguese Government, or by any Ship or Vessel belonging to any of the Subjects of the Territories or Dominions aforesaid, having Commissions and Letters of Marque and Reprisals from the Portu-		

TABLE (A). — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
<p>Portugal, <i>continued.</i></p> <p>guese Government, and condemned as lawful Prize in any Court of Admiralty of the said Government, such Ship or Vessel being owned by Subjects of the said Government, and navigated with a Master and Three fourths of the Mariners at least Subjects of the said Government, may be entered and landed on Payment of such Duties of Customs, and no higher, as are payable on Goods, Wares, and Merchandize of the like Denomination or Description, upon their Importation from any other Foreign Country in British built Ships or Vessels, owned, navigated, and registered according to Law ; and in Cases where different Duties are imposed upon any Goods, Wares, and Merchandize of the like Denomination or Description so imported from different Foreign Countries, then upon Payment of the lowest Duties which by Law are required to be paid on the Importation in British built Ships or Vessels of any such Goods, Wares, or Merchandize from any Foreign Country ; and on the Exportation of such Goods, Wares, or Merchandize, the same Drawbacks shall be paid or allowed as on other Goods of the like Description exported ; and on the Exportation of any Goods to the said Territories or Dominions, the same Drawbacks shall be paid or allowed as on the Exportation of Goods of the like Description, when exported to any of the Islands, Plantations, or Colonies belonging to the Crown of Great Britain in America. See 51 Geo. 3. cap. 47. which Act is to be in force during the Continuance of the Treaty of Amity, Commerce, and Navigation, concluded between His late Majesty and His Royal Highness the Prince Regent of Portugal, signed at Rio de Janerio, the 19th of February 1810.</p>		
Pot Ashes, <i>See</i> Ashes.		
Potatoes, the cwt. - - - - -	0 2 0	—
Pots, <i>viz.</i>		
— Melting Pots for Goldsmiths, the 100	0 3 2	—
— of Stone, for every 100l. of the Value	50 0 0	—

TABLE (A.)—INWARDS.	British Currency.			
	Duty.			Drawback.
	£.	s.	d.	£. s. d.
Pottery, <i>See</i> Earthenware				
Powder, <i>viz.</i>				
— of Brass for Japanning, the lb. - -	0	5	6	—
— of Bronze, for every 100 <i>l.</i> of the Value -	50	0	0	—
— Gunpowder, <i>See</i> in G.				
— Hair Powder, <i>See</i> in H.				
— Powder not otherwise enumerated or described, that will serve for the same Uses as Starch, the cwt. - - -	9	10	0	—
Precious Stones, <i>See</i> Jewels.				
Printers' Ink, <i>See</i> Ink for Printers.				
Prints and Drawings, <i>viz.</i>				
— Plain, each. - - - -	0	0	1	—
— Coloured, each - - - -	0	0	2	—
— in Books, <i>See</i> Books.				
Prunelle, Sal, <i>See</i> Sal.				
Prunelloes, the lb. - - - -	0	1	3	—
Prunes, imported in a British built Ship, the cwt. -	1	7	6	—
— imported in a Ship not British built, the cwt. - - - -	1	8	6	—
Puddings, <i>See</i> Sausages.				
Pumice Stone, <i>See</i> Stone.				
Pymont Water, <i>See</i> Mineral Water, in Water.				
Q.				
Quassia, the cwt. - - - -	8	17	6	—
— Extract or Preparation of, <i>See</i> Extract.				
Quercitron, or Black Oak Bark, <i>See</i> Bark.				
Quern Stones, <i>See</i> Stone.				
Quicksilver, the lb. - - - -	0	1	8	0 1 1
Quills, <i>viz.</i>				
— Goose Quills, the 1,000 - - - -	0	2	6	—
— Swan Quills, the 1,000 - - - -	0	12	0	—
Quinces, the 100 - - - -	0	4	0	—
Quince Seed, <i>See</i> Seed.				
R.				
Racoon Skins, <i>See</i> Skins.				
Radix, <i>viz.</i>				
— Contrayervæ, the lb. - - - -	0	1	8	0 1 1
— Enulæ Campanæ, the cwt. - - - -	0	13	6	0 9 0
— Eringii, the lb. - - - -	0	0	6	0 0 4
— Ipecacuanna, the lb. - - - -	0	4	0	0 2 8
— Rhatanix, the lb. - - - -	0	2	0	0 1 4
— - - - - Extract or Preparation of, <i>See</i> Extract.				
— Senekæ, the lb. - - - -	0	1	9	0 1 2
— Serpentariæ, or Snake Root, the lb. -	0	1	9	0 1 2
Rag Stone, <i>See</i> Stone.				

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Rags, viz.		
— Old Rags, Old Ropes or Junk, or Old Fishing Nets, fit only for making Paper or Pasteboard, the Ton containing 20 cwt.		
- - - imported in a British built Ship	1 6 0	—
- - - imported in a Ship not British built	1 10 0	—
— Woollen Rags, fit only for the Purpose of Manure, the Ton containing 20 cwt.		
- - - - - imported in a British built Ship	0 13 0	—
- - - - - imported in a Ship not British built	0 15 0	—
Raisins, viz.		
— Denia or Lexia, imported in a British built Ship, the cwt.	1 0 0	0 18 0
- - - - - imported in a Ship not British built, the cwt.	1 1 0	0 18 0
— of the Sun, imported in a British built Ship, the cwt.	2 2 6	1 18 0
- - - - - imported in a Ship not British built, the cwt.	2 3 6	1 18 0
— of any other Sort, imported in a British built Ship, the cwt.	1 2 0	1 0 0
- - - - - imported in a Ship not British built, the cwt.	1 3 0	1 0 0
<i>Note.</i> — No allowance of the Duty on Raisins to be made on account of Damage. See the Act to which this Table is annexed.		
Rape Cakes, the cwt.		
— Seed, See Seed.		
— Seed Oil, See Oil.		
— of Grapes, the Tun containing 252 Gallons, British Content	11 1 8	—
Ratafia, See Cordial Water, in Spirits.		
Rattans, See Canes.		
Raw Linen Yarn, See Yarn.		
— Silk, See Silk.		
Red Lead, See Lead.		
— Mangrove Bark, See Bark.		
— Wool, See Wool.		
Reed Canes, See Canes.		
Rein Deer Tongues, See Tongues.		
Rennett, the Gallon, British Content	0 0 6	—
Resina Jalappæ, the lb.	0 6 9	0 4 6
Rhatany Root, See Radix Rhatanisæ.		
Rhinehurst, the cwt.	0 14 3	0 9 6
— Oil of, See Oil.		

TABLE (A.)—INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Rhubarb, the lb. - - - -	0	4	0	0	2	8
Rice, viz.						
— the Produce of, and imported directly from any British Colony, Plantation, Territory or Dominion,						
- - - - - not being rough and in the Husk, the cwt. - - - -	0	5	0	—		
- - - - - rough and in the Husk, or Paddy, the Bushel - - - -	0	0	7½	—		
— not being the Produce of, and imported directly from any British Colony, Plantation, Territory or Dominion, and Rice the Produce of any other Country or Place,						
- - - - - not being rough and in the Husk, the cwt. - - - -	0	15	0	—		
- - - - - rough and in the Husk, or Paddy, the Bushel - - - -	0	2	6	—		
For the Allowance on the Exportation of clean Rice produced from such rough Rice, See the Act to which this Schedule is annexed.						
Riga Balsam, See Balsam.						
Roch Allum, See Allum.						
Rock Moss, See Moss.						
— Oil, See Oil.						
Rocou, See Annotto.						
Ropes of Bast, See Bast Ropes.						
— New, See Cordage.						
— Old, See Rags.						
Rose Copper, See Copper.						
Rosemary, Oil of, See Oil.						
Roses, Leaves of, See Leaves.						
— Oil of, See Otto of Roses.						
— Oil of, See Oil.						
Rosin, or Colophonia,						
— imported in a British built Ship, the cwt. -	0	4	9	—		
— imported in a Ship not British built, the cwt. -	0	5	6	—		
— the Produce of any of the Dominions or Plantations belonging to the Crown of Great Britain, the cwt. -	0	3	2	—		
Rubies, See Jewels.						
Rum, See Spirits.						
Russia Linen, See Linen.						
— Mats, See Mats.						
Rye, See Corn.						
S.						
Sabadilla Seed, See Seed.						

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Sable Skins, <i>See</i> Skins.		
Saccharum Saturni, the lb. - - -	0 0 10	0 0 6
Safflower, the cwt. - - -	0 8 9	—
Saffron, the lb. - - -	0 7 6	0 5 0
Sagapenum Gum, <i>See</i> Gum.		
Sago, or Sago Powder, the cwt. - -	1 10 0	—
Sail Cloth, or Sail Duck, <i>See</i> Sail Cloth, in Linen.		
Sails, <i>See</i> Linen.		
Sal, <i>viz.</i>		
— Ammoniac, the lb. - - -	0 0 6	—
— Gem, the cwt. - - -	0 8 0	—
— Limonum, the lb. - - -	0 4 9	—
— Prunelle, the lb. - - -	0 0 6	—
— Succini, the lb. - - -	0 3 2	—
Salad Oil, <i>See</i> Oil of Olives.		
Salep, or Salop, imported directly from the Place of its Growth, the lb. - - -	0 1 3	0 0 10
———— imported not directly from the Place of its Growth, the lb. - -	0 1 10	0 1 3
Salt. For the Duty payable on Salt imported into Ireland, <i>See</i> 3 G. 4. c. 99.		
Saltpetre, the cwt. - - -	0 0 6	—
Sand Boxes, <i>See</i> Boxes.		
Sandal Wood, Oil of, <i>See</i> Oil.		
Sandarach Gum, <i>See</i> Gum.		
Sanguis Draconis, imported directly from the Place of its Growth, the lb. - - -	0 1 8	0 1 1
———— imported not directly from the Place of its Growth, the lb. - -	0 2 6	0 1 8
Sarcocolla Gum, <i>See</i> Gum.		
Sark, Island of, <i>See</i> Guernsey.		
Sarsaparilla, the lb. - - -	0 1 3	0 0 10
Sassafras, the cwt. - - -	0 6 4	—
———— Bark, <i>See</i> Bark.		
———— Oil of, <i>See</i> Oil.		
Saunders, <i>viz.</i>		
———— Red, the Ton, containing 20 cwt. -	0 15 0	—
———— White or Yellow, the lb. - - -	0 0 10	—
Sausages, or Puddings, the lb. - - -	0 1 3	—
Scaleboards, the cwt. - - -	3 8 2	—
Scammony, imported directly from the Place of its Growth, the lb. - - -	0 6 4	0 4 2
———— imported not directly from the Place of its Growth, the lb. - - -	0 9 6	0 6 4
Scilla, <i>See</i> Squills.		
Scio, Turpentine of, <i>See</i> Turpentine.		
Sculptured Marble, <i>See</i> Stone.		
Sea Cow, Sea Horse, or Sea Morse Teeth, the cwt. - - -	3 4 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Sealing Wax, <i>See</i> Wax.		
Seal Oil, <i>See</i> Train Oil, in Oil.		
— Skins, <i>See</i> Skins.		
Seed, <i>viz.</i>		
— Acorns, the Bushel - - -	0 1 0	—
— Ammi, or Amios Seed, the lb. - - -	0 0 6	—
— Anniseed, the cwt. - - -	3 0 0	—
— Burnet Seed, the cwt. - - -	1 0 0	—
— Canary Seed, the cwt. - - -	3 0 0	—
— Carraway Seed, the cwt. - - -	1 10 0	—
— Carrot Seed, the lb. - - -	0 0 9	—
— Carthamus Seed, the lb. - - -	0 0 6	—
— Castor Seed, the lb. - - -	0 0 4	—
— Cevadilla Seed, <i>See</i> Sabadilla Seed.		
— Clover Seed, the cwt. - - -	1 0 0	—
— Cole Seed, the Last - - -	10 0 0	—
— Coriander Seed, the cwt. - - -	0 15 0	—
— Cummin Seed, the cwt. - - -	1 0 0	—
— Fennel Seed, the lb. - - -	0 0 9	—
— Fenugreek Seed, the cwt. - - -	0 9 6	—
— Flax Seed, the Bushel - - -	0 0 5	—
— Forest Seed, the lb. - - -	0 1 0	—
— Garden Seed, not particularly enumerated or described, nor otherwise charged with Duty, the lb. - - -	0 1 0	—
— Grass Seed of all Sorts, the cwt. - - -	1 0 0	—
— Hemp Seed, the Quarter, containing 8 Bushels, until 25th March 1824, inclusive - - -	1 0 0	—
- - - - - from and after 25th March 1824, the Quarter, contain- ing 8 Bushels - - -	2 0 0	—
- - - - - the Produce of, and imported from the British Colonies or Plantations in America, the Quarter, containing 8 Bushels	0 1 0	—
— Linseed, the Bushel - - -	0 0 5	—
— Leek Seed, the lb. - - -	0 1 6	—
— Lucerne Seed, the cwt. - - -	1 0 0	—
— Maw Seed, the cwt. - - -	3 0 0	—
— Millet Seed, the cwt. - - -	0 11 6	—
— Mustard Seed, the Bushel - - -	0 8 0	—
— Onion Seed, the lb. - - -	0 1 6	—
— Parsley Seed, the lb. - - -	0 0 1	—
— Peas, when prohibited to be imported as Corn, the Bushel - - -	0 7 6	—
— Piony, or Peony Seed, the lb. - - -	0 0 6	—
— Quince Seed, the lb. - - -	0 3 0	—
— Rape Seed, the Last - - -	10 0 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
Seed, <i>continued.</i>	£. s. d.	£. s. d.
— Sabadilla, or Cevadilla Seed, the lb. -	0 1 0	—
— Shrub or Tree Seed, not otherwise enumerated, the lb. - - - -	0 1 0	—
— Trefoil Seed, the cwt. - - - -	1 0 0	—
— Worm Seed, imported directly from the Place of its Growth, the lb.	0 1 6	0 1 0
- - - - - imported not directly from the Place of its Growth, the lb.	0 2 3	0 1 6
— All Seeds not before enumerated, nor charged with Duty, commonly made use of for the Purpose of extracting Oil therefrom, the Last containing 10 Quarters, each Quarter containing 8 Bushels - - - -	10 0 0	—
— All other Seed not particularly enumerated or described, nor otherwise charged with Duty, for every 100 <i>l.</i> of the Value -	50 0 0	—
Seed Lac, <i>See</i> Lac, in Gum.		
— Oil, <i>See</i> Oil.		
Segars, manufactured of Tobacco, the lb. - -	0 16 0	—
Sena, imported directly from the Place of its Growth, the lb. - - - -	0 1 3	0 0 10
— imported not directly from the Place of its Growth, the lb. - - - -	0 1 10	0 1 3
Senegal Gum, <i>See</i> Gum.		
Senekæ Radix, } <i>See</i> Radix.		
Serpentariæ Radix, }		
Shaven Latten, <i>See</i> Latten.		
Shaving for Hats, <i>See</i> Platting.		
Sheep Skins, <i>See</i> Skins.		
— Wool, <i>See</i> Wool.		
Shells of Mother of Pearl, for every 100 <i>l.</i> of the Value - - - - -	5 0 0	—
Shell Lac, <i>See</i> Lac, in Gum.		
Ships to be broken up, with their Tackle, Apparel, and Furniture (except Sails), for every 100 <i>l.</i> of the Value - - - - -	50 0 0	—
Shrubs, <i>See</i> Plants.		
Shumach, <i>See</i> Sumach.		
Sienna Terra, <i>See</i> Terra.		
Silesia Lawns, <i>See</i> Lawns, in Linen.		
— Linen, <i>See</i> German Linen, in Linen.		
Silk, <i>viz.</i>		
— Knubs or Husks of Silks, the lb. - -	0 4 0	0 1 8
— Net, or Tulle, <i>See</i> Lace.		
— Raw Silk, the lb. - - - -	0 5 6	0 2 9
— Thrown Silk, dyed, the lb. - - - -	2 5 6	0 19 2
- - - - - not dyed, the lb. - - - -	0 14 8	0 6 2
— Waste or Floss Silk, not otherwise enumerated or described, the lb. - - - -	0 4 0	0 1 8

TABLE (A.) — INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Silk Worm Gut, for every 100 <i>l.</i> of the Value -	20	0	0	—		
Silver Coin, <i>See</i> Bullion.						
Silver Plate, <i>See</i> Plate.						
— Wire, <i>See</i> Wire.						
Simarouba Cortex, <i>See</i> Bark.						
Singing Birds, <i>See</i> Birds.						
Sisters Thread, <i>See</i> Thread.						
Skates for Sliding, for every 100 <i>l.</i> of the Value -	50	0	0	—		
Skins and Furs, <i>viz.</i>						
— Badger Skins, undressed, the Skin -	0	1	6	0	1	4
— Bear Skins, undressed, the Skin -	0	4	6	—		
* - - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin - - -	0	2	6	—		
— Beaver Skins, undressed, the Skin -	0	0	8	—		
* - - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin - - -	0	0	4	—		
— Buck, or Deer Skins, <i>See</i> Deer Skins.						
— Calabar Skins, <i>See</i> Squirrel Skins.						
— Calves Skins and Kip Skins in the Hair, not tanned, tawed, curried or in any Way dressed,						
- - - dry,						
- - imported in a British built Ship, the cwt. - - -	0	4	8	—		
- - imported in a Ship not British built, the cwt. - - -	0	14	0	—		
- - - wet,						
- - imported in a British built Ship, the cwt. - - -	0	2	4	—		
- - imported in a Ship not British built, the cwt. - - -	0	7	0	—		
- - - the Produce of and imported from the West Coast of Africa, not ex- ceeding 7 lbs. Weight each Skin, the cwt. - - -	0	2	4	—		
- - - tanned, and not otherwise dressed, the lb. - - -	0	1	0	—		
— Cat Skins, undressed, the Skin - - -	0	0	6	—		
* - - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin - - -	0	0	3	—		
— Coney Skins, undressed, the 100 Skins -	0	1	0	—		
— Deer Skins, undressed, the Skin - - -	0	0	4	—		

TABLE (A.)—INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Skin,— Deer Skins, &c. <i>continued.</i>						
- - - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin - - -	0	0	2	—		
- - - - Indian, half dressed, the Skin - - -	0	0	8	—		
- - - - undressed or shaved, the Skin - - -	0	0	4	—		
— Dog Skins in the Hair, not tanned, tawed or in any way dressed, - - - - imported in a British built Ship, the Dozen Skins - - -	0	0	10	—		
- - - - imported in a Ship not British built, the Dozen Skins - - -	0	5	6	—		
— Dog Fish Skins, undressed, the Dozen Skins - - -	0	5	2	—		
— Elk Skins in the Hair, not tanned, tawed, curried or in any way dressed, - - - - imported in a British built Ship, the Skin - - -	0	1	0	—		
- - - - imported in a Ship not British built, the Skin - - -	0	2	0	—		
— Ermine Skins, undressed, the Skin - - -	0	0	8	0	0	7
— Fisher's Skins, undressed, the Skin - - -	0	1	0	—		
- - - - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin - - -	0	0	6	—		
— Fitches Skins, undressed, the Dozen Skins - - -	0	3	2	0	2	10
— Fox Skins, undressed, the Skin - - -	0	0	8	—		
* - - - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin - - -	0	0	4	—		
- - - - - Tails, undressed, for every 100% of the Value - - - -	20	0	0	—		
— Goat Skins, viz.						
- - - - raw or undressed, imported in a British built Ship, the Dozen Skins - - -	0	2	10	—		
- - - - - imported in a Ship not British built, the Dozen Skins - - -	0	12	8	—		
- - - - tanned, the Dozen Skins - - -	2	0	0	—		
— Hare Skins, undressed, the 100 Skins - - -	0	5	6	—		
— Huse Skins, undressed, the Skin - - -	0	0	6	—		
— Kid Skins in the Hair, the 100 Skins - - -	0	1	7	0	1	5
- - - - dressed, the 100 Skins - - -	2	0	0	—		
— Kip Skins, <i>See Calves Skins.</i>						

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
<i>Skins, continued.</i>		
— Lamb Skins, viz.		
- - - undressed, in the Wool, the 100 Skins - - -	0 14 0	—
- - - tanned, or tawed, the 100 Skins - - -	2 0 0	—
- - - dressed in Oil, the 100 Skins - -	4 0 0	—
— Leopard Skins, undressed, the Skin - -	0 9 6	0 9 0
— Lion Skins, undressed, the Skin - - -	0 6 0	—
— Martin Skins, undressed, the Skin - - -	0 0 6	—
- - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin - - -	0 0 3	—
- - - Tails, undressed, the 100 Tails -	0 16 3	0 15
— Mink Skins, undressed, the Skin - - -	0 0 4	—
- - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin - - -	0 0 2	—
- - - dressed, the Skin - - -	0 2 0	—
— Mole Skins, undressed, the Dozen Skins -	0 0 6	0 0 0
— Musquash Skins, undressed, the 100 Skins -	0 12 6	—
— Nutria Skins, undressed, the 100 Skins -	0 12 6	—
— Otter Skins, undressed, the Skin - - -	0 1 6	—
* - - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin - - -	0 1 0	—
— Ounce Skins, undressed, the Skin - - -	0 7 6	—
— Panther Skins, undressed, the Skin - -	0 9 6	—
— Pelts of Goats, undressed, the Dozen Pelts - - -	0 3 0	—
- - - dressed, the Dozen Pelts - - -	0 6 0	—
- - of all other Sorts, undressed, the 100 Pelts - - -	0 17 0	—
— Raccoon Skins, undressed, the Skin - -	0 0 2	—
- - - undressed, imported from any British Colony, Plantation or Settlement, in America, the Skin - - -	0 0 1	—
— Sable Skins, undressed, the Skin - - -	0 8 4	0 7 6
- - - Tails, or Tips of Sable, undressed, the Piece - - -	0 1 3	0 1 1
— Seal Skins in the Hair, not tanned, tawed or in any Way dressed, - - - imported in a British built Ship, the Skin - - -	0 0 3	—
- - - imported in a Ship not British built, the Skin - - -	0 1 3	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
<i>Skins, — Seal Skins, &c. continued.</i>		
- - - - - of British taking, and imported directly from Newfoundland, the Skin	0 0 1	—
— Skins of Seals taken in any Foreign Fishery, by Persons not being British Subjects, the Skin	0 0 6	—
— Sheep Skins, undressed, in the Wool, the Dozen Skins	0 2 3	—
- - - - - tanned or tawed, the 100 Skins	2 0 0	—
- - - - - dressed in Oil, the 100 Skins	4 0 0	—
— Squirrel, or Calabar Skins, undressed, the 100 Skins	0 11 6	0 10 4
- - - - - tawed, the 100 Skins	0 17 6	—
- - - - - Tails undressed, for every 100 <i>l.</i> of the Value	20 0 0	—
— Swan Skins, undressed, the Skin	0 2 3	—
— Tiger Skins, undressed, the Skin	0 9 6	0 8 6
— Weasel Skins, undressed, the 100 Skins	0 4 9	0 4 3
— Wolf Skins, undressed, the Skin	0 2 0	—
* - - - - undressed, imported from any British Colony, Plantation or Settlement in America, the Skin	0 1 0	—
- - - - - tawed, the Skin	0 17 6	—
— Wolverings, undressed, the Skin	0 1 0	—
- - - - - undressed, imported from any British Colony, Plantation, or Settlement in America, the Skin	0 0 6	—
— Skins and Furs, or Pieces of Skins and Furs, raw or undressed, not particularly enumerated or described, nor otherwise charged with Duty, for every 100 <i>l.</i> of the Value	20 0 0	—
— Skins and Furs, or Pieces of Skins and Furs, tanned, tawed, curried or in any Way dressed, not particularly enumerated or described, nor otherwise charged with Duty, for every 100 <i>l.</i> of the Value	75 0 0	—
The Duty on Skins marked *, being the Produce of and imported directly from the Island of Newfoundland, is suspended until the 5th July 1824, See the Act 59 G. 3. c. 83.		
Slate, See Stone.		
— Pencils, for every 100 <i>l.</i> of the Value	20 0 0	—
Slate, Tables of, Slates in Frames, Slick Stones,	} See Stone.	

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Smalts, the lb. - - - - -	0 0 9½	—
Smyrna Raisins, <i>See</i> Raisins.		
Snake Root, <i>See</i> Radix Serpentariæ.		
Snuff, the lb. - - - - -	0 6 0	—
Soap, <i>viz.</i>		
— Ashes, <i>See</i> Ashes.		
— Hard, the cwt. - - - - -	4 10 0	—
— Soft, the cwt. - - - - -	3 11 3	—
Soapers' Waste, the Ton containing 20 cwt. -	0 3 2	—
Socotorina Aloes, <i>See</i> Aloes.		
Soda, <i>See</i> Alkali.		
Spa Ware, for every 100℥. of the Value -	50 0 0	—
— Water, <i>See</i> Mineral Water, in Water.		
Spanish Wool, <i>See</i> Wool.		
Specimens of such Minerals, Fossils or Ores, which are not particularly enumerated or described, nor otherwise charged with Duty, each Specimen not exceeding in Weight 14 lbs. -	Free.	—
— exceeding in Weight 14 lbs. each, for every 100℥. of the Value -	5 0 0	—
— illustrative of Natural History, not otherwise enumerated or described, for every 100℥. of the Value -	5 0 0	—
Spelter, the cwt. - - - - -	1 8 6	—
Spermaceti, <i>viz.</i>		
— Candles, <i>See</i> Candles.		
— Fine, the lb. - - - - -	0 1 6	—
— Oil, <i>See</i> Train Oil, in Oil.		
Spike, Oil of, <i>See</i> Oil.		
Spikenard, or Nardus Indica, the lb. - -	0 2 9	0 1 10
Spirits, <i>viz.</i>		
— Arquebusade Water, Hungary Water, Lavender Water, or Usquebaugh, the Gallon, British Content, single -	1 2 6½	—
- - - - - the Gallon, British Content, if above Proof -	1 16 0½	—
— Brandy, imported in a British built Ship, the Gallon, British Content -	0 18 10½	—
- - - - if above Proof, the Gallon, British Content -	1 12 4½	—
- - - imported in a Ship not British built, the Gallon, British Content -	0 19 0½	—
- - - - if above Proof, the Gallon, British Content -	1 12 6½	—

TABLE (A.) — INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
<i>Spirits, continued.</i>						
— Citron Water, the Gallon, British Content	1	7	9½	—		
- - - - if above Proof, the Gallon, British Content	2	1	3½	—		
— Geneva, imported in a British built Ship, the Gallon, British Content	0	18	10½	—		
- - - - if above Proof, the Gallon, British Content	1	12	4½	—		
- - - imported in a Ship not British built, the Gallon, British Content	0	19	0½	—		
- - - - if above Proof, the Gallon, British Content	1	12	6½	—		
— Hungary Water, } <i>See Arquebusade</i>						
— Lavender Water, } <i>Water.</i>						
— Rum, the Produce of any British Colony or Plantation in America, the Gallon, British Content	0	11	7½	—		
- - - - if above Proof, the Gallon, British Content	1	1	3	—		
- - of any other Sort, the Gallon, British Content	0	18	6½	—		
- - - - if above Proof, the Gallon, British Content	1	12	0½	—		
— Usquebaugh, <i>See Arquebusade Water.</i>						
— Whiskey, the Produce of any British Colony or Plantation in America, the Gallon, British Content, single	0	11	7½	—		
- - - - the Gallon, British Content, if above Proof	1	1	3	—		
— Spirits and Cordial or Strong Waters, not particularly enumerated or described, nor otherwise charged with Duty, the Gallon, British Content, single	1	2	6½	—		
- - - - the Gallon, British Content, if above Proof	1	16	0½	—		
Foreign Liquors — Derelict, Jestsam, Flotsam, Lagan or Wreck, brought or coming into Ireland, are subject to the same Duties, and entitled to the same Drawbacks as Liquors of the like Kind regularly imported.						
Sponge, imported directly from the Place of its Growth, the lb.	0	2	0	0	1	4
— imported not directly from the Place of its Growth, the lb.	0	3	0	0	2	0
Spruce Beer, <i>See Beer.</i>						

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Dutiable.
	£. s. d.	£. s. d.
Spruce, <i>continued</i> .		
— Essence of, <i>See</i> Essence.		
— Canvas, <i>See</i> Canvas, in Linen.		
Squills, dried, the cwt. - - -	1 0 0	—
— not dried, the cwt. - - -	0 5 0	—
Squirrel Skins, <i>See</i> Skins.		
Stag Horns, <i>See</i> Horns.		
Stained Paper, <i>See</i> Paper.		
Starch, the cwt. - - -	9 10 0	—
Statuary, - - -		
Statues of Marble or Stone } <i>See</i> Sculptured sculptured, } Marble, in Stone.		
Stavesacre, the cwt. - - -	1 8 0	0 18 8
Steel, or any Manufacture of Steel, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value - - -	50 0 0	—
— Wire, <i>See</i> Wire.		
Stibium, <i>See</i> Antimony.		
Stick Lac, <i>See</i> Lac, in Gum.		
Sticks, <i>viz.</i> Walking Sticks, for every 100 <i>l.</i> of the Value - - -	50 0 0	—
Stock Fish, <i>See</i> Fish.		
Stockings, <i>viz.</i> — of Cotton for every 100 <i>l.</i> of the Value	50 0 0	—
— of Thread or Worsted, for every 100 <i>l.</i> of the Value - - -	50 0 0	—
Stone, <i>viz.</i> — Burrs for Mill Stones, the 100 <i>See</i> Note under the Head of Guernsey.	3 16 0	—
— Dog Stones, not exceeding 4 Feet in Dia- meter, above 6 and under 12 Inches in Thickness, the Pair - - -	6 3 6	—
— Emery Stones, the cwt. - - -	0 2 0	—
— Filtering Stones, for every 100 <i>l.</i> of the Value - - -	50 0 0	—
— Flint Stones for Potters, the Ton contain- ing 20 cwt. - - -	0 2 6	—
— Grave Stones of Marble, polished, each not containing more than Two Feet square, the Foot square, superfi- cial Measure - - -	0 2 6	—
- - - - - unpolished, the Foot square, su- perficial Mea- sure - - -	0 0 10	—
- - - - - not of Marble, polished or un- polished, the Foot square, superficial Measure - - -	0 0 6	—

TABLE (A.)—INWARDS	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Stone, <i>continued.</i>		
— Lime Stone, for every 100l. of the Value	20 0 0	—
— Marble, in any Way manufactured, (except Grave Stones and Paving Stones, each not containing more than 2 Feet square,) the cwt.	0 3 0	—
— Marble Blocks, the solid Foot	0 3 0	—
— Marble Busts,	} See Marble in any Way manufactured.	
- - - Chimney Pieces,		
- - - Statues,		
— Marble Paving Stones, polished, each not containing more than Two Feet square, the Foot square, superficial Measure	0 0 10	—
- - - - - rough, the Foot square, superficial Measure	0 0 6	—
— Mill Stones, above 4 Feet in Diameter, or if 12 Inches in Thickness or upwards, the Pair	11 8 0	—
— Paving Stones, not of Marble, the 100 Feet square, superficial Measure	0 12 0	—
See Note under the Head of Guernsey.		
— Pebble Stones, the Ton containing 20 cwt.	0 13 6	—
— Polishing Stones, for every 100l. of the Value	20 0 0	—
— Pumice Stones, the Ton containing 20 cwt.	1 13 4	—
— Quern Stones, under 3 Feet in Diameter, and not exceeding 6 Inches in Thickness, the Pair	0 8 9	—
- - - - - 3 Feet in Diameter, and not above 4 Feet in Diameter, and not exceeding 6 Inches in Thickness, the Pair	0 17 6	—
— Rag Stones, for every 100l. of the Value	20 0 0	—
— Sculptured Marble and Statuary, See Marble in any Way manufactured.		
<p><i>Note.</i>—If any Statue, Group of Figures, or other Stone or Marble Ornament carved out of the same Block, shall exceed One Ton Weight, the Duty to be charged thereon shall be estimated at the Rate payable for One Ton Weight, and no more.</p>		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Stone, <i>continued.</i>		
—— Slate, the Produce of the Islands of Guernsey, Jersey, Sark, Alderney or Man, and imported from those Islands respectively, for every 100 <i>l.</i> of the Value - -	26 8 0	—
- - - of any other Country, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value - -	66 10 0	—
—— Slates in Frames, the Dozen - -	0 3 0	—
—— Slick Stones, the 100 - -	0 8 0	—
—— Statuary, <i>See</i> Sculptured Marble.		
—— Stone, sculptured, <i>See</i> Sculptured Marble.		
—— Stone to be used for the Purpose of Lithography, the cwt. - -	0 3 0	—
—— Whetstones, the 100 - -	0 8 9	—
—— Stones not particularly enumerated or described, nor otherwise charged with Duty, for every 100 <i>l.</i> of the Value -	66 10 0	—
—— Stone Bottles, <i>See</i> Bottles.		
Storax or Styrax, <i>viz.</i>		
—— Calamita, imported directly from the Place of its Growth, the lb. -	0 2 0	0 1 4
- - - imported not directly from the Place of its Growth, the lb. -	0 3 0	0 2 0
—— Liquida, imported directly from the Place of its Growth, the lb. -	0 3 4	0 2 2
- - - imported not directly from the Place of its Growth, the lb. -	0 5 0	0 3 4
—— in the Tear or Gum, imported directly from the Place of its Growth, the lb. -	0 8 4	0 5 6
- - - - - imported not directly from the Place of its Growth, the lb. -	0 12 6	0 8 4
Straw Hats or Bonnets, <i>See</i> Hats.		
—— Plating, <i>See</i> Plating.		
Stuffs of all Sorts, made of or mixed with Wool, for every 100 <i>l.</i> of the Value -	50 0 0	—
Sturgeon, <i>See</i> Fish.		
Styrax, <i>See</i> Storax.		
Succades, the lb. - - - -	0 3 2	—
—— of the British Plantations in America, the lb. - - - -	0 0 6	—
Succini Sal, <i>See</i> Sal.		
Succinum, the lb. - - - -	0 1 8	0 1 1
—— Oil of, <i>See</i> Oil of Amber, in Oil.		
Succus Liquoritia, <i>See</i> Liquorice Juice.		
Sugar, Brown or Muscovado, <i>viz.</i>		
—— not of the British Plantations, the cwt. -	3 3 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Sugar, Brown, &c. <i>continued.</i>		
— of the British Plantations, the cwt. -	1 10 0	—
Whenever it shall appear by Notice in The London Gazette that the Average Price of Brown or Muscovado Sugar of the British Plantations shall be below 49s. the cwt., it shall be lawful for the Lords of His Majesty's Treasury to suspend, until a new Average shall be published, 1s. the cwt., Part of the Duty on Sugar of the British Plantations; and if the Average Price shall be below 48s., 2s. the cwt. of such Duty; and if the Average Price shall be below 47s., then 3s. the cwt. of such Duty, and to continue from time to time if the Case shall so require, according to the Average Price so published. See the Act to which the Table is annexed.		
— Refined, the cwt. - - -	8 8 0	—
Sugar Candy, <i>viz.</i>		
— Brown, the cwt. - - -	5 12 0	—
— White, the cwt. - - -	8 8 0	—
Sulphur Impressions, for every 100l. of the Value	5 0 0	—
— Vivum, See Brimstone.		
Sumach, the cwt. - - -	0 1 7	—
Sun, Raisins of the, See Raisins.		
Swan Quills, See Quills.		
— Skins, See Skins.		
Sweep Washers Dirt, containing Bullion, See Bullion.		
Switzerland Linen, See German Linen, in Linen.		
T.		
Tables of Marble, polished, See Marble, in Stone.		
— Slate, See Stone.		
Tacamahaca Gum, See Gum.		
Tails, <i>viz.</i>		
— Buffalo, Bull, Cow or Ox Tails, the 100 -	0 6 0	—
— Fox Tails,	} See Skins.	
— Martin Tails,		
— Sable Tails,		
— Squirrel or Calabar Tails,)		
Talc, the lb. - - -	0 0 8	—
Tallow, imported in a British built Ship, the cwt.	0 3 2	—
— imported in a Ship not British built, the cwt. - - -	0 4 0	—
— Candles, See Candles.		
Tamarinds, the lb. - - -	0 0 8	—
— of the British Plantations in America, the lb. - - -	0 0 6	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Tapes, viz.		
— Open for every 100%. of the Value -	50 0 0	—
— Worsted, for every 100%. of the Value -	50 0 0	—
Tapestry, not of Silk, for every 100%. of the Value	50 0 0	—
Tapioca, or Tapioca Powder, the cwt. -	1 10 0	—
Tar, viz.		
— imported in a British built Ship, the Last containing 12 Barrels, each Barrel not exceeding 31½ Gallons, British Content -	1 1 6	—
— imported in a Ship not British built, the Last containing 12 Barrels, each Barrel not exceeding 31½ Gallons, British Content -	1 3 0	—
— the Produce of any British Colony or Plantation, the Last containing 12 Barrels, each Barrel not exceeding 31½ Gallons, British Content -	0 19 6	—
— Barbadoes Tar, the lb. -	0 0 5	—
Tares, the Quarter containing 8 Bushels -	0 10 0	—
Tarras, the Bushel -	0 1 3	—
Tartar, Cream of, <i>See</i> Cream of Tartar.		
Tea, <i>See</i> Table (B.)		
Teasles, the 1000 -	0 1 8	—
Teeth, viz.		
— Elephants' Teeth, <i>See</i> in E.		
— Sea Cow, Sea Horse or Sea Morse Teeth, <i>See</i> in S.		
Telescopes, for every 100%. of the Value -	50 0 0	—
Terra, viz.		
— Japonica or Catechu, the lb. -	0 0 10	—
— Sienna, the cwt. -	1 11 8	—
— Umbra, the cwt. -	0 12 0	—
— Verde, the cwt. -	0 16 0	—
Thread, viz.		
— Bruges Thread, the Dozen lbs. -	1 10 6	—
— Cotton Thread, for every 100%. of the Value -	50 0 0	—
— Outnal Thread, the Dozen lbs. -	1 10 6	—
— Pack Thread, the cwt. -	1 10 6	—
— Sisters Thread, the lb. -	0 8 4	—
— Whited Brown Thread, the Dozen lbs. -	1 16 6	—
— not otherwise enumerated or described, for every 100%. of the Value -	50 0 0	—
— Stockings, <i>See</i> Stockings.		
Thrown Silk, <i>See</i> Silk.		
Thyme, Oil of, <i>See</i> Oil.		
Ticking, for every 100%. of the Value -	50 0 0	—
Ticks, for every 100%. of the Value -	50 0 0	—
Tiles of all Sorts, for every 100%. of the Value -	50 0 0	—
Tin, the cwt. -	5 9 8	—
Tincal, <i>See</i> Borax.		

TABLE (A.) — INWARDS.

	British Currency.					
	Duty.		Drawback.			
	£.	s.	d.	£.	s.	d.
Iron Nail, for every 100ℓ. of the Value	50	0	0	—	—	—
Tobacco, unmanufactured, of the Growth or Production of His Majesty's Colonies, Plantations, Islands or Territories in America or the West Indies, or of the United States of America, or of any of the Territories or Dominions of the Emperor of Russia, or of the Ottoman or Turkish Empire, the lb.	0	1	0	—	—	—
— of the Growth, Production or Manufacture of the Plantations or Dominions of Spain or Portugal, the lb.	0	3	0	—	—	—
— manufactured, the lb.	0	16	0	—	—	—
<i>Note.</i> — Tobacco is subject to a further Duty, viz. Excise, 3s. the lb.						
Tobacco Pipes, for every 100ℓ. of the Value	50	0	0	—	—	—
— Pipes, the Dozen	0	3	0	—	—	—
Gunpowder, for every 100ℓ. of the Value	50	0	0	—	—	—
— Sulphur or Turnsole, the cwt.	0	10	0	—	—	—
— Gunpowder Shell, the lb.	0	4	0	—	—	—
— Gunpowder Stones, for every 100ℓ. of the Value	20	0	0	—	—	—
— if of Flax, See Flax.						
— if of Hemp,						
— — — imported in a British built Ship, the cwt.	0	9	6	—	—	—
— — — in a Ship not British built, the cwt.	0	10	4	—	—	—
— — — for every 100ℓ. of the Value	50	0	0	—	—	—
— — — Galls, See Gum.						
— — — in Oil, See Oil.						
— — — Galls of Venice, the lb.	0	3	6	—	—	—
— — — Galls, See Plants.						
— — — Galls, the lb.	0	5	6	—	—	—
— — — Galls, imported directly from the Place of its Growth, the lb.	0	2	6	0	1	8
— — — imported not directly from the Place of its Growth, the lb.	0	3	9	0	2	6
— — — Galls, See Fish.						
— — — Galls Carpets, See Carpets.						
— — — Galls Goats Wool, See Goat Hair, in Hair.						
— — — Galls, the lb.	0	0	4	—	—	—
— — — Galls, not otherwise enumerated or described, for every 100ℓ. of the Value	50	0	0	—	—	—
— — — Galls, See Torsal.						
— — — Galls, viz.						
— — — Common, the cwt.	0	4	4	—	—	—
— — — of Venice, Scio or Cyprus, the lb.	0	0	10	0	0	6
— — — of Germany or any other Place not						

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Washing Balls, <i>See</i> Balls.		
Waste, <i>viz.</i>		
— Cotton Waste, <i>See</i> Cotton Wool, in Wool.		
— Silk Waste, <i>See</i> in Silk.		
atches, of Gold, Silver or other Metal, for every 100℥. of the Value	50 0 0	—
atch Glasses, for every 100℥. of the Value	80 0 0	—
- - - - and further, for every cwt.	6 6 0	—
ater, <i>viz.</i>		
— Arquebusade,	} <i>See</i> Spirits.	
— Citron,		
— Cordial,		
— Hungary,		
— Lavender,		
— Mineral or Natural Water, the Dozen Bottles or Flasks, each Bottle or Flask not exceeding Three Pints	0 4 0	—
— Strong Water, <i>See</i> Spirits.		
t, <i>viz.</i>		
- Bees Wax, unmanufactured, the cwt.	3 6 6	—
- - the Produce of and imported from any British Colony, Plantation or Territory, the cwt.	2 6 6	—
- - - - white or manufactured, the cwt.	6 3 6	—
- Myrtle Wax, the lb.	0 1 0	—
- Sealing Wax, for every 100℥. of the Value	50 0 0	—
- Candles, <i>See</i> Candles.		
asel Skins, <i>See</i> Skins.		
ld, the cwt.	0 2 9	—
ale Fins, <i>viz.</i>		
— taken and caught by the Crew of a British built Ship or Vessel wholly owned by His Majesty's Subjects, usually residing in Great Britain, Ireland or the Islands of Guernsey, Jersey, Alderney, Sark or Man, registered and navigated according to Law, and imported in any such Shipping, the Ton containing 20 cwt.	2 7 6	—
— taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported directly from any British Colony, Island, Plantation, Settlement or Territory, in a British built Ship or Vessel, owned, navigated and registered according to Law, the Ton containing 20 cwt.	3 3 4	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Whale Fins, <i>continued.</i> For the Suspension of the Duty on Whale Fins imported directly from the Island of Newfoundland or the Coast of Labrador, until the 5th July 1824, See the Act to which this Table is annexed.		
— of Foreign Fishing, the Ton containing 20 cwt.	95 0 0	—
<i>Note.</i> — For the Conditions, Regulations and Restrictions under which Whale Fins may be admitted to Entry as of British Fishing, See the Act to which this Table is annexed.		
Whale Oil, See Train Oil, in Oil.		
Wheat, See Corn.		
— Flour, See Corn.		
Whetstones, See Stone.		
Whipcord, the lb.	0 1 0	—
Whited Brown Thread, See Thread.		
White Lead, See Lead.		
Wick Yarn, See Yarn.		
Wine, <i>viz.</i> — the Produce of His Majesty's Settlement of the Cape of Good Hope or the Territories or Dependencies thereof, imported directly from thence,		
— in a British built Ship, the Tun containing 252 Gallons British Content	31 17 0	29 8 0
— in a Ship not British built, the Tun containing 252 Gallons British Content	32 18 0	29 8 0
For the Conditions, Regulations and Restrictions under which Cape Wine must be imported and admitted to Entry, See the Act 54 G. 3. c. 77.		
Wine, <i>viz.</i> — French Wine, — imported in a British built Ship, the Tun containing 252 Gallons British Content	144 7 6	—
— imported in a Ship not British built, the Tun containing 252 Gallons British Content	148 11 6	—
— German Wine, } See Rhenish Wine. — Hungary Wine, }		

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
<i>Wine, continued.</i>		
— Madeira Wine,		
- - - - imported in a British built Ship, the Tun containing 252 Gallons British Content - - -	96 12 0	—
- - - - imported in a Ship not British built, the Tun containing 252 Gallons British Content - - -	99 15 0	—
— Portugal Wine,		
- - - - imported in a British built Ship, the Tun containing 252 Gallons British Content - - -	95 11 0	—
- - - - imported in a Ship not British built, the Tun containing 252 Gallons British Content - - -	98 14 0	—
<i>Note.</i> — Wine of the Produce of any of the Territories or Dominions of the Crown of Portugal, imported into Ireland directly from any of the said Territories or Dominions, in a Ship or Vessel built therein, or taken by any Ship or Vessel of War belonging to the Portuguese Government, or by any Ship or Vessel belonging to any of the Subjects of the Territories or Dominions aforesaid, having Commissions or Letters of Marque and Reprisal from the Portuguese Government, and condemned as lawful Prize in any Court of Admiralty of the said Government, such Ship or Vessel so importing being owned by Subjects of the said Government, and navigated with a Master and Three fourths of the Mariners at least Subjects thereof, may be entered and landed on Payment of such Duties of Customs, and no higher, as are payable on such Wine when imported into Ireland in a British built Ship. See 51 G.3. c.47., which Act is to be in force during the Continuance of the Treaty of Amity, Commerce and Navigation concluded between His late Majesty and His Royal Highness the Prince Regent of Portugal, signed at Rio de Janeiro, the 19th February 1810.		
— Rhenish, German, and Hungary Wine,		
- - - imported in a British built Ship, the Tun containing 252 Gallons, British Content - - -	118 13 0	—

TABLE (A.)—INWARDS.	British Currency.	
	Duty.	Drawback.
Wine,—Rhenish, German, &c. Wine, <i>continued.</i>	£. s. d.	£. s. d.
- - - imported in a Ship not British built, the Tun containing 252 Gallons, British Content -	122 17 0	—
— Spanish Wine, and Wine not otherwise enumerated or described,		
- - - imported in a British built Ship, the Tun containing 252 Gallons -	95 11 0	—
- - - imported in a Ship not British built, the Tun containing 252 Gallons	98 14 0	—
<p><i>Note.</i>—For the Conditions, Regulations, and Restrictions, under which a Drawback shall be allowed of all the Duties of Customs on certain Quantities of Wine, in certain Proportions, intended for the Use of Admirals, Captains, and other Commissioned Officers employed in His Majesty's Service, for their actual Consumption on board such Ships as they shall serve in, or for the Use of Commissioned Officers of the Royal Marines, or of Persons acting as such, for their Consumption on board such of His Majesty's Ships as they shall serve in, See 54 G. 3. c. 129. s. 20.</p> <p><i>Note.</i>—For the Conditions under which a Drawback can only be allowed on the Exportation of any Wine from Ireland, See the Act to which the Table is annexed.</p>		
Wine Lees, subject to the same Duty as Wine, but no Drawback is allowed on the Lees of Wine exported.		
Winteranus Cortex, See Winters Bark, in Bark.		
Wire, <i>viz.</i>		
— Brass or Copper, not otherwise enumerated or described, the cwt. - - -	5 14 0	—
— Gilt or Plated, for every 100℥. of the Value	50 0 0	—
— Iron, not otherwise enumerated or described, the cwt. - - -	5 18 9	—
— Latten, the cwt. - - -	5 9 3	—
— Silver, for every 100℥. of the Value -	50 0 0	—
— Steel, the lb. - - -	0 1 10	—
Woad, the cwt. - - -	0 6 6	—
Wood, all Sorts of. For the several Duties and Drawbacks, See Acts now in force relating thereto.	.	
Wolf Skins, See Skins.		
Wolverings, See Skins.		

TABLE (A.)—INWARDS	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Wool, viz. Beaver Wool, the lb. - -	0 1 7	—
- - - cut and combed, the lb. - -	0 4 9	—
— Bison or Buffalo Wool, the Produce of and imported directly from any British Colony, the lb. - -	0 0 4	—
- - - the Produce of and imported from any Foreign Country, the lb. - -	0 0 6	—
— Carmania Wool, See Goat Hair, in Hair.		
— Coney Wool, the lb. - -	0 0 6	—
— Cotton Wool, or Waste of Cotton Wool, viz. - - - the Produce of any British Colony or Plantation in America, and imported directly from thence, Duty free.		
- - - the Produce of any British Colony or Plantation in America, not being imported directly from thence, and Cotton Wool or Waste of Cotton Wool, the Produce of any other Country or Place, - - - if imported in a British built Ship, for every 100℥. of the Value - -	6 0 0	—
- - - if imported in a Ship not British built, for every 100℥. of the Value - -	12 0 0	—
— Goat's Wool, See Goat Hair, in Hair.		
— Hare's Wool, the cwt. - -	1 1 10	—
— Lamb's Wool, See Sheep's Wool.		
— Ostrich Wool, the lb. - -	0 0 6	—
— Polonia Wool, the lb. - -	0 0 6	—
— Red Wool, the lb. - -	0 0 6	—
— Sheep or Lamb's Wool, viz. - - - the Produce of any Foreign Country, the lb. - -	0 0 6	—
- - - the Produce of and imported directly from any British Colony or Territory, - - - until the 5th January 1826, inclusive, the lb. - -	0 0 3	—
- - - from and after the 5th January, 1826, the lb. - -	0 0 6	—
— Turkey Goat's Wool, See Goat Hair, in Hair.		
— All Articles made of or mixed with Wool, not particularly enumerated or described, nor otherwise charged with Duty, for every 100℥. of the Value - -	50 0 0	—
Woolen Stuffs, See Stuffs.		
Worm Seed, See Seed.		

TABLE (A.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Worsted Caps, <i>See</i> Caps.		
———— Stockings, <i>See</i> Stockings.		
Worsted Tapes, <i>See</i> Tapes.		
———— Yarn, <i>See</i> Yarn.		
Wreck, <i>See</i> Derelict.		
Y.		
Yarn, <i>viz.</i>		
—— Cable Yarn, the cwt. - - -	1 1 6	—
—— Camel or Mohair Yarn, the lb. - -	0 0 10	—
—— Cotton Yarn, the lb. - - -	0 1 3	—
—— Grogam Yarn, the lb. - - -	0 1 7	—
—— Raw Linen Yarn,		
- - - imported in a British built Ship, the cwt. - - -	0 1 0	—
- - - imported in a Ship not British built, the cwt. - - -	1 0 0	—
—— Wick Yarn, the cwt. - - -	4 8 8	—
—— Worsted Yarn, being of Two or more Threads, twisted or thrown, the lb. -	0 1 7	—
—— Yarn of any other Sort not particularly enumerated or described, nor otherwise charged with Duty, for every 100 <i>l.</i> of the Value - - -	50 0 0	—
Yellow Berries, <i>See</i> Berries.		
Z.		
Zaffre, the lb. - - -	0 0 4	—
Zedoaria, imported directly from the Place of its Growth, the lb. - - -	0 1 3	0 0 10
—— imported not directly from the Place of its Growth, the lb. - - -	0 1 10	0 1 3
Goods, Wares, and Merchandize, being either in part or wholly manufactured, and not being enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used in Ireland, except Salt, and Wood of all Sorts, liable to the Duties and Drawbacks under the Acts now in force, for every 100 <i>l.</i> of the Value - - -	50 0 0	—
Goods, Wares, and Merchandize, not being either in part or wholly manufactured, and not being enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used in Ireland, except Barilla, Salt, and Wood of all Sorts, liable to the Duties and Drawbacks under the Acts now in force, for every 100 <i>l.</i> of the Value - - -	20 0 0	—

TABLE (B.)

A TABLE of the DUTIES of CUSTOMS payable on Goods, Wares, and Merchandize, being of the Growth, Produce, or Manufacture of any Place within the Limits of the Charter granted to the United Company of Merchants of England trading to the East Indies, imported into Ireland; and on Goods, Wares, and Merchandize imported into Ireland from His Majesty's Settlement of the Cape of Good Hope, and the Territories and Dependencies thereof; or imported through Great Britain, having been so imported; and of the Drawbacks to be allowed on the Exportation of such Goods, Wares, and Merchandize.

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
A.		
Acorus, the lb. - - - - -	0 0 10	0 0 6
Agates or Cornelians, viz.		
— polished or otherwise manufactured, for every 100l. of the Value - - -	60 0 0	—
— rough or unmanufactured, for every 100l. of the Value - - -	20 0 0	—
Alkali, not being Barilla, viz.		
— any Article containing Soda or Mineral Alkali, whereof Mineral Alkali is the most valuable Part, (such Alkali not being otherwise particularly charged with Duty),		
- - - - if not containing a greater Proportion of such Alkali than 20 per Centum,		
- - - imported in a British built Ship, the cwt.	0 11 4	0 5 8
- - - imported in a Ship not British built, the cwt. - -	0 12 0	0 5 8
- - - - if containing more than 20 per Centum, and not exceeding 25 per Centum, of such Alkali,		
- - - imported in a British built Ship, the cwt.	0 15 0	0 7 6
- - - imported in a Ship not British built, the cwt. - - -	0 15 8	0 7 6

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Alkali,—Articles containing Soda, &c. <i>continued.</i>		
- - - if containing more than 25 per Centum, and not exceeding 30 per Centum, of such Alkali,		
- - - imported in a British built Ship, the cwt.	0 18 4	0 9 3
- - - imported in a Ship not British built, the cwt.	0 19 0	0 9 2
- - - if containing more than 30 per Centum, and not exceeding 40 per Centum, of such Alkali,		
- - - imported in a British built Ship, the cwt.	1 3 4	0 11
- - - imported in a Ship not British built, the cwt.	1 4 0	0 11
- - - if containing more than 40 per Centum of such Alkali,		
- - - imported in a British built Ship, the cwt.	1 10 0	0 15
- - - imported in a Ship not British built, the cwt.	1 10 8	0 15
Alkermes, Confection of, the oz.	0 1 8	—
Almonds, <i>viz.</i>		
— Bitter, the cwt.	0 15 10	0 14 0
— of any other Sort, the cwt.	2 7 6	2 2 0
Aloes, <i>viz.</i>		
— Socotorina, the lb.	0 2 6	0 1 8
— of any other Sort, the lb.	0 0 9	0 0 6
Alum, the cwt.	0 17 6	—
— Roch Alum, the cwt.	0 11 8	—
Amber, <i>viz.</i>		
— Beads or other Manufactures of Amber, the lb.	0 12 0	—
— Rough, the lb.	0 1 8	0 1 1
Ambergris, the oz.	0 5 0	—
Ammoniac Gum, <i>See</i> Gum Ammoniac.		
— Sal, <i>See</i> Sal Ammoniac.		
Anacardium, the lb.	0 2 0	0 1 4
Animi Gum, <i>See</i> Gum.		
Anniseed, <i>See</i> Seed.		
— Oil of, <i>See</i> Oil.		

TABLE (B.)—INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
nutto or Rocou, viz.						
— Flag, the lb.	0	0	5	—		
— Roll, or any other Sort, not otherwise enumerated or described, the lb.	0	1	0	—		
quafortis, the cwt.	0	14	3	—		
rabie Gum, See Gum.						
Arangoes or Arango Beads, for every 100 ^l . of the Value	31	5	0	—		
Argol, the cwt.	0	4	9	—		
Brack, See Spirits.						
Broow Root or Powder, the lb.	0	0	2	—		
Resenic, viz.						
— White, the cwt.	0	14	3	—		
— of any other Sort, the cwt.	0	18	8	—		
Safetida, the lb.	0	0	10	0	0	6
B.						
Isam, viz. Artificial or Natural, the lb.	0	4	6	—		
— Bark, viz.						
— Angustura Bark, the lb.	0	2	0	0	1	4
— Clove Bark, the lb.	0	0	10	0	0	6
— Jesuit's Bark, See Peruvian Bark.						
— Peruvian or Jesuit's Bark, the lb.	0	2	0	0	1	4
— Bark not otherwise enumerated or described, - - if for Medicinal Use, the lb.	0	2	0	—		
— - - if not for Medicinal Use, for every 100 ^l . of the Value	20	0	0	—		
Sellium, the lb.	0	1	8	0	1	1
— Beads, viz.						
— Amber Beads, See Amber.						
— Arango Beads, See Arangoes.						
— Coral Beads, the lb.	0	15	10	—		
— Crystal Beads, the 1,000	1	8	6	—		
— Beads not otherwise enumerated or described, for every 100 ^l . of the Value	50	0	0	—		
— Bees Wax, See Wax.						
— Benjamin or Benzoin, the lb.	0	2	0	0	1	4
— Coar Stones, the oz.	0	2	6	—		
— Bones of Cattle, and other Animals, and of Fish, except Whale Fins, for every 100 ^l . of the Value	1	0	0	—		
— Books, Printed, or Manuscripts, viz.						
— Half bound, or in any way bound, the cwt.	6	10	0	—		
— Unbound, the cwt.	5	0	0	—		
— Boracic Acid, the lb.	0	0	4	—		
— Borax or Tincal, viz.						
— refined, the lb.	0	0	6	—		
— unrefined, the lb.	0	0	3	—		

TABLE (B.)—INWARDS.	British Currency.			
	Duty.			Drawback.
	£.	s.	d.	£. s. d.
Bottles, viz.				
— of Earth or Stone, the Dozen	0	3	2	—
— - - and further; for every cwt.	0	5	0	—
— of Glass, covered with Wicker, the Dozen Quarts	1	2	0	—
— - - and further, for every cwt.	6	6	0	—
— of Green or Common Glass, full or empty, not of less Content than One Pint, and not being Phials, the Dozen Quarts	0	8	0	—
— - - and further, for every cwt.	0	8	2	—
— of Glass not otherwise enumerated or described, for every 100℥. of the Value	80	0	0	—
— - - and further, for every cwt.	6	6	0	—
<i>Note.</i> — Flasks in which Wine or Oil is imported are not subject to Duty.				
Brandy, <i>See</i> Spirits.				
Bullion and Foreign Coin of Gold or Silver, Duty free.				
C.				
Cajaputa, Oil of, <i>See</i> Oil.				
Cake Lac, <i>See</i> Lac, in Gum.				
Calaminaris Lapis, <i>See</i> Lapis.				
Calamus Aromaticus; the lb.	0	0	10	0 0 6
Calicoes, viz.				
— Plain White Calicoes, for every 100℥. of the Value	67	10	0	—
* Drawback to be allowed on the Exportation of such of the said Calicoes which shall have been printed, painted, stained or dyed in Ireland, for every 100℥. of the Value				
— White, flowered or stitched, for every 100℥. of the Value	37	10	0	*45 0 0
Calves Skins, <i>See</i> Skins.				
Cambogium, <i>See</i> Gamboge.				
Camels Hair, <i>See</i> Hair.				
Camphor, viz.				
— refined, the lb.	0	0	10	—
— unrefined, the lb.	0	0	5	—
Candles, of Wax, the lb.	0	2	6	—
Canes, viz.				
— Bamboo, the 1,000	1	14	0	—
— Rattans (not Ground Rattans,) the 1,000	1	0	0	—
— Reed Canes, the 1,000	1	6	6	—

TABLE (B.)—INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
<i>anes, continued.</i>						
— Walking Canes or Sticks, mounted, painted, inlaid or otherwise ornamented or manufactured, for every 100℥. of the Value	50	0	0	—		
— Wanghees, Jumbou, Ground Rattans, Dragon's Blood, and other Walking Canes or Sticks, the 1,000	4	0	0	—		
antherides, the lb.	0	3	6	0	2	4
— Goutchouc or Elastic Gum, the lb.	0	0	5	—		
— Capita Papaverum, the 1,000	0	3	6	0	2	4
— Caps of Cotton, for every 100℥. of the Value	67	10	0	—		
— Capsicum, or Chillies, <i>See</i> Pepper.						
— Cardamoms, the lb.	0	2	0	0	1	4
— Armenia Wool, <i>See</i> Goat Hair, in Hair.						
— Carmine, the oz.	0	4	0	—		
— Carpets of Persia, the Yard square	2	10	0	—		
— Cassia Gum, <i>See</i> Gum.						
— Cassia Buds, the lb.	0	2	6	—		
— Fistula, the lb.	0	0	10	0	0	6
— Ligna, the lb.	0	2	6	—		
— Oil of, <i>See</i> Oil.						
— Castor, Oil of, <i>See</i> Oil.						
— Castor Seed, <i>See</i> Seed.						
— Casts of Busts, Statues or Figures, the cwt.	0	2	6	—		
— Catechu, <i>See</i> Terra Japonica.						
— Cayenne Pepper, <i>See</i> Pepper.						
— Charts, <i>See</i> Maps.						
— Chemical Oil, <i>See</i> Oil.						
— Chillies, <i>See</i> Capsicum, in Pepper.						
— China Root, the lb.	0	1	3	0	0	10
— China Ware, or Porcelain, for every 100℥. of the Value	75	0	0	—		
— Chocolate, or Cocoa Paste, of the British Possessions, the lb.	0	1	9	—		
— Cinnabaris Nativa, the lb.	0	2	0	0	1	4
— Cinnamon, the lb.	0	2	6	0	2	3
— Oil of, <i>See</i> Oil.						
— Citrat of Lime, the lb.	0	1	6	—		
— Cloves, the lb.	0	2	0	0	1	9
— Oil of, <i>See</i> Oil.						
— Coculus Indicus, the lb.	0	2	6	—		
— Cochineal, the lb.	0	0	10	—		
— Dust, the lb.	0	0	2½	—		
— Coco Nuts, for every 100℥. of the Value	20	0	0	—		
— Oil of, <i>See</i> Oil.						
— Cocoa Nuts, the lb.	0	1	6	—		
— Cocoa Nut Husks, or Cocoa Shells, the lb.	0	0	4	—		
— Coffee, the lb.	0	1	6	—		
— Coin, Foreign, of Gold or Silver, <i>See</i> Bullion.						
— Colocynth, <i>See</i> Coloquintida.						

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
Coloquintida, or Colocynth, the lb. - - -	£. s. d.	£. s. d.
Colours for Painters, <i>See</i> Painters' Colours.	0 1 8	0 1 1
Columbo Root, the lb. - - -	0 2 0	0 1 4
Conrayervæ Radix, <i>See</i> Radix.		
Copal Gum, <i>See</i> Gum.		
Copper, <i>viz.</i>		
— Ore, the cwt. - - - -	0 1 0	-
— Old, fit only to be re-manufactured, the cwt. - - - -	0 9 2	-
— unwrought, <i>viz.</i>		
- - - - Copper in Bricks or Pigs, Rose Copper, and all cast Copper, the cwt. - - - -	0 9 2	-
- - - - Copper in Plates, and Copper Coin, the cwt. - - - -	0 15 0	-
— part wrought, <i>viz.</i> Bars, Rods or Ingots, hammered or raised, the cwt. - - - -	1 11 3	-
— Manufactures of Copper not otherwise enumerated or described, Copper enamelled, and Copper Plates engraved, for every 100℥. of the Value - - - -	50 0 0	-
Coral, <i>viz.</i>		
— Beads, <i>See</i> Beads.		
— in Fragments, the lb. - - - -	0 1 0	-
— whole, polished, the lb. - - - -	0 12 0	-
- - unpolished, the lb. - - - -	0 5 6	-
Coriander Seed, <i>See</i> Seed.		
Cortex Cariophylloides, <i>See</i> Clove Bark, in Bark.		
— Peruvianus, or Jesuit's Bark, <i>See</i> Peruvian Bark, in Bark.		
Costus, the lb. - - - -	0 1 0	0 0 8
Cotton, <i>viz.</i>		
— Articles manufactured of Cotton Wool, or of any Mixture thereof, not particularly enumerated or described, for every 100℥. of the Value - - - -	67 10 0	-
— <i>See</i> Thread.		
— Wool, <i>See</i> Wool.		
— Yarn, <i>See</i> Yarn.		
Couhage, the lb. - - - -	0 1 3	0 0 10
Cowries, for every 100℥. of the Value - - - -	31 5 0	-
Crystal Beads, <i>See</i> Beads.		
Cubebs, the lb. - - - -	0 2 0	-
Cummin Seed, <i>See</i> Seed.		
D.		
Diagrydium, <i>See</i> Scammony.		
Diamonds, Duty free.		

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
<i>Dimity, viz.</i>	£. s. d.	£. s. d.
— Plain White Dimity, for every 100 <i>l.</i> of the Value	67 10 0	—
* Drawback to be allowed on the Exportation of such of the said Dimity which shall have been printed, painted, stained or dyed in Ireland, for every 100 <i>l.</i> of the Value	- - -	*45 0 0
<i>Dog Skins, See Skins.</i>		
<i>Drawings, See Prints.</i>		
<i>Drugs, on which Specific Duties are payable according to the Quantity, See the several Articles in Alphabetical Course,</i>		
— not particularly enumerated or described, nor otherwise charged with Duty, for every 100 <i>l.</i> of the Value	50 0 0	—
E.		
<i>Earthenware, See China Ware.</i>		
<i>Bony, See Wood.</i>		
<i>Elastic Gum, See Caoutchouc.</i>		
<i>Gemi Gum, See Gum.</i>		
<i>Elephant's Teeth, viz.</i>		
— not exceeding the Weight of 21 lbs. each Tooth, the cwt.	2 0 0	—
— exceeding the Weight of 21 lbs. each Tooth, the cwt.	4 0 0	—
<i>Elk Skins, See Skins.</i>		
<i>Emeralds, See Jewels.</i>		
<i>Extract, viz.</i>		
— Solid Vegetable Extract from Oak Bark or other Vegetable Substances, to be used for the Purpose of tanning Leather, and for no other Purpose whatever, the cwt.	0 3 0	—
— the Produce of New South Wales and Settlements or Dependencies thereof, until 1st January 1833, Duty free. See 3 G. 4. c. 96.		
F.		
<i>Feathers, viz.</i>		
— Ostrich Feathers, dressed, the lb.	2 15 6	—
— undressed, the lb.	1 0 0	—
— not otherwise enumerated or described, dressed, for every 100 <i>l.</i> of the Value	50 0 0	—

TABLE (B.) — INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Feathers, <i>continued.</i>		
- - undressed, for every 100 <i>l.</i> of the Value	20 0 0	—
Fennel, Oil of, <i>See</i> Oil.		
Flax, rough or dressed, the cwt.	0 0 5	—
Flock Paper, <i>See</i> Paper.		
Floss Silk, <i>See</i> Waste Silk, in Silk.		
Forest Seed, <i>See</i> Seed.		
Fossils, Specimens of, <i>See</i> Specimens.		
Frankincense, <i>See</i> Olibanum.		
Furs, <i>See</i> Skins.		
	G.	
Galangal, the lb.	0 0 6	0 0 4
Galbanum, the lb.	0 1 4	0 0 10
Galls, the cwt.	0 11 2	—
Gamboge, the lb.	0 1 8	0 1 1
Garden Seed, <i>See</i> Seed.		
Garnets, <i>viz.</i>		
— cut, the lb.	1 10 0	—
— rough, the lb.	0 10 0	—
Gem Sal, <i>See</i> Sal.		
Geneva, <i>See</i> Spirits.		
Ginger, the cwt.	1 3 0	1 0 0
— preserved, the lb.	0 0 6	—
Ginseng, the lb.	0 1 6	0 1 0
Glass, <i>viz.</i>		
— Bottles, <i>See</i> Bottles.		
— Crown, German Sheet or any Kind of Window Glass, not being Plate Glass, the cwt.	11 4 0	—
— Flint Glass, the cwt.	12 9 0	—
— Plate Glass, for every square Foot superficial Measure	0 6 7	—
- - and further, for every cwt.	6 6 0	—
— Glass Manufactures, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value	80 0 0	—
- - and further, for every cwt.	6 6 0	—
Goat Hair, <i>See</i> Hair.		
Gold Coin, <i>See</i> Bullion.		
— Plate, <i>See</i> Plate.		
Granilla, the lb.	0 0 5	—
Gum, <i>viz.</i>		
— Ammoniac, the lb.	0 1 3	0 0 10
— Animi, the lb.	0 0 6	—
— Arabic, the cwt.	0 12 0	—
— Cashew, the cwt.	0 7 6	0 5 0
— Copal, the lb.	0 0 6	—
— Elemi, the lb.	0 0 8	0 0 5
— Guaiacum, the lb.	0 1 10	0 1 2
— Juniper, <i>See</i> Gum Sandarach.		

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
<i>Gum, continued.</i>		
— Kino, or Gum Rubrum Astringens, the lb. -	£. s. d. 0 1 6	£. s. d. 0 1 0
— Lac, viz.		
- - Cake Lac, } for every 100l. of the Value	10 0 0	—
- - Lac Dye, } for every 100l. of the Value	5 0 0	—
- - Lac Lake, } for every 100l. of the Value	20 0 0	—
- - Seed Lac, } for every 100l. of the Value	0 3 6	0 2 4
- - Stick Lac, } for every 100l. of the Value	0 0 10	0 0 6
- - Shell Lac, for every 100l. of the Value	0 19 0	0 12 8
— Opoponax, the lb. -	0 0 10	0 0 6
— Rubrum Astringens, See Gum Kino.	0 12 0	—
— Sagapenum, the lb. -	0 2 0	0 1 4
— Sandarach, or Juniper, the cwt. -	0 1 0	0 0 8
— Sarcocolla, the lb. -	50 0 0	—
— Senegal, the cwt. -		
— Tacamahaca, the lb. -		
— Tragacanth, the lb. -		
— Gum not otherwise enumerated or described, for every 100l. of the Value -		
H.		
<i>Hair, viz.</i>		
— Camel's Hair, the lb. -	0 1 8	—
— Goat, or Carmentia Wool, the lb. -	0 0 6	—
— Human Hair, the lb. -	0 5 0	—
— Articles manufactured of Hair or any Mix- ture thereof, not particularly enumerated or described, for every 100l. of the Value	67 10 0	—
<i>Hemp, rough or undressed, or any other Vegetable Substance of the Nature and Quality of undressed Hemp, and applicable to the same Purposes, the Ton containing 20 cwt.</i>	0 8 0	—
<i>Hides, viz.</i>		
— Horse, Mare, Gelding, Buffalo, Bull, Cow or Ox Hides in the Hair, not tanned, tawed or in any way dressed, the cwt. -	0 4 8	—
- - - - tanned and not otherwise dressed, the lb. -	0 1 0	—
— Hides or Pieces of Hides, raw or undress- ed, not particularly enumerated or de- scribed, nor otherwise charged with Duty, for every 100l. of the Value -	20 0 0	—
— Hides or Pieces of Hides, tanned, tawed or in any way dressed, not particularly enumerated or described, nor otherwise charged with Duty, for every 100l. of the Value -	75 0 0	—

TABLE (B.)—INWARDS.	British Currency.			
	Duty.		Drawback.	
	£.	s. d.	£. s. d.	
Horns, Horn Tips and Pieces of Horns, not otherwise charged with Duty, the cwt. - -	0	5 0	—	—
Horses, Mares or Geldings, each - - -	6	13 0	—	—
Human Hair, <i>See</i> Hair.				
Huaks of Silk, <i>See</i> Knubs, in Silk.				
Husse Skins, <i>See</i> Skins.				
I. & J.				
Japanned Ware, for every 100 <i>l.</i> of the Value -	62	10 0	—	—
Jesuit's Bark, <i>See</i> Peruvian Bark, in Bark.				
Jewels, Emeralds, Rubies and all other Precious Stones (except Diamonds), not otherwise enumerated or described,				
— not set or in any way manufactured, for every 100 <i>l.</i> of the Value - -	20	0 0	—	—
— set or in any way manufactured, for every 100 <i>l.</i> of the Value - - -	50	0 0	—	—
Indigo, the lb. - - - -	0	0 5	—	—
Iris Root, <i>See</i> Orrice.				
Iron in Bars and unwrought, the Produce or Manufacture of any British Colony, Plantation or Territory in the East Indies, the Ton containing 20 cwt. - - -	0	0 1	—	—
Juniper Gum, <i>See</i> Gum Sandarach.				
K.				
Kelp, <i>See</i> Alkali.				
Kino Gum, <i>See</i> Gum.				
Knubs of Silk, <i>See</i> Knubs, in Silk.				
L.				
Lac, <i>See</i> Gum.				
Lacquered Ware, for every 100 <i>l.</i> of the Value -	62	10 0	—	—
Lamb's Wool, <i>See</i> Sheep's Wool, in Wool.				
Lapis, <i>viz.</i>				
— Calaminaris, the cwt. - - - -	0	8 0	—	—
— Lazuli, the lb. - - - -	0	3 2	—	—
— Tutia, the lb. - - - -	0	0 8	—	—
Lazuli Lapis, <i>See</i> Lapis.				
Lead, <i>viz.</i> White Lead, the cwt. - - -	0	10 4	—	—
Leather, any Article made of Leather, or any Manufacture whereof Leather is the most valuable Part, not otherwise enumerated or described, for every 100 <i>l.</i> of the Value	75	0 0	—	—
Leopard Skins, <i>See</i> Skins.				
Linseed, Oil of, <i>See</i> Oil.				
Long Pepper, <i>See</i> Pepper.				

TABLE (B.)— INWARDS.	British Currency.			
	Duty.		Drawback.	
	£.	s. d.	£.	s. d.
M.				
ce, the lb.	0	3 6	0	3 2
— Oil of, <i>See</i> Oil.				
adder, the cwt.	0	12 0	—	
— Madder Root or Munjeet, the cwt.	0	5 0	—	
angoes, the Gallon British Content	0	5 0	—	
anna, the lb.	0	1 3	0	0 10
aps, plain or coloured, each Map or Chart, or Part thereof	0	0 6	—	
— in Books, <i>See</i> Books.				
azin Skins, <i>See</i> Skins.				
armalade, the lb.	0	0 6	—	
astich, the lb.	0	1 4	0	0 10
als, viz.				
— of Gold or Silver, Duty free.				
als of any other Sort, for every 100 <i>l.</i> of the Value	0	5 0	—	
lasses, the cwt.	0	10 0	—	
erals, Specimens of, <i>See</i> Specimens.				
ther of Pearl Shells, rough, for every 100 <i>l.</i> of the Value	5	0 0	—	
njeet, <i>See</i> Madder.				
sk, the oz.	0	5 0	0	3 4
slins, viz.				
— Plain, for every 100 <i>l.</i> of the Value	37	10 0	—	
• Drawback to be allowed on the Exportation of such of the said Muslins which shall have been printed, stained or dyed in Ireland, for every 100 <i>l.</i> of the Value	—	—	*20	0 0
— Flowered or Stitched, for every 100 <i>l.</i> of the Value	37	10 0	—	
lyrh, the lb.	0	1 8	0	1 1
lyrle Wax, <i>See</i> Wax.				
N.				
nanquin Cloths, for every 100 <i>l.</i> of the Value	37	10 0	—	
• Drawback to be allowed on the Exportation of such of the said Nanquin Cloths which shall have been printed, painted, stained or dyed in Ireland, for every 100 <i>l.</i> of the Value	—	—	*20	0 0
atron, <i>See</i> Alkali.				
eroli Oil, <i>See</i> Oil of Orange Flower.				
nutmeg, the lb.	0	2 6	0	2 3
— Oil of, <i>See</i> Oil.				
uts, viz.				
— Cashew, <i>See</i> Anacardium.				

TABLE (B.)—INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
Nuts, <i>continued.</i>						
— Castor Nuts, the lb.	0	0	4	—		
Nux Vomica, the lb.	0	2	6	—		
Oaker, <i>See</i> Ochre.						
Ochre, or Oaker, the cwt.	0	6	9	—		
Oil, <i>viz.</i>						
— of Anniseed, the lb.	0	4	0	—		
— Blubber, <i>See</i> Train Oil.						
— of Cajaputa, the oz.	0	1	0	—		
— of Cassia, the oz.	0	5	0	—		
— of Castor, the lb.	0	1	3	—		
— Chemical Oil, not otherwise enumerated or described, the lb.	0	4	0	—		
— of Cinnamon, the oz.	0	5	0	—		
— of Cloves, the oz.	0	2	0	—		
— of Cocoa Nuts, the cwt.	0	2	6	—		
— of Fennel, the lb.	0	4	0	—		
— of Linseed, the Tun containing 252 Gallons, British Content	33	5	0	—		
— of Mace, the oz.	0	2	6	—		
— of Nutmegs, the oz.	0	2	6	—		
— of Orange Flower or Neroli, the oz.	0	2	0	—		
— of Palm, the cwt.	0	2	6	—		
— of Roses, <i>See</i> Otto of Roses.						
— of Rosewood, the oz.	0	5	0	—		
— of Sandalwood, the oz.	0	2	6	—		
— Train Oil and Blubber, <i>viz.</i>						
- - - Blubber, the Produce of Fish or Creatures living in the Sea, taken and caught by the Crew of a British built Ship or Vessel, wholly owned by His Majesty's Subjects usually residing in Great Britain, Ireland, or the Islands of Guernsey, Jersey, Alderney, Sark, or Man, registered and navigated according to Law, and imported in any such Shipping, the Tun containing 252 Gallons, British Content	0	5	6	—		
- - - Blubber, the Produce of Fish; or Creatures living in the Sea, taken and caught wholly by His Majesty's Subjects, usually residing in any Part of His Majesty's Dominions, and imported directly from the Cape of Good Hope, or from any British Colony, Posses-						

TABLE (B.)—INWARDS		British Currency.	
		Duty.	Drawback.
		£. s. d.	£. s. d.
,—Train Oil and Blubber, <i>continued.</i>			
	sion, Settlement, or Territory within the Limits of the East India Company's Charter, in a British built Ship or Vessel, owned, navigated, and registered according to Law, the Tun containing 252 Gallons, British Content -	0 13 4	—
	For the Conditions, Regulations, and Restrictions, under which Blubber may be admitted to Entry, as British taken and caught, on Payment of Duty as before mentioned (as the Case may be), See the Act to which this Table is annexed.		
- - -	Blubber, the Produce of Fish, or Creatures living in the Sea, of Foreign Fishing, the Tun containing 252 Gallons, British Content -	22 3 4	—
- - -	Train Oil, Spermaceti Oil, or Head Matter, the Produce of Fish or Creatures living in the Sea, taken and caught by the Crew of a British built Ship or Vessel, wholly owned by His Majesty's Subjects usually residing in Great Britain, Ireland, or the Islands of Guernsey, Jersey, Alderney, Sark, or Man, registered and navigated according to Law, and imported in any such Shipping, the Tun containing 252 Gallons, British Content -	0 8 3	—
- - -	Train Oil, Spermaceti Oil, or Head Matter, the Produce of Fish, or Creatures living in the Sea, taken and caught wholly by his Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported directly from the Cape of Good Hope, or from any British Colony, Possession, Settlement, or Territory within the Limits of the East India Company's Charter, in a British built Ship or Vessel, owned, navigated, and registered accord-		
	Y y 3		

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Oil,—Train Oil and Blubber, <i>continued.</i> ing to Law, the Tun containing 252 Gallons, British Content - For the Conditions, Regula- tions, and Restrictions under which Blubber may be admit- ted to Entry, as British taken and caught, on Payment of Duty as before mentioned (as the Case may be), <i>See</i> 45 G. 3. c. 18.	1 0 0	—
— Train Oil, Spermaceti Oil, or Head Matter, the Produce of Fish, or Creatures living in the Sea, of Foreign Fishing, the Tun con- taining 252 Gallons, British Content -	33 5 0	—
— of Turpentine, the lb. - - - - -	0 0 8	—
— Oil not otherwise enumerated or described, for every 100 <i>l.</i> of the Value - - - - -	50 0 0	—
Oker, <i>See</i> Ochre.		
Olibanum, the cwt. - - - - -	2 7 6	1 11 3
Opium, the lb. - - - - -	0 9 0	0 6 0
Opoponax Gum, <i>See</i> Gum.		
Orange Flower, Oil of, <i>See</i> Oil.		
— Water, the Gallon, British Content -	0 3 2	—
Orchal, Orchemia, or Archelia, the cwt. - -	0 16 8	—
Ore, <i>viz.</i>		
— Copper, <i>See</i> Copper.		
— Gold or Silver, <i>See</i> Bullion.		
— Platina, <i>See</i> Platina.		
— Specimens of, <i>See</i> Specimens.		
Orpiment, the cwt. - - - - -	1 8 6	—
Orrice or Iris Root, the cwt. - - - - -	1 8 6	—
Ostrich Feathers, <i>See</i> Feathers.		
Otto, or Attar, or Oil of Roses, the oz. - -	0 6 0	—
P.		
Painters' Colours not otherwise enumerated or de- scribed, for every 100 <i>l.</i> of the Value -	50 0 0	—
Paintings on Glass, for every 100 <i>l.</i> of the Value - - - - and further, for every cwt. of Glass - - - - -	80 0 0 6 6 0	— —
Paper, <i>viz.</i>		
— Brown Paper made of old Rope or Cord- age only, without separating or extract- ing the Pitch or Tar therefrom, and without any Mixture of any other Ma- terials therewith, the lb. - - - - -	0 0 10	—
— printed, painted, or stained Paper, or Paper Hangings, or Flock Paper, the Yard square - - - - -	0 1 7	—

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
Rice, <i>continued.</i>	£. s. d.	£. s. d.
— the Produce of any other Country or Place,		
- - - not being rough and in the Husk,		
the cwt. - - - - -	0 15 0	—
- - - if rough, and in the Husk or Paddy,		
the Bushel - - - - -	0 2 6	—
For the Allowance on the Exportation of clean Rice, produced from such rough Rice, See the Act to which this Table is annexed.		
Roch Alum, See Alum.		
Rosewood, Oil of, See Oil.		
Rubies, See Jewels.		
Rum, See Spirits.		
	S.	
Safflower, the cwt. - - - - -	0 8 9	—
Saffron, the lb. - - - - -	0 7 6	0 5 0
Sagapenum Gum, See Gum.		
Sago, or Sago Powder, the cwt. - - - - -	1 10 0	—
Sago Powder, See Sago.		
Sal, <i>viz.</i>		
— Ammoniac, the lb. - - - - -	0 0 6	—
— Gem, the cwt. - - - - -	0 8 0	—
Salep, or Salop, the lb. - - - - -	0 1 3	0 0 10
Salop, See Salep.		
Saltpetre, the cwt. - - - - -	0 0 6	—
Sandalwood, Oil of, See Oil.		
Sandarach Gum, See Gum.		
Sanguis Draconis, the lb. - - - - -	0 1 8	0 1 1
Sarcocolla Gum, See Gum.		
Sassafras, the cwt. - - - - -	0 6 4	—
Saunders, <i>viz.</i>		
— Red, the Ton containing 20 cwt. - - - - -	0 15 0	—
— White or Yellow, the lb. - - - - -	0 0 10	—
Scammony or Diagyridium, the lb. - - - - -	0 6 4	0 4 2
Sea Cow, Sea Horse, or Sea Morse Teeth, the cwt.	3 4 0	—
Seal Skins, See Skins.		
Seed, <i>viz.</i>		
— Anniseed, the cwt. - - - - -	3 0 0	—
— Castor Seed, the lb. - - - - -	0 0 4	—
— Coriander Seed, the cwt. - - - - -	0 15 0	—
— Cummin Seed, the cwt. - - - - -	1 0 0	—
— Flax Seed, the Bushel - - - - -	0 0 5	—
— Forest Seed, for every 100 <i>l.</i> of the Value - - - - -	25 0 0	—
— Garden Seed, not particularly enumerated or described, the lb. - - - - -	0 1 0	—
— Linseed, the Bushel - - - - -	0 0 5	—
— Worm Seed, the lb. - - - - -	0 1 6	0 1 0

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Seed, <i>continued</i> .		
— Seed not particularly enumerated, or described, nor otherwise charged with Duty, for every 100 <i>l.</i> of the Value - -	50 0 0	—
Seed Lac, <i>See</i> Lac, in Gum.		
Segars, manufactured of Tobacco, the lb. -	0 13 0	—
— subject also to a Duty of Excise, as Tobacco.		
Senna, the lb. - - - - -	0 1 3	0 0 10
Senegal Gum, <i>See</i> Gum.		
Shawls, manufactured of Hair or Cotton Wool, or any Mixture thereof, for every 100 <i>l.</i> of the Value - - - - -	67 10 0	—
Sheep's Wool, <i>See</i> Wool.		
Shell Lac, <i>See</i> Lac, in Gum.		
Shells of Mother of Pearl, for every 100 <i>l.</i> of the Value - - - - -	5 0 0	—
Shrubs, <i>See</i> Plants.		
Silk, <i>viz.</i>		
— Knubs or Husks of Silk, the lb. - -	0 3 9	0 1 6
— Raw Silk, <i>viz.</i>		
- - - the Produce of any of the British Territories in the East Indies, the lb. - - -	0 4 0	—
- - - the Produce of any other Part of the East Indies, the lb. - - -	0 5 6	—
* Drawback on the exportation of Silk thrown in Ireland from a larger Quantity of Silk imported raw, <i>viz.</i>		
- - - if from raw Silk, the produce of any of the British Territories in the East Indies, the lb. - - -	- - -	*0 4 0
- - - if from raw Silk, the Produce of any other Part of the East Indies, - - -	- - -	0 5 6
For the Conditions under which such Drawback can only be allowed, <i>See</i> the Act to which this Table is annexed.		
— Thrown Silk, the lb. - - - - -	0 14 8	0 6 2
— Waste or Floss Silk, not otherwise enumerated or described, the lb. - - -	0 3 9	0 1 6
Silver Coin, Foreign, <i>See</i> Bullion.		
— Plate, <i>See</i> Plate.		
Skins, <i>viz.</i>		
— Calves and Kip Skins, in the Hair, not tanned, tawed, curried or in any way dressed, the cwt. - - - - -	6 4 8	—
— Dog Skins in the Hair, not tanned, tawed or in any way dressed, the Dozen Skins - - - - -	0 0 10	—
— Elk Skins in the Hair, not tanned, tawed or in any way dressed, the Skin - - -	0 1 0	—

TABLE (B.)—INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
<i>Skins, continued.</i>						
— Goat Skins, undressed, the Dozen Skins -	0	2	10	—		
— Husse Skins, undressed, the Skin - -	0	0	6	—		
— Lamb Skins, undressed, the 100 - -	0	14	0	—		
— Leopard Skins, undressed, the Skin -	0	9	6	—		
— Martin Skins, undressed, the Skin - -	0	1	3	—		
— Seal Skins in the Hair, not tanned, tawed or in any way dressed, the Skin - -	0	0	3	—		
— Skins of Seals taken in any Foreign Fishery by Persons not being British Subjects, the Skin - - - - -	0	1	6	—		
— Sheep Skins, undressed, the Dozen Skins -	0	2	3	—		
— Squirrel Skins, undressed, the 100 Skins -	0	11	6	—		
— Tyger Skins, undressed, the Skin - -	0	9	6	—		
— Skins and Furs, or Pieces of Skins and Furs, raw or undressed, not particularly enu- merated or described, nor otherwise charged with Duty, for every 100ℓ. of the Value - - - - -	20	0	0	—		
— Skins and Furs or Pieces of Skins and Furs, tanned, tawed or in any way dressed, not particularly enumerated or described, nor otherwise charged with Duty, for every 100ℓ. of the Value - - - - -	75	0	0	—		
Snuff, the lb. - - - - -	0	6	0	—		
Soap, viz.						
— Hard, the cwt. - - - - -	1	10	0	—		
— Soft, the cwt. - - - - -	1	5	0	—		
Socotorina Aloes, <i>See</i> Aloes.						
Specimens of such Minerals, Fossils or Ores which are not particularly enu- merated or described, nor otherwise charged with Duty, each Specimen not exceeding in Weight 14 lbs. (free) -	—			—		
— exceeding in Weight 14 lbs. each, for every 100ℓ. of the Value - - - - -	5	0	0	—		
— illustrative of Natural History, not otherwise enumerated or described, for every 100ℓ. of the Value - - - - -	5	0	0	—		
Spikenard, the lb. - - - - -	0	2	9	0	1	10
Spirits, viz.						
— Arrack or Spirits, not otherwise enu- merated or described,						
- - - - - the Gallon British Con- tent, single - - - - -	0	17	6½	—		
- - - - - the Gallon British Con- tent, if above Proof -	1	9	4½	—		
— Brandy, the Gallon British Content, single	0	17	4½	—		
— - - - the Gallon British Content, if above Proof - - - - -	1	9	2½	—		

TABLE (B.)—INWARDS.	British Currency.					
	Duty.			Drawback.		
	£.	s.	d.	£.	s.	d.
<i>Spirits, continued.</i>						
— Geneva, the Gallon British Content, single	0	17	4½	—		
- - - the Gallon British Content, if above Proof	1	9	2½	—		
— Rum, the Gallon British Content, single	0	16	8½	—		
- - - the Gallon British Content, if above Proof	1	8	6½	—		
— the Produce of the Settlement of the Cape of Good Hope, its Territories or Dependencies, imported directly from thence,						
- - - the Gallon British Content, single	0	16	8½	—		
- - - the Gallon British Content, if above Proof	1	8	6½	—		
— Oils, dried, the cwt.	1	0	0	—		
— not dried, the cwt.	0	5	0	—		
— Quirrel Skins, <i>See Skins.</i>						
— Resin Lac, <i>See Lac, in Gum.</i>						
— Drawings of Cotton, for every 100l. of the Value	67	10	0	—		
— Gums, or Styraz, <i>viz.</i>						
— Calamita, the lb.	0	2	0	0	1	4
— Liquida, the lb.	0	3	4	0	2	2
— in the Tear or Gum, the lb.	0	8	4	0	5	6
— Resins, the lb.	0	0	6	—		
— Sugar, <i>viz.</i>						
— Refined, the cwt.	8	8	0	—		
— Candy, <i>viz.</i>						
- - - Brown, the cwt.	5	12	0	—		
- - - White, the cwt.	8	8	0	—		
— not being Sugar Candy, nor refined, the Growth, Produce or Manufacture of any British Colony, Plantation or Territory in the East Indies, the cwt.	2	0	0	—		
- - - the Growth, Produce or Manufacture of China, Java, the Eastern Islands or any other Country or Place in the East Indies, the cwt.	3	3	0	—		
T.						
— Salt, the lb.	0	0	8	—		
— Tallow, the cwt.	0	3	2	—		
— Tamarinds, the lb.	0	0	6	—		
— Tapioca, or Tapioca Powder, the cwt.	1	10	0	—		
— Tea, having been sold by the United Company of Merchants of England trading to the East Indies, for every 100l. of the Value of all such Tea sold at or under 2s. the lb.	96	0	0	—		
— above 2s. the lb., for every 100l. of the Value	100	0	0	—		
— Terra Japonica, or Catachu, the lb.	0	0	10	—		

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
Thread, viz. Cotton Thread, for every 100l. of the Value	67 10 0	—
Tin, the cwt.	5 9 3	—
Tincal, <i>See Borax.</i>		
Tobacco, unmanufactured, the lb.	0 1 0	—
Tobacco is also subject to Duty of Excise.		
Tobacco, manufactured, the lb.	0 16 0	—
Tortoise Shell, viz.		
Manufactures of, for every 100l. of the Value	50 0 0	—
rough or unmanufactured, the lb.	0 4 0	—
Tragacanth Gum, <i>See Gum.</i>		
Trees, <i>See Plants.</i>		
Turbit, the lb.	0 2 6	0 1 8
Turmeric, the lb.	0 0 4	—
Turpentine, Oil of, <i>See Oil.</i>		
Tutim Lapis, <i>See Lapis.</i>		
Tyger Skins, <i>See Skins.</i>		
V.		
Vermicelli, the lb.	0 0 8	—
Vermillion, the lb.	0 2 0	0 1 4
W.		
Walking Canes, } Sticks, } <i>See Canes.</i>		
Wanghee Canes, }		
Waste, viz.		
Cotton Waste, <i>See Cotton Wool</i> , in Wool.		
Silk Waste, <i>See Waste</i> , in Silk.		
Wax, viz.		
Bees Wax, unmanufactured, the cwt.	3 6 6	—
- - the Produce of, and imported from any British Colony, Plantation or Territory, the cwt.	2 6 6	—
- - White or manufactured, the cwt.	6 3 6	—
Candles, <i>See Candles.</i>		
Whale Fins, viz.		
taken and caught by the Crew of a British built Ship or Vessel, wholly owned by His Majesty's Subjects usually residing in Great Britain, Ireland or the Islands of Guernsey, Jersey, Alderney, Sark or Man, registered and navigated according to Law, and imported in any such Shipping, the Ton containing 20 cwt.	2 7 6	—

TABLE (B.)—INWARDS.

	British Currency.	
	Duty.	Drawback.
	£. s. d.	£. s. d.
<i>Whale Fins, continued.</i>		
taken and caught wholly by His Majesty's Subjects usually residing in any Part of His Majesty's Dominions, and imported directly from the Cape of Good Hope, or from any British Colony, Possession, Settlement or Territory within the Limits of the East India Company's Charter, in a British built Ship or Vessel, owned, navigated and registered according to Law, the Ton containing 20 cwt. - -	3 3 4	—
For the Conditions, Regulations and Restrictions under which Whale Fins may be admitted to Entry, as of British Fishing, See Act 45 G. 3. c. 18.		
of Foreign Fishing, the Ton, containing 20 cwt. - -	95 0 0	—
Wood, for the several Duties on Wood of all Sorts, See Acts now in force relating thereto.		
Wine, for the Duties and Drawbacks thereon, See Wine in Table (A.) Inwards.		
Wool, viz.		
— Cotton Wool, or Waste of Cotton Wool, for every 100l. of the Value - -	6 0 0	—
— Sheep or Lambs Wool, the lb. - -	0 0 6	—
- - - the Produce of New South Wales, and Settlements and Dependencies thereof, until the 5th January 1826 inclusive, the lb. - -	0 0 1	—
- - - the Produce of, and imported from any other British Colony or Territory, - - - until 5th January 1826 inclusive, the lb. - -	0 0 3	—
- - - from and after 5th January 1826, the lb. - -	0 0 6	—
Y.		
Yarn, viz. Cotton Yarn, the lb. - -	0 1 3	—
Z.		
Zedoaria, the lb. - - - -	0 1 3	0 0 10
Goods, Wares and Merchandize, being either in part or wholly manufactured, not being enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used		

TABLE (B.)—INWARDS.	British Currency.	
	Duty.	Drawback.
Goods, &c. <i>continued.</i> in Ireland (except Wood of all Sorts, liable to the Duties under the Acts now in force), for every 100 <i>l.</i> of the Value	£. s. d. 50 0 0	£. s. d. —
Goods, Wares and Merchandize, not being either in part or wholly manufactured, not being enumerated or described, nor otherwise charged with Duty, and not prohibited to be imported into or used in Ireland (except Barilla and Wood of all Sorts liable to the Duties under the Acts now in force), for every 100 <i>l.</i> of the Value <i>Note.</i> — For the Manner in which the Value is to be ascertained of such Goods imported into Ireland, which had been imported into Great Britain by the United Company of Merchants of England trading to the East Indies, on which the Duties are charged in this Table according to the Value, See 45 G. 3. c. 18.	£. s. d. 20 0 0	£. s. d. —

C A P. LXXIII.

An Act to facilitate the Recovery of Damages for Malicious Injuries to Property in Ireland. [11th July 1823.]

29 G.2. (I.) WHEREAS by an Act made in the Parliament of Ireland in the Twenty ninth Year of the Reign of King George the Second, intituled *An Act to prevent unlawful Combinations of Tenants, Colliers, Miners and others, and the sending of Threatening Letters without Names, or with fictitious Names subscribed thereto, and the Malicious Destruction of Carriages; and for the more effectual Punishment of wicked Persons who shall maliciously set fire to Houses or Outhouses, or to Stacks of Hay, Corn, Straw or Turf, or to Ships or Boats; it is amongst other things provided, that when any Felony shall be committed against the said Act, and any One of the Offenders shall be apprehended and lawfully convicted of such Felony at the next Assizes to be held for the County where such Felony was committed, no Barony, nor any Inhabitant thereof, shall in any Case be subject or liable to make any Satisfaction to the Party injured for the Damages he shall have thereby sustained: And Whereas by an Act made in the Fifty sixth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend an Act of the Parliament of Ireland in the Fortieth Year of His present Majesty's Reign, for granting the Sum of Five hundred thousand Pounds for promoting Inland Navigation, and for other Purposes therein mentioned, and to enlarge the Powers vested in the Directors**

56 G.3. c.55.
§ 13.

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' *tors of all Works relating to Inland Navigation in Ireland*; it is
 ' among other things provided, that in case the Person or Persons,
 ' or any of them, who shall have committed any such Injury or
 ' Damage as in the said Act is mentioned, shall be convicted of
 ' such Offence, then and in such Case no Sum of Money shall be
 ' raised or levied in pursuance of any Presentment of any Grand
 ' Jury under the said recited Act: And Whereas the said recited
 ' Provisoes may operate to prevent the Conviction of such Offen-
 ' ders: Be it therefore enacted by the King's most Excellent
 Majesty, by and with the Advice and Consent of the Lords Spirit-
 ual and Temporal, and Commons, in this present Parliament assem-
 bled, and by the Authority of the same, That the said several
 Provisoes in the said several recited Acts shall be and the same
 are hereby repealed; and that from and after the passing of this
 Act, any Barony and any Inhabitant thereof shall be subject and
 liable to make Satisfaction under the said first recited (to the
 Amount in the said Act mentioned), to any Party injured, for any
 Damages sustained by any Felony committed contrary to the said
 first recited Act; and that any Sum or Sums of Money which shall
 have been or shall be presented by any Grand Jury under the said
 last recited Act, for the repairing or making good any Loss, In-
 jury or Damage, shall be raised and levied in pursuance of such
 Presentment, although in any Case, under either of the said recited
 Acts respectively, the Person or Persons who shall have committed
 any such Felony or Injury or Damage, or any of such Person or
 Persons, shall have been or shall be convicted of such Offence;
 any thing in the said recited Acts or either of them contained to
 the contrary in anywise notwithstanding.

repealed, and
 Baronies liable
 to make Satis-
 faction for
 Damages sus-
 tained, and Pre-
 sentments of
 Grand Juries
 levied.

C A P. LXXIV.

An Act for vesting in Commissioners the Bridges now build-
 ing over the *Menai Straits* and the River *Conway*, and the
 Harbours of *Howth* and *Holyhead*, and the Road from *Dub-
 lin* to *Howth*; and for the further Improvement of the Road
 from *London* to *Holyhead*. [11th July 1823.]

“ Recited Acts (except such as shall be repealed or varied by
 this Act) extended to this Act. § 1. Appointment of Com-
 missioners. § 2. Powers of Commissioners under 55 G. 3. c. 152.
 “ to cease. § 3. Electing additional Commissioners. § 4. New
 “ Commissioners in Cases of Death, Resignation, &c. § 5. In De-
 “ fault of Appointment by the surviving Commissioners, the Treas-
 “ ury may fill up Vacancies. § 6. Commissioners not to act where
 “ personally interested; may act as Justices of Peace. § 7. Meet-
 “ ings of Commissioners. § 8. Summoning Meetings. § 9.

X. And be it further enacted, That it shall be lawful for any
 Three or more of the said Commissioners to execute the Provisions
 of this Act; but that no Act shall be done at any Meeting, unless
 the First Lord of the Treasury, the Secretary of State for the
 Home Department, the Chancellor of the Exchequer, the Post-
 master General, the Chief Secretary to the Lord Lieutenant of
Ireland, or the First Commissioner of His Majesty's Woods, Forests
 and Land Revenues, for the Time being, or One of them, shall be
 present

Three Com-
 missioners may
 act, but no Act
 to be done un-
 less One of the
 Persons herein
 mentioned be
 present.

present at such Meeting, except where it shall be otherwise directed by this Act.

“ Meetings of Five or more Commissioners may be held at other
 “ Places than London and Westminster, if specially authorized.
 “ § 11. Vesting the Road from Dublin to Howth in the Commissioners. § 12. Portion of Tolls to be paid over to Commissioners.
 “ § 13. In case Default made in Payment, Commissioners may
 “ take Possession of Toll Houses. § 14. Commissioners under
 “ this Act may apply the Monies to be paid to them by the Commissioners under 50 G. 3. c. 93.—§ 15. The Road from Dublin
 “ to Annesley Bridge vested in Commissioners. § 16. Roads to
 “ be maintained under Powers of former Acts, which Commissioners under this Act may execute. § 17. Protecting the Sea
 “ Beach near Howth Harbour. § 18. 50 G. 3. c. 72. so far as relates to the vesting the Harbour of Howth in the Corporation
 “ for repairing the Port of Dublin repealed. § 19. Howth Harbour to be made over to and vested in the Commissioners. § 20.
 “ Power to sell Lands vested in the Commissioners under 50 G. 3. c. 93.—§ 21. 56 G. 3. c. 84. appointing a Harbour Master for
 “ Holyhead repealed. § 22. Commissioners for repairing Holyhead Harbour discharged from the Repair, and the Harbour
 “ vested in the Commissioners under this Act. § 23. Commissioners for Howth Harbour under recited Act 50 G. 3. c. 72., and the
 “ Commissioners for Holyhead Harbour under recited Act 50 G. 3. c. 93. and 55 G. 3. c. 152., shall present an Account to the Treasury of the Money in their Possession and of the Lands vested
 “ in them, &c. § 24. And the whole shall be delivered over by those Commissioners to the Commissioners under this Act. § 25.
 “ Lighthouse at Holyhead vested in Commissioners. § 26. Vesting the Road from the Drawbridge to the Graving Dock in the
 “ Commissioners. § 27. For the Security of Rights of Way, &c. § 28. Proviso for the Right of conveying Water to the Inner
 “ Boat Harbour. § 29. Power to sell Lands at Holyhead not wanted for the Purposes of this Act. § 30. Duties to be levied
 “ in Holyhead Harbour; and applied to Support of the Harbour and Lighthouse, and paying Salaries of Harbour Master and
 “ other Officers. § 31. One Arrival and Departure to be considered as One Voyage. § 32. Regulations for recovering Rates.
 “ § 33. Mode of ascertaining the Tonnage of Vessels. § 34. Persons obstructing Collector in measuring Ships, &c. Penalty
 “ 5*l.*—§ 35. Penalties on Persons eluding Payment of the Duties. § 36. Appointment of Harbour Master and Officers. § 37.
 “ Power of Harbour Masters. Masters of Ships not observing Directions, Penalty not exceeding 5*l.* and Expences. Obstructing
 “ Moorings, Penalty not exceeding 5*l.*—§ 38. Gunpowder on board certain Ships to be landed under the Regulations herein
 “ mentioned. Owners, &c. to sign Declaration of having no Gunpowder on board; refusing so to do, or having Gunpowder,
 “ Penalty not exceeding 20*l.*; refusing Officers to search, Penalty 20*l.*—§ 39. Combustibles not to remain on the Quays, or on
 “ the Decks of Vessels, longer than 24 Hours, and during that Time to be guarded. Penalty not exceeding 20*s.*—§ 40. Not
 “ to discharge Cannon, Guns or Fire Arms within the Harbours. Penalty not exceeding 5*l.*—§ 41. Graving or breaming
 “ Ships,

“ Ships, except at appointed Places, Penalty not exceeding 5*l*.—
 “ § 42. Regulations as to Ships using the dry or graving Dock at
 “ Holyhead. Penalty not exceeding 10*l*.—§ 43. Rates for using
 “ the dry or graving Dock. § 44. Damage done to Quays, &c.
 “ of the Harbours of Howth and Holyhead shall be made good
 “ by the Master of the Vessel. How recoverable. § 45. Persons
 “ not to lay Timber in the Harbours. Penalty. § 46. Ballast,
 “ Rubbish, &c. not to be thrown into the Harbours. Penalty not
 “ exceeding 50*l*.—§ 47. Unloosing Ships’ Ropes, &c. Penalty not
 “ exceeding 10*l*.—§ 48. Commissioners to provide Boats, Warps,
 “ &c. § 49. Power to Commissioners to make Bye Laws. Copies
 “ of the Bye Laws to be fixed in some conspicuous Place near the
 “ Harbour. § 50. Power for Commissioners to appoint Constables
 “ to act for Howth and Holyhead Harbours. Oath. § 51. Con-
 “ stables to detain suspected Persons. § 52. Commissioners to
 “ build a Cage or Place of Confinement at Holyhead. § 53. Magi-
 “ strates of the County and City of Dublin to act for Howth. § 54.
 “ Application of Harbour Penalties. § 55.

LVI. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to Ships, Vessels or Boats belonging to or employed in the Service of His Majesty, His Heirs and Successors, or in the Service of the Customs or Excise, or Post Office, using the said Harbour, or to any of the Officers or Persons employed therein respectively, or in the Preventive Service, or in the Service of the Admiralty, Ordnance or Navy Board; or to any Naval or Ordnance Stores, or other Matters imported into or exported from the said Harbour for the Use of the Navy or Army; or to any Yachts or Pleasure Boats or other Vessel belonging to His Majesty or any of the Royal Family; nevertheless the Captain or Master of every such Ship, Vessel or Boat, shall be answerable for all Damage done by such Ship, Vessel or Boat, or by the Mariners or others on board the same, to the Harbour, Wharfs or Works, or the Machinery or Tackle connected therewith, or to the Shipping therein, with full Costs of Suit.

Exemptions of
His Majesty’s
Ships;

and of Yachts,
Pleasure Boats,
&c.

“ So much of 59 G. 3. c. 48. as directs when the Bridge is built
 “ over the Menai Straits, the Roads and Bridges shall be de-
 “ livered over by the Commissioners, repealed. § 57. Menai Bridge
 “ vested in the Commissioners under this Act. § 58.—55 G. 3. c. 152.
 “ 59 G. 3. cc. 30. 48. relating to the Bridge to remain in force, and
 “ Powers thereof to be executed by the Commissioners. § 59.
 “ 59 G. 3. c. 48. recited. Two Years allowed for building the
 “ Menai Bridge from passing this Act. § 60. Ships passing Menai
 “ Straits while Ironwork erecting, Penalty 100*l*.—§ 61. Grant for
 “ additional Sum for completing Menai Bridge, 108,498*l*. 18*s*.—
 “ § 62. Additional Rate of Postage granted by 59 G. 3. c. 48.
 “ continued. § 63. 1 & 2 G. 4. c. 35. as to the vesting of Conway
 “ Bridge, repealed. § 64. Conway Bridge vested in Commissioners.
 “ § 65.—55 G. 3. c. 152. 1 & 2 G. 4. c. 30. relating to Conway
 “ Bridge to remain in force, and Powers thereof to be executed
 “ by the Commissioners. § 66.

LXVII. And be it further enacted, That it shall and may be lawful for the said Commissioners hereby appointed, to erect and set up, or cause to be erected and set up, One or more Gate or

Tolls of Con-
way Bridge.

Gates, Turnpike or Turnpikes, in, upon or across, or within One hundred Yards of the said Bridge over the River *Conway*, together with Toll Houses, and proper and necessary Buildings, Conveniences and Fences near to each Gate or Turnpike; and that the respective Tolls following may be demanded and taken by such Person or Persons as the said last mentioned Commissioners shall from time to time appoint, at each of the said Gates or Turnpikes, for each and every Time of passing over the said Bridge; that is to say,

For every Stage Coach and Mail Coach, any Sum not exceeding Seven Shillings and Sixpence :

For every Post Chaise licensed to carry Persons from Stage to Stage, any Sum not exceeding Five Shillings :

For every other Coach, Landau, Berlin, Barouche and Chaise with Four Wheels, any Sum not exceeding Fifteen Shillings :

For every Chaise, Chair or Gig with Two Wheels, any Sum not exceeding Two Shillings :

For every Waggon, Wain, Caravan or other such Carriage with Four Wheels, any Sum not exceeding Four Shillings :

For every Cart or other such Carriage with Two Wheels, any Sum not exceeding Two Shillings :

For every Horse, Mule or Ass not drawing any Carriage, any Sum not exceeding Two Pence :

For every Foot Passenger, One Penny :

For every Drove of Oxen, Cows or Neat Cattle, any Sum not exceeding One Shilling and Eight Pence *per* Score; and so in proportion for any greater or less Number :

For every Drove of Hogs, Calves, Sheep or Lambs, any Sum not exceeding Ten Pence *per* Score; and so in proportion for any greater or less Number.

“ Exemption to the King and Royal Family. § 68. Power to lower
 “ Tolls of Conway and Menai Bridges. § 69. Exemption of Toll
 “ in favour of Sir Thomas Mostyn. § 70. Application of the Tolls
 “ of Conway Bridge. § 71. Appointing Toll Collectors. § 72.
 “ Recovery of Bridge Tolls. § 73. For settling Disputes concern-
 “ ing Tolls. § 74. Collector not putting up his Name on the Front
 “ of the Toll Houses, and offending in the several Particulars
 “ herein mentioned, Penalty not exceeding 5*l.*—§ 75. Compo-
 “ sition may be made by the Commissioners with the Inhabitants
 “ of Anglesea, Carnarvon and Denbigh for the Passage of Menai
 “ and Conway Bridges. § 76. Tolls to be taken but once a Day,
 “ except for Stage Coaches, Carriages or Caravans. § 77. So
 “ much of recited Act 59 G. 3. c. 48. as relates to constructing a
 “ Swivel Bridge repealed. Commissioners may form an Embank-
 “ ment on Stanley Sands. § 78. Satisfaction shall be made to
 “ Owners of Lands adjoining the Stanley Sands for Damage sus-
 “ tained by them. § 79. If any Surplus remain after building
 “ Conway Bridge, a Road to be made from Aber to Conway.
 “ § 80. Commissioners under this Act to exercise all the Powers
 “ under 55 G. 3. c. 152. 1 G. 4. c. 70. and 1 & 2 G. 4. c. 35.—§ 81.
 “ Commissioners empowered to take down Houses, &c. described
 “ in the Schedule. § 82. Misnomer or wrong Descriptions in the
 “ Schedule not to prevent the Execution of this Act. § 83. Com-
 “ missioners

“missioners may cause Roads to be surveyed and Plans laid before
 “Trustees. § 84. Reports to be made to the Commissioners of
 “the State of the Roads, by Persons appointed by them to sur-
 “vey the same. § 85. Power for Trustees to contract with the
 “Commissioners to repair the Roads by the Year. § 86. No new
 “Plantations to be made within Fifty Feet of the Centre of the
 “Road. § 87. Provision for Payment of the Interest of 4000*l.* and
 “8000*l.* advanced by Exchequer Bill Commissioners. 57G. 3. c. 34.
 “57 G. 3. c. 124. 1 G. 4. c. 60.—§ 88. Trustees of the Stone-
 “bridge and Birmingham Roads, and the Trustees of Bilston
 “Roads, discharged from Payment of the said Sums of 4000*l.* and
 “8000*l.*—§ 89. The said Sums to be applied under the Powers of
 “1 & 2 G. 4. c. 30.—§ 90. The New Road at St. Albans to be
 “supported for Two Years by the Commissioners, and then to be
 “made over to the St. Albans Trust. § 91.

Power to
 the Trustees
 of St. Albans
 Trust to take
 Tolls.

XCII. And be it further enacted, That it shall and may be law-
 ful for the said Trustees of the *Saint Albans* Trust, and they are
 hereby authorized and required, when and as soon as the said new
 Road, commencing at or near *The Peahen Inn*, shall be com-
 pleted and opened to the Public, to cause a Toll Gate or Gates, or
 Bar or Bars, and Toll House or Houses, to be erected and set up
 on or by the Side of such Part or Parts of the said last mentioned
 new Road as to them shall seem most convenient; and it shall and
 may be lawful for the said last mentioned Trustees, and they are
 hereby authorized, empowered and required, when and as soon as
 such Toll Gate or Gates, or Bar or Bars, and Toll House or Houses,
 shall be completed, to take, demand and collect of the Person or
 Persons attending any Horses, Cattle or Carriages passing along
 the said last mentioned new Road, and through the said Toll Gate
 or Bar, before any Horse, Beast, Cattle or Carriage shall be per-
 mitted to pass through the same, the Tolls following; that is to
 say,

For every Horse, Mule or other Cattle, drawing any Coach, Lan-
 dau, Hearse, Chariot, Gig, Waggon, Cart or other Carriage of
 any Description, any Sum not exceeding the Sum of One Penny
 Halfpenny:

For every Horse, Mule or Ass, laden or unladen, and not drawing,
 any Sum not exceeding the Sum of One Halfpenny:

For every Drove of Oxen or other Neat Cattle, any Sum not ex-
 ceeding the Sum of Ten Pence *per* Score, and so in proportion
 for any greater or less Number:

For every Drove of Calves, Hogs, Sheep or Lambs, any Sum not
 exceeding the Sum of Five Pence *per* Score, and so in propor-
 tion for any greater or less Number.

“Tolls to be paid but once a Day, except for Stage Coaches and
 “Caravans. § 93. Tolls to be increased and afterwards reduced.

“§ 94. Trustees of St. Albans Trust to execute an Assignment
 “to the Commissioners for the Issue of Exchequer Bills of the

“Tolls, as a Security for Repayment of 10,000*l.* with Interest at
 “4*l.* per Cent. per Annum. § 95. Application of the Money

“arising by the Tolls. § 96. Tolls may be levied by the Trustees
 “of St. Albans Trust on the new Line of Road as other Tolls. § 97,

“Commissioners may erect Toll Gates and levy Toll if Trustees
 “neglect.

" neglect. § 98. For stopping up certain Roads and Footpaths.
 " § 99. The Road from Hadley to Mims not to be proceeded in.
 " § 100. Kingsbury Lane to be widened by the Commissioners.
 " § 101. For selling Land not wanted by the Commissioners. § 102.
 " Trustees of the District of the Wolverhampton Trust to continue
 " the additional Tolls. § 103. Trustees of the Wolverhampton
 " Trust to execute to the Commissioners for the Issue of Ex-
 " chequer Bills a further Charge on the additional Tolls for pay-
 " ing off certain Sums advanced. § 104. Trustees of the Hockliffe
 " and Stratford Road to continue the additional Tolls. § 105.
 " Trustees of the Hockliffe and Stratford Road to execute to the
 " Commissioners for the Issue of Exchequer Bills a further Charge
 " on the additional Tolls for paying off a certain Sum advanced.
 " § 106. Trustees of Wolverhampton Road, or of Hockliffe and
 " Stratford Road, neglecting to continue Tolls, the Commissioners
 " shall take Possession of Gates, and levy the same. § 107. Alter-
 " ing Interest on the 4000*l.* and 8000*l.* advanced, from 5*l.* per
 " Cent. per Annum, to 3*l.* per Cent. per Annum. § 108. New
 " Road at Stowe to be repaired for Two Years by Commissioners,
 " and then made over to Trustees of the Stratford and Dunchurch
 " Trust. 3 G. 4. c. xci.—§ 109. Improvements at Barnet and
 " Prickler's Hills. § 110. In case Act under which Trustees are
 " appointed should expire, Commissioners to collect the Tolls.
 " § 111. New Line of Road from Irishman's Bridge to Whitehurst
 " Gate. 41 G. 3. c. 88.—§ 112. Sale of the old Road by the Com-
 " missioners. § 113. New Cut to be made to avoid Tallypont
 " Hill; and the old Road from Bangor to Aber to be stopped up.
 " 30 G. 3.—§ 114. Tolls not to be taken on the Road from
 " Bangor to Conway, except on the Road leading to Bishop's
 " Mill on the Road to Capel Cerig. § 115. Appointment of Treas-
 " urer, Clerk and other Officers by Commissioners. § 116. Offi-
 " cers to continue. § 117. Officers to give Security and Account.
 " § 118. Recovery of Penalties and Forfeitures. § 119. For
 " securing transient Offenders. § 120. Proceedings not to be
 " quashed for want of Form. § 121. Persons aggrieved may ap-
 " peal to the Quarter Sessions. § 122. Limitation of Actions.
 " General Issue. Treble Costs. § 123.

Reports to be
 made of the
 State of the
 Harbours,
 Bridges and
 Roads.

CXXIV. And be it further enacted, That the said Commissioners
 by this Act appointed shall, on or before the Twenty fourth Day
 of *June* in every Year, report in Writing to His Majesty, and to
 both Houses of Parliament, their Proceedings, and the State and
 Condition and Repair of the said Harbours of *Howth* and *Holy-
 head*, and of the said Bridges over the *Menai Straits* and over the
River Conway respectively, and of the several Roads hereby placed
 under their Superintendance, and of all new Works and Improve-
 ments carrying on in or upon the said Harbours, Bridges and
 Roads, or any of them, and present an Account of the Money ad-
 vanced to and expended by the said Commissioners on each of the
 said Harbours, Bridges and Roads, in the Year ending the Fifth
 Day of *April* then last past, together with any Observations they
 may think proper.

* Public Act. § 125.

C A P. LXXV.

An Act for enabling His Majesty to inclose Part of *Kew Green*, and for dividing and extinguishing Rights of Common over certain Lands in the Parish of *Kew*, in the County of *Surrey*.
[11th July 1823.]

WHEREAS His Majesty is seised in Right of His Crown of the Manor of *Sheene*, otherwise *West Sheene*, otherwise *Richmond*, in the County of *Surrey*: And Whereas the West End of the Common called *Kew Green*, Part of the Waste of the said Manor, divides a Message and Grounds belonging to His Majesty on the North Side thereof, from other Grounds belonging to His Majesty on the South and West Sides thereof: And Whereas the Inclosure and Addition of so much of the said Waste as divides the said Grounds, and of the Road from the said Common to the Ferry called *Brentford Ferry*, would be a great Improvement to the said Property of His Majesty: And Whereas His Majesty hath been graciously pleased to signify His Royal Intention of causing to be made (in lieu of the said Road to the Ferry) a Road from *Kew Bridge* Westward along the Side of the Footpath in Front of the Houses on the North Side of the said Common called *Kew Green*, and thence Northward, a Footpath and Road to the Towing Path of the River *Thames*, and from thence Westward a raised Footpath and Road to *Brentford Ferry*; and also of causing to be made a Footpath along the Eastern End of the remaining Part of *Kew Green* aforesaid; and of causing the present Roads along the remaining Sides of *Kew Green* to be put in good State and Condition; and also of causing the said Roads and Footpaths, and all other the Highways and Footpaths in the said Parish of *Kew*, to be for ever hereafter kept in good Repair: And Whereas His Majesty and *William Selwyn* Esquire, and other Persons, are Owners of certain Meadow Lands in the said Parish of *Kew*, adjoining the Towing Path of the River *Thames*, and containing Nineteen Acres Three Roods and Fourteen Perches, or thereabouts: And Whereas *John Haverfield* Esquire, and other Persons, are Occupiers of Estates in the said Parish of *Kew*, and respectively are or claim to be entitled to Rights of Common of Pasturage over the said Meadow Lands during Half of every Year: And Whereas an Act was passed in the Forty first Year of the Reign of His late Majesty, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts of Inclosure, and for facilitating the Mode of proving the several Facts usually required on the passing of such Acts*: And Whereas an Act was passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to amend the Laws respecting the inclosing of Open Fields, Pastures, Moors and Waste Lands in England*: And Whereas the said Meadow Lands are in their present State incapable of any considerable Improvement, and it would be advantageous to the several Persons interested therein if the same were divided, and specific Shares allotted to the several Proprietors thereof, and if the Persons entitled to Rights of Common during Half the Year over the same were in lieu thereof to

41 G. 3. c. 109.

1 & 2 G. 4. c. 23.

His Majesty
may inclose
Part of Kew
Green;

‘ have the same Rights of Common at all Times of the Year over
‘ a Part thereof: But inasmuch as the several Purposes aforesaid
‘ cannot be effected without the Aid and Authority of Parliament;’
May it please Your Majesty that it may be enacted; and be it
enacted by the King’s most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and
Commons, in this present Parliament assembled, and by the Au-
thority of the same, That from and immediately after the said
Roads and Footpaths, in lieu of the said present Road to *Brentford
Ferry*, shall be made as hereinafter is mentioned, His Majesty, His
Heirs and Successors, shall and may, at His and Their own Costs
and Charges, inclose and continue inclosed, freed and discharged
of and from all Common Rights of what Nature or Kind soever,
all that Piece or Parcel of Land, Part of the said Waste or Com-
mon called *Kew Green*, and the Road from thence to His Majesty’s
Palace and *Brentford Ferry*, and the Waste Ground adjoining
thereto, bounded at the East End thereof by a straight Line drawn
from the North East Corner of the Messuage belonging to His Ma-
jesty, lately in the Occupation of *Barbara Meyer* Widow, to the
Entrance into the Royal Gardens on the opposite Side of the said
Common, as the same hath been marked by a Stone Dwarf Wall,
with an Iron Railing, lately erected by His Majesty; on the North
Side thereof by Messuages and Grounds lately in the Occupation
of the said *Barbara Meyer* and *Robert Hunter* Esquire, and now
belonging to His Majesty, and on Part by the said intended Foot-
path next the Towing Path, extending from the said Iron Railing,
at the South East Corner of the said Ground lately in the Occu-
pation of the said *Barbara Meyer*, Westward, to the South West
Corner of the said Ground lately in the Occupation of the said
Robert Hunter; then proceeding Northward to the North West
Corner of the said last mentioned Ground, and running from thence
Westward along the South Side of the said intended Footpath to
the said Ferry, and bounded at the West End and on the South
Side thereof by Walls and other Erections inclosing the Palace
and Royal Gardens belonging to His Majesty, and Ways or En-
trances into the same, extending from the Ferry aforesaid, in an
irregular Line, to the South East Corner of the said Iron Railing;
and also to cause to be discontinued the Road through that Part
of the said Common hereinbefore authorized to be inclosed, and
from thence to His Majesty’s Palace and the said Ferry called
Brentford Ferry; and it shall not be lawful for any Person or Per-
sons at any Time after the said Roads and Footpaths shall be
raised and completed, to make use of the said Road or any Part
thereof, on Foot or otherwise; any Right, Claim, Usage or Custom
to the contrary thereof in anywise notwithstanding.

and shut up the
present Road to
the Ferry.

His Majesty to
cause a Foot-
way to be made
to the Ferry,
and Roads
to be made
round Kew
Green, and all
the Highways
and Footpaths
in the Parish

II. Provided always, That the King’s most Excellent Majesty
shall, at His and their own proper Costs and Charges, cause to be
made, in lieu of the said Road to *Brentford Ferry*, the Roads and
Footpaths hereinafter mentioned; (that is to say,) a good and sub-
stantial Road for Carriages from the End of *Kew Bridge*, West-
ward, along the Side of the Footpath in Front of the Houses on
the North Side of *Kew Green* aforesaid, to the North eastward of
the said Stone Dwarf Wall and Iron Railing, and a good and sub-
stantial Road and Path for Carriages and Persons on Foot, contin-
ued

tinued from the End of the said last mentioned Road, and the Footpath by the Side of which it shall be made, Northward, along the East Side of the said Grounds of His Majesty, to the Towing Path of the River *Thames*, and a good and substantial raised Footpath and Road for Carriages by the Side thereof, continued from the End of the said last mentioned Road, Westward, along or on the Side of the said Towing Path, to *Brentford Ferry* aforesaid; and shall also cause to be made a good and substantial Footpath along the Eastern End of the remaining Part of *Kew Green* aforesaid, by the Side of the said Stone Dwarf Wall and Iron Railing, and shall also cause the present Road on the North Side of *Kew Green* aforesaid, Eastward from *Kew Bridge*, and the present Roads along the West and Southern Sides of *Kew Green* aforesaid, to be put in good and substantial State and Condition; and that His Majesty, His Heirs and Successors, or any Person or Persons claiming by, from or under or in Trust for His Majesty, His Heirs and Successors, who shall for the time being respectively hold, occupy, possess or enjoy the Gardens and Grounds belonging to His Majesty at *Kew*, do and shall keep the said Roads and Footpaths aforesaid, and all other the Highways and Footpaths in the said Parish of *Kew*, in such good and sufficient Repair as that the said Footpaths and all other Footpaths shall be convenient at all Times hereafter for Passengers on Foot, and that the said Roads and all other Highways shall at all Times hereafter be convenient for Passengers on Foot or on Horseback, and for the passing and repassing of Carriages.

to be kept in Repair.

III. And be it further enacted, That *Thomas Crawler* the elder, of *Cobham*, in the said County of *Surrey*, Land Surveyor, shall be and is hereby appointed the sole Commissioner for dividing, allotting and inclosing the said Meadow Lands, and for putting this Act in Execution, subject to the Rules, Orders, Directions and Regulations of the said recited Acts, which shall be applied and taken as Part of this Act, except only in Cases where the same are hereby varied or altered.

Commissioner appointed.

IV. And be it further enacted, That if the said *Thomas Crawler*, or any Commissioner to be appointed in his Stead, shall die or refuse to act, or become incapable of acting as a Commissioner in the Execution of this Act, it shall be lawful for the major Part in Value (such Value to be ascertained by the Pools Rate Assessment) of the Owners of or Persons interested in the said Meadow Lands, within Twenty Days next after such Death, Refusal or Incapacity shall be known, at a public Meeting to be called for that Purpose by any Two of the said Owners or Persons interested, (of which Meeting Ten Days' previous Notice shall be given in the Church of *Kew* aforesaid, and inserted in One of the Newspapers published in the County of *Surrey*, or as soon after as conveniently may be, by Writing under their Hands, to appoint a proper Person (not interested in the said Division) to be a Commissioner in the Room of the said *Thomas Crawler*, and in the Room of any Commissioner so appointed in his Stead, who shall die, or refuse to act, or become incapable of acting as aforesaid; and every such future Commissioner so to be appointed shall have the like Powers and Authorities for putting in Execution this Act and the said recited Acts, as if he had been named a Commissioner in and by this Act.

Power to elect a future Commissioner.

Appointment of
a Surveyor.

V. And be it further enacted, That *Thomas Cawter* the younger of *Cobham* aforesaid, Land Surveyor, shall be and he is hereby appointed Surveyor for making such Survey, Admeasurement or Plan, and for reducing the same into Writing, and specifying and setting forth such Particulars as are in that Behalf required, under and by virtue of the said first recited Act; and in case the said *Thomas Cawter* the younger shall die, or refuse or neglect to act, or be or become incapable of acting, the said Commissioner is hereby authorized and required forthwith to appoint such Surveyor in his Stead, and so from time to time, as often as any Surveyor for the Purposes of this Act shall die, or refuse to act, or be or become incapable of acting; and no Person shall act as such Surveyor until he shall have taken and subscribed the Oath or Affirmation following; that is to say,

Oath of Surveyor.

‘ I *A. B.* do swear [*or, being One of the People called Quakers,*
‘ do solemnly affirm,] That I will faithfully, impartially and
‘ honestly, according to the best of my Skill and Ability, execute
‘ and perform the Duties incumbent on me as a Surveyor, by virtue
‘ of an Act passed in the Fourth Year of the Reign of His present
‘ Majesty, intituled [*here insert the Title of this Act*], according
‘ to Equity and good Conscience, and without Partiality, Favour
‘ or Affection, Prejudice or Malice, to any Person or Persons
‘ whomsoever. ‘ So help me GOD.’

Which Oath or Affirmation the said Commissioner is hereby authorized and required to administer; and the said Oath or Affirmation, so taken and subscribed by such Surveyor or Surveyors, shall be annexed to the Award of the said Commissioner.

Notice of the
Commissioner's
Attendance on
the principal
Door of Kew
Church.

VI. And be it further enacted, That the said Commissioner shall cause Notice to be given upon some *Sunday* immediately before Divine Service, by Writing to be affixed upon the principal Door of the Church of *Kew* aforesaid, of the Time and Place of his first and every subsequent Attendance for the Execution of this Act, Ten Days at least before any such Attendance, and the said Commissioner may adjourn such Attendance from time to time as he shall see Occasion; and in case he shall not be present at the Time and Place appointed for such Attendance, it shall be lawful for any Person who shall act as Clerk to the said Commissioner to adjourn the same to any future Day: Provided always, that all Attendances of the said Commissioner by virtue of this Act shall be given at some convenient Place in the said Parish of *Kew*.

Meetings in
Parish of Kew.

Other Notices
in The County
Herald News-
paper.

VII. And be it further enacted, That all other Notices necessary to be given by the said Commissioner shall be given by Advertisement, to be inserted in *The County Herald*, or in some other Newspaper usually circulated in the Neighbourhood of the said Inclosure.

Commissioner
to determine
Differences;

VIII. And be it further enacted, That if any Dispute or Difference shall arise between any of the Parties interested in the said Meadow Lands concerning their respective Rights or Interests therein, or any Allotment to be made in lieu thereof, or any other Matter or Thing relating to the Division hereby directed to be made, it shall be lawful for the said Commissioner, and he is hereby required to examine into and determine the same: Provided always, that nothing in this Act contained shall authorize the said

but not Questions
of Title.

Com-

Commissioner to determine the Title to any Lands, Tenements or Hereditaments whatsoever.

IX. Provided also, and be it further enacted, That nothing in this Act contained shall extend to enable the said Commissioner to determine any Right between any Parties, contrary to the Possession of any such Parties; but if the said Commissioner shall be of Opinion against the Right of the Person or Persons so in Possession, he shall forbear to make any Determination thereupon, until the Possession shall have been given up or recovered from such Person or Persons by Ejectment or other due Course of Law.

Rights of Possession not to be determined by Commissioner.

X. And be it further enacted, That whenever the said Commissioner shall, upon Determination of any Claim or Objection to be delivered to him in pursuance of this or the said first recited Act, see cause to award any Costs, it shall be lawful for him, upon Application made for that Purpose, to settle, assess and award such Costs as he shall think reasonable, to be paid to the Party or Parties in whose Favour any Determination shall be made by the Party or Parties whose Claim or Objection shall be thereby rejected; and in case such Costs shall not be paid on Demand, it shall be lawful for the said Commissioner, and he is hereby required by Warrant under his Hand and Seal, directed to any Person whomsoever, to cause such Costs to be levied by Distress and Sale of the Goods and Chattels of the Party neglecting or refusing to pay the same, rendering the Overplus (if any) upon Demand to the Party whose Goods and Chattels shall have been so distrained and sold, after deducting the Charges attending such Distress and Sale.

Power to Commissioner to assess Costs.

XI. Provided always, and be it further enacted, That in case any Person or Corporation claiming to be interested in the said Meadow Land shall be dissatisfied with any Determination of the said Commissioner, concerning any Rights or Interests in or over the same, and shall, by Writing under his or her Hand, or the Hand of his or her Agent, or under their Common Seal respectively, signify the same to the said Commissioner within Three Calendar Months next after any such Determination shall have been made, and signified by Writing under the Hand of the said Commissioner, to the Person or Corporation against whom the same shall have been so made, or his, her or their Agent or Attorney, it shall be lawful for the Person or Corporation so dissatisfied with such Determination, to have the Subject thereof tried at Law, by an Action to be brought by him, her or them, against any Person or Persons, or Corporation, in whose Favour such Determination shall have been made, or against the said Commissioner, upon a feigned Issue, to be settled by the proper Officer of the Court where such Action shall be brought, in case the Parties differ about the same, such Action to be brought within Three Calendar Months next after any such Determination shall have been made, and Notice thereof given as before directed; and the Defendant or Defendants in such Action is and are hereby required to name an Attorney or Attornies who shall appear thereto, or file Common Bail, and accept One or more Issue or Issues, by which the Matter of such Determination of the said Commissioner may be tried, and the Plaintiff or Plaintiffs shall thereupon proceed in such

Power to try^l Claims at Law.

Notice of Action.

such Action so as to have the same tried and determined at the First or Second Assizes, to be holden for the said County of *Surrey*, next after the Commencement of the said Action; and the Verdict of the Jury on such Trial shall be binding and conclusive upon all the Parties interested therein, unless the Court wherein such Action shall be brought shall set aside such Verdict, and order a new Trial to be had thereupon, which it shall be lawful for the Court to do, as is usual in other Cases; and also upon sufficient Cause shewn to put off the Trial of such Issue, and that after such Verdict shall have been given, and final Judgment obtained thereon, the said Commissioner shall, and he is hereby required to act in Conformity thereto, and to allow or disallow the Claim or Claims thereby determined, according to the Event of such Trial or Trials; provided that all such Determinations of the said Commissioner as shall not be objected to as aforesaid, or in respect of which the dissatisfied Party shall not cause such Action at Law to be brought and proceeded in as aforesaid, shall be absolutely final and conclusive.

Determination of Commissioner not objected to, final.

Parties dying, no Abatement.

In case of the Death of Parties before Actions brought, the same to be carried on and defended in their Names.

XII. And be it further enacted, That if any or either of the Parties in any Action to be brought in pursuance of this Act shall die pending the same, such Action shall not abate by reason thereof, but be proceeded in as if no such Event had happened.

XIII. Provided always, and be it further enacted, That if any Person or Persons in whose favour any such Determination as aforesaid shall have been made, and against whom any such Action or Actions might have been brought if living, shall die before any such Action or Actions shall have been brought, and before the Expiration of the Time hereinbefore limited for bringing such Action or Actions, it shall be lawful for the Person or Corporation who might have brought such Action or Actions to bring the same, within the Time so limited as aforesaid, against such Person or Persons as if actually living, and to serve the Clerk to the said Commissioner with Process for commencing such Action or Actions, in the same Manner as the Party or Parties might have been served therewith if living; and it shall thereupon be incumbent on the Heir or Heirs, or other Person or Persons who shall claim the Benefit of such Determination as aforesaid, to appear and defend such Action or Actions in the Name or Names of the Person or Persons so dead, and Proceedings shall be had therein as if such Person or Persons had been actually living, and the Right of all Parties shall be equally bound and concluded by the Event of such Action or Actions.

The Meadow Lands to be allotted among the Owners according to their Shares.

XIV. And be it further enacted, That the said Commissioner shall set out, divide and allot the said Meadow Lands unto and amongst His Majesty and the several other Persons who, at the Time of such Allotment, shall be Owners of any Parts, Shares or Lots thereof, according to their several Shares, Parts, Lots and Interests therein, in such Proportions and Allotments, to be settled and ascertained by such Ways and Means as to the said Commissioner shall seem most equitable and proper, and to be held in Severalty in lieu of the Shares, Parts or Lots, and Interest to which they are now respectively entitled of and in the same.

Allotments to be of the same Tenure.

XV. And be it further enacted, That all Lands which shall be allotted by virtue of this or the said first recited Act shall be held

held under the same Tenure, Rents, Customs and Services as the Lands in lieu of which such Allotments shall be made were respectively held before the passing of this Act, or would have been held in case this Act had not been made.

XVI. And be it further enacted, That the said Commissioner shall, after setting out the said Allotments, set out, allot and award such Part or Parts of the Allotment or Allotments of the said Meadow Lands which shall be made to His Majesty as aforesaid, for the Enjoyment of such Right of Common of Pasturage over the same at all Times of the Year, by the Persons who, if this Act had not been made, would have been entitled to such Rights during Half the Year over all the said Meadow Lands, as the said Commissioner shall adjudge to afford a fair Equivalent and Compensation for such Rights of Common as such Persons are now entitled to over all the said Meadow Lands; and the Persons who would for the Time being respectively have been entitled to Right or Common over the said Meadow Lands during half the Year, if this Act had not been passed, shall, in full Satisfaction of such Rights, have and enjoy exclusively, and at all Times of the Year, such and the like Rights of Common for such and the like Cattle, and under such and the like Regulations and Restrictions (as far as Circumstances will permit) as they respectively are now entitled to over the said Meadow Lands during Half the Year; and from and after the Execution of the Award by the said Commissioner, all such Rights of Common over all the Parts of the said Waste and Common, and of the other Parts of the said Meadow Lands to be inclosed and divided as aforesaid, shall cease and be for ever extinguished.

Allotment of Part of the King's Allotment for a Common at all Times of the Year.

XVII. And be it further enacted, That the said Commissioner shall also award and determine the Amount or Value in Money of the Discharge from the said Right of Common during Half the Year, of every Allotment to be made of the said Meadow Land to every Person except His Majesty; and such Amount or Value shall be paid by the Person or Persons entitled to such Allotment respectively to His Majesty, His Successors or Assigns, and the Receipt of any One of the Commissioners of His Majesty's Woods, Forests and Land Revenues, shall be an effectual Discharge for the same respectively.

Value of Discharge from Common Right of Allotment awarded to the King.

XVIII. And be it further enacted, That in case the Person or Persons to whom any Allotment shall have been made shall neglect or refuse to pay the Sum of Money so awarded to be paid by him or them to His Majesty, His Successors or Assigns as aforesaid, or any Part thereof, for the Space of Two Calendar Months next after the Execution of the Award of the Commissioner, then and in such Case the said Commissioner shall and he is hereby required to sell the Allotment in respect of which such Sum of Money ought to have been paid, or a sufficient Part thereof, by Public Auction or Private Contract, and out of the Money which shall be produced by such Sale to retain all the Costs and Expences attending such Sale, and pay the said Sum of Money, or so much thereof in Payment of which Default shall have been made as aforesaid, unto His Majesty, His Successors or Assigns, in Manner aforesaid; and the Residue or Surplus, if any, of such Money, shall be paid to the Person or Persons to whom

If Default is made in Payment to the Crown of the Sums awarded, the Commissioner shall sell the Allotment, or a sufficient Part to pay the same.

whom such Allotment shall have been made; and the said Commissioner shall and he is hereby empowered to convey such Allotment, or such Part thereof as shall be sold, and the Fee Simple and Inheritance thereof, by a Deed under his Hand and Seal, to the Purchaser or Purchasers thereof, his or their Heirs and Assigns, or as he or they shall direct, at the Expence of such Purchaser or Purchasers, and the Receipt of the said Commissioner on the Back of such Deed respectively shall effectually discharge the Purchaser or Purchasers from seeing to the Application of the Purchase Money, or being answerable for the same.

Commissioner
may direct
Ditches to be
made.

XIX. And be it further enacted, That the said Commissioner may set out and direct such new Duties and Watercourses to be made, of such Depth and Breadth, and in such situation and Direction as the Commissioner shall think proper, in, through or upon the Land hereby directed to be divided and inclosed, or any Part or Parts thereof; and the said Commissioner shall, and he is hereby directed, by his Award, to direct by whom and at whose Expence, and at what Time and in what Manner the present Ditches or any such Ditches and Watercourses shall be thereafter repaired, scoured and maintained.

Commissioner
to direct when
Fences are to
be made.

XX. And be it further enacted, That the said Commissioner for the Time being shall, and he is hereby required, by the Award to be executed by him, to direct and declare within what Time, and how and in what Manner, the Fences for dividing and inclosing the several Allotments to be set out and inclosed under and by virtue of this Act shall be made, and by whom the same shall for ever thereafter be kept in Repair.

Wills and
Settlements not
to be affected.

XXI. And be it further enacted, That nothing in this Act contained shall extend to revoke, make void, alter or prejudice any Settlement, Will, Mortgage or Deed, or other Instrument whatsoever, or to prejudice any Person or Persons having any Right to or Claim of Dower, Jointure, Portion, Debt, Charge or Incumbrance whatsoever, in, out of, upon or affecting any Lands or Hereditaments which shall be divided and allotted in pursuance of this Act or the said first recited Act, but that the several Lands so to be allotted shall from and after the making of such Allotments be, remain and be held and enjoyed, and the several Persons to whom the same shall be allotted shall from henceforth stand and be seised and possessed thereof respectively, to such and the same Uses, and for such and the same Estates, and with such and the same Powers and Authorities for making Leases or otherwise, and subject to the same Wills, Limitations, Conditions, Settlements, Uses, Trusts, Powers, Provisoies, Debts, Charges and Incumbrances as the several Lands, Tenements or other Hereditaments, in respect or in lieu whereof such Allotments shall be respectively made, were and stood severally limited, or subject and liable unto, at the Time of making such Allotments respectively.

Award with
Plan of Meadow
Land to be
deposited
among the Re-
cords of the
County,

XXII. And be it further enacted, That the Award to be made by the said Commissioner under the Authority of this Act and the said first recited Act, together with a proper Map or Plan of the said Meadow Land thereto annexed, shall, within Twelve Calendar Months after the Execution thereof, be delivered to the Clerk of the Peace for the said County of Surrey, who is hereby

hereby required to deposit and keep the same among the Records of the said County, so that Recourse may be had thereto by any Person or Persons interested in the Premises, for the Reception whereof the Sum of Three Pounds Three Shillings shall be paid and no more, and for Inspection and Perusal whereof the Sum of One Shilling and no more shall be paid; and the said Award shall from and after the Delivery thereof to the said Clerk of the Peace be deemed and taken to be enrolled, according to the Directions and within the Meaning of the said first recited Act; and a Copy of the said Award, fairly transcribed in a Book, with a proper Map or Plan of the Allotments, shall within the Time aforesaid be deposited in the Church of *Kew* aforesaid, and there be kept in a Tin Box to be provided for that Purpose; and the said Award and Copy thereof, as well as any other Copy of the said Award, or any Part or Parts thereof, which shall be attested by the said Clerk of the Peace or his Deputy, (for every Sheet of which Copy, containing Seventy two Words, Four Pence and no more shall be paid,) shall from time to time and at all times thereafter be admitted and allowed as legal Evidence of the Matters and Things therein contained in all Courts whatsoever.

and a Copy thereof deposited in the Church of *Kew*.

XXIII. And be it further enacted, That the Commissioner for the Time being shall be allowed and paid the Sum of Three Pounds and Three Shillings and no more, for every Day which he shall travel or be employed, and actually attend in any Business relating to the Execution of the Powers and Authorities hereby in him reposed, which Sum shall include all his Expences; and that the Surveyor appointed by the said Commissioner shall be paid such Sum or Sums of Money for his Pains, Trouble, Expences and Attendances on the said Commissioner in the Execution of this Act, as the Commissioner shall think just and reasonable.

Allowance to the Commissioner, &c.

XXIV. And be it further enacted, That if any Person or Persons, or Body or Bodies Politic or Corporate or Collegiate, shall think himself, herself or themselves aggrieved by any Thing done or omitted to be done in pursuance of the said recited Acts or this Act, (other than and except as to such Claims, Matters and Things as shall be ascertained, settled, tried or determined by the Verdict of a Jury, under the Power and Authority hereinbefore contained, or where by any of the Provisions of the said recited Acts or this Act the Determinations, Orders, Acts or Proceedings of the said Commissioner are declared or directed to be final or conclusive,) then and in every such Case he, she or they may appeal to the Justices at the General or Quarter Sessions of the Peace which shall be held for the said County of *Surrey*, within Four Calendar Months next after the Cause of Complaint shall have arisen, on giving to the said Commissioner, and to the Party or Parties concerned, Ten Days' Notice in Writing of such Appeal, and of the Matter thereof; and the Justices (not interested in the Premises), at the said General Quarter Sessions, are hereby required to hear and determine the Matter of every such Appeal, and to make such Order, and award such Costs and Damages as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy the Costs and Damages which shall be so awarded, by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay

Appeal to the Quarter Sessions.

Notice.

Costs.

Determination
final.

Costs by Ap-
pellant.

Auditor of the
Commissioner's
Accounts.

For paying the
Expences of
this Act.

General
Saving.

Public Act.

pay the same, rendering the Overplus (if any), upon Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Warrant, Distress and Sale; and the Determination of such Justices shall be final and conclusive to all Parties concerned, and shall not be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, or elsewhere; but in case such Appeal shall appear to the said Justices to be frivolous, vexatious or without sufficient Foundation, then the said Justices shall award such Costs to be paid by the Appellant or Appellants as to the said Justices in their Discretion shall seem reasonable, and to be levied in Manner aforesaid.

XXV. And be it further enacted, That the Accounts of the Commissioner for the Time being, containing a true Statement of all Sums received and expended, or due to him for his own Trouble and Expences, shall, at least once in every Year after the passing of this Act, until such Accounts shall be finally allowed, together with the Vouchers relating to the same, be examined and audited by one of His Majesty's Justices of the Peace for the said County of *Surrey*, and the Balance by him stated in the Book of Accounts to be kept in the Office of the Clerk to the said Commissioner, and that no Charge or Item in such Accounts shall be binding on the Parties concerned, or be valid in Law, unless the same shall be duly allowed by the said Auditor.

XXVI. And be it further enacted, That all the Costs, Charges and Expences of the said Commissioner, and the Allowances to be made to him, and all other incidental Expences attending the obtaining and passing of this Act, and of the valuing, surveying, planning, measuring, dividing and allotting the Lands and Grounds hereby directed to be divided, allotted and inclosed, and of preparing the Award of the said Commissioner, and all other Charges and Expences of carrying this Act and the said first recited Act into Execution, shall be paid by His Majesty, His Successors or Assigns.

XXVII. Saving always, to all and every other Person or Persons, and Body or Bodies Politic, Corporate or Collegiate, and his, her and their Heirs, Successors, Executors and Administrators, (except His Majesty, and the several Persons to whom any Allotment or Allotments shall be made in pursuance of the said first recited Act or this Act, or who shall be entitled to Rights of Common upon the Allotment or Allotments to be awarded for the Enjoyment of such Rights, for in respect of such Rights or Interests as are hereby meant and intended to be barred and destroyed and extinguished, and all Persons respectively claiming under them, or in Remainder after them), all such Right, Estate, Title and Interest as they, every or any of them could or might have had and enjoyed of, in, to or in respect of the Lands hereby directed to be divided and inclosed, in case this Act had not been passed.

XXVIII. 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.

C A P.

C A P. LXXVI.

An Act for amending the Laws respecting the Solemnization of Marriages in *England*. [18th July 1823.]

‘ WHEREAS it is expedient to amend the Laws respecting the Solemnization of Marriages in *England* ;’ Be it enacted by the King’s most Excellent Majesty, by and with the 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 *November* next ensuing the passing of this Act, so much of an Act passed in the Twenty sixth Year of the Reign of King *George* the Second, intituled *An Act for the better preventing of Clandestine Marriages*, as was in force immediately before the passing of this Act ; and also an Act passed in the present Session of Parliament, intituled *An Act to repeal certain Provisions of an Act passed in the Third Year of His present Majesty, intituled ‘ An Act to amend certain Provisions of the Twenty sixth of George the Second, for the better preventing of Clandestine Marriages ;’* shall be and the same are hereby repealed ; save and except as to any Acts, Matters or Things done under the Provisions of the said recited Acts, or either of them, before the said First Day of *November*, as to which the said recited Acts shall respectively be of the same Force and Effect as if this Act had not been made ; save also and except so far as the said recited Acts, or either of them, repeal any former Act, or any Clause, Matter or Thing therein contained.

26 G. 2. c. 38.

4 G. 4. c. 17.

repealed.
Exceptions.

II. And be it further enacted, That from and after the First Day of *November* all Banns of Matrimony shall be published in an audible Manner in the Parish Church, or in some Public Chapel, in which Chapel Banns of Matrimony may now or may hereafter be lawfully published, of or belonging to such Parish or Chapelry wherein the Persons to be married shall dwell, according to the Form of Words prescribed by the Rubrick prefixed to the Office of Matrimony in the Book of Common Prayer, upon Three *Sundays* preceding the Solemnization of Marriage, during the Time of Morning Service, or of Evening Service, (if there shall be no Morning Service in such Church or Chapel upon the *Sunday* upon which such Banns shall be so published,) immediately after the Second Lesson ; and whensoever it shall happen that the Persons to be married shall dwell in divers Parishes or Chapelries, the Banns shall in like Manner be published in the Church or in any such Chapel as aforesaid belonging to such Parish or Chapelry wherein each of the said Persons shall dwell ; and that all other the Rules prescribed by the said Rubrick concerning the Publication of Banns and the Solemnization of Matrimony, and not hereby altered, shall be duly observed ; and that in all Cases where Banns shall have been published, the Marriage shall be solemnized in one of the Parish Churches or Chapels where such Banns shall have been published, and in no other Place whatsoever.

Banns, where, when and how published, and Marriage to be solemnized where Banns published.

III. And be it further enacted, That the Bishop of the Diocese, with the Consent of the Patron and the Incumbent of the Church of the Parish in which any public Chapel, having a Chapelry thereunto

Bishop, with Consent of Patron and Incumbent, may

authorize Publication of Banns in any Public Chapel.

thereunto annexed, may be situated, or of any Chapel situated in an Extra parochial Place, signified to him under their Hands and Seals respectively, may authorize, by Writing under his Hand and Seal, the Publication of Banns and the Solemnization of Marriages in such Chapel for Persons residing within such Chapelry or Extra parochial Place respectively; and such Consent, together with such written Authority, shall be registered in the Registry of the Diocese.

Notice to be placed in such Chapel.

IV. Provided always, and be it enacted, That in every Chapel in respect of which such Authority shall be given as aforesaid, there shall be placed in some conspicuous Part of the Interior of such Chapel a Notice in the Words following: "Banns may be published and Marriages solemnized in this Chapel."

Provisions relative to Marriage Registers extended to Chapels so authorized as aforesaid.

V. Provided always, and be it further enacted, That all Provisions now in force, or which may hereafter be established by Law, relative to providing and keeping Marriage Registers in any Parish Churches, shall extend and be construed to extend to any Chapel in which the Publication of Banns and Solemnization of Marriages shall be so authorized as aforesaid, in the same Manner as if the same were a Parish Church; and every thing required by Law to be done relative thereto by the Churchwardens of any Parish Church shall be done by the Chapelwarden or other Officer exercising analogous Duties in such Chapel.

Book to be provided for the Registration of Banns, &c.

VI. And be it further enacted, That on or before the said First Day of *November*, and from time to time afterwards as there shall be Occasion, the Churchwardens and Chapelwardens of Churches and Chapels wherein Marriages are solemnized, shall provide a proper Book of substantial Paper, marked and ruled respectively in Manner directed for the Register Book of Marriages; and the Banns shall be published from the said Register Book of Banns by the officiating Minister, and not from loose Papers, and after Publication shall be signed by the officiating Minister, or by some Person under his Direction.

Notice of Names and Place and Time of Abode of Parties to be given to Minister.

VII. Provided always, and it is hereby further enacted, That no Parson, Vicar, Minister or Curate shall be obliged to publish the Banns of Matrimony between any Persons whatsoever, unless the Persons to be married shall, Seven Days at the least before the Time required for the first Publication of such Banns respectively, deliver or cause to be delivered to such Parson, Vicar, Minister or Curate, a Notice in Writing, dated on the Day on which the same shall be so delivered, of their true Christian Names and Surnames, and of the House or Houses of their respective Abodes within such Parish or Chapelry as aforesaid, and of the Time during which they have dwelt, inhabited or lodged in such House or Houses respectively.

How far Ministers not punishable for marrying Minors without Consent; in what case Publication of Banns void.

VIII. Provided always, and be it enacted by the Authority aforesaid, That no Parson, Minister, Vicar or Curate, solemnizing Marriages after the First Day of *November* next, between Persons both or one of whom shall be under the Age of Twenty one Years, after Banns published, shall be punishable by Ecclesiastical Censures for solemnizing such Marriages without Consent of Parents or Guardians, unless such Parson, Minister, Vicar or Curate shall have Notice of the Dissent of such Parents or Guardians; and in case such Parents or Guardians, or one of them,

them, shall openly and publicly declare or cause to be declared, in the Church or Chapel where the Banns shall be so published, at the Time of such Publication, his, her or their Dissent to such Marriage, such Publication of Banns shall be absolutely void.

IX. And be it further enacted, That whenever a Marriage shall not be had within Three Months after the complete Publication of Banns, no Minister shall proceed to the Solemnization of the same until the Banns shall have been republished on Three several *Sundays*, in the Form and Manner prescribed in this Act, unless by Licence duly obtained according to the Provisions of this Act.

X. And it is hereby further enacted, That no Licence of Marriage shall, from and after the said First Day of *November*, be granted by any Archbishop, Bishop, or other Ordinary or Person having Authority to grant such Licences, to solemnize any Marriage in any other Church or Chapel than in the Parish Church or in some Public Chapel of or belonging to the Parish or Chapelry within which the usual Place of Abode of One of the Persons to be married shall have been for the Space of Fifteen Days immediately before the granting of such Licence.

XI. And be it further enacted, That if any Caveat be entered against the Grant of any Licence for a Marriage, such Caveat being duly signed by or on the Behalf of the Person who enters the same, together with his Place of Residence and the Ground of Objection on which his Caveat is founded, no Licence shall issue till the said Caveat, or a true Copy thereof, be transmitted to the Judge out of whose Office the Licence is to issue, and until the Judge has certified to the Register that he has examined into the Matter of the Caveat, and is satisfied that it ought not to obstruct the Grant of the Licence for the said Marriage, or until the Caveat be withdrawn by the Party who entered the same.

XII. Provided always, and be it further enacted, That all Parishes where there shall be no Parish Church or Chapel belonging thereto, or none wherein Divine Service shall be usually solemnized every *Sunday*, and all Extra parochial Places whatever, having no Public Chapel wherein Banns may be lawfully published, shall be deemed and taken to belong to any Parish or Chapelry next adjoining, for the Purposes of this Act only; and where Banns shall be published in any Church or Chapel of any Parish or Chapelry adjoining to any such Parish or Chapelry where there shall be no Church or Chapel, or none wherein Divine Service shall be solemnized as aforesaid, or to any Extra parochial Place as aforesaid, the Parson, Vicar, Minister or Curate publishing such Banns shall, in Writing under his Hand, certify the Publication thereof in the same Manner as if either of the Persons to be married had dwelt in such adjoining Parish or Chapelry.

XIII. Provided always, and be it further enacted and declared, That if the Church of any Parish, or Chapel of any Chapelry, wherein Marriages have been usually solemnized, be demolished in order to be rebuilt, or be under Repair, and on such Account be disused for public Service, it shall be lawful for the Banns to be proclaimed in a Church or Chapel of any adjoining Parish or Chapelry in which Banns are usually proclaimed, or in any Place within the Limits of the Parish or Chapelry which shall be licensed by the Bishop of the Diocese for the Performance of Divine Service

In what case
Republication
of Banns ne-
cessary.

Licences to
marry in
Church, &c. of
Parish wherein
One Party re-
sided for 15
Days before.

Where Caveat
entered no Li-
cence to issue
till Matter
examined by
Judge.

Parishes, where
no Church or
Chapel, and
Extra paro-
chial Places,
deemed to
belong to any
adjoining
Parish, &c.

Where
Churches are
demolished or
under Repair
Banns to be
proclaimed in
a Church or
Chapel of an
adjoining
Parish, &c.

Proviso for former Marriages so solemnized.

Oath to be taken before the Surrogate as to certain Particulars before Licence is granted.

Bond not to be required before granting Licence.

Who are to give Consent if Parties are under Age.

If the Father of Minor be non compos Mentis, or if Guardians or Mother of Minor be non compos Mentis, or beyond Sea,

vice during the Repair or rebuilding of the Church as aforesaid; and where no such Place shall be so licensed, then, during such Period as aforesaid, the Marriage may be solemnized in the adjoining Church or Chapel wherein the Banns have been proclaimed; and all Marriages heretofore solemnized in other Places within the said Parishes or Chapelries than the said Churches or Chapels, on account of their being under Repair, or taken down in order to be rebuilt, shall not be liable to have their Validity questioned on that account, nor shall the Ministers who have so solemnized the same be liable to any Ecclesiastical Censure, or to any other Proceeding or Penalty whatsoever.

XIV. And be it further enacted, for avoiding all Fraud and Collusion in obtaining of Licences for Marriage, That before any such Licence be granted, One of the Parties shall personally swear before the Surrogate or other Person having Authority to grant the same, that he or she believeth that there is no Impediment of Kindred or Alliance, or of any other lawful Cause, nor any Suit commenced in any Ecclesiastical Court, to bar or hinder the proceeding of the said Matrimony according to the Tenor of the said Licence; and that One of the said Parties hath, for the Space of Fifteen Days immediately preceding such Licence, had his or her usual Place of Abode within the Parish or Chapelry within which such Marriage is to be solemnized; and where either of the Parties, not being a Widower or Widow, shall be under the Age of Twenty one Years, that the Consent of the Person or Persons whose Consent to such Marriage is required under the Provisions of this Act has been obtained thereto: Provided always, that if there shall be no such Person or Persons having Authority to give such Consent, then upon Oath made to that Effect by the Party requiring such Licence, it shall be lawful to grant such Licence notwithstanding the Want of any such Consent.

XV. Provided always, and be it further enacted, That it shall not be required of any Person applying for any such Licence, to give any Caution or Security, by Bond or otherwise, before such Licence is granted; any Thing in any Act or Canon to the contrary thereof notwithstanding.

XVI. And be it further enacted, That the Father, if living, of any Party under Twenty one Years of Age, such Parties not being a Widower or Widow; or if the Father shall be dead, the Guardian or Guardians of the Person of the Party so under Age, lawfully appointed, or One of them; and in case there shall be no such Guardian or Guardians, then the Mother of such Party, if unmarried; and if there shall be no Mother unmarried, then the Guardian or Guardians of the Person appointed by the Court of Chancery, if any, or One of them, shall have Authority to give Consent to the Marriage of such Party; and such Consent is hereby required for the Marriage of such Party so under Age, unless there shall be no Person authorized to give such Consent.

XVII. And be it further enacted, That in case the Father or Fathers of the Parties to be married, or of One of them, so under Age as aforesaid, shall be *non compos Mentis*, or the Guardian or Guardians, Mother or Mothers, or any of them whose Consent is made necessary as aforesaid to the Marriage of such Party or Parties, shall be *non compos Mentis*, or in Parts beyond the Seas,

or

or shall unreasonably or from undue Motives refuse or withhold his, her or their Consent to a proper Marriage, then it shall and may be lawful for any Person desirous of marrying, in any of the before mentioned Cases, to apply by Petition to the Lord Chancellor, Lord Keeper or the Lords Commissioners of the Great Seal of *Great Britain* for the Time being, Master of the Rolls or Vice Chancellor of *England*, who is and are respectively hereby empowered to proceed upon such Petition in a summary Way; and in case the Marriage proposed shall upon Examination appear to be proper, the said Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal for the Time being, Master of the Rolls or Vice Chancellor, shall judicially declare the same to be so; and such judicial Declaration shall be deemed and taken to be as good and effectual, to all Intents and Purposes, as if the Father, Guardian or Guardians, or Mother of the Person so petitioning had consented to such Marriage.

&c. Parties may apply to the Lord Chancellor.

XVIII. Provided always, and be it enacted, That from and after the said First Day of *November* no Surrogate hereafter to be deputed by any Ecclesiastical Judge who hath Power to grant Licences, shall grant any such Licence until he hath taken an Oath before the said Judge, or before a Commissioner appointed by Commission under the Seal of the said Judge, which Commission the said Judge is hereby authorized to issue, faithfully to execute his Office according to Law, to the best of his Knowledge, and hath given Security by his Bond in the Sum of One hundred Pounds to the Bishop of the Diocese for the due and faithful Execution of his said Office.

Surrogate to take Oath of Office.

XIX. And be it also enacted, That whenever a Marriage shall not be had within Three Months after the Grant of a Licence by any Archbishop, Bishop, or any Ordinary or Person having Authority to grant such Licence, no Minister shall proceed to the Solemnization of such Marriage until a new Licence shall have been obtained, unless by Banns duly published according to the Provisions of this Act.

In what case new Licence to be obtained.

XX. Provided always, and be it further enacted, That nothing hereinbefore contained shall be construed to extend to deprive the Archbishop of *Canterbury* and his Successors, and his and their proper Officers, of the Right which hath hitherto been used, in virtue of a certain Statute made in the Twenty fifth Year of the Reign of the late King *Henry* the Eighth, intituled '*An Act concerning Peter Pence and Dispensations*,' of granting Special Licences to marry at any convenient Time or Place.

Right of Archbishop of Canterbury to grant Special Licences, as under 25 H.8. c. 21.

XXI. And be it further enacted, That if any Person shall, from and after the said First Day of *November*, solemnize Matrimony in any other Place than a Church or such Public Chapel wherein Banns may be lawfully published, or at any other Time than between the Hours of Eight and Twelve in the Forenoon, unless by Special Licence from the Archbishop of *Canterbury*, or shall solemnize Matrimony without due Publication of Banns, unless Licence of Marriage be first had and obtained from some Person or Persons having Authority to grant the same; or if any Person, falsely pretending to be in Holy Orders, shall solemnize Matrimony according to the Rites of *England*; every Person knowingly and wilfully so offending, and being lawfully

Persons unduly solemnizing Marriage in the Manner herein mentioned.

Transportation. convicted thereof, shall be deemed and adjudged to be guilty of Felony, and shall be transported for the Space of Fourteen Years, according to the Laws in force for Transportation of Felons: **Limitation of Prosecution.** Provided that all Prosecutions for such Felony shall be commenced within the Space of Three Years after the Offence committed.

Marriage void where Persons wilfully marry in any other Place than a Church, &c. XXII. Provided always, and be it further enacted, That if any Persons shall knowingly and wilfully intermarry in any other Place than a Church, or such Public Chapel wherein Banns may be lawfully published, unless by Special Licence as aforesaid, or shall knowingly and wilfully intermarry without due Publication of Banns, or Licence from a Person or Persons having Authority to grant the same, first had and obtained, or shall knowingly and wilfully consent to or acquiesce in the Solemnization of such Marriage by any Person not being in Holy Orders, the Marriages of such Persons shall be null and void to all Intents and Purposes whatsoever.

When Marriage solemnized between Parties under Age contrary to this Act, by false Oath or Fraud, the guilty Party to forfeit all Property accruing from the Marriage. XXIII. And be it further enacted, That if any valid Marriage solemnized by Licence shall, after the said First Day of *November* next, be procured by a Party to such Marriage to be solemnized between Persons, one or both of whom shall be under the Age of Twenty one Years, not being a Widower or Widow, contrary to the Provisions of this Act, by Means of such Party falsely swearing as to any Matter or Matters to which such Party is hereinbefore required personally to swear, such Party wilfully and knowingly so swearing; or if any valid Marriage by Banns shall, after the said First Day of *November* next, be procured by a Party thereto to be solemnized by Banns between Persons, one or both of whom shall be under the Age of Twenty one Years, not being a Widower or Widow, such Party knowing that such Person as aforesaid under the Age of Twenty one Years had a Parent or Guardian then living, and that such Marriage was had without the Consent of such Parent or Guardian, and knowing that Banns had not been duly published according to the Provisions of this Act, and having knowingly caused or procured the undue Publication of Banns, then and in every such Case it shall be lawful for His Majesty's Attorney General (or for His Majesty's Solicitor General in case of the Vacancy of the Office of Attorney General) by Information in the Nature of an *English Bill* in the Court of Chancery or Court of Exchequer, at the Relation of a Parent or Guardian of the Minor, whose Consent has not been given to such Marriage, and who shall be responsible for any Costs incurred in such Suit, such Parent or Guardian previously making Oath as is hereinafter required, to sue for a Forfeiture of all Estate, Right, Title and Interest in any Property which hath accrued or shall accrue to the Party so offending by force of such Marriage, and such Court shall have Power in such Suit to declare such Forfeiture, and thereupon to order and direct that all such Estate, Right, Title and Interest in any Property as shall then have accrued, or shall thereafter accrue to such offending Party, by force of such Marriage, shall be secured under the Direction of such Court for the Benefit of the innocent Party, or of the Issue of the Marriage, or of any of them, in such Manner as the said Court shall think fit, for the Purpose of preventing the

Suit by Information in Chancery or Exchequer.

Order of Court thereon.

the offending Party from deriving any Interest in Real or Personal Estate, or pecuniary Benefits from such Marriage; and if both the Parties so contracting Marriage shall, in the Judgment of the Court, be guilty of any such Offence as aforesaid, it shall be lawful for the said Court to settle and secure such Property, or any Part thereof, immediately for the Benefit of the Issue of the Marriage, subject to such Provisions for the offending Parties, by Way of Maintenance or otherwise, as the said Court, under the particular Circumstances of the Case, shall think reasonable, Regard being had to the Benefit of the Issue of the Marriage during the Lives of their Parents, and of the Issue of the Parties respectively by any future Marriage, or of the Parties themselves, in case either of them shall survive the other; Provided also, that no such Information as aforesaid shall be filed, unless it shall be made out to the Satisfaction of the Attorney or Solicitor General before he files the same, by Oath or Oaths sworn before One of the Masters in Ordinary in Chancery, or before One of the Barons of the Exchequer, and which they are hereby respectively empowered to administer, that the valid Marriage to be complained of in such Information hath been solemnized in such Manner and under such Circumstances, as in the Judgment of the said Attorney or Solicitor General are sufficient to authorize the filing the Information under the Provisions of this Act, and that such Marriage has been solemnized without the Consent of the Party or Parties at whose Relation such Information is proposed to be filed, or of any other Parent or Guardian of the Minor married, to the Knowledge or Belief of the Relator or Relators so making Oath; and that such Relator or Relators had not known or discovered that such Marriage had been solemnized more than Three Months previous to his or their Application to the Attorney or Solicitor General.

Before Information filed, the Case to be made out to Attorney General or Solicitor General on Oath.

XXIV. And be it further enacted by the Authority aforesaid, That all Agreements, Settlements and Deeds, entered into or executed by the Parties to any Marriage, in consequence of or in relation to which Marriage such Information as aforesaid shall be filed, or by either of the said Parties, before and in contemplation of such Marriage, or after such Marriage, for the Benefit of the Parties or either of them, or their Issue, so far as the same shall be contrary to or inconsistent with the Provisions of such Security and Settlement as shall be made by or under the Direction of such Court as aforesaid, under the Authority of this Act, shall be absolutely void, and have no Force or Effect.

Agreements, Settlements, &c. previous to such Marriages void.

XXV. Provided always, and be it further enacted, That any original Information to be filed for the Purpose of obtaining a Declaration of any such Forfeiture as aforesaid, shall be filed within One Year after the Solemnization of the Marriage by which such Forfeiture shall have been incurred, and shall be prosecuted with due Diligence; and in case any Person or necessary Party to any such Information shall abscond, or be or continue out of *England*, it shall be lawful for the Court in which such Information shall be filed to order such Person to appear to such Information, and answer the same, within such Time as to such Court shall seem fit; and to cause such Order to be served on such Person at any Place out of *England*, or to cause such Order

Information to be filed within One Year.

Proceedings where Parties abscond or are Abroad.

' sent of { Parents, } this Day of in the Year
 { Guardians, }

' By me J. J. { Rector.
 Vicar.
 Curate.

' This Marriage was solemnized between us { A. B.
 C. D.

' In the Presence of { E. F.
 G. H.'

XXIX. And be it further enacted by the Authority aforesaid, That if any Person shall, from and after the said First Day of *November*, with Intent to elude the Force of this Act, knowingly and wilfully insert or cause to be inserted in the Register Book of such Parish or Chapelry as aforesaid any false Entry of any Matter or Thing relating to any Marriage; or falsely make, alter, forge or counterfeit, or cause or procure to be falsely made; altered, forged or counterfeited, or act or assist in falsely making, altering, forging or counterfeiting any such Entry in such Register; or falsely make, alter, forge or counterfeit, or cause or procure to be falsely made, altered, forged or counterfeited, or assist in falsely making, altering, forging or counterfeiting any such Licence of Marriage as aforesaid; or utter or publish as true any such false, altered, forged or counterfeited Register as aforesaid, or a Copy thereof, or any such false, altered, forged or counterfeited Licence of Marriage, knowing such Register or Licence of Marriage respectively to be false, altered, forged or counterfeited; or if any Person shall, from and after the said First Day of *November*, wilfully destroy, or cause or procure to be destroyed any Register Book of Marriages, or any Part of such Register Book, with Intent to avoid any Marriage, or to subject any Person to any of the Penalties of this Act; every Person so offending, and being thereof lawfully convicted, shall be deemed and adjudged guilty of Felony, and shall suffer the Punishment of Transportation for Life, according to the Laws in force for the Transportation of Felons.

Making a false Entry,

or of forging, &c. any such Entry;

or Licence;

or of destroying such Register;

Transportation.

XXX. Provided always, and be it enacted, That this Act, or any Thing therein contained, shall not extend to the Marriages of any of the Royal Family.

Proviso for the Royal Family.

XXXI. Provided likewise, and be it further enacted, 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.

And for Marriages of Quakers and Jews.

XXXII. And be it further enacted, That Two printed Copies of this Act shall, as soon as conveniently may be after the passing of this Act, be provided by His Majesty's Printer, and transmitted to the Officiating Ministers of the several Parishes and Chapelries in *England* respectively; One of which Copies shall be deposited and kept with the Book containing the Marriage Register of such Parish or Chapelry, in the Chest or Box provided for the Custody of the same.

Two printed Copies of Act sent to Ministers.

XXXIII. And be it further enacted, That this Act shall extend only to that Part of the United Kingdom called *England*.

Act only to extend to England.

C A P. LXXVII.

An Act to authorize His Majesty, under certain Circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in Foreign Vessels; and to exempt certain Foreign Vessels from Pilotage. [18th July 1823.]

‘ WHEREAS it is the Practice in many Cases, as well in Foreign Countries as in the United Kingdom, to charge higher Duties, and to grant smaller Drawbacks, Bounties and Allowances, upon Goods, Wares or Merchandize, when imported or exported in Ships or Vessels not belonging to the Country in which such Duties are charged, or Drawbacks, Bounties or Allowances are granted, than are charged or granted when imported or exported in Ships or Vessels belonging to such Country: And Whereas it is expedient that His Majesty should be empowered to allow the Importation or Exportation of any Goods, Wares and Merchandize, in Foreign Vessels, upon Payment of the like Duties, and with the like Drawbacks, Bounties and Allowances, as are now by Law paid or granted upon similar Goods, Wares and Merchandize, when imported or exported in *British* Vessels from or to those Countries in which no other Duties are charged, or other Drawbacks, Bounties or Allowances granted, upon the Importation or Exportation of any Goods, Wares or Merchandize into or from such Country in *British* Vessels, than are charged or granted upon such Goods when imported into or exported from such Countries in Foreign Vessels: 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, by and with the Advice of His Privy Council, or by His Majesty's Order or Orders in Council, to be published from time to time in the *London Gazette*, to authorize the Importation into or Exportation from the United Kingdom, or from any other of His Majesty's Dominions, of any Goods, Wares or Merchandize which may be legally imported or exported in Foreign Vessels, upon Payment of such and the like Duties only, and with the like Drawbacks, Bounties and Allowances, as are charged or granted upon similar Goods, Wares or Merchandize, when imported or exported in *British* Vessels; provided always, that before any such Order or Orders shall be issued, satisfactory Proof shall have been laid before His Majesty and His Privy Council, that Goods, Wares and Merchandize, imported into or exported from the Foreign Country in whose favour such Remission of Duties, or such Drawbacks, Bounties or Allowances shall be granted, are charged with the same Duties, and are allowed the same Drawbacks, Bounties or Allowances, when imported into or exported from such Foreign Country in *British* Vessels, as are levied or allowed on similar Goods, Wares and Merchandize, when imported or exported in Vessels of such Country.

His Majesty may, by Order in Council, authorize the Importation and Exportation of Goods in Foreign Vessels, on Payment of same Duties, &c. as *British* Vessels, and Proof of Charge thereof.

II. And

II. And be it further enacted, That it shall and may be lawful to and for His Majesty, by and with the Advice of His Privy Council, or by His Majesty's Order or Orders in Council as aforesaid, whenever it shall be deemed expedient, to levy and charge any additional Duty or Duties of Customs, or to withhold the Payment of any Drawbacks, Bounties or Allowances, upon any Goods, Wares or Merchandize, imported into or exported from the United Kingdom, or imported into or exported from any of His Majesty's Dominions, in Vessels belonging to any Foreign Country, in which higher Duties shall have been levied, or smaller Drawbacks, Bounties or Allowances granted upon Goods, Wares or Merchandize, when imported into or exported from such Foreign Country in *British* Vessels, than are levied or granted upon similar Goods, Wares and Merchandize, when imported or exported in Vessels of such Country; provided always, that such additional or countervailing Duties so to be imposed, and Drawbacks, Bounties or Allowances so to be withheld as aforesaid, shall not be of greater Amount than may be deemed fairly to countervail the Difference of Duty, Drawback, Bounty or Allowance paid or granted on Goods, Wares or Merchandize imported into or exported from such Foreign Country in *British* Vessels, more or less than the Duties, Drawbacks, Bounties or Allowances there charged or granted upon similar Goods, Wares or Merchandize imported into or exported from such Foreign Country in Vessels of such Country.

Additional Duties may be levied on Goods imported in Vessels belonging to Countries where higher Duties are imposed on Goods imported in *British* Vessels, than when imported in Vessels of the Country.

III. And be it further enacted, That such additional or countervailing Duties of Customs shall be levied, recovered and applied, in such and the like Manner as any other Duties of Customs are now by Law levied, recovered or applied.

Duties to be levied as other Duties.

IV. And be it further enacted, That His Majesty, by and with the Advice of His Privy Council, or by any Order or Orders in Council as aforesaid, is hereby empowered to remove, or again to impose, any such additional or countervailing Duty of Customs, or to renew or withhold such Drawbacks, Bounties or Allowances, whenever it shall be deemed expedient so to do.

Such Duties may be removed, or again imposed.

V. And Whereas it might tend to the Advantage of *British* Vessels arriving in Foreign Ports, if Power was given to His Majesty to exempt Foreign Vessels of less Burthen than Sixty Tons from the Obligation of taking on board Pilots to conduct them into or from the Ports of the United Kingdom, in all Cases in which *British* Vessels of less Burthen than Sixty Tons are not required by Law to take Pilots; 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, or by any Order or Orders in Council, in all such Cases as aforesaid, to exempt Foreign Vessels, being of less Burthen than Sixty Tons, from taking on board a Pilot to conduct them into or from any of the Ports of the United Kingdom; any Law, Custom or Usage to the contrary notwithstanding.

Foreign Vessels of less Burthen than Sixty Tons not obliged to take a Pilot.

VI. And be it further enacted, That a Copy of every Order in Council which may be issued under the Authority of this Act shall be laid before Parliament as soon after the issuing thereof as may be practicable, if Parliament shall be sitting, and if it shall not then be sitting, within Thirty Days after the Meeting thereof.

Orders in Council to be laid before Parliament.

C A P.

C A P. LXXVIII.

An Act to grant additional Stamp Duties on certain Proceedings in the Court of Chancery and in the Equity Side of the Court of Exchequer in *Ireland*. [18th July 1823.]

‘ WHEREAS under and by virtue of certain Acts of the present Session of Parliament, for the better Administration of Justice in the Court of Chancery and in the Equity Side of the Court of Exchequer in *Ireland*, divers Sums of Money will become annually payable out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, for Salaries to Masters in Ordinary in the Court of Chancery, and to the Chief Remembrancer of the Court of Exchequer in *Ireland*, in lieu of all Fees, and for certain Allowances to such Masters and to such Chief Remembrancer resigning or retiring from their Offices; and it is reasonable, in order to meet the said Charges, that certain Duties of Stamps hereinafter specified should be granted and paid for, upon and in respect of several Proceedings in the Office of such Masters, and of such Chief Remembrancer, heretofore liable to the Payment of certain Fees: Be it enacted, by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of Ten Days next after the passing of this Act there shall be granted, raised, levied, collected and paid in *Ireland* unto His Majesty, His Heirs and Successors, for and in respect of the several Instruments, Articles, Matters and Things mentioned, enumerated and described in the Schedule to this Act annexed, the several Sums of Monies and Duties as they are respectively inserted, described and set forth in Words and Figures in the said Schedule, and in every Part thereof, over and above and in addition to any Stamp Duties or other Duties payable by Law for, upon or in respect of the said several Matters and Things or any of them respectively; and that the said Schedule, and every Clause, Regulation, Matter and Thing therein respectively contained, shall be and be deemed, taken and considered as Part of this Act.

II. And be it further enacted, That the said Duties shall be under the Care and Management of the Commissioners of Stamps in *Ireland*, and shall be and be deemed and construed to be Stamp Duties; and that the several Duties, Penalties, Clauses and Matters contained in this Act, shall be subject to the several Rules, Regulations and Provisions contained in an Act passed in Fifty sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to repeal the several Stamp Duties in Ireland, and also several Acts for the Collection and Management of the said Duties, and to grant new Stamp Duties in lieu thereof, and to make more effectual Regulations for collecting and managing the said Duties*, so far as the same shall be respectively applicable, and save as hereinafter is otherwise expressly provided.

III. And be it further enacted, That the Duties by this Act granted and made payable shall be paid and payable according

The Stamp Duties specified in Schedule annexed to be paid.

Duties under Commissioners of Stamps in *Ireland*. 56 G.3. c.56.

Duties to be paid in British Currency.

to the Amount thereof in *British* Currency, except a Duty of Ten Pence in the said Schedule inserted, which shall be paid and payable according to the Amount thereof in *Irish* Currency.

IV. And be it further enacted, That separate and particular Types, Marks and Stamps shall be kept and used for denoting and marking on Vellum, Parchment or Paper the several and respective Duties granted by this Act, as applicable to the several Proceedings in the Schedule to this Act annexed, in the Court of Chancery and in the Equity Side of the Court of Exchequer: and that each and every of such Types, Marks and Stamps shall have marked or expressed thereon the Words "Chancery Fund" and "Exchequer Fund" respectively, exclusive of and besides such other Words or such Marks, Figures or Devices as may be deemed necessary for denoting and marking on Vellum, Parchment or Paper the said several and respective Stamp Duties payable thereon respectively; and that such Types, Marks and Stamps shall be the only true and lawful Types, Marks and Stamps for the stamping and impressing of all Vellum, Parchment and Paper, to denote the Payment of the Stamp Duties so granted by this Act, as applicable to such Proceedings in the Courts of Chancery and Exchequer respectively; and that such Types, Marks and Stamps shall not be used or deemed to denote any Stamps save those granted by this Act; and that if at any Time there shall not be any such Type, Mark or Stamp denoting precisely any of the Stamp Duties which shall from time to time be so payable, or if it shall for any other Reason be thought fit and expedient so to do, it shall be lawful for the Commissioners of Stamps to direct that Two or more of such Types, Marks or Stamps, the Duties denoted whereby shall in the whole amount to the Stamp Duties so payable respectively, shall be used on the same Piece of Vellum, Parchment or Paper for denoting such Duties, or, at their Discretion, to cause to be provided new Types, Marks or Stamps for denoting such Duties or any of them, and to cause all Vellum, Parchment or Paper chargeable with such Duties to be stamped or marked with the same; and it shall and may be lawful for the said Commissioners to direct that such Devices, Stamps or Marks shall be used as may express the Amount of the Duty either directly in Words and Figures, or in any other Manner whatsoever, whereby the same shall or may be sufficiently denoted, at their Discretion.

V. And be it further enacted, That the Devices, Types, Stamps or Marks used or to be used for denoting on Vellum, Parchment and Paper the Payment of any of the Stamp Duties granted by this Act, which shall be payable from time to time, may be discontinued, changed, varied or altered from time to time, and new or other Devices, Types, Stamps or Marks may be used in lieu of the Devices, Types, Stamps or Marks so discontinued, as His Majesty, His Heirs and Successors, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or the Commissioners of Stamps in *Ireland* for the Time being, shall think fit: provided that whenever any of the Devices, Types, Stamps or Marks aforesaid, shall be changed, varied or altered, then and in every such Case public Notice of every such

Exception.

Separate Marks to distinguish Duties as applicable to several Proceedings; Stamps to have the Words "Chancery Fund" and "Exchequer Fund" respectively, &c.

Stamps for denoting Duties may be changed.

Notice thereof.

Change, Variation or Alteration shall be given by Advertisement in the *Dublin Gazette*, and in some other Public Newspaper, a convenient Time before the Types, Marks or Stamps on which such new Devices or Marks shall be made shall be used.

Stamps not marked as herein mentioned to be of no Effect.

VI. And be it further enacted, That such Types, Marks or Stamps, having the Words "Chancery Fund" or "Exchequer Fund" respectively impressed thereon, together with such other Words, Figures and Devices as before mentioned, shall be the only proper Types, Marks and Stamps for denoting the several Duties granted by this Act; and that all Vellum, Parchment or Paper not marked with such Types, Stamps or Marks shall be of no other Effect than if the said Matters respectively had been written or printed on Vellum, Parchment or Paper not marked or stamped, although any other Stamps or Stamp may be impressed thereon of the Amount by Law required, or of any greater Amount; and all Persons who shall so write or print any such Article, Matter or Thing respectively on any Paper, Vellum or Parchment having any such improper Stamp or Stamps thereon, shall incur and suffer such Penalty as they would be liable to in case such Article, Matter or Thing respectively had been written or printed on Paper, Parchment or Vellum not marked or stamped.

Part of the Writing to be on the Stamp, &c.

VII. And be it further enacted, That all Matters and Things in respect whereof any of the said Stamp Duties shall be payable by this Act, shall be written or printed, or written and printed in such Manner (and if printed or written in part or entirely before being stamped, shall be so stamped) that some Part of the Writing or Printing thereof shall be on the Stamps or Marks which shall be placed on the Vellum or Parchment or Paper thereof; and such Writing or Printing shall from thence be continued in the usual Form of writing, printing or engrossing Deeds or Writings, so that no blank Space shall be left, whereby such Stamps might be made applicable to any other Deed or Instrument whatsoever, upon pain that any Person who shall so write, engross or print or stamp, or caused to be written, engrossed or printed or stamped any such Writing, Matter or Thing, contrary to the true Intent and Meaning hereof, shall for every such Offence forfeit the Sum of Ten Pounds.

Penalty 10l.

Instruments not having by Accident, &c. the proper Stamp, if brought to the Stamp Office in Dublin within 60 Days, shall be properly stamped.

VIII. And be it further enacted, That when any Instrument, Article, Matter or Thing charged with a Duty by this Act, marked with any Type, Device or Mark authorized by this Act, shall have been engrossed or written on Parchment, Vellum or Paper not duly stamped with the proper Amount of Duty, and it shall satisfactorily appear to the said Commissioners of Stamps, upon Oath or Affirmation or otherwise, that the same hath happened either by Accident or Inadvertency, or from urgent Necessity or unavoidable Circumstances, and without any Intention in any Party to defraud His Majesty, His Heirs or Successors, of the Duty chargeable upon such Instruments, then and in every of the said Cases, if such Instrument shall within Sixty Days from the Preparation or first Execution thereof be brought to the Stamp Office in the City of *Dublin* to be stamped, and the Duty chargeable upon such Instrument shall be paid, it shall and may be lawful for such Commissioners, if they shall think proper so to do, to remit

remit any Penalty payable on stamping such Instrument, or any Part thereof so executed without being stamped, and to cause such Instrument to be stamped with the proper Stamp; and every Person concerned in engrossing any such Instrument or executing the same, shall be thereupon exempt from all Penalties on account thereof.

IX. And be it further enacted, That upon Proof on Oath or solemn Affirmation (if by a Quaker) made before the said Commissioners or any of them, or before any Inferior Officer by them in that Behalf appointed, (and which Oath or Affirmation such Officer is hereby empowered to administer), to the Satisfaction of such Commissioner or Officer, that any Deed or Instrument, Article, Matter or Thing written or printed upon any stamped Vellum, Parchment or Paper marked and stamped as required by this Act, with the appropriate Stamp for any of the Duties granted by this Act hath not been executed or signed by any Party or Parties, or that such Vellum, Parchment or Paper hath not been used for any of the Purposes for which the same was or were intended, or that any Form of any Instrument whatever, printed with Blanks to be filled up according to each Case, hath by the Death of any Party, Repeal of any Act of Parliament, or other Event or Fatality, become unfit for the Purpose intended, and the Person making such Affidavit or Affirmation hath not, nor hath any other Person on his Account, received, and that such Person will not receive any Money or other Consideration for the Stamp thereupon, and that the said Stamp or Stamps is or are really and truly the Property of the Person making such Affidavit, and have or hath been paid for by such Person to the full Amount of the Duty thereon, and that such Person will be a Loser to such Amount unless such Person shall receive other Stamps in lieu thereof, and upon the Person or Persons who should produce such Proof delivering such stamped Vellum, Parchment or Paper as aforesaid, and delivering at the same Time a like Quantity of Vellum, Parchment or Paper to be stamped, then and in every such Case the said Commissioners shall cause the same to be stamped or marked with such appropriate Stamps, to denote the several and respective Duties granted by this Act, which shall be stamped, marked or impressed on the stamped Vellum, Parchment or Paper so then delivered in, or to denote any of the other Duties granted by this Act which may be required, the Person so requiring the same first paying the Difference of Amount in that Behalf (if any): Provided always, that such stamped Vellum, Parchment or Paper so delivered in shall be brought to the Commissioners of Stamps at the Stamp Office in *Dublin*, within Six Calendar Months next after such Deed or Instrument shall have been engrossed or written, or such blank Form shall have been rendered unfit for the Purpose intended, if the same shall belong to any Person or Persons resident in *Dublin*, or within Ten Miles of the Castle of *Dublin*, or within Twelve Calendar Months if the same respectively shall belong to Persons resident elsewhere: Provided also, that the said Commissioners, or any Officer under their Authority, shall not be required or obliged to impress on any Paper, Parchment or Vellum so brought, any Stamp or Mark which shall then

Where Instruments are not executed, or not used for the Purposes intended, whereby Loss would be sustained by the Parties, Commissioners empowered to give appropriate Stamps in lieu of those so become unfit for Use.

Conditions.

be

be confined to Paper having the Water Mark of the said Stamp Office.

Separate Accounts to be kept of the Duties.

X. And be it further enacted, That separate and distinct Accounts shall be kept by the Commissioners of Stamps, and by and under their Directions, of all Sums which shall from time to time be received by, from or under the said respective Duties so made payable by this Act; and Copies of such Accounts shall from time to time, that is to say, on the First *Monday* in every Calendar Month, and as much oftener as the Nature of the Case shall admit of, be furnished to the Receiver General of Stamp Duties; and such Receiver General, as speedily as possible after receiving every such Account, shall, out of the Money in his Hands, or out of the first Money that shall come to his Hands, pay into the Receipt of His Majesty's Exchequer in *Dublin* what shall remain of all and every Sum and Sums appearing thereby to have been so received on account of the said Duties respectively; and all and every Sum and Sums so paid into the Receipt of the said Exchequer shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, until Provision shall be otherwise made by Parliament.

Money paid into Exchequer, and carried to Consolidated Fund.

Accounts shall also be kept at the Exchequer of Sums received on account of Duties and of Salaries paid to Masters in Chancery and to Chief Remembrancer of the Exchequer.

XI. And be it further enacted, That separate and distinct Accounts shall be kept at the Receipt of His Majesty's Exchequer in *Dublin*, of all and every Sum and Sums so paid into the Receipt of the said Exchequer on account of the said Duties granted by this Act, and also of all Salaries and Allowances which shall be paid out of the Consolidated Fund to the Masters in Ordinary in the said Court of Chancery, and to the Chief Remembrancer of the said Court of Exchequer from time to time for the Time being, and to any such Masters, or any such Chief Remembrancer, who shall have resigned their Offices respectively, under, or by virtue of the said Acts of this present Session of Parliament for the better Administration of Justice in the Court of Chancery and in the Equity Side of the Court of Exchequer in *Ireland*; and that such Accounts, as also the Accounts by this Act required to be kept by the Commissioners of Stamps of all Sums received on account of the Duties made payable by this Act, shall be transmitted by the proper Officer in the said Receipt of Exchequer, and by the Secretary to the said Commissioners of Stamps, to the Office of the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, within Fourteen Days next after the Fifth Day of *January* One thousand eight hundred and twenty four, and in like manner within Fourteen Days next after the Fifth Day of *January* in every succeeding Year, and shall be laid before both Houses of Parliament within One Month after such Fifth Day of *January* if Parliament shall be then sitting, or otherwise within Fourteen Days after the then next Meeting of Parliament.

Accounts to be transmitted to Chief Secretary of Ireland, to be laid before Parliament.

SCHEDULE to which this Act refers.

SCHEDULE of the DUTIES of STAMPS which are to be paid and payable for and in respect of the First Sheet or Piece of Vellum, Parchment or Paper upon which the several Instruments, Matters and Things herein mentioned, relating to the Business of the Office of any Master in the Court of Chancery, or relating to the Equity Side of the Court of Exchequer in Ireland, shall be respectively written or printed, and which Duties shall be payable over and above any other Duties payable by Law on the like Proceedings.

	£.	s.	d.
AFFIDAVIT, AFFIRMATION OR DEPOSITION. — Taken in any Cause in Court - - - - -	0	0	70
— Foreign, and not in a Cause in Court - - - - -	0	2	6
ANSWER. — Which shall be sworn by any Defendant, for each Defendant so sworn - - - - -	0	1	0
Any Schedule to such Answer, for each Defendant sworn to such Schedule - - - - -	0	1	0
DEDIMUS. — On the Return thereof - - - - -	0	2	6
INTERROGATORIES AND DEPOSITIONS. — On the Return thereof - - - - -	0	2	6
SUMMONS. — On every Summons which shall actually issue on a Reference, or any other Proceedings - - - - -	0	13	0
CERTIFICATES. — On every Certificate, except Certificates at the Foot of Bills of Costs - - - - -	0	6	6
— On every Certificate at the Foot of any Bill of Costs, where the Amount, as furnished or claimed by such Bill, shall not exceed the Sum of 50 <i>l.</i> - - - - -	0	10	6
— Where such Amount shall exceed the Sum of 50 <i>l.</i> , for every Sum of 10 <i>l.</i> , or fractional Part of 10 <i>l.</i> above 50 <i>l.</i> , an additional Sum of - - - - -	0	3	0
RECOGNIZANCE. — Any Recognizance taken or acknowledged, for each Cognizor - - - - -	0	6	6
INROLLING DEEDS. — Any Fiat or Acknowledgment for inrolling any Deed - - - - -	0	6	6
REPORTS. — Any Report under Interlocutory Order - - - - -	1	1	0
— Under Decretal Order, pronounced in a short Cause - - - - -	2	2	0
— Under Decretal Order, pronounced in a long Cause - - - - -	3	3	0
NOTICES. — Any Notice, Advertisement or Posting to sell Lands pursuant to any Decree, or to set Lands pursuant to any Order or Decree - - - - -	1	1	0
LEASES AND DEEDS. — Any Lease, and any Counterpart thereof, where the usual printed Form will suffice - - - - -	0	5	0
— Any other Deed where the usual printed Form will suffice - - - - -	0	10	0
— Any Lease, and any Counterpart thereof, where the Contract is of so special a Nature that a special Conveyance shall be prepared and engrossed - - - - -	1	1	0
— Any other Contract of such special Nature - - - - -	2	2	0
— Any Deed executed by any Master in Chancery, or by the Chief Remembrancer in the Court of Exchequer, in the Name of any Party in a Cause refusing or declining to execute such Deed, or residing out of the Jurisdiction of the Court of Chancery or Exchequer respectively, for			

LEASES AND DEEDS — <i>continued.</i>	£.	s.	d.
each Person so declining or refusing, or residing beyond such Jurisdiction	0	5	0
— Any Deed of any other Sort where any Master in Chancery, or the Chief Remembrancer of the Court of Exchequer, shall be required to execute	2	2	0
Any Answer signed by any Master in Chancery, or by such Chief Remembrancer as Guardian of any Minor, or by any Master as Committee of the Estate of any Lunatic	0	10	6
Any Approbation, signed by any Master, or by such Chief Remembrancer, for the Sale or Transfer of Stock	0	10	6
Any Commission of Lunacy	4	11	0
Any Petition signed and approved of by any Master, or by such Chief Remembrancer as Guardian of any Minor, or by any Master as Committee of any Lunatic	0	6	6

C A P. LXXIX.

An Act for building additional Places of Worship in the Highlands and Islands of *Scotland*. [18th July 1823.]

‘ **W**HEREAS in the Highlands and Islands of *Scotland* many of the Parishes are so extensive that it is impossible for many of the Inhabitants to attend Divine Service at the Parish Church; and it is also impossible for the Ministers serving the Cure thereof to visit the more distant Inhabitants of such Parishes: And Whereas it is necessary that these Evils should be remedied by providing and erecting additional Places for the Celebration of Divine Service, according to the Form of the Church of *Scotland* as by Law established, in such Parishes: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Barons of the Court of Exchequer in *Scotland* to issue, for the Purposes of this Act, Precepts from time to time upon the Receiver General of *Scotland*, for the Payment, out of any Public Money then in his Hands, of the Sum or Sums specified in such Precepts, in the Manner therein directed, not exceeding the Sum of Ten thousand Pounds in any one Year, and not exceeding in the whole the Sum of Fifty thousand Pounds.

Court of Exchequer in *Scotland* may issue, 10,000l. per Annum, or 50,000l. in the Whole.

His Majesty may appoint Commissioners to meet in *London* or *Westminster*.

II. And be it further enacted, That it shall be lawful for His Majesty, by a Commission under His Royal Sign Manual, to nominate, constitute and appoint such Persons as His Majesty shall deem fit to be His Commissioners for carrying into Execution the Purposes of this Act, and to order in such Appointment that any Three or more of such Commissioners may act in the Execution of the Powers of this Act; and such Commissioners are hereby directed to meet from time to time in *London* or *Westminster*, for the Purposes of this Act, and at all such Meetings in case of an Equality of Voices the Chairman shall have a casting Vote.

A Secretary, Clerk, &c.

III. And be it further enacted, That it shall and may be lawful for the said Commissioners to appoint a Secretary and Clerk, and

to employ such Surveyors and other fit Persons, and to do every such Act, Matter and Thing as such Commissioners shall deem necessary and think proper for the Purpose of enabling them to execute the Powers given to them by this Act, and may assign and pay to all such Persons such reasonable Salaries and Rewards for their Services as shall be approved by the Commissioners of His Majesty's Treasury † of the United Kingdom of *Great Britain and Ireland*.

Salaries to be approved by Treasury.

† *Sic.*

IV. And be it further enacted, That it shall and may be lawful for the said Commissioners of the Treasury, or any Three or more of them for the Time being, and they are respectively authorized to direct to be issued and advanced all such Sums of Money as shall appear to them to be necessary, to such Person or Persons, in such Manner and in such Proportions as the said Commissioners acting in the Execution of this Act, or any Five of them respectively, shall, by Writing under their Hands, from time to time desire, and as shall be approved of by the said Commissioners of the Treasury, or any Three or more of them for the Time being; and such Monies may and shall be issued out of any Monies then in the Hands of the Receiver General of *Scotland*, upon an Order to that Effect by the Barons of the Court of Exchequer in *Scotland*, pursuant to such Authority; which Sums to be issued and advanced shall be applied to the Payment of Allowances and Rewards as aforesaid, and in defraying all necessary Charges and Expences in or about the Execution of this Act, without other Accounts than before the said Barons of the Court of Exchequer; and which Money so to be issued shall not be subject to any Tax, Duty, Rate or Assessment whatever imposed by Authority of Parliament; but that an Account of the said Charges and Expences, so long as the said Commission shall remain in force, shall be laid before both Houses of Parliament on or before the Twenty fifth Day of *March* in each Year, 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 direct Application of Money, which shall be issued out of any Monies in the Hands of Receiver General of *Scotland*.

Account to be laid before Parliament.

V. And be it further enacted, That at any Time after the passing of this Act it shall and may be lawful for any Two or more Heritors possessed of Land each to the Amount of One hundred Pounds *Scots* of valued Rent in any Parish in the High-lands or Islands of *Scotland*, to apply to the Commissioners acting in the Execution of this Act, stating the Circumstances and Situation of the Parish in respect of its Place or Places of Religious Worship, and submitting to the said Commissioners what it may appear to them to be proper to be done in this Behalf.

Heritors possessed of Land herein mentioned may apply.

VI. And be it further enacted, That upon receiving any such Application the said Commissioners shall direct Notice thereof to be given to the Incumbent of the Parish from whence such Application shall come, who shall cause such Notice to be read from the Precentor's Desk, after the Morning Service, on the First *Sunday* after the same shall be received by him, and shall also cause a Copy thereof to be affixed on the Door of the Parish Church.

Notice to Incumbent, who shall give Notice to Parishioners.

VII. And be it further enacted, That from and after the Expiration of a certain Time to be specified in such Notice it shall and

Commissioners to determine whether an ad-

ditional Church should be provided.

may be lawful for the said Commissioners to inquire into the Circumstances of the Case, and to settle and determine whether an additional Place of Religious Worship should be provided in such Parish; and if they shall so settle and determine, to ascertain and settle the proper Situation for, with Access to, and the Size and Description of the Building which shall be erected or purchased and fitted up, pursuant to this Act, as an additional Place of Religious Worship, to be and become an Assistant Church in such Parish, for the Use and Convenience of the Inhabitants thereof, and of any adjoining Parish or Parishes, with a Churchyard or Place of Burial, if such shall be deemed necessary, and of the Dwelling House, with such Offices and Appurtenances as it may be proposed, or as the said Commissioners may think it proper should be afforded to the Minister to be appointed pursuant to this Act to officiate at such Assistant Church.

Application for an additional Church to specify Particulars as to Ground, &c.

VIII. And be it further enacted, That in all Cases where any such Assistant Church and Dwelling House, with Offices, shall be proposed to be erected, or to be purchased and fitted up pursuant to this Act, it shall be set forth in the Application to the said Commissioners hereinbefore directed how and in what Manner Ground for the Scite thereof, and also Ground sufficient for a Churchyard or Place of Burial, where such shall be deemed necessary, with Access thereto, and also Ground for a Garden for the Minister, if not less than Half a *Scotch* Acre can be provided and secured, and whether such Ground is to be given and granted without valuable Consideration, or is proposed to be paid for out of the Money granted by this Act: Provided always, that in this last Case the Sum proposed to be paid shall be specified; and if it shall be proposed that any Building already erected shall be appropriated and fitted up as an Assistant Church pursuant to this Act, it shall in like Manner be specified in such Application whether the same is to be given and granted without valuable Consideration, or whether it is to be purchased, and in this last Case the Price proposed shall be specified.

Proviso for specifying Sum.

Heirs of Entail may grant Land for such Purpose, with or without Consideration.

IX. And be it further enacted, That it shall and may be lawful for any Heir of Entail in *Scotland*, with or without valuable Consideration, to give and grant irrevocably to the said Commissioners such Land or Heritage as may be necessary for all or any of these Purposes, without being subject to or incurring any Forfeiture or Irritancy under any Deed of Entail by virtue of which he or she may hold the same, any Law or Practice to the contrary notwithstanding.

Conveyances to be made in Form following.

X. And be it further enacted, That all Conveyances or Assurances which shall be made of any Lands and Heritages for the Purposes of this Act, shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit:

Form.

‘ I (or, we) of do hereby grant, dispone
 ‘ and convey to the Commissioners acting in the Execution
 ‘ of an Act passed in the Fourth Year of the Reign of His
 ‘ Majesty King George the Fourth, intituled [*here set forth the*
 ‘ *Title of this Act*], all [*describing the Premises to be conveyed,*]
 ‘ and all my Right, Title and Interest to and in the same and
 ‘ every Part thereof, to hold to the said Commissioners or such
 ‘ Person

‘ Person or Persons as they shall appoint, to be devoted for ever
 ‘ to the Purposes specified in and by virtue and according to the
 ‘ true Intent and Meaning of the said Act passed in the Fourth
 ‘ Year of the Reign of His present Majesty. In witness whereof,
 ‘ I have set my Hand to these Presents, written by [*insert the*
 ‘ *Name and Description of the Writer*] this Day of
 ‘ in the Year of our Lord
 ‘ before these Witnesses [*insert Names and Description of Wit-*
 ‘ *nesses, who will also subscribe as Witnesses*].’

And all such Conveyances and Assurances shall be registered
 within Sixty Days of the Date thereof in the general or particular
 Register of Sasines, and shall thereupon be valid and effectual
 in Law to all Intents and Purposes, and shall be a complete Bar
 to all other Rights, Titles, Trusts and Interests and Incumbrances
 to, in or upon the same whatsoever; and no Stamp Duty shall be
 paid for or in respect of any such Conveyances or Assurances,
 any Law to the contrary notwithstanding.

Conveyances
to be registered.

No Stamp Duty.

XI. And be it further enacted, That the Size and Description
 of the Building for any such Assistant Church, and of a Dwelling
 House for the Minister, with Offices as aforesaid, and the Manner
 in which, and the Person or Persons by whom the same shall be
 executed and completed, or purchased and fitted up as directed
 by this Act, shall be ascertained and settled by the said Com-
 missioners acting in the Execution of this Act, together with the
 Expence thereof, and of enclosing the same, the total Amount
 whereof, including the Price to be paid for the Ground or Premises
 where the same shall be paid out of the Money hereby granted,
 shall not exceed the Sum of One thousand five hundred Pounds
 in any one Case.

Size and De-
scription of
Building, &c.
to be settled by
the Commis-
sioners.

XII. And be it further enacted, That after the Erection or
 Purchase of any such Church, Building or Premises shall have
 been determined upon by the said Commissioners, the same shall
 be completed and appropriated for the Purposes of this Act in
 such Manner as shall be directed by them; and upon receiving
 an Order under the Hands of the said Commissioners, or any
 Three of them, it shall and may be lawful for the Barons of the
 Exchequer in *Scotland* to issue their Precept or Precepts to the
 Receiver General of *Scotland*, directing him to pay in such Manner
 as shall be directed in any such Precept or Precepts the Sum or
 Sums therein specified, and the said Receiver General shall there-
 upon pay every such Sum out of any Public Money then in his
 Hands, and the same shall be allowed in his Accounts.

Church to be
completed, and
Barons of the
Exchequer in
Scotland to
issue Precept
for the Money.

XIII. And be it further enacted, That the said Commissioners
 acting in the Execution of this Act, upon being satisfied in respect
 to the Completion of any Church with a Dwelling House and
 Premises for the Minister, according to the Directions given by
 them pursuant to this Act, shall ascertain and fix the Stipend
 which shall be paid and payable to the Minister to be nominated
 and appointed to officiate at such Church from the Date of his
 Appointment, not exceeding the Sum of One hundred Pounds
per Annum in any Parish, and shall certify the same under their
 Hands to the said Barons of the Exchequer in *Scotland*, where-
 upon and thereafter the said Barons shall issue their Precepts for
 the Payment of such Stipend half yearly at such Two Terms in

Minister's
Stipend not to
exceed 100l.
per Ann. to be
paid half
yearly.

the Year during the Lifetime of the Person entitled to the same, and in such Manner as shall have been fixed and determined by the Commissioners acting in the Execution of this Act, which they are hereby authorized to do.

Commissioners to certify to Secretary of State the Completion of Church, &c.

XIV. And be it further enacted, That the said Commissioners shall certify to His Majesty's Secretary of State for the Home Department the Completion of such Church and Premises, and the Amount of the Stipend to be paid and payable to the Minister officiating thereat, and the Manner in which they propose that the same should be paid to such Minister by the Receiver General of *Scotland*, out of any Public Money which may be in his Hands at the Time or Times of such Payment; and it shall and may be lawful for His Majesty, His Heirs and Successors, thereupon, and in any Case where a Vacancy shall happen thereafter, to nominate and appoint a fit Person to be the Minister of such Church, with the Right to the Stipend thereof, in the same Manner that His Majesty or any of his Predecessors has granted a Presentation to the Minister of any Parish Church in *Scotland*, the Patronage of which is in the Crown.

Presentation in His Majesty.

On receiving Presentation Minister to officiate, and deemed Assistant to Minister of the Parish.

XV. And be it further enacted, That upon receiving such Presentation the Person therein nominated shall be admitted as the Minister to officiate at such Church, in the same Manner and according to the Form prescribed for the Admission of any Person as a Minister of a Parish Church in *Scotland*; and every Person so admitted as the Minister of such Church shall be deemed and taken to be an Assistant Minister to the Minister of the Parish in which such Church shall be situated, and in respect of such Minister shall be and remain in the same Situation as an Assistant Minister now is in respect of the Minister of any Parish in *Scotland*, of whom he is the Assistant, save and except that he must perform the Duties of a Minister of the Gospel at the Church to which he is appointed by virtue of this Act.

Churches not to exceed 40.

XVI. Provided always, and be it further enacted, That the Number of Churches with Assistant Ministers to be established under the Provisions of this Act shall not at any Time exceed Forty.

Minister to appoint Elders, not to exceed Seven.

XVII. And be it further enacted, That every Person, admitted a Minister to any Church by virtue of this Act, shall have Power and Authority, and he is hereby directed and required, to choose and appoint from among his Congregation any Number of fit Persons he may think proper, not exceeding Seven, to be the Elders of such Church; and the Elders so appointed may resign or be removed, and Vacancies shall be supplied in the Manner in which Resignations and Removals take place or Vacancies are supplied among Elders in the Case of Parish Churches in *Scotland*.

Collections received at Church and applied to Poor.

XVIII. And be it further enacted, That the Minister and Elders of any such Church shall be and they are hereby enabled to receive Collections at the Door thereof, and to receive voluntary Donations or charitable Contributions, and to apply the same for the Relief of the Poor of the Congregation frequenting such Church.

A Precentor appointed. Salary.

XIX. And be it further enacted, That it shall and may be lawful for any Minister admitted to any such Church to appoint a fit Person to officiate as Precentor therein, with a Salary not exceeding

ing Five Pounds *per Annum*, and also a fit Person to be the Beadle of such Church, with a Salary not exceeding Three Pounds *per Annum*, which Salaries shall be paid and payable to such Precentor and Beadle respectively, in the same Way and Manner that the Stipend to the Minister shall by the said Barons be directed to be paid.

Also a Beadle.
Salary.

XX. And be it further enacted, That the whole Area of every such Church shall be set apart for free Seats for all Persons frequenting the same, save and except a Portion thereof to be fixed before the opening of such Church, not exceeding One fifth of the same, which shall be appropriated for Pews to be let from time to time as the Commissioners acting in the Execution of this Act shall direct, the Rents whereof shall be paid to the Receiver General of *Scotland*, and shall form a Fund for the maintaining in repair such Churches and Dwelling Places and Premises belonging thereto, to be issued by the said Receiver General for such Repairs, upon the Precept or Precepts of the said Barons, who are hereby empowered to make all Regulations, and give all Directions which to them may seem necessary to ensure the letting of such Pews, the collecting the Rents thereof, and the Application of the same for the Purposes aforesaid, as also for ascertaining from time to time the Nature and Extent of the Repairs necessary, and the Manner in which the same should be performed.

Appropriation
of the Seats in
the Church.

XXI. And be it further enacted, That the said Commissioners acting in the Execution of this Act shall once in every Year report their Proceedings under this Act in Writing to both Houses of Parliament, with such Observations as they shall think proper.

Commissioners
to report yearly
to Parliament.

C A P. LXXX.

An Act to consolidate and amend the several Laws now in force with respect to Trade from and to Places within the Limits of the Charter of the *East India Company*, and to make further Provisions with respect to such Trade; and to amend an Act of the present Session of Parliament, for the registering of Vessels, so far as it relates to Vessels registered in *India*.

[18th July 1823.]

‘ WHEREAS an Act was passed in the Fifty third Year of the Reign of His late Majesty King *George the Third*, 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 by the said 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 of the said Company's Charter, save and except the Dominions of the Emperor of *China*, any Goods, Wares and Merchandize which could then or might at

53 G.S. c.155.
§ 6.

- ' 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 and Manu-
 ' facture of any of the Countries within the said Limits, which
 ' could then or might at any Time or Times thereafter be legally
 ' imported; and in the said Act were contained several Provisoes,
 ' Restrictions and Limitations for the Regulation of the Trade
 ' authorized by the said Act to be carried on by His Majesty's
 ' Subjects, and also for the Disposition in the United Kingdom
 ' of all Articles manufactured of Silk, Hair or Cotton Wool, or
 ' any Mixture thereof, imported under the Authority of the said
 ' Act, from any Port or Place within the Limits of the said Com-
 ' pany's Charter; and it was by the said Act enacted, that it
 ' should and might be lawful for any Ship or Vessel fitted and
 ' clearing out conformably to an Act passed in the Thirty fifth
 ' Year of His said late Majesty's Reign, intituled *An Act for the*
 ' *further encouraging and regulating the Southern Whale Fisheries,*
 ' to sail and pass, for the Purpose aforesaid, in all the Seas to
 ' the Eastward of the *Cape of Good Hope*, and in all the Seas to
 ' the Westward of the *Streights of Magellan*, subject to several
 ' Provisoes in the said Act contained; and 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, but without Prejudice to
 ' any of the Restrictions or Provisions therein contained, as to
 ' the Resort to and Residence of any Persons in the *East Indies*
 ' and Ports aforesaid: And Whereas an Act was passed in the
 ' Fifty fourth Year of His said late 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:*
 ' And another Act was passed in the Fifty fifth Year of His said
 ' late Majesty's Reign, intituled *An Act to make further Regula-*
 ' *tions for the Registry of Ships built in India:* And Whereas
 ' another Act was passed in the Fifty seventh Year of His late
 ' Majesty's Reign, 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 Medi-*
 ' *terranean:* And Whereas another Act was passed in the Second
 ' Year of the Reign of His present Majesty, intituled *An Act for*
 ' *the further Regulation of Trade to and from Places within the*
 ' *Limits of the Charter of the East India Company (except the Domi-*
 ' *nions of the Emperor of China), and Ports or Places beyond the*
 ' *Limits of the said Charter, belonging to any State or Country in*
 ' *Amity with His Majesty;* by which several Acts Provision has
 ' been
- § 22.
- 55 G. 3. c. 92.
- § 20.
- 54 G. 3. c. 34.
- 55 G. 3. c. 116.
- 57 G. 3. c. 36.
- 1 & 2 G. 4. c. 65.

' been made for enabling, as well His Majesty's Subjects generally as the said United Company, to carry on Trade and Traffic, directly and circuitously, under certain Restrictions, with the *East Indies* and other Places within the Limits of the said Company's Charter: And Whereas an Act was passed in the Fifty ninth Year of the Reign of His said late Majesty, intituled *An Act to permit Vessels under a certain Tonnage to trade between the United Kingdom and New South Wales*: And Whereas it is expedient to repeal some, and to comprise in One Act of Parliament others of the hereinbefore recited Provisions of the said Act of the Fifty third Year of His said late Majesty's Reign, and all the Provisions of the said Acts of the Fifty fourth, Fifty fifth, Fifty seventh and Fifty ninth Years of His said late Majesty's Reign, and of the said Act of the Second Year of the Reign of His present Majesty, and to make further Provision for the Trade and Traffic of the said Company, and of His Majesty's Subjects generally, from, to and between the Ports and Places within the Limits of the said Company's Charter, and all Countries belonging to His Majesty, or at Amity with him; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act of the Fifty third Year of His said late Majesty's Reign, as authorizes His Majesty's Subjects to carry on Trade and Traffic to and from the Ports and Places within the Limits of the said Company's Charter, with all the Provisions, Restrictions and Limitations in the same Act contained, for the Regulation of such Trade, and for the Disposition in the United Kingdom of all Articles manufactured of Silk, Hair or Cotton Wool, or any Mixture thereof, imported under the Authority of the said last mentioned Act from any Port or Place within the Limits of the said Company's Charter; and that the Whole of the said Acts, passed in the Fifty fourth, Fifty fifth, Fifty seventh and Fifty ninth Years of the Reign of His said late Majesty, and the said Act passed in the Second Year of the Reign of His present Majesty, be and the same are hereby repealed, except as to such Voyages and Adventures as shall have been actually commenced under the Authority of the same Acts or any of them; and except as to any Suits or Actions which may have been commenced and are now depending relative to the Provisions hereby repealed or any of them.

59 G. 3. c. 132.

53 G. 3. c. 155.
and all the
other recited
Acts, repealed.

Exception.

II. And be it further enacted, That it shall be lawful for any of His Majesty's Subjects, in Ships or Vessels registered and navigated according to Law, to carry on Trade and Traffic in any Goods, Wares or Merchandize, except Tea, as well directly as circuitously, between all Ports and Places belonging either to His Majesty, or to any Prince, State or Country at Amity with His Majesty, and all Ports and Places whatsoever situate within the Limits of the Charter of the Company, except the Dominions of the Emperor of *China*; and also from Port to Port and from Place to Place within the same Limits, except the said Dominions of the Emperor of *China*, under such Rules and Restrictions as are hereinafter mentioned; any thing in any Act or Acts of

Trade may be
carried on in
British Vessels
with all Places,
except *China*,
within *East
India Com-
pany's Charter*.

Parliament, or in any Charter of the said Company, to the contrary notwithstanding.

Company may carry on any lawful Trade.

III. And be it further enacted, That it shall and may be lawful for the said United Company to carry on any Trade and Traffic which His Majesty's other Subjects may carry on under the Authority of this Act; any thing in any Charter of the said Company, or in any Act or Acts of Parliament to the contrary notwithstanding.

Act not to permit Trade without the Limits of the Company's Charter, which cannot now legally be carried on.

IV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to permit the Importation into the United Kingdom, or into any Colony or Possession of His Majesty without the Limits of the Charter of the *East India* Company, of any Goods, Wares and Merchandize, the Produce of Countries without such Limits, which cannot now be legally imported from such Countries respectively into the United Kingdom, or into such Colonies or Possessions of His Majesty, nor to permit the Exportation from the United Kingdom, or from such Colonies or Possessions, to any Countries without such Limits, of any Goods, Wares or Merchandize, which cannot now be legally carried from the United Kingdom, or from such Colonies or Possessions to such Countries.

Military Stores not to be carried without a special Licence.

V. Provided also, and be it further enacted, That it shall not be lawful for any Person or Persons to carry any Military Stores to any Place upon the Continent of *Asia*, between the River *Indus* and the Town of *Malacca* on the Peninsula of *Malacca* inclusive, or to the said Company's Factory of *Bencoolen*, in the Island of *Sumatra*, or its Dependencies, save only the said United Company, or such as shall obtain their special Leave and Licence in Writing, or a special Leave and Licence in Writing under their Authority for that Purpose.

Vessels not to proceed to any Port between the *Indus* and *Malacca*, until admitted to Entry in *India*.

VI. Provided also, and be it further enacted, That it shall not be lawful for any Ship or Vessel, other than a Ship or Vessel of the said Company, to proceed from any Port or Place without the Limits of the said Company's Charter, to any Port or Place on the Continent of *Asia*, between the River *Indus* and the Town of *Malacca* inclusive, other than the said Company's principal Settlements of *Fort William*, *Fort Saint George*, *Bombay* and *Prince of Wales' Island*, until after such Ship or Vessel shall have been admitted to Entry at some One of the said Four principal Settlements, without a special Licence in Writing from the Court of Directors of the said United Company; any thing hereinbefore contained to the contrary notwithstanding.

In what Case Application for Leave to go to minor Ports referred to Commissioners for Affairs of *India*.

VII. Provided also, and be it further enacted, That when and as often as any Application shall be made to the said Court of Directors for a 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, other than the said Four principal Settlements, the said Court of Directors shall, within Fourteen Days from the Receipt thereof, unless they shall think fit to comply therewith, transmit the same to the Board of Commissioners for the Affairs of *India*, together with any Representation which the said Court may think proper to make upon the Subject of such Application; and in case the said Board of Commissioners shall think fit to direct the said Court

of

of Directors to issue such Licence, the said Court of Directors shall and they are hereby required forthwith to issue the same, upon such Terms and Conditions as the said Board of Commissioners shall from time to time think fit: Provided always, that in all Cases in which the said Board of Commissioners shall direct the said Court of Directors to issue any such Licence, which they shall have declined to issue without such Direction, the special Circumstances inducing them to give such Directions shall be recorded in the Books of the said Board.

Proviso.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said Court of Directors of the *East India* Company, with the Consent and Approbation of the Commissioners for the Affairs of *India*, to declare that any other Port or Place, or Ports or Places on the Continent of *India*, between the *Indus* and the Town of *Malacca*, or in any Island in the *East Indian* Seas, under the Government of the said Company or of His Majesty, shall be considered, for the Purposes of this Act only, as One of the principal Settlements of the said Company, and such Port or Place, or Ports or Places, shall be so considered accordingly.

Additional Ports between the *Indus* and *Malacca*, &c. may be considered as principal Settlements.

IX. Provided also, and be it further enacted, That nothing herein contained shall authorize any of His Majesty's Subjects, other than the said Company, or Persons properly licensed by them, to carry on Trade or Traffic with the Dominions of the Emperor of *China*, or to export or import from or to any Ports or Places within or without the Limits of the said Company's Charter, any Tea, or in any Manner to trade or traffic in Tea.

Act not to permit Trade with *China*, or in Tea.

X. Provided also, and be it enacted, That it shall not be lawful to import any Goods, Wares or Merchandize from any Port or Place within the Limits aforesaid, into any Port of the United Kingdom, except only such as shall be provided with Warehouses, together with wet Docks or Basins, or such other Securities as shall in the Judgment of the said Commissioners of the Treasury for the Time being, or any Three or more of them, in *Great Britain* and *Ireland* respectively, be fit and proper for the Deposit and safe Custody of all such Goods, Wares and Merchandize, as well as for the Collection of all Duties payable thereon, and shall have been duly declared so to be, by the Order of His Majesty in Council in *Great Britain*, or by Order of the Lord Lieutenant in Council in *Ireland*: Provided always, that Copies of all such Orders in Council, to be issued as aforesaid, shall have been published Three Times at least in the *London* or *Dublin Gazette*, as the Case may be; and Copies of all such Orders shall be laid before both Houses of Parliament in the Session next after the issuing of the same respectively.

Goods only to be imported into Ports having Warehouses or Docks.

Proviso.

XI. Provided also, and be it further enacted, That it shall not be lawful for any Ship or Vessel engaged in Trade under the Authority of this Act, other than the Ships of the said United Company, to clear out from any Port or Place belonging to His Majesty, or to any Prince, State or Country in Amity with His Majesty, where any Consul or Vice Consul of His Majesty shall be resident, for any Port or Place 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 the One hundred and fiftieth Degrees of East Longitude

List of Persons and Arms on board delivered to Collector, &c.

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 Collector of the Customs, or other Person duly appointed, or to His Majesty's Consul or Vice Consul resident at such Port or Place of Clearance (as the Case may be), a true and perfect List in such Form as has been settled in virtue of former Acts, or shall from time to time be settled by the Court of Directors of the said Company, with the Approbation of the Board of Commissioners for the Affairs of *India*, 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; and when and as soon as any such Vessel shall have been admitted to Entry at any such Port or Place within the Limits aforesaid, the Master and other Person having the Command of such Ship or Vessel shall in like Manner make out and exhibit to the principal Officer of the Customs or other Person thereunto authorized, 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 such Ship or Vessel, or such of the said Arms as may have been disposed of, have been disposed of.

What such Lists are to specify.

38 G.3. c.57.
§§ 5, 6.

42 G.3. c.18.
§ 4.

43 G.3. c.90.

51 G.3. c.34.
§ 5.

repealed.
Regulations as to Ships clearing out under 35 G.3. c.92.

Goods imported into Malta or Gibraltar may be re-exported.

XII. And be it further enacted, That so much of the said Act of the Fifty third Year of His said late Majesty's Reign, and so much of an Act passed in the Thirty eighth Year of His said late Majesty's Reign, intituled *An Act for the further encouraging the Southern Whale Fisheries*; and an Act passed in the Forty second Year of His said late Majesty's Reign, intituled *An Act for continuing the Premiums allowed to Ships employed in and for enlarging the Limits of the Southern Whale Fisheries*; and an Act passed in the Forty third Year of His said late Majesty's Reign, intituled *An Act for enlarging the Limits of the Southern Whale Fishery*; and an Act passed in the Fifty first Year of His said late Majesty's Reign, intituled *An Act for continuing the Premiums allowed to Ships employed in the Southern Whale Fishery*, or any other Act or Acts as regulates the Limits within which Ships or Vessels fitting and clearing out conformably to the said Act of the Thirty fifth Year of His said late Majesty's Reign, for encouraging and regulating the Southern Whale Fisheries, may sail and pass, shall be and the same are hereby repealed; but Ships and Vessels clearing out conformably to the said Act of the Thirty fifth Year of His said late Majesty's Reign shall be subject to such and the same Restrictions as the Ships and Vessels of His Majesty's Subjects generally engaged in Trade under the Authority of this Act are hereby made subject to.

XIII. And be it further enacted, That all Goods and Commodities imported under the Authority of this Act 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, Port or Places
to

to the United Kingdom, and imported into any of the Ports where such Goods and Commodities may be lawfully imported, in like Manner and subject to all such Regulations and Provisions, as if such Goods and Commodities were imported directly from the Place of their Growth, Production or Manufacture; any thing in an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for the Encouragement of Navigation and Commerce, by regulating the Importation of Goods and Merchandize, so far as relates to the Countries or Places from whence and the Ships in which such Importation shall be made*, or in any other Act to the contrary notwithstanding.

3 G.4. c.43.

XIV. And be it further enacted, That from and after the passing of this Act there shall be raised, levied, collected and paid unto His Majesty, His Heirs and Successors, upon the Importation of any Goods, Wares and Merchandize, the Produce or Manufacture of any Country within the Limits of the said Company's Charter, into His Majesty's Possessions in *America* and the *West Indies*, from any Port or Place, not being a Port or Place in the United Kingdom, the same Duties which are payable on such Goods, Wares and Merchandize respectively, if imported into such Possessions from the United Kingdom; and the same shall be raised, levied, collected, paid and received under the Management of the Commissioners of the Customs in *England*, and shall be applied and appropriated in such and the like Manner and Form, and by such and the like Rules, Ways, Means and Methods respectively, and under such Penalties and Forfeitures, as the Duties authorized by an Act passed in the last Session of Parliament, intituled *An Act to regulate the Trade between His Majesty's Possessions in America and the West Indies, and other Parts of the World*, are or may be raised, levied, collected, paid, recovered, applied and appropriated.

Duties of Customs to be paid on Importation of Goods into America and the West Indies.

3 G.4. c.45.

XV. Provided always, and be it further enacted, That nothing in this Act contained shall in anywise affect the Power vested in His Majesty in Council, by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act to continue, until the Fifth Day of July One thousand eight hundred and twenty five, an Act of the Fifty seventh Year of His late Majesty, for regulating the Trade and Commerce to and from the Cape of Good Hope, and for regulating the Trade of the Island of Mauritius*: And that nothing hereinbefore contained shall extend or be construed to extend to affect the Regulations, Restrictions and Provisions contained in an Act passed in the Fifty fourth Year of His said late Majesty's Reign, intituled *An Act 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 of 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*; or in an Act passed in the Fifty fourth Year of His said late Majesty's Reign, intituled *An Act to grant, until the Tenth Day of April One thousand eight hundred*

Proviso for Powers vested in His Majesty, with regard to the Cape of Good Hope and the Mauritius.
1 G.4. c.11.

Proviso for
54 G.3. c.36.

54 G.3. c.103.

- hundred and nineteen, certain Duties on Goods, Wares and Merchandize imported into Ireland 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 establish further Regulations for the better Security of the Revenue on Goods so imported ; or in another Act, passed in the Fifty fifth Year of His said late Majesty's Reign, intituled An Act to make further Provisions respecting the Duties payable upon East India Goods, and to allow Bond to be given for Payment of such Duties upon such Goods when imported by private Traders ; or in another Act, passed in the Fifty ninth Year of the Reign of His said late Majesty, intituled An Act to continue, until the First Day of July One thousand eight hundred and twenty one, several Acts of the Fifty fourth and Fifty fifth Years of His present Majesty, respecting the Duties of Customs payable on Merchandize imported into Great Britain from any Place within the Limits of the Charter granted to the United Company of Merchants of England trading to the East Indies ; or in another Act, passed in the Fifty ninth Year of the Reign of His said late Majesty, intituled An Act to repeal the several Duties of Customs chargeable in Great Britain, and to grant other Duties in lieu thereof ; or in another Act, passed in the First and Second Years of the Reign of His present Majesty, intituled An Act to continue, until the First Day of July One thousand eight hundred and twenty four, several Acts of His late Majesty respecting the Duties of Customs payable on Merchandize imported into Great Britain and Ireland from any Place within the Limits of the East India Company's Charter, and to increase the Duties payable on the Importation of Sugar from the East Indies, until the Twenty fifth Day of March One thousand eight hundred and twenty three in Great Britain, and until the First Day of July One thousand eight hundred and twenty four in Ireland.*
- 55 G.3. c.10.
- 59 G.3. c.33.
- 59 G.3. c.52.
- 1 & 2 G.4. c.106.

Not to repeal Provisions of 53 G.3. c.155. § 38. as to Resort of Persons to India.

XVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to repeal any of the Provisions of the said first recited Act of the Fifty third Year of His said late Majesty's Reign, concerning the Resort of Persons to the *East Indies*, or other Places within the Limits of the Company's Charter, or to permit any Persons engaged in Trade under the Authority of this Act to reside at any Place on the Continent of *Asia* between the River *Indus* and the Town of *Malacca*, or at the said Company's Factory of *Bencoolen* or its Dependencies, without Permission duly obtained, in Conformity to the Provisions of the said Act, of the said Company.

Not to affect Provisions for preventing clandestine Trade under 33 G.3. c.52.

XVII. Provided always, and be it further enacted and declared, That nothing in this Act contained shall extend or be construed to extend to repeal or affect any of the Powers, Provisions, Clauses, Matters or Things contained in an Act of the said Parliament of *Great Britain*, passed in the Thirty third Year of His said late Majesty's Reign, intituled *An Act for continuing in the East India Company for a further Term the Possession of the English 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 Reve-*

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nues and Profits of the said Company ; and for making Provision for the good Order and Government of the Towns of Calcutta, Madras, and Bombay ; or in an Act of the Parliament of Ireland, passed in the said Thirty third Year of His said late Majesty's Reign, intituled An Act for regulating the Trade of Ireland to and from the East Indies, under certain Conditions and Provisions, for a Time therein mentioned ; for the Purpose of restraining clandestine and illicit Trade into and from the East Indies and Parts within the Limits of the said Company's Charter ; or in the said Act of the Fifty third Year of His said late Majesty's Reign relative to such clandestine and illicit Trade ; but that the same shall be deemed to be and continue in force, and to apply to all Ships and Vessels of His Majesty's Subjects, other than the Ships of the said Company, sailing or being found within the Limits of the said Company's Charter, and not having complied with the Directions of this Act, and to all and every Persons and Person who shall be found on board the same, or shall have been conveyed on board the same into any Place within the said Limits, and also to all and every Person and Persons who shall be found at any Place on the Continent of Asia between the River Indus and the Town of Malacca, or at the said Company's Factory of Bencoolen or its Dependencies, or at any Place within the Dominions of the Emperor of China, contrary to the true Intent and Meaning of the said Act of the Fifty third Year of His said late Majesty's Reign, or of this Act.

33 G.3. (I.)

53 G.3. c.155.
What Ships
the said Acts
shall apply to.

XVIII. And be it further enacted, That if any Commander or other Officer of any Ship or Vessel engaged in Trade under the Authority of this Act shall knowingly and wilfully take on board, or connive at the taking on board any Person or Persons, or exhibit any false or incomplete List of the Persons embarked or intended to be embarked on board of his Vessel, contrary to the true Intent and Meaning of the said Act of the Fifty third Year of His said late Majesty's Reign, or of this Act, every such Commander or Officer who shall offend therein shall incur and forfeit for every Offence One hundred Pounds, to be recovered in such and the same Manner as the Penalties imposed by the said Acts of the Fifty third Year of His said late Majesty's Reign, or either of them, are thereby made recoverable ; One Half Part of which Penalty shall belong to such Person or Persons as shall inform or sue for the same, and the other Half Part to the said United Company ; and if the said United Company shall inform or sue for the same, then the whole of the said Penalty shall belong to the said Company.

Commanders
of Vessels un-
lawfully taking
Persons on
board or giving
false Lists of
Passengers.

Penalty 100l.

XIX. And Whereas by an Act passed in the present Session of Parliament, intituled *An Act for the registering of Vessels*, Provision is made for registering Ships and Vessels in Territories, Countries, Islands and Places under the Government of the *East India Company* ; Be it further enacted, That all Ships and Vessels so registered shall have all the Rights and Privileges of Trade which Ships and Vessels registered in any other Possession of His Majesty have by virtue of the said Act or of any other Law in that Behalf, and shall be subject to such and the like Regulations and Provisions as such Ships and Vessels registered in other Possessions of His Majesty are subject to, and to none other,

Ships registered
in India pur-
suant to c. 41.
ante to have
Privileges to
which other
Vessels are en-
titled by that
Act.

other, save as hereinafter provided with respect to the Crews of such Ships and Vessels.

Lascars and Natives of India not to be British Mariners within the Meaning of 34 G.3. c.68.

XX. Provided always, and be it further enacted, That no *Asiatic* Sailors, Lascars or Natives of any of the Territories, Countries, Islands or Places within the Limits of the Charter of the *East India* Company, although born in Territories, Countries, Islands or Places under the Government of His Majesty, or of the *East India* Company, shall at any Time be deemed or taken to be *British* Sailors, Seamen or Mariners, within the Intent and Meaning of an Act passed in the Thirty fourth Year of the Reign of His late Majesty, intituled *An Act for the further Encouragement of British Mariners, and for other Purposes therein mentioned*, or of any other Act or Acts of Parliament relating to the Navigation of *British* Ships by Subjects of His Majesty, for the Purpose of entitling any Ship or Vessel to be deemed to be a *British* Ship navigated according to Law, and to have the Privileges and Advantages of *British* Ships having the Master and Three fourths of the Mariners *British* Subjects; any Thing in the said recited Act of the Thirty fourth Year aforesaid, or in any other Act or Acts of Parliament, or Law or Laws, to the contrary notwithstanding; provided also, that it shall be lawful for His Majesty, by His Royal Proclamation, upon or after the Commencement of any Hostilities, to permit all Merchant Ships or any other trading Vessels, and all Privateers, to be manned wholly, or in any such Proportions as shall be specified in any such Proclamation, with such *Asiatic* Sailors, Lascars or Natives aforesaid, for and during such Periods as shall be specified in any such Proclamation as aforesaid.

How far Merchants' Ships and Privateers may be manned with Lascars, &c.

‘ XXI. And Whereas Lascars and other Natives of the East are not deemed to be equal in Strength and Use to *European* or other Seamen, and the requiring the Proportion of Three fourths of *British* Seamen in Ships having as Part of the Crew Lascars and Natives of the East would compel such Ships to carry a larger Number of *British* Seamen than other Ships, or to employ a smaller Number of Lascars and Natives of the East than would be sufficient to make a proper Crew; Be it therefore enacted, That any Ship or Vessel duly registered, manned in Part with Lascars or Natives of *India*, which shall be commanded by a *British* Master, and navigated by Four *British* Seamen, as Part of the Crew, for every Hundred Tons of her registered Burthen, and so in proportion for any Part of a Hundred Tons, shall be deemed, construed and taken to be navigated according to Law as to the Crew of any such Ship or Vessel, although the Number of such *British* Seamen shall not be equal to the Proportion of Three fourths of the whole Crew of such Ship or Vessel; any thing in any Act or Acts of Parliament, or Law or Laws, to the contrary notwithstanding.

A Proportion of *British* Seamen to the Tonnage of any Ship sufficient.

‘ XXII. And Whereas it may not always be possible to procure the due Proportion of *British* Seamen at Ports in *India* for Vessels sailing from *India*; Be it therefore enacted, 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,

In Cases where in *India* a sufficient Number of *British* Seamen cannot be obtained, Go-

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 and carry on her Voyage with a less Proportion of *British* Seamen than required by Law; and every such Ship, having on board such Licence, and the Proportion of *British* Seamen therein specified, shall be deemed to be navigated according to Law, notwithstanding such Deficiency of *British* Seamen.

vernors may license the Ship to sail.

XXIII. Provided always, and be it further enacted, That nothing in this Act, or in any other Act or Acts of Parliament contained, shall extend or be construed to extend to require any Number of *British* Seamen to be on board as Part of the Crew or Mariners of any Ship or Vessel employed in Trade only between Ports and Places within the Limits of the Charter of the said Company, including the *Cape of Good Hope*.

Proviso as to *British* Seamen employed between Port and Port.

XXIV. And be it further enacted, That from and after the First Day of *June* One thousand eight hundred and twenty four, all the Provisions contained in an Act passed in the Fifty fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to continue until the First Day of January One thousand eight hundred and sixteen, and to amend several Acts for altering Importations from and Exportations to the Places within the Limits of the Charter of the East India Company, in Ships not of British built, and for the better Maintenance and Care of Lascars and other Asiatic Seamen arriving in this Kingdom, relative to Asiatic Sailors, Lascars or Natives of any Territories, Countries or Places within the Limits of the Charter of the said United Company, shall be and are hereby repealed; save and except as to the Recovery of any Sum or Sums of Money which have become or may become due on any Bond or Bonds which may have been or ought to have been entered into before the said First Day of June One thousand eight hundred and twenty four, or of any Sum or Sums of Money which have otherwise become or may become due by virtue of the said Act, before the said First Day of June One thousand eight hundred and twenty four, all which Sums of Money shall and may be recovered in the same Manner as if this Act had not been passed; any thing herein contained to the contrary notwithstanding.*

54 G. 3. c. 134. §§ 2, 3.

repealed. Excepton.

XXV. And be it further enacted, That it shall and may be lawful to and for the Governor General of *Fort William* in *Bengal*, in Council, and he is hereby required, as soon as may be, to make, ordain and publish, and from time to time, as Occasion may require, to repeal and alter, and newly to make, ordain and publish, such Rules and Regulations, to be observed by Masters, Officers and Owners of Ships and Vessels trading under the Authority of this Act, the Crews of which Ships or Vessels shall be wholly or in part composed of *Asiatic* Sailors, Lascars or Natives of any of the Territories, Countries, Islands or Places within the Limits of the Charter of the said United Company, for the due Supply of Provisions, Clothing and other necessary Accommodation of such *Asiatic* Sailors, Lascars and Natives aforesaid,

Governor of *Fort William* to make Rules, &c. with respect to Masters, &c. of Vessels trading under this Act.

said, whilst they shall be on board such Ships or Vessels, and whilst absent from the Countries or Places to which they shall respectively belong, and until they shall be carried back to the Places to which they may belong, or from whence they may have been brought, and for the Conveyance back of such *Asiatic* Sailors, Lascars or Natives as aforesaid, within a reasonable Time to be fixed by such Rules or Regulations.

Rules and Regulations to be observed as if they had formed Part of this Act.

XXVI. And be it further enacted, That all such Rules and Regulations, until they shall be repealed or altered, shall be observed and performed according to the true Intent and Meaning thereof, in like Manner as if they had been herein inserted and had formed Part of this Act; and a Copy of all and every such Rules and Regulations, signed and authenticated as such by the Secretary for the Time being of the Government of *Bengal*, or by the Secretary for the Time being of the said United Company, shall be deemed and received and taken, in and by all Courts, Justices and other Persons, as full, sufficient and conclusive Evidence of such Rules and Regulations.

Masters of Vessels to make out List of every Lascar, &c. on board, before such Ship shall be admitted to Entry.

XXVII. And be it further enacted, That the Master or other Person having the Command of every Ship or Vessel trading under the Authority of this Act, which from and after the passing of this Act shall arrive at any Port in the United Kingdom of *Great Britain* or *Ireland*, and which shall have on board, or which during any Part of her Voyage shall have had on board, either as Part of her Crew or in any other Character, or for any other Reason, any *Asiatic* Sailor, Lascar or Native of any of the Territories, Countries, Islands or Places within the Limits of the Charter of the said United Company, before such Ship or Vessel shall be admitted to Entry, shall make out and exhibit to the principal Officers of the Customs, or other Person thereunto lawfully authorized, a true and perfect List and Description of every such *Asiatic* Sailor, Lascar or Native aforesaid, which shall then be, or who during any Part of her Voyage shall have been on board such Ship or Vessel, with a true Account and Statement what shall have become of every such *Asiatic* Sailor, Lascar and Native aforesaid, who may have been and shall not then be on board.

Breach of Regulations relative to Lascars, &c.

XXVIII. And be it further enacted, That for every Breach or Non-observance of any Rule or Regulation to be made in pursuance of this Act, in relation to *Asiatic* Sailors, Lascars or Natives aforesaid, which shall have happened or taken place, and for every Omission to make out and exhibit such List, Description, Account or Statement of and respecting all such *Asiatic* Sailors, Lascars or Natives aforesaid, as herein is required, the Master or Commander, and all and every the Owners and Owner of the Ship or Vessel on board which any such *Asiatic* Sailor, Lascar or Native aforesaid shall be or shall have been, shall forfeit the Sum of Ten Pounds for every *Asiatic* Sailor, Lascar or Native aforesaid, in respect of whom such Breach, Non-observance, Omission or Defect shall have happened or taken place, to be recovered against the Master, Commander and Owners jointly or severally, by Bill, Complaint, Information or Action, in any of His Majesty's Courts of Record in the United Kingdom of *Great Britain* and *Ireland*, or in the *East Indies* or elsewhere, to be commenced in the County or Presidency or Place where any such Offender may happen to be,

Penalty

be, or by Conviction in a summary Way before Two Justices of the Peace in the United Kingdom, or in the *East Indies*, of the County or Presidency where any such Offender may happen to be; and of which Sum and Sums so to be forfeited, One third Part thereof shall go, belong and be paid to the Person or Persons who shall inform or sue for the same, and the other Two third Parts thereof shall be paid to such Person or Persons as the Court or Justices before whom the same shall be recovered shall award, to be applied in Payment or Reimbursement of any Expence which may have been incurred by or for the Use of the *Asiatic* Sailor, Lascar or Native aforesaid, or the respective *Asiatic* Sailors, Lascars or Natives aforesaid, in respect of whom such Forfeiture or Forfeitures shall have been recovered, or in such other Manner, for his or their Maintenance, Return Home or Benefit, as the Court or Justices before whom the same shall be recovered shall direct.

how applied.

XXIX. And for the more easy and speedy Conviction of the Offenders under this Act, be it further enacted, That the Justices of the Peace before whom any Person or Persons shall be convicted of any Offence under this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the like Effect, as the Case may happen; *videlicet*,

Form of Convictions.

‘ **BE** it remembered, That on the _____ Day of _____ in the Year of our Lord _____ *A.B.* [the Offender or Offenders] is [or are] convicted before us, Two of His Majesty’s Justices of the Peace for [the County or Presidency, as the Case may be] by virtue of an Act made in the Fourth Year of the Reign of His Majesty King George the Fourth, intituled [setting forth the Title of this Act] of having [here state the Offence or Offences] which Offence [or Offences, as the Case may be] has, by Confession of the Offender [or Offenders, or the Oath of One or more credible Witness or Witnesses, as the Case may be]; for which said Offence [or Offences, as the Case may be] we do adjudge that the said Offender [or Offenders] hath [or have] forfeited and do pay the Sum of [the Amount forfeited]; One third Part whereof we do order and direct to be paid to [the Informer], and the other Two thirds thereof to *C. D.* and *E. F.* [such Persons as the said Justices shall direct], to be applied [in such Manner as the Case may require] pursuant to the Provisions of the said Act. Given under our Hands and Seals the _____ Day and Year first above written.’

XXX. And be it further enacted, That all Sums of Money of which any Person shall be so convicted as aforesaid, shall and may be levied by Distress and Sale of the Goods and Chattels of the Offender; and that for Want of sufficient Distress every such Offender may be committed to Prison in the Common Gaol or House of Correction, for the Space of Three Calendar Months.

XXXI. And Whereas it may happen that *Asiatic* Sailors, Lascars and Natives aforesaid, may refuse to accept the Maintenance to be provided for them under the Rules and Regulations before referred to, or to return Home in the Ships or Vessels which may be engaged for that Purpose; Be it therefore enacted, That if _____ Lascars, &c. convicted of

Vagrancy to be shipped on board of Vessel bound to the Place from whence brought.

any such *Asiatic* Sailor, Lascar or Native aforesaid, shall at any Time be convicted of an Act of Vagrancy under any of the Laws in force in the United Kingdom respecting Vagrants, it shall and may be lawful to and for the Justice or Justices or Magistrates before whom such Conviction shall take place, to order and direct that he shall be shipped on board any Ship or Vessel bound to the Place, or as near as may be to the Place to which he shall belong, or from which he shall have been brought, and the Commander of which shall be willing to take Charge of him in order to his being returned thereto, at the Expence of the Person or Persons liable under any Rule or Regulation to be made as before mentioned, or of any other Person being otherwise willing to defray the same; and it shall and may be lawful for the Commander of any such Ship or Vessel having taken Charge of such Vagrant, and he is hereby required, to keep and detain him on board his Ship for the Voyage for which he shall be shipped.

Proceedings not quashed for Want of Form, &c.

XXXII. Provided also, and be it further enacted, That no Conviction, Order or Proceeding to be made or had by or before any Justices of the Peace or other Magistrate, by virtue of this Act, shall be quashed or vacated for Want of Form, and that the Order of such Justices or other Magistrates shall be final, and that no Proceedings of any such Justices or other Magistrates in pursuance of this Act shall be removable by Certiorari or otherwise.

Limitation of Actions.

XXXIII. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, then and in every such Case such Action or Suit shall be commenced or prosecuted within Three Months after the Fact committed, and not afterwards; and the same and every such Action or Suit shall be brought in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and at the Trial thereof give this Act and the special Matter in Evidence; and if the Matter or Thing complained of shall appear to have been done under the Authority and in Execution of this Act, or if any such Action or Suit shall be brought after the Time limited for bringing the same, or be brought and laid in any other County or Place than as aforementioned, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall become nonsuit, or discontinue his or her Action after the Defendant shall have appeared, or have a Verdict against him or her, or if, upon Demurrer, Judgment shall be given against the Plaintiff, the Defendant shall and may recover Treble Costs, and have the like Remedy for Recovery thereof as any Defendant or Defendants hath or have in any Cases of Law.

Where brought.

General Issue.

If Action brought after Time limited, &c.

Treble Costs.

Company to supply all Necessaries for distressed Lascars, &c. brought to this Country, and may recover Expence from Owners.

XXXIV. And be it further enacted, That if any *Asiatic* Sailor, Lascar or Native of any of the Territories, Countries, Islands or Places within the Limits of the Charter of the said United Company, having been brought to the United Kingdom on board any Ship or Vessel not being a Ship of War in the Service of His Majesty, shall from and after the passing of this Act be found within the United Kingdom in Distress for Want of Food, Clothing or other Necessaries, it shall be lawful for the said United Company to supply necessary and reasonable Relief to such Persons, and to main-

maintain them until they shall be sent on board some Ship bound for some Place within the Limits aforesaid; and also to pay, defray and advance the Money necessary to procure such Persons proper and sufficient Passage to their Homes or Places from which they were brought; and all such Sums as the said Company shall pay for or on account of such Relief or Maintenance or Passage Home, shall constitute and become a joint and several Debt due to the said Company from the Commander, Owner or Owners of such Ship, on board whereof such Person or Persons shall have been brought into the said United Kingdom, and shall be recoverable as so much Money paid to and for the Use of such Owner or Owners in any of the Courts of the said United Kingdom, or in the *East Indies*, if the Owner shall reside there, in which Actions or Suits for the Recovery of Debts may be sued or prosecuted; and in all such Actions and Suits, where the said Company shall recover, they shall be entitled to receive full Costs of Suit. Full Costs.

C A P. LXXXI.

An Act to consolidate and amend the Laws for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the *East India Company*; and to authorize Soldiers and Sailors in the *East Indies* to send and receive Letters at a reduced Rate of Postage. [18th July 1823.]

WHEREAS an Act was passed in the Twenty seventh Year of the Reign of His late Majesty King George the Second, intituled *An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of England trading to the East Indies; and for the Punishment of Offences committed in the East Indies, or at the Island of Saint Helena*; and another Act was passed in the First Year of the Reign of His late Majesty King George the Third, intituled *An Act to extend the Provisions relating to the holding of Courts martial, and to the Punishment of Offences committed in the East Indies, contained in the Act made in the Twenty seventh Year of His late Majesty's Reign, intituled "An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of England trading to the East Indies, and for the Punishment of Offences committed in the East Indies, or at the Island of Saint Helena," to the said Company's Settlement of Fort Marlborough, and to such other Principal Settlements wherever the said Company may be hereafter empowered to hold Courts of Judicature*; since the passing of which Acts the Territories under the Government of the said Company, and the Forces maintained by the said Company for the Safety and Protection of the same, have greatly increased, in consequence whereof further Provisions have become necessary; and it being requisite for the retaining of such Forces in their Duty, that an exact Discipline be observed, and that Soldiers who shall mutiny, or stir up Sedition, or shall desert the said Company's Service, be brought to a more exemplary and speedy Punishment than the usual Forms of the Law do

27 G.2. c.9.
1 G.3. c.14.

' allow:'

Punishment for
Mutiny, De-
sertion, &c.

' 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 enlisted or in Pay as a Non-commissioned Officer or Soldier in the Service of the said Company, at any Time during the Continuance of this Act, shall begin, excite, cause or join in any Mutiny or Sedition, in the Land or Marine Forces of His Majesty, or of the said Company, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any Mutiny or intended Mutiny, shall not without Delay give Information thereof to his Commanding Officer; or shall misbehave himself before the Enemy; or shall shamefully abandon or deliver up any Garrison, Fortress, Post or Guard committed to his Charge, or which he shall be commanded to defend, or shall compel the Governor or Commanding Officer of any Garrison, Fortress or Post to deliver up to the Enemy or to abandon the same; or shall speak Words or use any other Means to induce such Governor or Commanding Officer or others to misbehave before the Enemy, or shamefully to abandon or deliver up any Garrison, Fortress, Post or Guard committed to their respective Charge, and which he or they shall be commanded to defend; or shall leave his Post before relieved; or shall be found sleeping on his Post; or shall hold Correspondence with or give Advice or Intelligence to any Rebel or Enemy of His Majesty, or the said Company, either by Letters, Messages, Signs or Tokens, in any Manner or Way whatsoever; or shall treat or enter upon any Terms with such Rebel or Enemy, without the Licence of the said United Company, or of the said United Company's Governor General in Council, or Governor in Council at any of their Presidencies, or without the 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 the said Company's Service; all and every Person and Persons so offending in any of the Matters before mentioned, whether such Offence shall be committed within the Dominions of His Majesty, or the Possessions or Territories which are or may be under the Government of the said Company, or in Foreign Parts, upon Land or upon the Sea, within or without the Limits of the Charter of the said United Company, shall suffer Death, or such other Punishments as by a Court martial shall be awarded.

Persons accused
of Capital
Crimes 120
Miles from the
Presidencies
may be tried by
Court martial;
and if found
guilty punish-
ed.

II. And be it further enacted, That it shall and may be lawful for the General or other Officer commanding in Chief the Forces of or belonging to the Presidencies of *Fort William*, *Fort Saint George*, and *Bombay* respectively, for the Time being, having Authority to appoint Courts martial, to appoint General Courts martial, and to issue his Warrant to any General or other Officer, having the Command of a Body of Troops of His Majesty or of the said Company, empowering them respectively to appoint General Courts martial as occasion may require, to be holden within the Territories of any Foreign State, or in any Country under the Protection of His Majesty or the said United Company,

or

or at any Place other than *Prince of Wales Island*, in the Territories under the Government of the said United Company, and situated above One hundred and twenty Miles from the said Presidencies respectively, for the Trial of any Person under his Command accused of having committed wilful Murder, Theft, Robbery, Rape or any other Crime which is Capital by the Laws of *England*, or of having used Violence, or committed any Offence against the Person or Property of any Subject of His Majesty, or any other Person entitled to His Majesty's Protection, or to the Protection of the respective Governments of the *East India Company*, or of any State in Alliance with the said Company, within the Territories of any foreign State, or in any Country under the Protection of His Majesty or the said United Company, or at any Place other than *Prince of Wales Island*, in the Territories under the Government of the said United Company situate above One hundred and twenty Miles from the said Presidencies respectively; and the Persons accused, if found guilty, shall suffer Death, or be liable to Transportation for Life or for a Term of Years, or to such other Punishments, according to the Nature and Degree of their respective Offences, as by the Sentence of any such General Court martial shall be awarded: Provided always, that any Person so tried shall not be liable to be tried for the same Offence by any other Court whatsoever. [See Sect. 17. post.]

III. And be it further enacted, That if any Person liable to be tried by a Court martial for any such Offence alleged to have been committed within the Territories of any Foreign State, or in any Country under the Protection of His Majesty or the said United Company, or at any Place, other than *Prince of Wales Island*, in the Territories or under the Government of the said United Company situate above One hundred and twenty Miles from the said Presidencies of *Fort William*, *Fort St. George*, and *Bombay* respectively, and for which no Proceeding shall have been commenced in any ordinary Court of competent Civil or Criminal Jurisdiction, shall be apprehended by the Authority of or brought before any Magistrate for any such Offence, it shall and may be lawful for such Magistrate, and he is hereby required to deliver over such accused Person to the Commanding Officer of the Regiment, Corps or Detachment to which such accused Person shall belong, or to the Commanding Officer of the nearest Military Station, for the Purpose of his being tried by a Court martial for such Offence, as herein before is provided in that Behalf.

IV. Provided always, and be it enacted, That in all and every Case wherein a Sentence of Death or Transportation shall be pronounced for any such Capital Offence, committed at any Place situate above One hundred and twenty Miles from the Presidencies of *Fort William*, *Fort Saint George*, and *Bombay* respectively, and being within the Territories under the Government of the said United Company, such Sentence shall not be carried into Execution until confirmed by the General or other Officer commanding at the Presidency, with the Concurrence of the Governor General in Council or Governor in Council of the Presidency in the Territories subordinate to which such Offenders shall have been tried.

Person liable to be tried by Court martial may be apprehended and delivered over to his Regiment.

Sentences not to be executed till confirmed by Chief Governor, and approved by Governor of Presidency.

Deserters en-
listing in other
Corps.

V. And be it declared and enacted, That no Non-commissioned Officer or Soldier who shall desert the said Company's Service shall be exempt from the Pains and Penalties imposed by this Act for such Offence, by again enlisting into His Majesty's or the said Company's Service; but any such Non-commissioned Officer or Soldier shall, notwithstanding such subsequent Enlistment, be deemed to have deserted, and shall in like Manner suffer Death, or such other Punishments as by a Court martial shall be awarded.

Punishments.

And, while in
such Corps, can
be punished for
Crimes com-
mitted therein.

VI. And Whereas Doubts have arisen whether Soldiers who of Right belong to the Corps from which they have deserted, may be proceeded against and tried for deserting any other Corps in which they may afterwards have enlisted, or from the said Company's Service, if they shall not after such subsequent enlisting have been placed in any Corps, or for any Crime committed by them whilst serving therein; Be it therefore enacted, That every such Soldier shall be liable to be tried by a Court martial, and be punishable in like Manner as if he had originally enlisted in, and of Right belonged to the Regiment, Corps, Troop, Company, Detachment or Party in which he shall be at the Time of any subsequent Desertion, or committing any Offence, notwithstanding it shall have been discovered or known that he had previously belonged to any other Regiment, Corps, Troop, Company, Detachment or Party, and had not been discharged therefrom: Provided always, that if such Persons shall be claimed by such other Regiment, Corps, Troop, Company, Detachment or Party, and proceeded against as a Deserter therefrom, his subsequent Desertion from any one or more Corps in which he may have unwarrantably enlisted, may (unless he shall have been already tried for the same) be given in Evidence as an Aggravation of his Crime; previous Notice being always given to such Deserter of the Fact or Facts intended to be produced as Evidence upon his Trial.

Proviso where
claimed by
other Corps.

Transportation
for Desertion.

VII. And be it further enacted and declared, That in case of any Non commissioned Officer or Soldier tried and convicted of Desertion, wheresoever the Court martial which shall pass Sentence upon such Trial shall not think the Offence deserving of Capital Punishment, such Court martial may, instead of awarding a Corporal Punishment, adjudge the Offender, according to the Nature of his Offence, if they shall think fit, to be transported as a Felon for Life, or for a certain Term of Years; and if such Non commissioned Officer or Soldier, having been adjudged to be transported as a Felon, shall afterwards, without Leave from the Governor or Commanding Officer of the Place to which he shall have been transported, return into or be found at large without Leave as aforesaid, or other lawful Cause, within any Part of His Majesty's Dominions, or any of the Possessions or Territories which are or may be under the Government of the said United Company, other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Sentence, and shall be convicted thereof in the ordinary Course of Law, every such Person shall be deemed and adjudged guilty of Felony, and shall suffer Death as a Felon, without the Benefit of Clergy.

Unduly return-
ing, Death.

VIII. Pro-

VIII. Provided also, and be it enacted, That in all Cases wherein a Capital Punishment shall have been awarded by a Court martial, it shall be lawful for the Officer commanding in Chief the Forces at the Presidency to which the Offender shall belong, and having Power to appoint or authorize the Appointment of such Court martial, instead of causing such Sentence to be carried into Execution, to order the Offender to be transported as a Felon for Life, or for a certain Term of Years, as to the said Officer commanding in Chief may seem meet; and if the Person so transported in pursuance of such Order shall afterwards, without Leave from the Governor or Commanding Officer of the Place to which he shall have been transported, return into or be found at large without Leave as aforesaid, or other lawful Cause, within any Part of His Majesty's Dominions, or any of the Possessions or Territories which are or may be under the Government of the said Company, other than the Place to which he shall have been transported, before the Expiration of the Term limited by such Order, and shall be duly convicted thereof, he shall suffer Death.

Unduly returning, Death.

IX. And be it further enacted, That it shall be lawful for any General Court martial to sentence any Non commissioned Officer or Soldier, convicted of Desertion by such Court, to general Service as a Soldier; and that the General or Commander of the Forces at the Presidency to which the said Offender shall belong, may thereupon direct, that such Service shall be in any Regiment or Regiments or Corps of the said Company, and in any Country or Place or Places out of the Possessions of the Territories under the Government of the said Company or otherwise, as he may think fit.

Deserters may be sentenced by Court martial to General Service.

X. Provided always, and be it further enacted, That if any Non commissioned Officer or Soldier in any Regiment or Corps of the said Company's Forces, so convicted of Desertion, shall appear to have enlisted for a limited Term of Years, it shall be lawful for such Court to sentence any such Non-commissioned Officer or Soldier so enlisted in any Regiment or Corps of the said Company's Forces, to serve for Life as a Soldier, or for any Number of Years beyond the Period for which such Non-commissioned Officer or Soldier shall have enlisted in the Regiment in which he so enlisted, or generally in any Regiment or Corps which the General or Commander of the Forces at the Presidency where such Offender shall be tried shall please to direct; and any Non-commissioned Officer or Soldier may in any Case, in addition to any Service, be further adjudged to forfeit all Benefit or Advantage as to Increase of Pay, or as to Pension or Discharge, which might otherwise have accrued to such Non-commissioned Officer or Soldier from the Length or Nature of his Service; and such Forfeiture may, in such Cases of Desertion, be adjudged in addition to any other Punishment, if the Court should think fit.

If Deserter be a limited Serviceman, he may be sentenced to serve for Life, &c.

and to forfeit Increase of Pay, Pension, or Discharge.

XI. And be it further enacted, That it shall be lawful for any General Court martial, before which any Non-commissioned Officer or Soldier shall be tried and convicted of Desertion, to direct, if it shall so think fit, in addition to any other Punishment such Court may award for such Desertion, that such Deserter be marked on the Left Side, Two Inches below the Armpit, with the Letter (D.), such Letter not to be less than Half an Inch long,

A Mark on Deserters.

and to be marked upon the Skin with Ink or Gunpowder, or other Preparation, so as to be visible and conspicuous, and not liable to be obliterated.

Notice to Judge, &c. of the Award, &c. of Transportation.

XII. Provided always, and be it further enacted, That whenever any Sentence of Transportation passed by any Court martial in the *East Indies*, or in the other Possessions or Territories which are or may be under the Government of the said Company beyond the Seas or in Foreign Parts, 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 Court martial upon Condition of Transportation, the same shall be notified in Writing by the Officer commanding in Chief, or in the Absence of the Officer commanding in Chief, then by the Adjutant General for the Time being, to some Judge of the Supreme Court of Judicature of the Presidency under which such Offender shall serve; 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 of *India*; and the Governor in Council of such Presidency, or Governors 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: and all such Orders and Acts shall be obeyed and done in respect to such Offenders, and shall have the like Consequence, as in Cases of Persons convicted of Crime and sentenced to be transported, or receiving Pardon on Condition of Transportation; and every Person so ordered to be transported shall be subject respectively to all and every the Provision and Provisions made by Law and now in force concerning Persons convicted of any Crime and sentenced to be transported, or receiving Pardon on Condition of Transportation.

Proceedings by such Judge thereon.

In what case Offenders subject to the Law of Escape of Felons, &c.

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

Power to suspend Proceedings.

XIV. And be it further enacted, That it shall and may be lawful for the Governor General or Governor in Council of any of the said Company's Presidencies in *India*, to suspend the Proceedings of any Court martial which may at any Time be holden upon any Person belonging to such Presidencies respectively.

Warrant to hold Courts martial; none lower than a Field Officer can convene, &c.

XV. And be it further enacted, That His Majesty may from time to time grant a Commission or Warrant under His Royal Sign Manual, unto the Court of Directors of the said United Company, who by virtue of such Commission or Warrant shall have Power, under the Seal of the said United Company, to authorize and

and empower their Governor General in Council, and Governor in Council for the Time being, at the Presidencies of *Fort William*, *Fort Saint George* and *Bombay* respectively, and their Governors and Council for the Time being at the said Island of *Saint Helena*, from time to time to appoint Courts martial, and to authorize and empower the General or other Officer commanding any Body of the Forces employed in the said Company's Service to appoint General Courts martial, as well as to authorize any Officer under their respective Commands, not below the Degree of a Field Officer, to convene General Courts martial as occasion may require, for the Trial of Offences committed by any of their Forces under their several Commands, whether the same shall have been so committed before or after such General Officer shall have taken upon himself such Command; all which Courts martial shall be constituted and shall regulate their Proceedings according to the several Provisions hereinafter specified.

XVI. Provided always, and it is hereby declared and enacted, That no Officer or Soldier, being acquitted or convicted of any Offence, shall be liable to be tried a Second Time by the same or any other Court martial for the same Offence, unless in the Case of an Appeal from a Regimental to a General Court martial; and that no Sentence given by any Court martial, and signed by the President thereof, shall be liable to be revised more than once: Provided always, that nothing in this Act contained shall extend or be construed to exempt any Officer or Soldier whatsoever from being proceeded against by the ordinary Course of Law, unless such Officer or Soldier shall have been tried by a Court martial in Manner herein before provided in respect of Offences committed within the Territories of any Foreign State, or in any Country under the Protection of His Majesty or the said United Company or at any Place in the Territories of the said United Company situate above One hundred and twenty Miles from the said Presidencies of *Fort William*, *Fort Saint George* and *Bombay* respectively.

None tried a Second Time for the same Offence, unless in case of Appeal.
Soldiers liable to ordinary Proceedings of a Court of Law, &c.

XVII. And be it further enacted, That if any Officer or Non commissioned Officer or Soldier shall be accused of any Capital Crime or of any Violence or Offence against the Person, Estate or Property of any of His Majesty's Subjects or any other Person entitled to His Majesty's Protection or to the Protection of the respective Governments of the *East India* Company, or of any State in Alliance with the said Company, which is punishable by the known Laws of the Land, the Commanding Officer or Officers of every Regiment, Troop, Company or Party, is and are hereby required to use his and their utmost endeavours to deliver over such accused Person to the Civil Magistrate, and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial; and if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate or to be aiding or assisting to the Officers of Justice in apprehending such Offender, every such Officer so offending, and being thereof convicted upon any Information or Indictment in any of His Majesty's Courts of Record in *India*, shall be deemed and taken to be cashiered,

Persons accused of Capital Crimes, &c. to be delivered to the Civil Magistrate.

After such Trial Persons can only be cashiered by a Court martial.

cashiered, and shall be utterly disabled to have or to hold any Civil or Military Office or Employment in the said United Company's Service in the *East Indies*, provided a Certificate of the said Conviction be transmitted to the Judge Advocate General of the Army to which such Offender shall belong : Provided always, that nothing herein contained shall extend or be construed to extend, to require the Delivery over to the Civil Magistrate of any such Person accused of any Offence, who shall have been tried for such Offence by any Court martial in manner herein before provided, in respect of Offences committed within the Territories of any Foreign State or in any Country under the Protection of His Majesty or the said United Company, or at any Place in or out of the Territories of the said United Company situate above One hundred and twenty Miles from the said Presidencies of *Fort William*, *Fort Saint George* and *Bombay* respectively, (a) or against whom any effectual Proceeding shall have been taken or ordered to be taken, for the Purpose of bringing such Person to Trial by such Court martial as aforesaid : Provided also, that no Person or Persons, being acquitted or convicted of any Capital Crime, Violence or Offence, by the Civil Magistrate, shall be liable to be punished by a Court martial for the same, otherwise than by cashiering. (a) [See Sect. 2. ante.]

Officers, &c. imprisoned for criminal Offence, to receive no Pay ; but if acquitted to receive Arrears of Pay.

XVIII. 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 be entitled to receive any Part of his Pay from the Day of such Commitment till the Day of 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 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.

Constitution of General Courts martial.

XIX. And it is hereby further enacted and declared, That all General Courts martial held under the Authority of this Act shall consist of Thirteen or Nine Commissioned Officers, as the Case may require ; except the same shall be holden upon any Officer or Non commissioned Officer or Private Soldier of the said Company's Forces which shall be serving in any Place out of His Majesty's Dominions or of the Possessions or Territories which are or may be under the Government of the said Company, in which Cases any General Court martial may consist of any Number not less than Seven ; and except the same shall be holden at *Sumatra* or at *Prince of Wales Island* or at *Singapore*, at which Places such General Court martial may consist of any Number not less than Five, of whom none shall be under the Degree of a Commissioned Officer ; nor shall the President of any General Court martial be the Officer commanding in Chief or Governor of the Garrison where the Offence shall be tried, nor under the Degree

Degree of a Field Officer, unless where a Field Officer cannot be had, nor in any Case whatsoever under the Degree of a Captain.

XX. Provided always, and be it further enacted, That it shall be lawful for any General or other Officer commanding any Station, or commanding any Detachment, Brigade, Division or distinct Party belonging to any Army of the said Company, which may at any Time be serving in any Place out of His Majesty's Dominions, or of the Possessions or Territories which are or may be under the Government of the said Company, or of the Territories of those States in Alliance with the said Company, in which the said Company's Forces are permanently stationed, upon Complaint made to him of any Crime or Crimes, Offence or Offences, done or committed against the Property or Person of any Inhabitant of or Resident in any such Place, by any Non-commissioned Officer or Soldier, of other Person serving with or belonging to the Company's Army, being under the immediate Command of any such General or other Officer, to summon and cause to assemble General Courts martial, which shall consist of not less than Three Officers at the least, for the Purpose of trying any such Person or Persons accused or suspected of having committed any such Crime or Crimes, or Offence or Offences as aforesaid, notwithstanding such General or other Officer shall not have received any Warrant or Warrants, empowering such General or other Officers to summon or assemble Courts martial; and every such Court martial shall have Power to try any such Person or Persons so accused or suspected as aforesaid, and to adjudge any such Person or Persons to suffer any such Punishments as shall be prescribed for any Crime or Crimes, Offence or Offences, with which any such Person or Persons shall be charged before such Court martial: Provided always, that no Sentence of any such Court martial shall be executed until the General commanding in Chief the Army in the Field of which the Division, Brigade, Detachment or Party to which any Person so tried, convicted and adjudged to suffer Punishment shall belong, shall have approved and confirmed the same: Provided also, that every such Court martial shall have such and the same Powers for summoning and examining Witnesses as any other Court martial; and that Witnesses guilty of Perjury on Examination before them, being Persons amenable to this Act, shall be subject and liable to the same Penalties and Punishments as any Witnesses examined before any other Court martial are or shall be by any Law or Usage in force in relation to any other Court martial.

XXI. Provided always, and be it further enacted, That no General Court martial for the Trial of any Officer, (except the same shall be holden in any Place out of His Majesty's Dominions, and out of the Possessions or Territories which are or may be under the Government of the said United Company, or on *Sumatra*, or at *Prince of Wales Island*, or at *Singapore*), shall consist of less than Thirteen Members.

XXII. Provided always, and be it further enacted, That no General Court martial, consisting of any less Number than Thirteen Commissioned Officers, unless holden in any Place out of His Majesty's Dominions, or out of any of the Possessions or Territories which are or may be under the Government of the said United

Constitution of Court martial of Three Officers in Places out of His Majesty's Dominions or out of the Possessions of the East India Company, &c.

Proviso for Power to summon and examine Witnesses.

Number of Members of General Courts martial.

Number of Members of General Court martial to pass Sentence of Death.

Company,

Company, or on *Sumatra*, or at *Prince of Wales Island* or *Singapore*, shall sentence any Non-commissioned Officer or Soldier to Loss of Life or Limb or Transportation.

Corporal or other Punishment for Immoralities.

XXIII. Provided always, and be it further enacted, That it shall be lawful for such General Courts martial, by their Sentence or Judgment, to inflict Imprisonment, solitary or otherwise, or corporal Punishments, 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.

Imprisonment may be inflicted.

XXIV. Provided always, and be it further enacted, That it shall be lawful for any General or other Court martial to sentence any Non-commissioned Officer or Soldier to Imprisonment in any Fortress or Garrison, or other suitable Place of safe Custody.

Such Offenders to forfeit their Pay.

XXV. And be it further enacted, That every Non-commissioned Officer or Soldier sentenced to Imprisonment by any General Court martial shall forfeit all Right to any Pay or Allowances from the Day of his Commitment during the Time of such Imprisonment.

Oath to Witnesses.

XXVI. And be it further enacted, That all General and other Courts martial shall have Powers and Authority, and are hereby required to administer an Oath, or in case of Natives of *India*, an Oath or solemn Declaration, as Circumstances may require, to every Witness, in order to the Examination or Trial of any of the Offences that shall come before them.

Members of General Courts martial and Judge Advocate sworn.

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

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

‘ So help you GOD.’

‘ I *A. B.* do swear, That I will duly administer Justice according to the Rules and Articles for the better Government of the Officers and Soldiers in the Service of the United Company of Merchants of *England* trading to the *East Indies*, and according to an Act of Parliament now in force for the Punishment of Mutiny and Desertion of Officers and Soldiers in the Service of the said United Company, without Partiality, Favour or Affection; and if any Doubt shall arise, which is not explained by the said Articles or Act of Parliament, according to my Conscience, the best of my Understanding, and the Custom of War in like Cases: And I do further swear, that I will not divulge the Sentence of the Court until it shall be approved by the General or Commander in Chief, or the Person or Persons by whose Warrant or Authority the Court martial is held; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court martial,

‘ unless

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

‘ So help me GOD.’

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

‘ I 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 this Court martial, unless
‘ required to give Evidence thereof as a Witness by a Court of
‘ Justice or Court martial, in due Course of Law:

‘ So help me GOD.’

And no Sentence of Death shall be given against any Offender in such Case by any General Court martial, unless Nine Officers present shall concur therein (except such General Court martial shall be holden in any Place out of His Majesty's Dominions, or out of any of the Possessions or Territories which are or may be under the Government of the said United Company, or be holden on *Sumatra* or *Prince of Wales Island* or *Singapore* as aforesaid ; and in all Cases where a Court martial shall consist of more Officers than Thirteen, and also in any Place out of His Majesty's Dominions, or out of any of the Possessions or Territories which are or may be under the Government of the said United Company, or on *Sumatra* or *Prince of Wales Island* or *Singapore*, when the same shall consist of a less Number of Officers, then such Judgment shall pass by the Concurrence of Two thirds at the least of the Officers present ; and no Proceeding or Trial shall be had upon any Offence, but between the Hours of Six in the Morning and Four in the Afternoon, except in Cases which require an immediate Example : Provided always, 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 sitting, then by any Judge or any Court of Law, 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 Courts of Law, upon Complaint made to such Judge or Court, in like Manner as if such Witness had neglected to attend on a Trial in any Criminal Proceeding in that Court.

Concurrence in Sentence of Death.

Hours of Trial, &c.

Witnesses privileged from Arrest.

Witnesses not attending, attached.

XXVIII. Provided always, and be it further enacted, That at all Courts martial other than General Courts martial, which shall be held by virtue of this Act, or of any Articles of War established by His Majesty in pursuance thereof, every Member assisting at such Court, before any Proceedings be had before it, shall take the following

Oaths to be taken by Members of Courts martial, not being General Courts martial.

following Oaths on the Holy Evangelists (which Oaths shall and may be administered by the President of the Court to other Members thereof, and to the President by any Member having first taken the said Oaths); that is to say,

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

‘ So help you GOD.’

‘ I A. B. do swear, That I will duly administer Justice according to the Rules and Articles for the better Government of the Forces of the United Company of Merchants of *England* trading to the *East Indies*, and according to an Act of Parliament now in Force, for the Punishment of Mutiny and Desertion of Officers and Soldiers in the Service of the said United Company, without Partiality, Favour or Affection; and if any Doubt shall arise, which is not explained by the said Articles or Act of Parliament, according to my Conscience, the best of my Understanding, and the Custom of War in like Cases. ‘ So help me GOD.’

Rank of President.

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

Conjunction of King's and Company's Officers on Courts martial.

‘ XXIX. And Whereas it may be expedient that Officers of His Majesty's Land Forces, when employed in Conjunction with Officers in the Service of the United Company, should in certain Cases be associated for the Purpose of holding Courts martial; Be it enacted and declared, That when and as often as there may be occasion, it shall and may be lawful for Officers of His Majesty's Land Forces, and of the Forces in the Service of the United Company, to sit in Conjunction at Courts martial, and proceed in the Trial of any Officer and Soldier, in like Manner to all Intents and Purposes as if such Courts martial were composed of Officers of His Majesty's Land Forces, or of Officers in the Service of the said United Company only, with this Distinction, that upon the Trial of any Officer or Soldier of His Majesty's Land Forces, Regard shall be had to the Regulations and Provisions made in pursuance of the Act which shall exist at the Time for the Punishment of Mutiny and Desertion in His Majesty's Forces: and the Oaths administered to the several Members of the Courts martial shall be in the Terms by that Act prescribed; and upon the Trial of any Officer or Soldier in the Service of the said United Company, regard shall be had to the Regulations and Provisions made by or in pursuance of this Act; and the Oaths administered to the several Members of the Court martial shall be in the Terms prescribed by this Act, notwithstanding any Officer in the Service of the said United Company may also have a Commission from His Majesty.

Proviso for Mutiny Act then existing.

Appointment of Courts martial to be in the Officer commanding His Majesty's Forces.

XXX. Provided always, and be it enacted, That when and so long as any of His Majesty's Forces shall be employed to act within or under the Authority of any of the said Company's Presidencies in the *East Indies*, the Power of appointing Courts martial or authorizing the Appointment of Courts martial for the Trial of any Officer or Soldier of the said Company of or belonging to such Presidency, shall be in the Officer for the Time being commanding

ing in Chief such of His Majesty's Forces as shall be employed within or under the Authority of such Presidency.

XXXI. Provided always, and be it enacted, That the Party tried by any General Court martial within the Presidencies of *Bengal, Madras or Bombay*, shall be entitled to a Copy of the Sentence and Proceedings of such Court martial, upon Demand thereof made by himself or by any other Person or Persons on his Behalf (he or they paying reasonably for the same), at any Time not sooner than Six Months after such Sentences; and in case of Trial by any General Court martial in the Company's other Possessions beyond the Seas or in Foreign Parts, at any Time not sooner than Twelve Months after the Sentence given by such Court martial, whether any such Sentence be approved or not; any Thing in this Act to the contrary notwithstanding,

Persons tried may have Copy of Sentence and Proceedings.

XXXII. Provided always, and be it enacted, That every Judge Advocate, or Person officiating as such at any General Court martial, do and is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court martial, to the Judge Advocate General of the Army in which such Court martial shall be held; and the said original Proceedings and Sentences are to be carefully kept and preserved in his Office, to the End that Persons entitled thereto may be enabled, upon Application to such Office, to obtain Copies thereof according to the true Intent and Meaning of this Act.

Original of Proceedings and Sentence to be transmitted to Judge Advocate General.

XXXIII. And be it further enacted, That it shall and may be lawful to and for His Majesty from time to time to form, make and establish Articles of War for the better Government of the said United Company's Forces, and the same from time to time to vary, alter and amend; which Articles of War shall be judicially taken Notice of by all Judges, and in all Courts whatsoever.

The King to make Articles of War.

XXXIV. And for the more effectual Notification thereof to the several Judges and Persons hereinafter mentioned; Be it further enacted, That Copies of all such Articles of War, printed by the King's Printer, shall from time to time, as soon as conveniently may be after the same shall have been made and established by His Majesty, be transmitted by His Majesty's Secretary at War for the Time being, signed with his own Hand and Name, to the Judges of His Majesty's Superior Courts at *Westminster, Dublin, Edinburgh* and in *India* respectively; and also to the Governors of His Majesty's Colonies, Plantations and Territories within the Limits of the Charter of the said United Company.

Copy to the Judges, &c.

XXXV. And be it further enacted, That for bringing Offenders against such Articles of War to Justice, it shall be lawful for His Majesty to grant His Royal Commission or Warrant to the Persons and in the Manner herein mentioned and expressed, for convening and authorizing others to convene Courts martial, with Power to try, hear and determine any Crimes or Offences by such Articles of War, and to inflict Penalties by Sentence or Judgment of the same, as well in the Possessions or Territories which are or may be under the Government of the Company, as elsewhere, where the Troops of the Company are or may be employed: Provided always, that no Person shall by such Articles of War be subject to any Punishment extending to Life or Limb, within the Dominions of His

Officers authorized to convene Courts martial.

For what Crimes no Judgment of Life or Limb.

His Majesty, or the Possessions or Territories which are or may be under the Government of the said United Company for any Crime committed within One hundred and twenty Miles' Distance from either of the Presidencies of *Bengal, Madras or Bombay*, which is not expressed to be so punishable by this Act.

Offenders may be tried in Places other than where the Offences have been committed.

XXXVI. Provided always, and be it further enacted, That if any Officer or Soldier, or any other Person subject to the Provision of this Act, at any Place out of the Presidencies of *Bengal, Madras or Bombay*, commit any of the Offences for which he may be liable to be tried by a Court martial by virtue of this Act, and shall, after the Commission of any such Offence, go or be sent to any Part of His Majesty's Dominions, or to any Station or Part of the Possessions or Territories under the Government of the said Company or elsewhere, in the Course of Service abroad, or come or be brought within the said Presidencies or either of them, before he be tried by a Court martial for such Offence, such Officer or Soldier shall be liable to be tried for the same at such other Station or Part of His Majesty's Dominions, or the Possessions or Territories which are or may be under the Government of the said Company or elsewhere, in the same Manner as if the Offence had been committed where such Trial shall take place.

How Court martial for Trial of Company's Officers and Soldiers, may be composed.

XXXVII. And Whereas it may sometimes happen that Officers in the Service of the said United Company cannot conveniently be had to compose the Whole or Part of a Court martial for the Trial of Offenders liable to be tried by Court martial by virtue of this Act; Be it further enacted, That in any such Case any Officer or Soldier, or Persons subject to the Provisions of this Act, may and shall be tried by a General Court martial composed of Officers in His Majesty's Service alone: Provided always, that in every such Case the Officer convening such Court martial shall specify in his Warrant that no Officer in the Service of the said Company could conveniently be had.

Musters. Giving false Certificates, Penalty 400 Sicca Rupees, cashiered and Incapacity.

XXXVIII. And for preventing of Fraud and Deceit in the mustering of Soldiers, be it further enacted, That if any Person do make or give, or procure to be made or given, any false or untrue Certificate, whereby to excuse any Soldier for his Absence from any Muster, or any other Service which he ought to attend or perform, upon Pretence of such Soldier being employed on some other Duty of the Regiment, or being Sick, in Prison or on Furlough, then every such Person so making, giving or procuring such Certificate, shall for every such Offence forfeit the Sum of Four hundred Sicca Rupees, and shall be forthwith cashiered and displaced from his Office, and shall be thereby utterly disabled to have or hold any Military Office or Employment in the Service of the Company in the *East Indies*; and no Certificate shall excuse the Absence of any Soldier but for the Reasons above mentioned, or One of them.

False Musters.

XXXIX. And be it further enacted, That every Officer that shall make any false or untrue Muster of Man or Horse, or wittingly or willingly allow or sign the Muster Roll wherein such false Muster is contained, or any Duplicate thereof, and also every Officer who shall directly or indirectly take or cause to be taken any Sum or Sums of Money, or any other Gratuity, on or for the mustering any Regiment, Troop or Company, or on or for the signing

ing of any Muster Rolls, or any Duplicate thereof, upon Proof thereof upon Oath made by Two Witnesses before a General Court martial, to be thereupon called (which is hereby authorized and required to administer such Oath), shall for such Offence be forthwith cashiered, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment in the said Company's Service in the *East Indies*.

Cashiered, and Incapacity.

XL. And be it further enacted, That if any Officer shall knowingly muster any Person by a wrong Name, upon Conviction thereof before a General Court martial, the said Officer shall be subject to such Penalties as are directed and inflicted by this Act upon those who shall make false Musters.

Mustering by wrong Names. Punishment.

XLII. And be it further enacted, That every Paymaster or other Commissioned Officer of the Company's Forces, or any Storekeeper or Commissary, or Deputy or Assistant Commissary, or other Person employed in the Commissariat Department, or in any Manner in the Care or Distribution of Money, Provisions, Forage or Stores belonging to the said United Company, or for the said United Company's Forces, or for the Use of His Majesty's Troops, or other Forces serving with the said United Company's Forces in *India*, or who shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall knowingly or wilfully permit or suffer any Money, Provisions, Forage, Arms, Clothing, Ammunition or other such Military Stores to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by and before a General Court martial; and it shall be lawful for any Court martial to adjudge any such Paymaster or other Commissioned Officer, Storekeeper or Commissary, or Deputy or Assistant Commissary or other Person, to be transported as a Felon for Life, or for any certain Term of Years, or to suffer such Punishment of Fine, Imprisonment, Dismissal from the Company's Service and Incapacity of serving the Company in any Office, Civil or Military, as any such Court shall think fit, according to the Nature and Degree of the Offence; and every such Officer or Person shall, in addition to any other Punishments, make good at his own Expence the Loss and Damage sustained which shall have been ascertained by such Court martial; and the Loss and Damage so ascertained as aforesaid, may be recovered in any of His Majesty's Courts of Record at the Presidency where such Offender shall be resident, or in any other Court of Law having Jurisdiction, where any Person adjudged by a Court martial to have incurred any such Penalties, or to make good any such Losses or Damages, shall be resident, after the said Judgment shall be confirmed and made known; and after the said Sum shall be recovered and levied, the same shall be applied and disposed of as the Government of the Presidency shall direct and appoint, in case the same shall be recovered within any of the said Presidencies, and if not, then as the Government of the Presidency to which the Offender shall have belonged at the Time of his Offence shall direct and appoint.

Officers, Commissaries, &c. embezzling Money, Stores, &c.

Punishment;

and to make good the Loss.

Application thereof.

XLII. And be it further enacted, That every Non-commissioned Officer who shall be convicted at a General or Regimental Court martial of having embezzled or misapplied any Money with which he may have been entrusted for the Payment to the Men under

Non-commissioned Officers embezzling.

Punishment.

his Command, shall be reduced to serve in the Ranks as a Private Soldier, and be put under Stoppages until the Money be made good, and suffer such Corporal Punishment (not extending to Life or Limb) as the Court martial shall think fit.

Paymasters making Deductions or receiving Fees.

XLIII. And be it further enacted, That no Paymaster or other Person shall receive any Fees, or make any Deductions whatsoever, out of the Pay or Allowances which shall be due to any Officer or Soldier in the Company's Army (without his Consent be obtained thereto), other than the usual Deductions, as shall be from time to time required to be made according to the Regulations of the Service.

Officers detaining Pay and Allowances, Penalty 800 Sicca Rupees, and Punishment.

XLIV. And be it further enacted, That if any Officer or Paymaster shall unlawfully detain or withhold for the Space of One Month the Pay and Allowances of any Officer or Officers (Clothes and all other just Allowances being deducted) after such Pay and Allowances shall be by him or them received; or if any Officer, having received the Soldiers' Pay and Allowances, shall refuse to pay each Non-commissioned Officer and Soldier his or their respective Pay and Allowances, when they shall become due and payable, according to the several Rates established by the Regulations of the Service, then upon Proof thereof before a Court martial as aforesaid, to be for that Purpose duly held and Summoned, every such Paymaster or Officer so offending shall be discharged from his Employment, and shall forfeit to the Informer, upon Conviction before the said Court, Eight hundred Sicca Rupees, and be liable to such further Punishment as shall by the Court martial be awarded: Provided always, that it shall and may be lawful for the Governor General in Council, or the Governor in Council at the said Presidencies respectively, to give Orders for withholding the Pay of any Officer, Non-commissioned Officer or Soldier, for any Period during which such Officer, Non-commissioned Officer or Soldier shall be absent without Leave.

Proviso.

Officers, &c. of Artillery, Engineers, &c. liable to this Act.

XLV. And be it further enacted, That all Officers and Persons serving and hired to be employed, or who shall serve and be hired to be employed in the Artillery, and in the several Trains of Artillery, and in the Department of the Engineers, and all Officers serving or who shall serve in the Corps of Engineers, and all Officers and Persons serving or who shall serve as Military Surveyors or Draftsmen, or in the Corps of Sappers and Miners or Pioneers, and all Persons who now are or shall be under the Ordnance, and all Apothecaries, Veterinary Surgeons, Medical Storekeepers, Hospital Stewards and others serving on the Medical Establishment of the Army, licensed Sutlers and Followers, shall be at all Times subject to all the Penalties and Punishments mentioned in this Act, and shall in all respects whatsoever be holden to be within the Intent and Meaning of every Part of this Act.

Recruits concealing Infirmities.

XLVI. And be it further enacted, That any Person who shall enlist into the Company's Forces, and who shall be discovered to be incapable of active Service, by reason of any Infirmity which shall have been concealed by such Person, or not declared before the Justice of the Peace at the Time of his Attestation, and mentioned at the Foot thereof, may be transferred into any Garrison, or Veteran or Invalid Battalion, or into His Majesty's or Company's Marine Forces, notwithstanding he shall have been enlisted

Punishment.

for any particular Regiment, and shall be entitled to receive such Portion or Residue of Bounty only as shall be allowed by the said Company, by any Regulation made in that Behalf, in lieu and instead of the Bounty upon which such Man shall have been enlisted; any thing in any Act or Acts of Parliament, or any Rules or Regulations relating to Soldiers, to the contrary notwithstanding.

XLVII. And be it further enacted, That all Officers and Soldiers who shall be enlisted in or transferred to the Service of the United Company, and all Officers in the said Company's Service who may proceed in charge of, or be appointed to do Duty with such enlisted or transferred Officers and Soldiers, shall, from and after their Embarkation to go abroad to such Place whereto they shall be sent in the Service of the said Company, be and hereby are adjudged to be, during their Passage, subject to all the Provisions and Regulations of this Act, and to all such Provisions and Regulations as Officers and Soldiers in the Pay of the said United Company shall from time to time be subject to at the Garrison or Place to which such Officers and Soldiers shall be sent.

After Embarkation, Officers and Soldiers subject to Mutiny Act.

XLVIII. And forasmuch as it may happen that Offences may be committed by the said Officers and Men after their Embarkation, and before their Arrival at their Place of Destination abroad, which nevertheless cannot be tried and punished during their Passage in such Manner as such Offences ought to be tried and punished; Be it therefore enacted, That in every such Case every such Officer or Soldier shall and may, after his Arrival at his Place of Destination abroad, be tried and punished for every Offence committed after his Embarkation and before his Arrival, in the same Manner as he would have been liable to be tried and punished if such Offence had been committed in any Place where the Offender could have been tried by any Court martial held under the Authority of this Act.

Offences previous to Arrival at Destination, cognizable after Arrival.

XLIX. And be it further enacted, That all Sums of Money due by deceased Officers and Soldiers in respect of any Military Clothing, Appointments and Equipment, 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 any such Accounts, or on account of any Advance made for any such Purpose, shall be deemed and taken to be Regimental Debts, and shall be paid out of any Arrears of Pay or Allowances, or out of any Prize or Bounty Money, or the Equipage, Goods, Chattels and Effects of any Officer or Soldier dying while in the Service of the said United Company, in preference to any other Debts, Claims or Demands whatsoever, upon the Estate and Effects of such Officer or Soldier; and if any Doubt shall arise, as to whether any Claim or Demand made in relation to any Officer or Soldier is a Regimental Debt or not, such Question shall be decided and concluded by the Order or Certificate of the Military Secretary to the Government of the Presidency to which such Officer or Soldier shall have belonged; and all such Payments shall be good and valid in Law; and every Person who shall make any such Payment out of any such Arrears of Pay, Effects or Proceeds as aforesaid, under the Provisions of this Act, or in pursuance of any such Order or Certificate of such Military Secretary, or into whose Hands any such Money shall come, shall

Debts due by deceased Officers, &c. considered Regimental Debts, to be paid in Preference to others.

be and are hereby indemnified for and in respect of such Payments, and all other Acts, Matters and Things done in pursuance of the Provisions of this Act, or of the Order or Certificate of the said Military Secretary, in relation to the Distribution of such Assets; any thing in any Act or Acts of Parliament, or Law or Laws, to the contrary notwithstanding.

Surplus to be paid to Person entitled.

L. And be it further enacted, That it shall be lawful for such Military Secretary to cause all Surplus which may remain, after satisfying such Regimental Debts as aforesaid, to be paid to the Person or Persons entitled thereto.

Regimental Debts to be paid without Probate of Will, &c. being obtained.

LI. And be it further enacted, That all such Regimental Debts shall and may be paid without any Probate of any Will being obtained, or any Letters of Administration, or any Confirmation of Testament, or Letters Testamentary or Dative, being taken out by any Person, and the Surplus only of such Arrears of Pay or Allowances, Prize or Bounty Money, Equipage, Goods and Chattels, or the Proceeds thereof, shall be deemed the Personal Estate of the Deceased, for the Payment of any Duty in respect of any Probate, or of any Letters of Administration, or Confirmation of Testament, or Letters Testamentary or Dative, or for the Purpose of Distribution as Personal Estate; and it shall be lawful for the said Military Secretary to order and direct the Payment or Distribution of any such Surplus, in any Case in which the same shall not exceed Two hundred Sicca Rupees, without any Probate, or Letters of Administration, or Confirmation of Testament, or Letters Testamentary or Dative, or Payment of any Duty of Stamps, or upon Legacies or otherwise; and it shall also be lawful for any Paymaster or other Person to issue any Sum not exceeding the Value of Two hundred Sicca Rupees, which may be due to any Officer deceased, or to the Widow or Relative of any Officer deceased, or to the Representative or Representatives of any such Officer's Widow or Relative in like Manner, without any Probate or Letters of Administration, or Confirmation of Testament, or Letters Testamentary or Dative, or Payment of any Duty of Stamps, or upon Legacies or otherwise, the same to be paid to the Person who shall be notified by the said Military Secretary as aforesaid as being entitled thereto; and all such Payments respectively shall be as valid and effectual, to all Intents and Purposes, as if the same had been made by or to any Executor or Administrator, or under the Authority of any Probate, or Letters of Administration, or Confirmation of Testament, Letters Testamentary or Dative; any thing in any Act or Acts of Parliament, or Law or Laws, to the contrary notwithstanding.

Surplus only deemed Personal Estate, and may be distributed without Probate, &c. up to the Amount herein mentioned.

Soldiers entitled to Discharge sent Home free of Expence, &c. Marching Money.

LII. And be it further enacted, That every Soldier entitled to his Discharge under any Orders or any Regulations made by the said Company, or upon the Expiration of any Period for which he shall have engaged to serve, shall be sent to *Great Britain or Ireland* free of Expence, and be entitled on his Return to have and receive Marching Money from the Place of his being landed to the Parish or Place in which he shall have been originally enlisted, at the Rate and Reckoning *per Diem* fixed for victualling Soldiers in His Majesty's Service on the March.

How far such Persons subject to this Act.

LIII. Provided also, and be it further enacted, That every such Soldier entitled to and claiming his Discharge, and to be sent

to *Great Britain or Ireland*, shall, until his Arrival and Debarkation in *Great Britain or Ireland*, be subject to the Provision of this Act, and the Articles of War framed or to be framed by His Majesty for the better Government of the Company's Forces.

LIV. And be it further enacted, That any Person who shall voluntarily surrender or deliver himself up as a Deserter from any Regiment or Corps of the said Company's Forces, or who upon being apprehended for Desertion or any other Offence shall, in the Presence of the Magistrate or of the Commanding Officer of the Place, confess himself to be a Deserter from any such Regiment or Corps, shall be deemed to have been duly enlisted, and to be a Soldier, and shall be liable to serve in any such Regiment or Battalion or Corps of the said Company's Forces, as the Commander of the Forces of the said Company shall think fit to appoint, whether such Person shall have been ever actually enlisted as a Soldier or not.

A Person acknowledging himself to be a Deserter to be deemed duly enlisted.

L V. And to prevent, as far as may be, any unjust or fraudulent Arrests that may be made upon Soldiers, whereby the said United Company may be deprived of their Services, it is hereby further enacted, That no Person who is or shall be listed, or who shall list and enter himself in the Company's Service as a Soldier, shall be liable to be taken out of the Company's Service, by any Process or Execution whatever, other than for some Criminal Matter, unless for a real Debt or other just Cause of Action, and unless before the taking out of such Process or Execution (not being for a Criminal Matter) the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before One or more Judge or Judges of the Court of Record, or other Court out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the original Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be sued out, amounts to the Value of Two hundred Sicca Rupees at the least, over and above all Costs of Suit in the same Action, or in any other Action on which the same shall be granted; a Memorandum of which Oath shall be marked on the Back of such Process or Writ, for which Memorandum or Oath no Fee shall be taken; and if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for One or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any of his superior Officers, to examine into the same by the Oath of the Parties or otherwise, and by Warrant under his or their Hand and Seal, or Hands and Seals, to discharge such Soldier so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them that such Soldier so arrested was legally enlisted as a Soldier in the Company's Service, and arrested contrary to the Intent of this Act, and also to award to the Party so complaining such Costs as such Judge or Judges shall think reasonable, for the Recovery whereof he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might

No Soldier liable to Process, except for a Criminal Matter, or a real Debt amounting to 200 Sicca Rupees.

Proceedings on such Arrest.

Costs.

have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

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

Plaintiff in Civil Action may file a Common Appearance.

Where Troops are serving beyond the Jurisdiction of the Courts of Requests, Actions of Debt not exceeding 400 Sicca Rupees shall be cognizable before a Military Court.

LVII. And be it further enacted, That in all Places where the said Company’s Forces now are or may be employed, or where any Body of His Majesty’s Forces may be serving with the Forces of the said Company, situate beyond the Jurisdiction of the Court of Requests established at the Cities of *Calcutta*, *Madras* and *Bombay* respectively, Actions of Debt and all personal Actions against such Officers, Non-commissioned Officers or Soldiers, all Persons licensed to act as Sutlers to any Corps or Detachment, or at any Station or Cantonment, or other Persons amenable to the Provisions of this Act, or resident within the Limits of a Military Cantonment, shall be cognizable before a Court of Requests composed of Military Officers, and not elsewhere; provided the Value in question shall not exceed Four hundred Sicca Rupees, and that the Defendant was a Person of the above Description when the Cause of Action arose; which Court the Commanding Officer of any Station or Cantonment is hereby authorized and empowered to convene, and the said Court shall in all practicable Cases consist of Five Commissioned Officers, and in no Instance of less than Three, and the President thereof shall not be under the Rank of a Captain; and every Member assisting at any such Court, before any Proceedings to be had before it, shall take the following Oath upon the Holy Evangelists; which Oath shall be administered by the President of the Court to the other Members thereof, and to the President by any Member having first taken the said Oath; (that is to say,)

‘ I swear, That I will duly administer Justice, according to the Evidence, in the Matter that shall be brought before me. ‘ So help me GOD.’

Witnesses to be examined on Oath.

And every Witness before any such Court shall be examined on Oath, which such Courts are hereby authorized to administer, or if Natives of the *East Indies*, on Oath or solemn Declaration, as the Circumstances of the Case may require; and it shall be competent

petent for such Courts, upon finding any Debt or Damage due, either to award Execution thereof generally, or to direct that the Whole or any Part thereof shall be stopped and paid over to the Creditor out of any Pay or public Money which may be coming to the Debtor in the current or any future Month; and in case the Execution shall be awarded generally, the Debt, if not paid forthwith, shall be levied by Seizure and public Sale of such of the Debtor's Goods as may be found within the Camp, Garrison or Cantonment, under a written Order of the Commanding Officer, grounded on the Judgment of the Court, and the Goods of the Debtor, if found within the Limits of the Company's Garrison or Cantonment to which the Debtor shall belong at any subsequent Time, shall be liable to be seized and sold in Satisfaction of any Remainder of such Debt or Damages; and if sufficient Goods shall not be found within the Limits of the Camp, Garrison or Cantonment, then any public Money, or any Sum not exceeding the Half Pay accruing to the Debtor, shall be stopped in Liquidation of such Debt or Damage; and if such Debtor shall not receive Pay as an Officer or Soldier, or from any public Department, but be a Sutler, Servant or Follower, he shall be arrested by like Order of the Commanding Officer, and imprisoned in some convenient Place within the Military Boundaries, for the Space of Two Months, unless the Debt be sooner paid: Provided always, that from and after the Time limited for the Commencement of this Act, so much of an Act passed in the Fifty third Year of the Reign of His late Majesty King George the Third, 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*, as gives to Magistrates the Cognizances of Debts due from Officers or Soldiers, being *British* Subjects, to the Natives of *India* resident without the Jurisdiction of the Courts of Requests therein mentioned, shall be and the same is hereby repealed accordingly.

Powers of uch
Court.

53 G.3. c. 155.
§ 106.

repealed.

Soldiers confined for Debt not to receive Pay.

Soldiers taken Prisoners forfeit Pay.

Proviso for Return.

LVIII. And be it further enacted, That from the Commencement of this Act, no Soldier being arrested or confined for Debt in any Prison, Gaol or other Place, shall be entitled to any Part of his Pay or Allowances, from the Day of such Arrest or Confinement until the Day of his Return to the Regiment, Troop, Company or Detachment to which he shall belong, or shall be ordered to join.

LIX. And be it further enacted, That every Soldier who shall be taken Prisoner by the Enemy shall forfeit all Right or Claim to Pay and Allowance during the Period of his remaining a Prisoner, and until he shall again return to the Company's Service: Provided always, that upon the Return of every Soldier to the Company's Service, due Inquiry shall be made as to the Conduct of such Soldier in relation to his being made Prisoner, and during the Period of his so remaining a Prisoner, and before Return to Service, by some General or Regimental or Garrison or other Court martial, which shall be constituted under any Article of War made by His Majesty, for the Purpose of investigating such

On proving that they were unavoidably taken Prisoners may recover Arrears of Pay.

Persons and Civil Officers employed in the Commissariat and Ordnance liable to this Act.

Troops in Places in Possession of the Company, or occupied by Persons subject to the Company, liable to the Articles of War.

Proviso for 53G.3. c.155. as to Native Troops.

Native Troops subject to Articles of War of Presidency to which they belong.

Cases; and every Soldier who shall prove to the Satisfaction of the Court, by Oath of himself or others, or in such Manner as such Court shall require (and which Oath every such Court is hereby authorized to administer), that he was fairly and unavoidably taken Prisoner in the Course of Service, without any wilful Neglect of Duty on his Part, and that he hath not served with or under or in any Manner aided or assisted the Enemy, and that he hath returned as soon as possible to the Company's Service, shall be thereupon entitled to receive either the whole of any such Arrears of Pay or Allowances, or a Proportion thereof, as shall be adjudged by any such Court.

LX. And be it declared and enacted, That all Officers and Persons who are or shall be commissioned or employed in the Commissariat Department or as Storekeepers, and all Civil Officers who are or shall be employed by or act under the Ordnance, and who are or shall be placed under the Command of any General or other Officer, shall be to all Intents and Purposes liable to the Provisions of this Act, and to the same Rules and Articles of War, and the same Penalties and Punishments, as in case of the Company's other Forces.

LXI. And Whereas great Mischief and Inconvenience may arise if it should be doubted whether Troops in Pay raised or serving in any of the Possessions or Territories which are or may be under the Government of the said United Company, or Places which are or may be occupied by Persons subject to the Government of the said Company, or by any Forces of the said Company, are, while under the Command of any Officer having a Commission immediately from the Government of any of the Presidencies of the said Company, liable to the Rules and Articles of War, and the same Penalties and Punishments as the Company's other Forces are subject to; To prevent such Mischief, and remove all Doubts, be it declared and enacted, That all Officers and Soldiers of any Troops being mustered and in Pay, which have been or are or shall be raised or serving as aforesaid, shall at all Times and in all Places be liable to Martial Law and Discipline, and to the same Trials, Penalties and Punishments, in like Manner, to all Intents and Purposes, as the Company's other Forces.

LXII. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner impeach or affect any Matters enacted or declared respecting Officers or Soldiers being Natives of the *East Indies*, or other Places within the Limits of the said Company's Charter, contained in the said Act passed in the Fifty third Year of His late Majesty, but that all such Matters shall be of the same Force, in respect of such Native Officers and Soldiers, as if this Act had not been made.

LXIII. And be it further enacted, That whenever any Portion of such Native Troops shall be serving in any Country or Place out of the Possessions or Territories which are or may be under the Government of the said United Company, whether such be the Dominions of His Majesty or elsewhere, on the Trial of all Offences committed by any Native Officer or Soldier or Follower, Reference shall be had to the Articles of War framed by the Government of the Presidency to which such Native Officer, Soldier or Follower, shall

shall belong, and to the established Usages mentioned and confirmed in the said last recited Act.

LXIV. And be it further enacted, That any Person wilfully and knowingly giving false Testimony on Oath or solemn Declaration, in any Case wherein an Oath or solemn Declaration is required to be made by this Act, shall be deemed guilty of wilful and corrupt Perjury, and being thereof duly convicted shall be liable to such Pains and Penalties as by any Laws now in force any Persons convicted of wilful and corrupt Perjury are subject and liable to; and every Commissioned Officer convicted before a General Court martial of Perjury shall be cashiered; and every Non-commissioned Officer or Soldier, or other Person amenable to the Provisions of this Act, found guilty thereof, shall be punished at the Discretion of a General or Regimental Court martial.

False Swearing.

Perjury.

LXV. And be it further enacted, That if any Action, Bill, Complaint or Suit, shall be brought against any Person or Persons, for any Act, Matter or Thing to be acted or done in pursuance of this Act, it shall and may be lawful to and for all and every Person or Persons sued as aforesaid to plead thereto the General Issue, that he or they are not guilty, and to give this Act and the Special Matter in Evidence on any Trial to be held thereupon, and that the same was done in pursuance and by Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Verdict shall pass with the said Defendant or Defendants in any such Action, or the Plaintiff or Plaintiffs therein become nonsuited, or suffer any Discontinuance thereof, that in every such Case the Justice or Justices, or such other Judge before whom the said Matter shall be tried, shall by force and virtue of this Act allow unto the Defendant or Defendants his or their Treble Costs, which he or they shall have sustained by reason of their wrongful Vexation in Defence of the said Action or Suit, for which the said Defendant or Defendants shall have the like Remedy as in other Cases where the Costs by the Laws of the Realm are given to Defendants.

In Action for executing Act.

General Issue.

Treble Costs.

LXVI. And be it further enacted, That every Bill, Complaint or Suit against any Person or Persons for any Act, Matter or Thing to be acted or done in pursuance of this Act, or against any Member or Minister of a Court martial, in respect of any Sentence of such Court, or of any Thing done by virtue or in pursuance of such Sentence, shall be brought into the Court of Record at the Presidency under which such Person is serving, or in the Courts of Record at *Westminster*, and in no other Court whatsoever.

Such Actions brought before Courts of Record at Presidency, or at Westminster.

LXVII. And be it further enacted, That if any Person shall harbour, conceal or assist any Deserter from the Company's Service, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of One hundred and sixty Sicca Rupees, and upon Conviction, by the Oath of One or more credible Witness or Witnesses, before any of His Majesty's Justices of the Peace, the said Penalty of One hundred and sixty Sicca Rupees shall be levied by Warrant under the Hand of such Justice of the Peace, by Distress and Sale of Goods and Chattels of the Offender; one Moiety of the said Penalty to be paid to the Informer, and the other Moiety to be paid to the Government of the Presidency under

Concealing Deserters, Penalty 160 Sicca Rupees.

Report of
Penalty to the
Government.

If Penalty not
paid,

Imprisonment.

Unduly re-
ceiving Arms,
Clothes, &c.

Penalty 40
Sicca Rupees.
Unduly re-
ceiving Grain,
&c.

Penalty 40
Sicca Rupees.
Penalties how
levied and ap-
plied.

under which such Offender is resident ; and a Report of the Penalty being adjudged shall be made to the Government by the Justice of the Peace by whom the same shall have been imposed ; and in case any such Offender, who shall be convicted as aforesaid of harbouring, concealing or assisting any such Deserter, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalty awarded against him or her for such Offence, or shall not pay such Penalty within Four Days after such Conviction, then and in such Case such Justice of the Peace shall and may, by Warrant under his Hand and Seal, commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Six Months : Provided also, that if any Person shall knowingly detain, buy or exchange, or otherwise receive from any Soldier or Deserter, or any other Person, upon any Account or Pretence whatsoever, any Arms, Clothes, Caps or other Furniture belonging to the said Company, or furnished and provided for the Use of any Troops or Forces serving with the Forces of the said Company, or any Meat, Drink, Beer or other Provision, provided under any Regulations relating thereto, or any such Articles belonging to any Soldier or Deserter as are generally deemed Regimental Necessaries, according to the Custom of the Army, being provided for the Soldier and paid for by Deductions out of his Pay, or cause the Colour of any such Clothes to be changed, the Person so offending shall forfeit for every such Offence the Sum of Forty Sicca Rupees ; and if any Person shall buy or receive any Grain, Hay, Straw or other Forage, provided for the Use of any Horse or Horses belonging to the Company's Service, from any Trooper or other Soldier, knowing him to be such, or shall move, procure, counsel, solicit or entice any Trooper or other Soldier, knowing him to be such, to sell or otherwise dispose of any such Grain, Hay, Straw or other Forage as aforesaid, the Person so offending shall forfeit for every such Offence the Sum of Forty Sicca Rupees ; and upon Conviction by the Oath of One or more credible Witness or Witnesses, before any of His Majesty's Justices of the Peace, the said respective Penalties of Forty Sicca Rupees, and Forty Sicca Rupees, shall be levied by Warrant under the Hand of such Justice of the Peace, by Distress and Sale of Goods and Chattels of the Offender ; One Moiety of the said first mentioned Penalty of Forty Sicca Rupees to be paid to the Informer, and one Moiety of the said last mentioned Penalty of Forty Sicca Rupees to be paid to the Informer, and the Residue of the said respective Penalties to be paid to the Government of the Presidency under which such Offender shall be resident ; and in case any such Offender who shall be convicted as aforesaid of having knowingly received any Arms, Clothes, Caps or other Furniture belonging to the Company, or any such Meat, Drink, Beer or other Provisions, or any such Articles generally deemed Regimental Necessaries, or of having caused the Colour of such Clothes to be changed, or of having bought or received any Grain, Hay, Straw or other Forage, provided for the Use of any Horse or Horses belonging to the Company's Service, from any Trooper or other Soldier, knowing him to be such, or of having moved, procured, counselled, solicited or enticed any Trooper or other Soldier, knowing him to be such, to sell or otherwise dis-
pose

pose of any such Grain, Hay, Straw or other Forage as aforesaid, contrary to the Intent of this Act, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalties recovered against him or her for such Offence, or shall not pay such Penalties upon such Conviction, or give sufficient Security for Payment thereof, within the Space of Four Days from such Conviction, then and in such Case such Justice of the Peace shall and may, by Warrant under his Hand and Seal, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of Three Months, or cause such Offender to be publicly or privately whipped, at the Discretion of such Justice.

If Penalties
not paid,

Imprisonment.

LXVIII. And be it further enacted, That if any Person or Persons shall, in any Part of the Territories which are or may be under the Government of the said Company, directly or indirectly persuade or procure any Soldier or Soldiers in the Service of the said Company to desert or leave such Service as aforesaid, every such Person or Persons so offending as aforesaid, and being thereof lawfully convicted, shall for every such Offence forfeit to the said Company, or to any other Person or Persons who shall sue for the same, the Sum of eight hundred Sicca Rupees; and if it shall happen that any such Offender so convicted as aforesaid hath not any Goods and Chattels, Lands or Tenements, to the Value of Eight hundred Sicca Rupees, to pay and satisfy, or if, from the Circumstances and Heinousness of the Crime, it shall appear to the Court before which the said Conviction shall be made as aforesaid, that any such Forfeiture is not sufficient Punishment for such Offence, it shall be lawful for such Court to commit any such Offender to Prison, there to remain for any Time not exceeding Twelve Months, without Bail or Mainprize.

Persuading
Soldiers to
desert.

Penalty 800
Sicca Rupees.

If not paid,

Imprisonment.

LXIX. And be it further enacted, That all Penalties by this Act imposed for persuading or procuring any Soldier to desert, may and shall be sued for and be recoverable in His Majesty's Court of Record at the Presidency under which such Offender shall be resident.

Penalties how
recoverable.

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

Limitation of
Actions.

LXXI. And in order to prevent all Doubts that may arise in relation to punishing Crimes and Offences committed against the said Act, made in the Twenty seventh Year of the Reign of His late Majesty King *George* the Second, and against any of the Articles of War made and established by virtue of the same; Be it further enacted, That all Crimes and Offences which have been committed against the said last mentioned Act, or against any of the Articles of War made and established by virtue of the same, shall and may be inquired of, heard, tried, determined, adjudged and punished, before and by the like Courts, Persons, Powers, Authorities, Ways, Means and Methods, as the like Crimes and Offences committed against this Act may be inquired of, heard, tried, determined, adjudged and punished; and every Warrant for holding any Court Martial, under the said Act of the Twenty seventh Year of the Reign of King *George* the Second, shall remain

Offences against
27 G. 2. c. 9.

How punished.

Such Offences not liable to Cognisance if committed Three Years before, unless the Offender had absented himself, &c.

remain in full Force, notwithstanding the Repeal of such Act ; and Proceedings of any Court Martial upon any Trial began under the Authority of such former Act, shall not be discontinued by the Repeal of the same ; but it shall be lawful to proceed to Judgment upon any such Trial, and to carry such Judgment into Execution, in like Manner as if the Proceedings had been commenced under the Authority of this Act : Provided always, that no Person shall be liable to be tried and punished for any Offence against the said Act of the Twenty seventh Year of the Reign of King George the Second, or this Act, or the Articles of War made or to be made by virtue of the same Acts, or either of them, which shall appear to have been committed more than Three Years before the issuing of the Commission or Warrant for such Trial ; unless the Person accused, by reason of his having absented himself, or of some other manifest Impediment, shall not have been amenable to Justice within that Period, in which Case such Person shall be liable to be tried under such Commission or Warrant, to be issued at any Time not exceeding Two Years after the Impediment shall have ceased ; or unless the Conduct of the Person accused shall have been submitted to the Consideration of the Court of Directors, by the Governor General, or Governor in Council of the Presidency to which such Person shall belong, in which Case such Person shall be liable to be tried under such Commission or Warrant, to be issued at any Time not exceeding Five Years after his Offence shall have been committed.

Regulations and Orders, though not provided for by former Acts, to be in force till this Act be published.
27 G. 2. c. 9.

LXXII. And be it further enacted and declared, That all Regulations and Orders made respecting the Administration of Justice by Courts martial, or in any Manner respecting the Government, Economy or Discipline of Officers or Soldiers and Followers of the Army of the said United Company, although not expressly provided for in the said Act passed in the Twenty seventh Year of His Majesty King George the Second, intituled *An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of England trading to the East Indies, and for the Punishment of Offences committed in the East Indies, or at the Island of Saint Helena*, and acted upon by the Governments or Military Authorities at the several Presidencies of *Fort William, Fort Saint George and Bombay*, are and shall be to all Intents or Purposes valid, and shall continue valid until this Act shall be published and in force ; and all Acts or Proceedings done or had under such Orders or Regulations are hereby ratified and confirmed.

46 G. 3. c. 92.

§ 7. 9.

LXXIII. And Whereas by a certain Act passed in the Fortieth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend Three Acts, made in the Thirty first, Forty first and Forty second Years of His present Majesty, relating to the Conveyance of Letters and Packets by the Post ;* Seamen employed in His Majesty's Navy and Non-commissioned Officers in the Army, within any Part of His Majesty's Dominions, whilst actually employed in His Majesty's Service, were authorized to send and receive by the Post, on their Private Concerns only, Single Letters, upon Payment of One Penny for each Letter, under the several Restrictions in the said Act contained : And Whereas it is expedient to extend the Provisions of the said

‘ Act to Seamen in the Navy, and to Non-commissioned Officers and Soldiers whilst actually employed in His Majesty’s Service in the *East Indies*, and at the Island of *Saint Helena*, and also to the Non-commissioned Officers and Soldiers actually employed in the Service of the *East India Company*, subject to such Modifications as are hereinafter contained;’ Be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful to and for every Seaman employed in His Majesty’s Navy, within any Part of the *East Indies*, or at the Island of *Saint Helena*, and to and for every Serjeant, Corporal, Drummer, Trumpeter, Fifer and Private Soldier in His Majesty’s Regular Forces, Militia, Fencible Regiments, Artillery or Royal Marines, whilst actually employed in His Majesty’s Service in the *East Indies*, or at the Island of *Saint Helena*; and also to and for every Serjeant, Corporal, Drummer, Trumpeter, Fifer and Private Soldier in the Service of the said Company, whilst actually employed in the Service of the said Company, and not otherwise, to receive Single Letters by the Post, on his own private Concerns only, free from all Postage, except the Sum of One Penny for each Single Letter, to be paid upon putting the same into any Post Office in *Great Britain or Ireland*; provided that the several Regulations and Restrictions contained in the hereinbefore recited Act shall have been complied with; and likewise to send by the Post, on his own private Concerns alone, Single Letters, upon Payment, by the Party receiving the same, of the Sum of Two Pence for the Sea Postage of each such Letter, and of the aforesaid further Sum of One Penny for the Inland Postage of each such Letter, making in the whole the Sum of Three Pence for each such Letter; provided that if any such Letter shall be delivered into One of His Majesty’s Post Offices in *Great Britain or Ireland* free of all Expence to His Majesty or the Revenue of the Post Office, such Letter shall be chargeable with the Inland Postage of One Penny as aforesaid, and to no other Charge; provided also, that the several Regulations and Restrictions contained in the said hereinbefore recited Act shall have been complied with.

Seamen employed in the Navy in the *East Indies* or *St. Helena*, and Non-commissioned Officers and Privates serving there, either in His Majesty’s Forces or in *East India Company’s Service*, may receive and send Single Letters free from Postage. Exception.

LXXIV. And be it further enacted, That this Act shall commence and take Effect from and after the First Day of *February* One thousand eight hundred and twenty four, except where any other Commencement is particularly directed; and that from and after such Day, all Powers and Provisions contained in the said Act of the Twenty seventh Year of the Reign of His Majesty King *George* the Second shall cease and determine, and that the said Act shall be and is hereby repealed, except so far as is hereinbefore provided in that Behalf; and the whole of the said Act of the First Year of the Reign of His Majesty King *George* the Third shall be and is hereby repealed.

Commencement of Act.

27 G. 2. c. 9. repealed.

Exception.

1 G. 3. c. 14. repealed.

C A P. LXXXII.

An Act to authorize for One Year, and from thence to the End of the then next Session of Parliament, the temporary Removal of Convicts from the General Penitentiary.

[18th July 1823.]

56G.3. c. 63.
59G.3. c. 136.

His Majesty, by Order notified by One of the Principal Secretaries of State, may order the Governor of the Penitentiary to remove the Convicts confined there to some other Place of Confinement named in such Order.

The Place of Confinement so used shall be deemed Part of the Penitentiary.

Power to Committee to alter Bye Laws, &c. in favour of Convicts.

‘ WHEREAS by virtue of Two Acts, passed in the Fifty sixth and Fifty ninth Years of His late Majesty’s Reign, divers Convicts are now confined in the General Penitentiary for Convicts at *Millbank*, in the County of *Middlesex*, and it may be expedient under present Circumstances to change the Place of Confinement of some of such Convicts for a Time, and afterwards to remove the same Convicts back again to the said Penitentiary; Be it therefore enacted by the King’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for His Majesty, at any Time during the Continuance of this Act, by any Order or Orders notified in Writing by One of His Majesty’s Principal Secretaries of State, to order the Governor of the said Penitentiary to remove any of the Convicts now confined, or who, during the Continuance of this Act, shall be confined in the said Penitentiary, to some other Place or Places of Confinement to be provided for that Purpose, and to be named in such Order or Orders, and there to keep the Convicts, so ordered to be removed, until Determination of the Periods for which they ought to be respectively confined, or until His Majesty’s Pleasure shall be further signified; and that it shall and may also be lawful for His Majesty, at any Time or Times during the Continuance of this Act, by any Order or Orders notified in like Manner, to order any such Convicts to be removed back again to the said Penitentiary, there to be kept during the Residue of the Periods for which they ought to be respectively confined.

II. And be it further enacted, That every Place of Confinement so to be provided as aforesaid shall be deemed in Law to be Part and Parcel of the said Penitentiary, during such Time as any of the said Convicts shall be therein confined, and that Confinement therein shall be attended with all the same Consequences, as well with regard to the Convicts as to the Governor and all other Persons, as if suffered within the Walls of the said Penitentiary, and that the same Pains and Penalties shall attach upon all Persons offending against any Enactments, Bye Laws, Rules, Orders or Regulations affecting Convicts confined under the Provisions of this Act, as if the same Convicts were at the Time of committing such Offences actually confined within the said Walls; provided nevertheless, that it shall and may be lawful for the superintending Committee of the said Penitentiary, with the Approbation of One of His Majesty’s Principal Secretaries of State, to alter any of the Bye Laws, Rules, Orders or Regulations of the said Penitentiary in favour of the Convicts to be confined under the Provisions of this Act, and with the like Approbation to appoint

point a competent Number of Persons to take the Custody and Care of such Convicts in such temporary Places of Confinement.

III. And be it further enacted, That this Act shall continue in force for One Year, and from thence to the End of the then next Session of Parliament.

Continuance of Act.

C A P. LXXXIII.

An Act for the better Protection of the Property of Merchants and others, who may hereafter enter into Contracts or Agreements in relation to Goods, Wares or Merchandizes intrusted to Factors or Agents. [18th July 1823.]

‘ **W**HEREAS it has been found that the Law, as it now stands, relating to Goods shipped in the Names of Persons who are not the actual Proprietors thereof, and to the Deposit or Pledge of Goods, affords great Facility to Fraud, produces frequent Litigation, and proves, in its Effects, highly injurious to the Interests of Commerce in general; 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 Person or Persons intrusted, for the Purpose of Sale, with any Goods, Ware or Merchandize, and by whom such Goods, Wares or Merchandize shall be shipped, in his, her or their own Name or Names, or in whose Name or Names any Goods, Wares or Merchandize shall be shipped by any other Person or Persons, shall be deemed and taken to be the true Owner or Owners thereof, so far as to entitle the Consignee or Consignees of such Goods, Wares and Merchandize to a Lien thereon, in respect of any Money or negociable Security or Securities advanced or given by such Consignee or Consignees to or for the Use of the Person or Persons in whose Name or Names such Goods, Wares or Merchandize shall be shipped, or in respect of any Money or negociable Security or Securities received by him, her or them to the Use of such Consignee or Consignees, in the like Manner to all Intents and Purposes as if such Person or Persons was or were the true Owner or Owners of such Goods, Wares and Merchandize; provided such Consignee or Consignees shall not have Notice, by the Bill of Lading for the Delivery of such Goods, Wares or Merchandize or otherwise, at or before the Time of any Advance of such Money or negociable Security, or of such Receipt of Money or negociable Security, in respect of which such Lien is claimed, that such Person or Persons so shipping in his, her or their own Name or Names, or in whose Name or Names any Goods, Wares or Merchandize shall be shipped by any Person or Persons, is or are not the actual and *bonâ fide* Owner or Owners, Proprietor or Proprietors of such Goods, Wares and Merchandize so shipped as aforesaid, any Law, Usage or Custom to the contrary thereof in any wise notwithstanding: Provided also, that the Person or Persons in whose Name or Names any such Goods, Wares or Merchandize are so shipped as aforesaid, shall be taken for the Purposes of this Act to have been intrusted therewith, unless

Persons in whose Names Goods shall be shipped, shall be deemed the Owners, so as to entitle Consignees to a Lien thereon, as herein mentioned.

unless the contrary thereof shall appear or be shewn in Evidence by any Person disputing such Fact.

Any Person may take Goods or Bill of Lading in Deposit from Consignee; but shall not acquire any further Right than Consignee possessed.

II. And be it further enacted, That it shall be lawful to and for any Person or Persons, Body or Bodies Politic or Corporate, to accept and take any Goods, Wares or Merchandize, or the Bill or Bills of Lading for the Delivery thereof, in Deposit or Pledge, from any Consignee or Consignees thereof; but then and in that Case such Person or Persons, Body or Bodies Politic or Corporate, shall acquire no further or other Right, Title or Interest, in or upon or to the said Goods, Wares or Merchandize, or any Bill of Lading for the Delivery thereof, than was possessed, or could or might have been enforced by the said Consignee or Consignees at the Time of such Deposit or Pledge as a Security as aforesaid; but such Person or Persons, Body or Bodies Politic or Corporate, shall and may acquire, possess and enforce such Right, Title or Interest, as was possessed, and might have been enforced, by such Consignee or Consignees, at the Time of such Deposit or Pledge as aforesaid; any Rule of Law, Usage or Custom to the contrary notwithstanding.

Right of Owner to follow his Goods while in the Hands of his Agent, or of his Assignees in case of Bankruptcy, or to recover them from Assignees, &c. upon paying his Advances secured upon them, &c.

III. Provided always, That nothing herein contained shall be deemed, construed or taken to deprive or prevent the true Owner or Owners, Proprietor or Proprietors of such Goods, Wares or Merchandize, from demanding and recovering the same from his, her or their Factor or Factors, Agent or Agents, before the same shall have been so deposited or pledged, or from the Assignee or Assignees of such Factor or Factors, Agent or Agents, in the Event of his, her or their Bankruptcy; nor to prevent any such Owner or Owners, Proprietor or Proprietors, from demanding or recovering of and from any Person or Persons, or of or from the Assignees of any Person or Persons in case of his or her Bankruptcy, or of or from any Body or Bodies Politic or Corporate, such Goods, Wares or Merchandize, so consigned, deposited or pledged, upon Repayment of the Money, or on Restoration of the negociable Security or Securities, or on Payment of a Sum of Money equal to the Amount of such Security or Securities, for which Money or negociable Security or Securities such Person or Persons, his, her or their Assignee or Assignees, or such Body or Bodies Politic or Corporate, may be entitled to any Lien upon such Goods, Wares or Merchandize; nor to prevent the said Owner or Owners, Proprietor or Proprietors, from recovering of and from such Person or Persons, Body or Bodies Politic or Corporate, any Balance or Sum of Money remaining in his, her or their Hands, as the Produce of the Sale of such Goods, Wares or Merchandize, after deducting thereout the Amount of the Money or negociable Security or Securities so advanced or given upon the Security thereof as aforesaid: Provided always, that in case of the Bankruptcy of such Factor or Agent, the Owner of the Goods so pledged and redeemed as aforesaid shall be held to have discharged *pro tanto* the Debt due by him to the Bankrupt's Estate.

Proviso as to Bankruptcy of Factor.

C A P. LXXXIV.

An Act to repeal the Laws for regulating Vessels carrying Passengers from the United Kingdom to Foreign Parts, and to make other Provisions in lieu thereof.

[18th July 1823.]

WHEREAS it is expedient that the Regulations established by various Acts for carrying Passengers from the United Kingdom of Great Britain and Ireland to Foreign Parts should be repealed, and other Regulations substituted; 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 twenty three, an Act passed in the Forty third Year of the Reign of His late Majesty King George the Third, intituled *An Act for regulating Vessels carrying Passengers from the United Kingdom to His Majesty's Plantations and Settlements abroad, or to Foreign Parts, with respect to the Number of such Passengers*; and also an Act passed in the Fifty third Year of the Reign of His said late Majesty for amending the said Act of the said Forty third Year of His said late Majesty's Reign; and also an Act passed in the Fifty sixth Year of the Reign of His said late Majesty, intituled *An Act for regulating the carrying of Passengers to and from the Island of Newfoundland and Coast of Labrador*; and also an Act passed in the Fifty sixth Year of the Reign of His said late Majesty, intituled *An Act to regulate the Conveyance of Passengers from the United Kingdom to the United States of America in British Vessels*; and also an Act passed in the Fifty seventh Year of the Reign of His said late Majesty, intituled *An Act to regulate the Vessels carrying Passengers from the United Kingdom to certain of His Majesty's Colonies in North America*, shall be and the same are hereby repealed.

43 G. 3. c. 56.

53 G. 3. c. 36.

56 G. 3. c. 83.

56 G. 3. c. 114.

57 G. 3. c. 10. severally repealed.

II. And be it further enacted, That from and after the First Day of August One thousand eight hundred and twenty three, no Foreign Ship or Vessel carrying any Passenger or Passengers shall sail from any Port or Place in the United Kingdom, to or for any Port or Place out of Europe, and not being within the Streights of Gibraltar, with more Persons on board, including the Master and Crew, than One (whether Children or Adults) for every Five Tons Burthen of such Ship or Vessel, (unless special Permission shall be given for that Purpose by the Commissioners of His Majesty's Customs, or any Three or more of them, under such Regulations and Conditions as may appear to them expedient,) under Penalty of Fifty Pounds for every Person exceeding such Proportion, to be paid by the Master or other Person having or taking the Charge or Command of such Ship or Vessel.

Foreign Vessel sailing out of Europe, &c. with more Passengers than herein mentioned, without Permission.

Penalty.

III. And be it further enacted, That no British Ship or Vessel carrying any Passenger or Passengers shall sail from any Port or Place in the United Kingdom, to or for any Port or Place out of Europe, and not being within the Streights of Gibraltar, with more Persons on board, including the Master and Crew, than One (whether Children or Adults) for every Five Tons of her Burthen, without a Licence under the Hands and Seals of the Commis-

British Vessels not to sail with a greater Number of Passengers than as aforesaid, without a Licence.

Penalty.**Restriction as to Licence.**

sioners of His Majesty's Customs, under the Penalty of Fifty Pounds for every Person exceeding such Proportion, to be paid by the Master or other Person having or taking the Charge or Command of such Ship or Vessel: Provided always, that no such Licence shall be granted for any Ship or Vessel to carry any greater Number of Persons, including the Master and Crew, than in the Proportion of One Adult Person (or of Two Children under Fourteen Years of Age, or of Three Children under Seven Years of Age) for every Two Tons of the Burthen of such Ship or Vessel: Provided also, that no such Licence shall be granted for any Ship or Vessel which shall not have Two Decks (a), nor unless the Height between such Decks shall be Five Feet Six Inches at least.

(a) [See Sect. 5. post.]

Number of Persons permitted to be taken on board of Vessels laden with Goods for Exportation.

IV. And be it further enacted, That it shall not be lawful for the Master or other Person having or taking the Charge or Command of any *British* or Foreign Ship or Vessel, laden with Goods and Merchandize for Exportation, which shall sail from any Port or Place in the United Kingdom to or for any Port or Place out of *Europe*, and not being within the Streights of *Gibraltar*, to receive or take on board a greater Number of Persons, including the Master and Crew, than in the Proportion of One Adult Person, or of Two Children under Fourteen Years of Age, or of Three Children under Seven Years of Age, for every Two Tons of such Merchant Ship or Vessel remaining unladen with Goods and Merchandize, under the Penalty of Fifty Pounds, to be paid by the Master or other Person having or taking the Charge or Command of such Ship or Vessel.

Penalty 50l.

Apportionment of Space for Passengers.

V. Provided always, and be it enacted, That every integral Space below the Deck of every Ship or Vessel which shall have but One Deck (b), or between the Decks of any Ship or Vessel having more Decks than One, such Space being unoccupied with Goods or Merchandize, or with Stores, Provisions, Water or Baggage, and being Six Feet in Length, Two Feet Six Inches in Breadth, and being of the whole of the Height between Decks, or being Five Feet Six Inches in Height if there be only One Deck, shall be deemed to be and shall be equivalent to Two Tons of such Ship or Vessel remaining unladen; and that in every such Ship or Vessel, whether laden with Goods or Merchandize for Exportation or not, One such integral Space shall be separately apportioned as the Room or Birth for every adult Passenger, or for every Two Children under Fourteen Years of Age, or for Three Children under Seven Years of Age respectively: Provided always, that if One Bed be placed over another, so that each sleeping Place shall not have the whole Height between Decks, or the full Height of Five Feet Six Inches if there be only One Deck, such further adjoining Space in Width, and not being less than Five Feet Six Inches in Height, shall be given, as shall make the whole equal to Two such Spaces, or Four Tons to every Two Births. (b) [See Sect. 3. ante.]

Proviso.

Tonnage deemed to be according to Registry.

VI. And be it further enacted, That every *British* Ship or Vessel shall be deemed and 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 now in force, or hereafter to be made in

in *Great Britain* and *Ireland* respectively, relating to such Certificates; and the Tonnage of every Foreign Vessel or Vessels shall be ascertained by Admeasurement, in the Mode and Manner prescribed and directed by any Act now in force, or hereafter to be made, respecting the Admeasurement of *British Ships* or Vessels for the Purpose of being registered.

VII. And be it further enacted, That the Master or other Person having or taking the Charge or Command of such *British Ship* or Vessel, having more Persons on board, including the Master and Crew, than One for every Five Tons of the Burthen of such Ship or Vessel, previously to his leaving the Port from whence he shall be bound, shall and he is hereby required to deliver to the Collector and Comptroller, or other principal Officer of His Majesty's Customs at such Port, a List containing the full Number of the Crew, and also the Number of the 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.

List of Persons on board to be delivered to Collector of the Customs.

VIII. And be it further enacted, That no *British Ship* or Vessel shall be cleared out, unless the Owner or Owners, or the Master or other Person having or taking the Charge or Command thereof, shall have given Bond to His Majesty, His Heirs and Successors, with Two sufficient Sureties, such Bond to be without Stamp, and to be taken by and left in the Hands of the Collector or Comptroller, or other proper Officer of the Customs, in the Port or Place from whence such Ship or Vessel shall be cleared out, in an Amount equal to the Sum of Twenty Pounds for each Passenger on board such Ship or Vessel, with Condition that such Ship or Vessel is seaworthy, and properly stored with Water and Provisions, and having a Surgeon, with a Medicine Chest properly stored with Medicines, as therein provided; and that every such Passenger if alive shall be landed at the Port or Ports to which such Passenger shall have contracted to be conveyed, unless landed elsewhere at his own Desire.

Bond to be given that the Vessel is seaworthy, and properly stored, &c.

IX. And be it further enacted, That no Passenger shall be received on board of any *British Ship* or Vessel, unless at a Port where a Custom House is or shall be established, and a Collector and Comptroller of the Customs stationed, unless special Permission for that Purpose be first had and obtained from the Commissioners of Customs, or any Three or more of them; and if any Passenger or Passengers shall be taken on board any such Ship or Vessel at any other Place, unless with Permission as aforesaid, the Master or other Person having or taking the Charge or Command of such Ship or Vessel shall forfeit and pay the Sum of Fifty Pounds for every Passenger so taken on board at any other Place.

Passengers only to be taken on board at a Custom House Port.

Penalty.

X. And be it further enacted, That if any Master or other Person having or taking the Charge or Command of any *British Ship* or Vessel shall take on board, or if he, or the Owner or Owners of any such Ship or Vessel, shall engage to take on board any Person or Persons exceeding the Number mentioned and specified in the Licence hereinbefore directed to be granted, such Master or other Person, or Owner or Owners as aforesaid, shall severally forfeit and pay the Sum of Fifty Pounds for each and every Person so

Masters taking more Passengers than allowed.

Penalty.

taken or engaged to be taken beyond the Persons specified in such Licence.

Allowance of Provisions.

XI. And be it further enacted, That every such *British Ship* or Vessel shall be provided at the time of her Departure (to commence the Voyage), with such a Supply of good and wholesome Water as will afford an Allowance of Five Pints of Water daily during the Voyage for every Person (including the Master and Crew), which Supply of Water shall be stowed below the lower Deck; and every such Ship or Vessel shall also be provided with such a Supply of Provisions as will afford an Allowance for every Person (including the Master and Crew) during the Voyage, of One Pound Weight of Bread or Biscuit, and One Pound Weight of Beef, or Three Quarters of a Pound Weight of Pork, daily, and also Two Pounds Weight of Flour, and Three Pounds Weight of Oatmeal, or of Pease, or of Pearl Barley, and Half a Pound Weight of Butter, weekly; the said Allowance to commence on the Day the Ship or Vessel takes her Departure from the Port or Place at which such Ship or Vessel shall be cleared outwards.

Commencement thereof.

Master failing to give the Allowance.

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

Penalty 10l.

Passengers may be relanded on Application to the Collector, &c.

XIII. Provided always, and be it enacted, That if any Passenger who has entered into any Contract or Agreement for such Voyage shall signify to the Collector or Comptroller, or other proper Officer of the Customs, or to any Justice of the Peace or other Magistrate in the United Kingdom, that he or she is desirous of being relanded, and of not proceeding on any such Voyage, it shall and may be lawful to and for such Collector or Comptroller, or other proper Officer of the Customs, or for such Justice of the Peace or other Magistrate, and they are hereby empowered and required to take such Passenger, together with his Baggage, out of the Ship or Vessel, and to set such Passenger free from his or her Engagement, reserving to either Party any legal Claim which may arise in consequence thereof.

Master relanding Provisions.

XIV. And be it further enacted, That if after any such *British Ship* or Vessel shall have been cleared out, any Master or other Person having or taking the Charge or Command of any such Ship or Vessel shall unship or reland, or permit or suffer to be unshipped or relanded, any Water or Provisions, such Master or other Person shall forfeit the Sum of Five hundred Pounds.

Penalty 500l. Provisions of any Passenger relinquishing the Voyage may be relanded.

XV. Provided always, and be it enacted, That if any Passenger or Passengers who may be desirous not to proceed on such Voyage shall be relanded, and shall not proceed in the Manner hereinbefore directed, then it shall and may be lawful for such Master or other Person aforesaid to unship or reland, under the Inspection of the proper Officers of the Customs, at the Port where such Passenger shall be relanded, a Quantity of Water and Provisions, not exceeding the Proportion sufficient for the Allowance of such Passenger or Passengers so relanded.

Bedding to be aired, and

XVI. And be it further enacted, That the Bedding of each and every Passenger on board any such *British Ship* or Vessel shall be aired

aired by Exposure upon the Deck, when the Weather will permit, daily during the Voyage; and such Ship or Vessel shall be fumigated with Vinegar at least Twice in every Week during the Voyage; and every such Master or other Person having or taking such Charge or Command shall forfeit and pay the Sum of Twenty Pounds for each Failure or Neglect in airing the said Bedding, or in fumigating the Ship or Vessel.

Vessel fumigated.

Penalty 20l.

XVII. And be it further enacted, That no such *British* Ship or Vessel carrying Fifty Persons or upwards, whether Children or Adults, including the Master and Crew, shall be cleared out at any Port of the United Kingdom, unless such Ship or Vessel shall be provided with a Surgeon, who is to continue during the whole of the Voyage, and who shall produce to the Officer of the Customs, at the Port of the United Kingdom where the Ship or Vessel shall be cleared, a Certificate of his having passed his Examination at Surgeons' Hall in *London*, or at the Royal College of Surgeons of *Edinburgh* or *Dublin*, or before the Medical Faculty of the University of *Glasgow*.

British Vessel carrying 50 Persons not to be cleared out unless provided with a Surgeon.

XVIII. And be it further enacted, That every such Surgeon shall have a Medicine Chest, properly stored with Medicines, in proportion to the Number of Persons on board of such Ship or Vessel, of the Kind and according to the Assortment generally used and made for such Voyages on board of His Majesty's Ships of War; and before any such Ship or Vessel shall be allowed to be cleared out, every such Surgeon shall specify, upon Oath, before the Collector or Comptroller, or other Chief Officer of the Customs, at the Port from whence such Ship or Vessel is to be cleared out, the Contents of such Medicine Chest; and shall further make Oath, that the Medicines are of good and proper Quality, and of the Assortment generally used and made for such Voyages on board of His Majesty's Ships of War, to the best of his Knowledge and Belief; which Oath such Collector, Comptroller or other Chief Officer of Customs, is hereby required and empowered to administer; and the Affidavit of every such Surgeon shall be deposited and preserved in the Custom House where the Clearance of such Ship or Vessel shall be granted; and the Owner or Master of every such Ship or Vessel failing to provide a Surgeon so qualified, and a Medicine Chest properly stored as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for every Person on board, including the Master and Crew.

Surgeon to be provided with a Medicine Chest properly stored with Medicines.

Master not providing a Surgeon, &c. Penalty.

XIX. And Whereas it is expedient that some certain Mark should be placed on certain *British* Ships or Vessels carrying Passengers, that they may at all Times be known at Sea by His Majesty's Ships and Vessels of War, or Revenue; Be it enacted, That the Letter P. shall be painted in White, at least Three Feet in Length, and in proportionate Inches in Width, on the Quarters of every *British* Ship or Vessel carrying Passengers, and having more Persons on board (whether Children or Adults), including the Master or other Person having or taking the Charge or Command of such Ship or Vessel, and the Crew, than One for every Five Tons Burthen of such Ship or Vessel, under the Penalty of the Forfeiture of One hundred Pounds, by the Master or other Person having or taking the Charge or Command of such Ship or Vessel.

Vessel to be marked with the Letter P.

Carrying more than the allowed Number.

Penalty 100l.

Printed Copy of the Act to be provided and kept on board. Penalty 20l.

Officers of the Navy, Consuls, &c. may inquire into the Execution of the Act.

Master refusing to produce the Act and Licence. Penalty 200l.

Proviso for King's Ships, &c.

How far Act to extend to Foreign Ships of States in Amity.

Conveyance of Fishermen, &c. to Newfoundland, &c.

Recovery and Application of Penalties.

XX. And be it further enacted, That a printed Copy of this Act shall be provided and kept on board during the whole of the Voyage, by the Master or other Person having or taking the Charge or Command of every such *British Ship* or Vessel, under the Penalty of Twenty Pounds; and such Master or other Person having or taking the Charge or Command of every such Ship or Vessel is hereby required to produce such printed Copy to any Passenger for his Inspection at reasonable Hours.

XXI. And be it further enacted, That all Captains and Officers commanding His Majesty's Ships of War or Revenue Vessels, who shall meet any such *British Ships* or Vessels at Sea, and the Collectors and Comptrollers of His Majesty's Customs at any Port in the United Kingdom, or in the *British Plantations* and Settlements, and the Governors and Lieutenant Governors and Naval Officers at any such Plantation and Settlement, and His Majesty's Consuls at any Foreign Port, shall and may and they are hereby empowered and required to call upon the Master or other Person having or taking the Charge or Command of any such Ship or Vessel, to produce the printed Copy of this Act, required to be kept on board, and the Licence granted by the Commissioners of His Majesty's Customs, for the Purpose of Inspection and Examination, and to ascertain whether the Regulations of this Act have been duly complied with; and in case the Master or other Person having or taking the Charge or Command of any such Ship or Vessel shall refuse or fail to produce the said Copy and Licence, he shall forfeit the Sum of Two hundred Pounds.

XXII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to Ships or Vessels in the Service of His Majesty, or of His Majesty's Postmaster General, or of the *East India Company*.

XXIII. And be it further enacted, That during the Continuance of any Convention of Commerce and Navigation between His Majesty and any Foreign State, whereby the Privileges of *British Ships* or Vessels shall be conceded to the Ships or Vessels of such Foreign State, so much of this Act as relates to *British Ships* or Vessels shall extend and be construed to extend to Ships or Vessels belonging to such States, during the Existence of such Convention, and carrying more Passengers than other Foreign Ships or Vessels are by this Act permitted to carry.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to the Conveyance of any Persons on board of any such Ship or Vessel, whether Fishermen, Youngsters or others, being hired Servants, employed on the Establishment of their respective Masters or Hirers, in the Prosecution of the Fisheries carried on from *Newfoundland* or *Labrador*.

XXV. And be it further enacted, That all Sums of Money, Penalties and Forfeitures in this Act mentioned and contained, shall be calculated and paid and payable within *Great Britain* and *Ireland*, in lawful Money of *Great Britain*; and that any Penalty or Forfeiture inflicted by this Act may be prosecuted, sued for and recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster* or *Dublin*,

or

or in the Court of Exchequer or in the Court of Session in Scotland, in the Name of His Majesty's Attorney General for England or Ireland, or His Majesty's Advocate for Scotland respectively, or in the Name of any Person or Persons whatsoever, wherein no Essoign, Protection, Privilege, Wager of Law or more than One Imparance shall be allowed; and that a *Capias* in the first Process, specifying the Sum of the Penalty sued for by any such Action, Bill, Plaint or Information, against any Person or Persons, shall and may issue against such Person or Persons, and such Person or Persons shall be obliged to give sufficient Bail or Security, by natural born Subjects or Denizens, to the Person or Persons to whom such *Capias* shall be directed, to appear in the Court out of which such *Capias* shall issue, at the Day of the Return of such Writ, to answer such Writ and Prosecution, and shall likewise at the Time of such appearing give sufficient Bail or Security by such Persons as aforesaid, in the said Court, to answer and pay all the Forfeitures and Penalties incurred by such Person or Persons for such Offence or Offences, in case he or they shall be convicted thereof, or to yield his or their Body or Bodies to Prison, in like Manner as is prescribed respecting *Capias* issuing in the first Process by an Act passed in the Parliament of Great Britain, in the Eighth Year of the Reign of His late Majesty King George the First, intituled *An Act to prevent the clandestine Running of Goods, and the Danger of Infection thereby, and to prevent Ships breaking their Quarantine, and to subject Copper Ore of the British Plantations to such Regulations as other enumerated Commodities of the like Production are subject*; and by an Act passed in the Ninth Year of the Reign of His late Majesty King George the Second, intituled *An Act for indemnifying Persons who have been guilty of Offences against the Laws made for securing the Revenues of Customs and Excise, and for enforcing those Laws for the future*; and in every Action or Suit the Person against whom Judgment shall be given for any Penalty or Forfeiture under this Act shall pay Double Costs of Suit; and every such Action or Suit shall and may be brought at any Time within Three Years after the Offence committed, and not afterwards; and One Moiety of every Penalty to be recovered by virtue of this Act shall go and be applied to 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, after deducting Charges of Prosecution from the whole.

Capias.

Security.

§ G.1. c.18.

9 G.2. c.35.

Double Costs.

Limitation of Action.

Limitation of Actions.

General Issue.

XXVI. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to be so done, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her or their Action, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or upon Demurrer Judgment shall be given against such Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Double Costs, and have the like Remedy for the same as any Defendant

Double Costs.

pendant or Defendants hath or have for Costs of Suit in any other Cases by Law.

C A P. LXXXV.

An Act for empowering Commissioners to be appointed by His Majesty, to enquire into the Forms of Process in the Courts of Law in *Scotland*, and the Course of Appeals from the Court of Sessions to the House of Lords.

[18th July 1823.]

‘ WHEREAS it is expedient that due and proper Information should be obtained concerning the Forms of Process in the Courts of Law in *Scotland*, and the Course of Appeals from the Court of Session to the House of Lords, to the Intent that salutary Regulations should be made and established in respect thereof, and that for such Purpose Commissioners should be appointed, with Powers to enquire into such Forms of Process and such Course of Appeals:’ 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, and full Power is hereby given to such Persons as shall be for that Purpose named and appointed by His Majesty, by Letters Patent or any Instrument in Writing under His Royal Sign Manual, or any Three of them, to meet at and upon such Place and Day as in such Letters Patent or Instrument shall be for that Purpose named, or at and upon such Time and Day as they, or any Three of them giving Notice to the others of them, shall appoint, and so thereafter as they or those present from time to time at Meetings shall appoint, and to make all such Enquiries as they shall be directed by His Majesty, in Instructions annexed to the said Letters Patent, or Instrument under the Royal Sign Manual, into the Forms of Process in the Court of Session and the Course of Appeals from thence to the House of Lords, and to report whether the present Forms of Process in that Court might be improved, by simplifying and shortening the Forms of Pleading and Proceeding, by rendering the Allegations in the Summons and Defence more precise and complete, by separating Matters of Fact from Matters of Law, by confining the Proofs to the Facts alleged in the Summons and Defence, and to such Facts only; by conducting more of the Pleadings *videlicet*, and extending the Application of the Trial by Jury; and also to enquire and report whether it may be expedient to render the Judgment of the Court of Session in any Cases final; and whether any intermediate Appeal may be usefully established in *Scotland*, otherwise than by the present Mode of reclaiming Petition to the same Division of the Court wherein the Judgment has been had, and how the Court of Session may be modified for that Purpose, as well as touching the present practice of the Court of Session in granting interim Execution of Judgment in Cases in which Appeals have taken place; and whether it would be expedient to abridge the Time now allowed by the Standing Orders of the House of Lords for bringing Appeals before it; and how far the

Commissioners to be appointed to enquire into the Forms of Process in the Court of Session, and the Course of Appeal to the House of Lords.

printed Papers of the Parties in the Court of Session may be usefully substituted for the printed Appeal Cases now in use to be lodged in the Parliament Office; and whether Jurisdiction in Matters of Prize should exist in any other Court than the High Court of Admiralty in *England*; and also respecting such other Matters connected with the Enquiry hereinbefore directed as they may be instructed by His Majesty, by any Writing under His Royal Sign Manual, from time to time to enquire into and report upon, or as may appear to the said Persons to be necessary or useful for the Objects and Purposes thereof; and to set down in Writing such Alterations or Amendments as shall appear to them to be most reasonable and best calculated for the due Administration of Justice in the said Courts, and generally what shall appear to them material to be reported touching all and every of the Matters aforesaid, with their Opinion upon all and each of the Matters aforesaid, together with the Evidence or Information which they may in the course of their Enquiry receive; and the said Persons shall and they are hereby required to report the whole of their Proceedings to His Majesty, on or before the Twenty fifth Day of *March*, in the Year One thousand eight hundred and twenty four, and which Report, when made, it is hereby provided shall be laid before both Houses of Parliament by One of His Majesty's Principal Secretaries of State.

II. And be it further enacted, That it shall be lawful for the said Persons so to be named and appointed by His Majesty's Commissioners for executing this Act, or any Three of them, and they are hereby empowered and authorized to send for such Persons, Papers and Records as they may think fit, and to examine upon Oath, if the same shall appear to them to be necessary, (which Oath they or any Three of them are hereby authorized to administer,) such Persons as they may think fit to examine, touching any of the Matters aforesaid directed by this Act to be enquired into.

Commissioners
may examine
upon Oath.

III. And be it further enacted, That if any Person summoned by the said Persons so to be named and appointed by His Majesty Commissioners for executing this Act, or any Three of them, by a Notice signed by them or any Three of them, shall neglect or refuse to appear pursuant to and in obedience to such Summons, or shall refuse to be sworn, or shall refuse to answer to and before the said Commissioners or any Three of them, any Question on Oath or otherwise touching or concerning any of the Matters into which the said Commissioners or any Three of them are hereby directed to enquire, then and in any such Case it shall be lawful for the said Commissioners or any Three of them, and they are hereby authorized and empowered to make and issue their Warrant or Warrants, signed by them or any Three of them, for taking or apprehending any such Person or Persons, and committing him or them to such Prison as the said Commissioners or any Three of them shall think fit, until he or they shall submit to be examined touching and concerning the said Matters in respect whereof the said Commissioners or any Three of them are hereby directed to enquire.

Persons refusing
to attend
may be
committed.

C A P. LXXXVI.

An Act to amend the Laws for collecting Church Rates, and Money advanced by the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices, and for the Improvement of Church Lands, in *Ireland*.

[18th July 1823.]

54G.3. c.68.

§ 7. **W**HEREAS by an Act passed in the Fifty fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Regulation of Ecclesiastical Courts in Ireland, and for the more easy Recovery of Church Rates and Tithes*, it is amongst other Things enacted, that if any one duly rated to a Church Rate or Parish Cess, the Validity whereof has not been questioned in any Ecclesiastical Court, shall refuse or neglect to pay the same Sum at which he is so rated, it shall be lawful for any one Justice of the Peace of the County, County of a City or Town Corporate, where the Church is situated in respect whereof such Rate or Parish Cess shall have been made, upon Complaint of any Churchwarden or Churchwardens who ought to receive and collect the same, to examine into the Merits of such Complaint, and to make order for Payment of what is due and payable in respect of such Rate or Cess, and to levy the same in such Manner as in the said recited Act is mentioned and directed; and it is by the said Act provided, that if the Validity of such Rate or Cess, or the Liability of the Person from whom it is demanded to pay the same, be disputed, and the Party disputing give Notice thereof to the Justices, the Justices shall forbear giving Judgment thereupon: And Whereas the said Proviso has been found in a great Measure to defeat the Intent and Purpose of the said recited Act, so far as relates to such Church Rates or Cesses; 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 hereinbefore recited Proviso in the said recited Act shall be and the same is hereby repealed.

repealed.

Where Validity of Rate is disputed in any Ecclesiastical Court, on Notice thereof as herein mentioned to Justices, or on Plea in Writing, verified on Oath, that the Party is not liable, Justices shall forbear to give Judgment on Complaint for Nonpayment of the Rate.

II. And be it further enacted, That if the Validity of any such Church Rate or Cess as aforesaid be disputed in any Ecclesiastical Court, before any such Complaint as aforesaid, for the Recovery of such Rate or Cess, shall have been made to any Justice or Justices, and such Justice or Justices shall have received Notice in Writing of the Proceedings in such Ecclesiastical Court, together with a true Copy of such Proceedings, or of any Sentence in such Ecclesiastical Court, before such Justice or Justices shall have made and published any Order for Payment of what shall appear to be due and payable in respect of such Rate or Cess, and which Order it shall not be lawful for any such Justice or Justices to make and publish until after the End and Expiration of Eight Days next after Notice of such Complaint given to the Person or Persons complained against, unless with the Consent of such Person or Persons, or if at any Time before such Order shall be made, it shall be insisted on and signified in Writing,

signed

signed by or on Behalf of the Person or Persons complained against, that such Person or Persons, at the Time or Times of applotting such Rate or Cess, was not or were not Owner or Owners, or Occupier or Occupiers of the House or Houses, or Lands or Tenements, in respect whereof such Person or Persons is or are or shall be sought to be charged with such Rate or Cess, or that such House or Houses, Lands or Tenements, is not or are not situate within the Parish or Union, or alleged Parish or Union, to which such Complaint shall relate, and the Truth of any such written Plea or Defence shall be verified by Affidavit made and sworn before any Justice of the Peace, and delivered to the Justice or Justices before whom such Complaint shall have been or shall be made, together with such Matter, Plea or Defence, then and in every such Case such Justice or Justices shall forbear to give Judgment on any such Complaint: Provided always that nothing herein, or in the said recited Act contained, shall extend or be construed to extend to alter or interfere with the Jurisdiction of Ecclesiastical Courts, touching any Church Rate or Parish Cess, or any Proceedings to enforce the same.

‘ III. And Whereas by an Act made in the Parliament of *Ireland* in the Third Year of the Reign of King *George* the Second, intituled *An Act for the better keeping Churches in Repair*, it is amongst other Things enacted, that all and every Parish Cess or Tax that shall be made, raised or agreed upon at any Vestry held for any Parish for the Repair of the Parish Church or Chapel, or other necessary Charges belonging to such Church or Chapel, shall be applotted upon the respective Inhabitants of such Parish, in Manner in the said Act mentioned, which Applotment when made shall be returned to the Minister of the Parish, who the First *Sunday* after he hath received the same shall, after Divine Service in the Morning, give public Notice thereof, as also of a Vestry to be held in Ten Days after such Notice, in order to have the said Applotment examined into: And Whereas by an Act made in the Parliament of *Ireland* in the Fortieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to facilitate the building and rebuilding of Churches and Chapels*, it is enacted, that all Parishes and Unions may be cessed for the building and rebuilding of Churches and Chapels, in like Manner in all respects as they may for repairing Churches and Chapels: And Whereas in Cases where such Parochial Assessments have been made for rebuilding and building of Churches and Chapels, it has been often found impracticable to give such public Notice after Divine Service of the Applotment and of a Vestry, as is required by the Provisions of the said recited Acts: Be it therefore enacted, That in all Cases where Notice is by Law required to be given at or after Divine Service, of a Vestry to be held for the laying on or raising or applotting or confirming the Applotment of any Rate, Assessment or Cess, for or towards the repairing, building or rebuilding of any Church or Chapel in any Parish or Union, and it shall happen that there is not any Church or Chapel within such Parish or Union, or any Church or Chapel fit for the Celebration of Divine Service, the posting up of a Notice of such Vestry, by Direction of the Minister or Curate of such Parish or Union,

Recital of 3G.2.(I.) c.11. § 3. requiring the Minister to give Notice of Applotments of Rates for Repair of Churches, after Divine Service.

Extended to Cases of building Churches, by 40G.3. c.83. (I.)

Where there is not any Church in which Notice can be given after Divine Service, such Notice may be posted at the nearest Market Town, and given to Three Inhabitants of the Parish,

Union, on some conspicuous public Place in the Market Town nearest to the Site of or for the Church or Chapel in respect of the repairing, building or rebuilding whereof any such Assessment, Rate or Applotment shall be made, or proposed to be made, and delivering Three true Copies thereof to Three Householdors of the said Parish or Union respectively, shall be deemed sufficient Notice of every such Vestry; any thing in the said recited Acts or either of them contained to the contrary in anywise notwithstanding.

3G.2. c.11. (I.)
§ 1.

§ 6. recited.

And that Loans had been granted under 48G.3. 65. 49G.3. c.103. for building Churches in some of the Parishes so united.

And that further Loans may be required for building or repairing Churches.

‘ IV. And Whereas by the said recited Act, made in the Parliament of *Ireland* in the Third Year of King *George* the Second, intituled *An Act for the better keeping Churches in Repair*, it is amongst other things enacted, that wherever any Archbishop or Episcopal Union of contiguous Parishes, under one Incumbent or Curate, as in the said Act is mentioned, shall be made by any Archbishop or Bishop within his respective Diocese, the Inhabitants or Occupiers of Land within each and every of such united Parishes respectively shall be obliged to contribute towards the Repair of the Church or Chapel appointed or to be appointed for Public Worship within the said united Parishes, and to the providing all necessary Charges belonging to such Church or Chapel, as if such united Parishes were One entire Parish, and the Church so appointed were the Parish Church of the same; and by the said Act, after reciting that several Parishes are united by Charters granted by the Crown, in some of which there are but very few Protestants inhabiting, and in others none at all, and the Parish Churches thereof quite ruined or in very great Decay, it is enacted, that until such ruined or decayed Churches are rebuilt or repaired, the Parishioners thereof shall be obliged to contribute to the keeping in Repair the Church to which such Parishes are united, and to the providing all necessary Charges belonging thereto, in like Manner and subject to such Regulations as are by the said Act appointed for the repairing of the Churches united by Archbishop or Episcopal Union: And Whereas by certain Acts of Parliament made in the Parliament of the United Kingdom of *Great Britain* and *Ireland* in the Forty eighth and Forty ninth Years respectively of the Reign of His late Majesty King *George* the Third, for making Provision for the building and rebuilding of Churches, Chapels and Glebe Houses in *Ireland*, the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in *Ireland* are authorized and empowered to grant by way of Loan, Sums of Money, Interest free, to be applied for the building and rebuilding of Churches and Chapels, to be repaid to them by certain Instalments, after the Rate of Six Pounds for and on every Hundred Pounds so lent and advanced, until the respective Loans shall be repaid and discharged, such Instalments to be annually assessed and applotted as therein mentioned: And Whereas various Loans have been accordingly made by the said Trustees and Commissioners for the building and rebuilding of Churches and Chapels, and further Loans are likely to be granted for the same Purposes, and also for the repairing of Churches and Chapels, in pursuance of the further Powers hereby granted; and it has happened and may hereafter happen, that Parishes having no Churches, or no Churches fit
‘ for

‘ for the Celebration of Divine Service, have been and may be so united to Parishes having Churches or Chapels fit for the Celebration of Divine Service, for or in respect of the building or rebuilding or repairing whereof certain annual Instalments are and may by Law be payable to the said Trustees and Commissioners of the First Fruits, and it is just and proper that such of the Parishes of the said Unions as have not any Church or Chapel, or any Church or Chapel fit for the Celebration of Divine Service, should contribute to the Payment of the annual Instalments of the Loans granted and to be granted for the building and rebuilding and repairing of the Churches or Chapels of the Parishes to which they are or may be so united, whilst they continue so united;’ Be it therefore enacted, That the Parishioners of any Parish or Parishes in any such Union in which there shall not be any Church or Chapel, or any Church or Chapel fit for the Celebration of Divine Service, shall from time to time, so long as there shall not be any Church or Chapel fit for the Celebration of Divine Service in such Parish, but no longer, contribute to the Payment of all annual Instalments payable to the said Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in *Ireland*, which are or shall become due and payable on and in respect of any Loans for or towards building or rebuilding or repairing any Church appointed or to be appointed to be as aforesaid the Church of such Union, as if the said united Parishes were One entire Parish, and the Church so built or rebuilt or repaired were the Parish Church of the same.

Any Parish in any such Union, which has not a Church of its own, shall contribute to Payment of such Loans for any other Church in the Union.

‘ V. And Whereas several Parishes in *Ireland* having no Churches or Chapels, or none fit for the Celebration of Divine Service, are not or cannot, as the Law now stands, be episcopally or by Charter united with other Parishes, though contiguous and having Churches fit for the Celebration of Divine Service; and it is expedient and proper that the Inhabitants of such Parishes, not provided with Churches or Chapels fit for Divine Service, should have and enjoy the Use and Benefit of the Churches convenient to the Districts wherein they reside, and that in consideration of such Use and Enjoyment they should contribute to the Support and Maintenance of such Churches;’ Be it therefore enacted, That it shall and may be lawful to and for the respective Archbishops and Bishops in *Ireland*, within their respective Dioceses, to order and direct, by any Instrument under their Archiepiscopal or Episcopal Seals, that the Inhabitants of any Parish or Parishes within their respective Dioceses, not having a Church or Chapel fit for the Celebration of Divine Service, or that the Inhabitants of any District or Portion of any such Parish shall and may use and resort to the Church of any adjoining Parish fit for Divine Service, in such Instrument mentioned; and that thereupon and from thenceforth, until the Inhabitants of the said Parish or Parishes, or Districts or Portions of Parishes, so unprovided with Churches or Chapels fit for Divine Service as aforesaid, shall build up or sufficiently repair their Parish Church or Chapel, or until the Archbishop or Bishop shall revoke such Order, which it shall be lawful for him or them to do at any Time by Writing under his or their Archiepiscopal or Episcopal Seal, such Inhabitants may lawfully use and resort to such Church of such adjoining Parish as shall

Where any Parish not having a Church shall not be united to any other Parish, the Archbishop or Bishop may make an Order for the Parishioners to use the Church of any adjoining Parish, and such Parishioners shall contribute to the Maintenance of such Church.

shall be mentioned in such Instrument ; and all the Inhabitants of all or any such Parishes or Parish, or District or Portion of a Parish as aforesaid, shall contribute and shall be assessed and rated towards the Repairs of the Church of such adjoining Parish, and for the providing all necessary Charges belonging to the same, and towards the Payment of all annual Instalments thereafter to be due and payable to the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in *Ireland*, on or of any Loan or Loans for or in respect of rebuilding or building or repairing any such Church of such adjoining Parish, and shall be bound and compellable so to do, as if the said Parish so having a Church fit for Divine Service, and the Parish or District, or Portion of the Parish, the Inhabitants whereof shall have been by such Instrument as aforesaid empowered to use and resort to the said last mentioned Churches, were One entire Parish.

Publication of Banns, &c. may be made in such Church of adjoining Parish.

Cure of Souls to continue.

Parishioners building, &c. a Church in their own Parish, not liable to Charge of any other Church.

Parishioners while bound to contribute to Church of adjoining Parish, may vote at Vestries thereof, &c.

VI. And be it further enacted, That every such Church of such adjoining Parish, so long as the Inhabitants of any other Parish or District, or Portion of a Parish, shall be permitted to use and resort to the same, shall, so far as respects the Publication of Banns of Marriage, and the Celebration of Marriages, and the Performance and Administration of Divine Service and Sacraments, be and be deemed and taken to be the Church of such Parish or District, or Portion of a Parish : Provided always, that nothing herein contained shall be construed or taken to exempt or discharge the Incumbent of any such Parish or Portion of a Parish, of or from the Cure of the Souls of the Inhabitants thereof ; and that if the Parishioners of such Parish or District, or Portion of a Parish, so by this Act or any of the said recited Acts made liable to such Contributions as hereinbefore mentioned, shall at any Time build up or sufficiently repair the Parish Church or Chapel of such Parish, then and from thenceforth such Parishioners, or any of them, shall not be bound or compelled to contribute towards the repairing, building, rebuilding or providing necessary Charges belonging to or towards the Payment of any Instalment of any Loan for or in respect of any other Church or Chapel, excepting in respect of that of the particular Parish to which they immediately and properly belong.

VII. And be it further enacted, That so long and during such Time as all or any of the Inhabitants of the said Parishes respectively, not having Churches or Chapels fit for the Celebration of Divine Service, shall be liable and bound to contribute as aforesaid, and no longer, if shall and may be lawful for such Persons so bound to contribute, to vote at all Vestries to be held for or in respect of the Assessment or Applotment of the Sum or Sums respectively, to and in respect whereof such Contribution is to be made as aforesaid ; and that so long as they shall be so bound to contribute, the Churchwarden and Churchwardens of that Parish, to or in respect of the Church whereof such Contribution is to be made, shall be and be deemed and taken as the Churchwarden and Churchwardens of the Parish or District, or Portion of the Parish, the Inhabitants whereof shall be so bound to Contribution as aforesaid, so far only as may respect the Assessments and Applotments of any Sum or Sums for all or any of the Purposes aforesaid, and the

the Collection thereof, and Proceedings for Recovery and Receipt thereof, and no farther.

VIII. And be it further enacted, That wherever, by reason of the Dissolution of any Union or Unions, real or temporary, or from or by reason of any of the Causes aforesaid, or any other lawful Cause, the Inhabitants of any Parish or District, or Portion of any Parish, shall cease to be liable and bound to contribute towards the Payment of any such Instalment or Instalments as aforesaid, payable on or of any Loan or Loans for the building or rebuilding or repairing, or necessary Charges of the Church of any adjoining Parish, to which they may be before bound to contribute as aforesaid, then and in such Case it shall from time to time be thereupon lawful to and for the said Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in *Ireland*, and they are hereby required, upon the Petition or Memorial of the Minister or Curate and Churchwardens of the Parish or Parishes remaining liable to the Payment of any such annual Instalment or Instalments, to order and direct, that in lieu and stead of the annual Instalment or Instalments which would otherwise thereupon by Law become due and payable, a smaller and reduced annual Instalment, or Sum or Sums, shall be thereafter paid and payable to the said Trustees and Commissioners, as the only annual Instalment or Instalments of such Loan or Loans, the same to be paid and payable, and to continue to be paid and payable until such Loan or Loans shall be fully and entirely paid off and discharged, and no longer; and from and after the making of any such Orders respectively, the reduced annual Instalment or Instalments therein ordered to be paid, shall be and shall continue to be paid and payable yearly and every Year, until such Loan or Loans shall be fully and entirely paid off and discharged, although Sixteen Years or more may have elapsed since the granting or issuing of such Loan or Loans respectively.

IX. And Whereas great Neglect and Remissness have taken place in respect of the Collection and Payment, to the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in *Ireland*, of the several Sums or Instalments of Loans made by the said Trustees and Commissioners for the building and rebuilding of Churches or Chapels in *Ireland*, on the Faith of Parochial Assessments, and the Applotments for the Repayment of such Loans, as well as the Assessments, have been rendered invalid from Want of Form therein, and alleged Irregularities in respect of the changing the Sites of Churches and Chapels; Be it therefore declared and enacted, That all Churches and Chapels already erected and consecrated, or in which Divine Service is and has been celebrated with the Consent of the Incumbents or Curates of such Churches and Chapels, and of the Archbishops and Bishops of the Dioceses respectively, are and have been and shall be and be deemed and taken to be the Churches and Chapels of the respective Parishes and Districts in which they are respectively situate, notwithstanding that the Consent of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, may not have been obtained to the changing the Sites of such Churches and Chapels, and although the same may have been erected and built before the Districts which should

On Dissolution of Union of Parishes, Instalments may be decreased.

Such reduced Instalments to be paid yearly.

Churches built before the Site or District were duly ascertained, declared to be Churches of their respective Parishes.

should form the Cures or Parishes of such Churches and Chapels were described and ascertained.

Lands granted for Sites of Churches, &c. or for building Schools under 50 G. 3. c. 33. shall remain vested in the Persons, &c. to whom the same were conveyed.

X. And be it further enacted, That all Lands and Grounds which have been or shall be granted and conveyed as and for the Sites of such Churches and Chapels, or the Churchyards belonging to the same, under the Provisions of any Act or Acts for that Purpose, or which shall have been or shall be granted or conveyed for the building of any School House, or for the Endowment or in Trust or for the Use of any Schoolmaster in Ireland, under the Provisions of an Act made in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enabling Tenants in Tail and for Life, and also Ecclesiastical Persons, to grant Land for the Purpose of endowing Schools in Ireland*; shall become and be and remain absolutely vested in the Person or Persons, Bodies Corporate or Politic, to whom such Lands or Grounds was or were or shall be conveyed for any of the Purposes aforesaid, free from all Demands or Claims of any Body Politic or Corporate, or Person or Persons whatever, and without being at any Time subject to any Question as to any Right, Title or Claim thereto, or in any Manner affecting the same.

Assessments not invalidated by Informality.

XI. And be it further enacted, That no Assessment or Applotment of any Sum or Instalment made or to be made by any Vestry, or by the Authority of the same, in order to the obtaining of any Loan, for or in respect of the building, rebuilding or repairing of any Church or Chapel, or for or towards the Repayment thereof, shall be liable to be affected or impeached, by reason of any Informality in any such Assessment or Applotment, or in any Act of Vestry.

Acts 43G. 3. c. 106. § 2.

XII. And be it further enacted, That so much and such Parts of an Act made in the Forty third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Commissioners of First Fruits in Ireland to lend certain Sums of Money (Interest free) to Incumbents of Benefices there, for the Purpose of enabling them to erect or purchase Glebe Houses and Offices convenient for their Residence, and to purchase Glebe Lands fit and convenient for the Erection of such Houses and Offices, and to make Provision for the Repayment of all Loans so to be made by the said Commissioners*, and of the said hereinbefore in part recited Acts, made in the Forty eighth and Forty ninth Years respectively of the Reign of His said late Majesty King *George* the Third, as require and direct the Sum and Sums lent and advanced, or to be lent and advanced as therein mentioned, for and towards the building and rebuilding of Churches and Glebe and Manse Houses, to be repaid in Sixteen Years, or by Instalments after the Rate of Six Pounds for every One hundred Pounds lent and advanced for the building and rebuilding of Churches and Chapels, and Glebe or Manse Houses, shall be and are hereby repealed, as to the Amount of such Instalments, and the Times during which they should be paid only, but no further or otherwise.

48G. 3. c. 65. § 4.

49G. 3. c. 103. § 2. 6.

repealed.

Sums remaining due, or hereafter to be advanced, shall be repaid by Instalments

XIII. And be it further enacted, That from and after the passing of this Act, the respective Sums which shall at the Time of the passing of this Act be and remain due to the said Trustees and Commissioners of the First Fruits, on account of any Money lent or advanced by the said Trustees and Commissioners of the First

First Fruits for or towards the building or rebuilding of Churches and Chapels, or Glebe or Manse Houses, shall to all Intents and Purposes be deemed and taken to be, and shall be considered as the Sum and Sums originally lent and advanced for such Purposes, and to be the only Sum and Sums lent, and which ought to be repaid by Instalments to the said Trustees and Commissioners on or before every First Day of *July* in every Year, in Manner hereinafter mentioned; and that every such Sum and Sums, and every Sum and Sums hereafter to be so lent and advanced, for and towards the building and rebuilding of Glebe or Manse Houses, or building, rebuilding or repairing of Churches or Chapels, shall be repaid to the said Trustees and Commissioners by annual Instalments, at and after the Rate of Four Pounds for every Hundred Pounds so lent and advanced, and remaining due and payable as aforesaid, and to be lent and advanced, and at and after no greater Rate, until the said Sum and Sums so lent and advanced, or to be lent and advanced, and now remaining due or hereafter to grow due to the said Trustees and Commissioners, shall be wholly repaid and discharged; and such annual Instalments at the Rate of *Four per Cent.* on all Sums so lent and to be lent for and towards building, rebuilding or repairing of Churches and Chapels, shall be annually assessed and applotted, paid and levied, and such annual Instalments at the Rate of *Four per Cent.* on all Loans for the building of Glebe and Manse Houses, shall be paid and levied in such Manner and under such Regulations as in and by the said in part recited Acts, passed in the Forty third, Forty eighth, and Forty ninth Years respectively of His said late Majesty King *George* the Third, directed and provided with respect to the Instalments of *Six per Cent.* in the said Acts mentioned, or as is directed or provided by this Act; and from and after the passing of this Act, no Suit or Proceeding shall be taken, had, commenced or carried on or continued by or on behalf of His Majesty, His Heirs or Successors, or by or in the Name of any Archbishop, Bishop or Ordinary, or of any Churchwarden or other Person, for the Recovery or Receipt of any such Instalment after the Rate of *Six per Cent.*, heretofore applotted in respect of any Sum or Sums heretofore lent and advanced for any of the Purposes aforesaid, or of any Part thereof; any thing in the said recited Acts or any of them contained to the contrary thereof in anywise notwithstanding.

XIV. And be it further enacted, That every Instalment of any Loan made or to be made by the Trustees and Commissioners of the First Fruits, for or towards the erecting, building, rebuilding or repairing of any Church or Chapel, shall be applotted on the Inhabitants of every Parish or Place liable to the Payment of such Instalments separately, and by a distinct Applotment from the Applotment of any other Rates, Assessments or Cesses whatever.

XV. And be it further enacted, That if any such Instalment shall be in the whole or in part in arrear and unpaid, and shall not have been duly raised, paid and satisfied within the Space of Twenty one Days next after the First Day of *July* in any Year whereon the same shall be due and ought to be paid to the Trustees and Commissioners of the First Fruits, according to the true

after the Rate of 4 per Cent. per Ann. under Regulations of recited Acts and this Act.

No Suit to be commenced, &c. for the Recovery of 6 per Cent.

Distinct Applotments for Repayment of Instalments.

For the better Collection of Instalments payable to Commissioners of First Fruits on Loans made by them of build-

ing Churches.
49G.3. c.108.
How Arch-
bishop or Bishop
of Diocese to
proceed therein.

Intent and Meaning of the said hereinbefore recited Act of the Forty ninth Year of the Reign of His late Majesty King George the Third, for making Provision for the building and rebuilding of Churches, Chapels and Glebe Houses in *Ireland*, as amended by this Act, it shall and may be lawful to and for the Archbishop or Bishop of the Diocese, wherein the Parish or Place is or shall be situate in which it has been or shall be proposed and intended that any such Church or Chapel shall be erected, repaired or rebuilt, or in which such Church or Chapel shall have been or shall be erected, rebuilt or repaired, within Twenty one Days after the First Day of *July*, and so from time to time immediately after the Expiration of Twenty one Days next after the First Day of *July* in any Year, whenever any such Instalment or Instalments, which ought to be paid pursuant to the Provisions of the said last recited Act or of this Act within Twenty one Days after the said First Day of *July*, shall not have been paid and satisfied, pursuant to the said recited Act and of this Act, before the Expiration of Twenty one Days next after the First Day of *July* in any Year, and such Archbishop or Bishop is hereby authorized and required to certify, from time to time, under his Hand and Archiepiscopal or Episcopal Seal, the Amount of the Sum or Instalment, Sums or Instalments, so then in arrear and unpaid, and to cause such Certificate to be forthwith lodged with the proper Officer in the Office of the Treasurer's Remembrancer of the Court of Exchequer in *Ireland*, there to remain of Record: and such Officer, within the First Three Days of the *Michaelmas* Term next after the Receipt of such Certificate, shall and he is hereby required to deliver or cause to be delivered a true Copy of such Certificate, attested by such Officer, together with an Order of the said Court of Exchequer (which Order the said Court is hereby authorized and required to make, on Production to the said Court of such Certificate as aforesaid by the said Officer), to be directed to the Sheriff or Sheriffs of the County, County of a City, or County of a Town or Town Corporate, in which the Church or Chapel erected, or rebuilt or repaired, or proposed to be erected, or rebuilt or repaired, is or shall be situate, or is or shall be proposed to be situated, for the Collection of the Sum and Sums so to be certified (and for which Entry, Order and Copy, there shall be paid to the said Officer the Fee of Twenty Shillings and no more,) together with the Stamp Duty by Law payable thereon; and every such Sheriff and Sheriffs shall, and he and they is and are hereby required forthwith on Receipt of such Order to issue his or their Warrant, under his or their Hand and Seal of Office, to some known Constable or Constables, or at the Discretion of such Sheriff or Sheriffs, to any Person or Persons who shall then be empowered to collect any Monies under any Presentment made by the Grand Jury of the County, or County of a City, or County of a Town or Town Corporate, in which such Church or Chapel is or shall be situate, or is or shall be proposed to be situate, authorizing by such Warrant such Constable or Constables, or Collector or Collectors, or other Person or Persons, to collect, applot and levy, on and from the Inhabitants or Landholders of the Parish or Place wherein such Church or Chapel is or shall be situate,

Officer of Ex-
chequer to send
Order of the
Court to the
Sheriff to levy
such Arrears.

Sheriff to grant
his Warrant for
such Levy;

or

or wherein it has been or shall be proposed and intended that such Church or Chapel should or shall be situate, the Sum and Sums appearing by such Certificate or Certificates respectively, of such Archbishop or Bishop, to be due or in arrear as aforesaid, together with Interest for the same at the Rate of Six Pounds by the Hundred by the Year, to be computed from the Date of every such Certificate, together with the abovementioned Fee, and also the Sheriffs and Receivers Fees, at the Rate of One Shilling for every Pound Sterling of the Sum or Sums so certified; One Moiety of such Sheriffs or Receivers Fees to be to and for the Use of the Sheriff or Sheriffs, and the other Moiety thereof to be retained by such Constable or Constables, Collector or Collectors, or other Person or Persons respectively, as and for a Recompence for his and their Pains and Trouble in levying, collecting and receiving such Sums and Instalments respectively; and such Poundage and Allowance shall be in lieu of all Sheriffs and Collectors Fees or Poundage.

with Interest at 6 per Cent. and Fees and Poundage to Sheriff and Receiver.

XVI. And be it further enacted, That the whole Parish, District or Place, for the collecting, applotting and levying any Assessment wherein or from the Inhabitants whereof, any Warrant shall be granted by any Sheriff or Sheriffs under this Act, shall be and the same is hereby declared to be and shall be taken to be within the Bailiwick of such Sheriff or Sheriffs respectively, and to be Part and Parcel of the County, County of the City, or County of the Town or Town Corporate respectively, wherein such Church or Chapel is or shall be locally situate, or is or shall be proposed to be situate, for the Purposes of this present Act only; and every such Sheriff or Sheriffs, Constable or Constables, Collector or Collectors, Person or Persons as aforesaid, shall have full Power and Jurisdiction in that Behalf accordingly.

Place where Levy is directed to be made declared to be within the Sheriff's Bailiwick.

XVII. And be it further enacted, That on every such Warrant there shall be endorsed by every such Sheriff the true Time of delivering thereof to such Constable or Constables, Collector or Collectors or other Person or Persons; and such Constables, Collectors or other Persons to whom such Warrant shall be directed, shall with all convenient Speed cause Notice thereof in Writing to be given to the Inhabitants and Landholders of such Parish or Place, by posting the same or a Copy thereof on the Door of the Parish Church or Chapel or on some other public and conspicuous Place within the said Parish or Place, and by serving or causing to be served a Counterpart or true Copy of such Notice on One of the Churchwardens or on any Two Household-ers of such Parish or Place; and in case, within Ten Days next after the posting of such Notice or Notices, an Applotment or Paper Writing, purporting to be an Applotment of the Sum and Sums so certified as aforesaid, signed by the Minister or Curate and Churchwarden or Churchwardens of such Parish or Place, shall be delivered to such Constable or Constables, Collector or Collectors or other Person or Persons to whom the said Warrant or Warrants shall have been directed, such Constable or Constables, Collector or Collectors or other Person or Persons, shall forthwith proceed to levy the Sums so appearing to be applotted, with such Interest, Poundage and Allowance as aforesaid, from

Notice of Warrants to be given to Inhabitants.

If Applotment of Sum so certified be delivered by Ministers, &c. to Constable, he shall proceed to levy Sums so applotted.

If no such Applotment, Constable, &c. to make an Applotment on Oath, and levy accordingly.

the respective Inhabitants and Landholders of such Parish or Place, according to the said Paper Writing being an Applotment or purporting to be an Applotment (Demand being first made of the Amount thereof from such Inhabitants or Landholders respectively), by Distress and Sale of the Goods and Chattels of the respective Persons mentioned in the said Applotment or Paper Writing purporting to be an Applotment as aforesaid; but in case no such Applotment or Paper Writing purporting to be an Applotment shall be so delivered within the Space of Ten Days as aforesaid, it shall and may be lawful to and for such Constable or Constables, Collector or Collectors or other Person or Persons, and he and they is and are hereby required forthwith to applot the Sum and Sums so certified as aforesaid on the Inhabitants or Landholders of such Parish or Place respectively; and forthwith after such Applotment shall be so made, Oath being first made by such Constable or Constables, Collector or Collectors or other Person or Persons, before One of His Majesty's Justices of the Peace of the County, County of a City, or County of a Town or Town Corporate, wherein such Church or Chapel is or are or shall be situate, or is or are or shall be proposed to be situate (which Oath every such Justice is hereby empowered to administer), that such last mentioned Applotment has been fairly, impartially and equally made, to the best of the Deponent's Judgment and Belief, it shall and may be lawful to and for every such Constable and Constables, Collector and Collectors or other Person or Persons, and he and they is and are hereby required to levy and collect the Sum and Sums which shall have been so applotted as last mentioned, with such Interest, Poundage and Allowance as aforesaid, from the respective Inhabitants or Landholders of every such Parish or Place, according to such last mentioned Applotment (Demand being first made thereof), by Distress and Sale of the Goods and Chattels of the respective Persons named in the said last mentioned Applotment, rendering the Overplus in either or any of the said Cases to the Person or Persons whose Goods and Chattels shall be so distrained; and every such Distress to be made under or by virtue of this Act shall be in the Nature of an Execution irrevocable, any Law or Laws to the contrary notwithstanding.

Distress.

Amount levied paid over to Sheriff, and by him to Treasurer of Trustees of First Fruits.

XVIII. And be it further enacted, That the Sum and Sums so in any Manner as aforesaid to be applotted or collected, and the Interest thereof as aforesaid, shall, by every such Constable or Constables, Collector or Collectors or other Person or Persons as aforesaid, be paid forthwith, when and as the same shall be levied or received by him or them, to the Sheriff or Sheriffs under whose Warrant the same shall have been so levied and received; and every such Sheriff shall pay the same, when and as the same shall be received by him (retaining thereout the aforesaid Fees thereupon), to the Treasurer for the Time being of the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices, to be by such Treasurer lodged in the Bank of Ireland.

Persons aggrieved may petition the

XIX. Provided always, and be it enacted, That in case any Person shall think himself or herself aggrieved by reason of any Act or Thing to be done in consequence of any Certificate as aforesaid,

aforesaid, or in pursuance of any Warrant of any Sheriffs or Sheriff under this Act; or in case the major Part of the Inhabitants of any Parish in Vestry assembled shall be of Opinion that the Money advanced by the Trustees and Commissioners of First Fruits, on the Faith of any Assessments on the said Parish, has not been *bonâ fide* expended, it shall be lawful for any Person so aggrieved, or for the major Part of the said Inhabitants in Vestry assembled, to petition the said Court of Exchequer on the Revenue Side thereof for Relief, and it shall be lawful for such Court to make such Order on every such Petition as shall be fit; and in case the proper Officers of the said Court of Exchequer or any such Sheriff, Constable or Collector or other Person as aforesaid, shall refuse or neglect duly to perform any Act, Matter or Thing, which he or they is or are by this Act required to do and perform as aforesaid; or if any such Constable or Collector or other Person as aforesaid, shall refuse or neglect, by the Space of Ten Days next after the Receipt of any Sum or Sums of Money so to be applotted or collected, amounting to Ten Pounds Sterling or upwards, to pay the same to the Sheriff or Sheriffs under whose Warrant the same shall be levied or received; or if any such Sheriff or Sheriffs, having received any such Sum or Sums of Money, shall omit or neglect to pay the same (after retaining such Fees as before mentioned thereupon) at or before the Expiration of his or their Office, or within Ten Days afterwards, to the Treasurer of the Trustees and Commissioners of the First Fruits, it shall be lawful for the said Court of Exchequer, on any Complaint to such Court, to make such summary Order for and in respect of every such Neglect, and to compel the Performance of any and every such Act, Payment or Duty, and to enforce the same by Attachment and Fine or otherwise, as may be thought fit, against the Party or Parties disobeying such Order, and to award the Costs attendant on or occasioned by such Nonpayment or Neglect or Breach of Duty, and of obtaining and enforcing such Order as shall be fit; and such Order and Orders as aforesaid shall be final and conclusive to all Intents and Purposes; and if the said Court of Exchequer shall not be sitting when any such Complaint shall be made, it shall be lawful for the Lord Chief Baron, or in his Illness or Absence, for any One of the Barons of the said Court, to hear and determine the Matter of every such Complaint, and to make such Order as aforesaid; and such Order of the Lord Chief Baron or Baron, as the Case may be, in the Premises, shall be of the same Force and Validity, and shall be enforced in like Manner to all Intents and Purposes, as any Order made by the said Court of Exchequer, and shall be deemed and taken to be the Order of the said Court.

Court of Exchequer for Relief.

The Court may punish their Officers and the Sheriff, Constables, &c. for Neglect of Duty in Execution of this Act.

Such Orders final.

XX. Provided also, and be it enacted, That whenever any such Instalment or Instalments as aforesaid shall have been duly applotted on the Inhabitants or Landholders of any Parish or Place at any Vestry as aforesaid, and any One or more of such Inhabitants or Landholders, before any Demand shall be made from him, her or them, by any such Constable or Collector or other Person as aforesaid, of the Sum or Sums so applotted on him or them, shall have *bonâ fide* paid to the Churchwardens or Churchwarden

Receipt for Sums paid under Applotment to Churchwarden to be taken by Collector in Discharge of any Inhabitant, and

the Money paid
by Church-
warden to
Collector,
with Interest.

of any such Parish or Place the Sum or Sums so applotted on him or them, the lawful Receipt or Receipts of such Churchwarden or Churchwardens shall be received and accepted by any such Constable or Collector, Person or Persons as aforesaid, in or towards the Payment and Discharge of the Sum and Sums payable under and by virtue of any such Applotment as aforesaid, and mentioned in any such Receipt or Receipts respectively; and the Churchwardens or Churchwarden to whom any such Payment shall have been made, shall pay the Sum so received by him or them to every such Constable or Collector, with Interest for the same from the Time of the Notice of such Warrant as aforesaid; and the Payment thereof, with Poundage thereon as aforesaid, by such Churchwarden or Churchwardens neglecting or omitting to pay the same, to such Constable or Constables, Collector or Collectors, Person or Persons, shall and may be enforced by such summary Order as aforesaid, of the said Court of Exchequer, or of the Chief Baron, or One of the Barons thereof as aforesaid.

Limitation of
Actions.

XXI. And be it further enacted, That if any Action or Suit be sued or prosecuted against any Sheriff, Justice, Minister, Curate, Churchwarden, Constable, Collector or other Person or Persons, for or by reason of any Act, Matter or Thing done in pursuance or execution of this present Act, or of the said recited Acts, or any of them, or of any Act or Acts of Parliament for the Recovery of Church Rates or Parochial Cesses, the same shall be commenced within Three Calendar Months next after the alleged Cause or Causes of Action or Suit shall have arisen; and that every such Justice, Minister, Curate, Sheriff, Churchwarden, Constable, Collector or other Person or Persons, may, in his, her or their Justification and Defence plead the General Issue, and give this Act or the said recited Acts respectively, and the special

General Issue.

Avowry in Re-
plevin.

Matter in Evidence, without specially pleading the same; and if any Replevin shall be brought for any Cattle, Goods or Chattels seized or taken by virtue or in pursuance of this present Act, or of the said Acts or any of them (in Cases where Replevin is permitted), it shall and may be lawful and sufficient to and for any such Justice or Minister, Curate, Sheriff, Churchwarden, Constable, Collector or other Person, who shall be Defendant or Defendants, or Avowant or Avowants, in any such Replevin, to avow, plead or make Cognizance generally, that he or they took the same Cattle, Goods or Chattels, as a Distress, by reason of the Nonpayment of Church Rates, Parish Cesses or Instalments payable to the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices, as the Case may be, by Force of the Statute in that Case made and provided, and by virtue of a Warrant in that Behalf duly made, in Cases where a Warrant shall have been granted, without setting forth more particularly the Cause of making or detaining the said Distress or Distresses, or more particularly describing the Act or Acts of Parliament, or Warrant in that Behalf made, or making any other more special Plea, Avowry or Cognizance; any thing hereinbefore contained to the contrary notwithstanding.

Proviso for Jus-
tices, &c. under

XXII. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to pre-
vent

vent or hinder any Justice or Justices of the Peace, Sheriff, Minister, Curate, Churchwarden or other Officer or Person, from having such Protection against contentious Suits prosecuted, and to be prosecuted against them, for or in respect of the lawful Performance of the Duties of his or their Offices, or in Assistance of the said Officers respectively, in the Execution of this Act, or any of the said recited Acts, as they can or may have by and under an Act made in *Ireland* in the Tenth Year of the Reign of King *Charles* the First, intituled *An Act for Ease in pleading against troublesome and contentious Suits, prosecuted against Sheriffs, Justices of the Peace, Mayors, Constables, and certain other Officers, for the lawful Execution of their Office*, or by or under any other Act or Acts now in force in that Part of the United Kingdom called *Ireland*.

10 Car. I. st. 2.
c. 16. (1.)

XXIII. Provided also, and be it enacted, That nothing in the present Act contained shall extend or be construed to extend to enable any Person or Persons to vote at any Vestry or Vestries, or on any Matter or Subject there to be treated of, who is or are, or shall be, by any Law or Statute now in force in *Ireland*, disqualified from voting at Vestries generally, or on any particular Subject or Matter at such Vestry or Vestries.

Disqualified
Persons not
empowered to
vote at Vestries.

XXIV. And be it further enacted, That it shall and may be lawful to and for the Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in *Ireland*, from time to time to lend and advance Money, Interest free, to be repaid by Instalments at the Rate of Four Pounds for every One hundred Pounds of the Sums to be lent respectively, to be applied for and towards the repairing of any Churches and Chapels, as fully to all Intents and Purposes as by any former Act or Acts, or by this Act, they are empowered to lend and advance any Sum or Sums for the building or rebuilding of Churches or Chapels; and that it shall be lawful for all Parishes and Vestries to assess and applot the Sum and Sums to be so lent and advanced, in order to the obtaining such Loans and the Instalments thereof, in like Manner and Form, and to have all such and the like Remedies and Powers for the Recovery and the Repayment thereof, as in and by the said in part recited Acts, or any of them, or by any other Act now in force in *Ireland*, or by this present Act, is provided and declared of and respecting the Sum and Sums of Money to be lent and advanced, assessed and applotted, for the rebuilding or building of Churches and Chapels, and the Repayment thereof; and that all Enactments, Conditions, Regulations and Restrictions by Law and by this present Act made, provided and applied to and respecting, and in order to the obtaining and making any Assessment or Applotment, and the Collection and Repayment of Money lent or to be lent for the building or rebuilding of Churches and Chapels, or any Instalments or Instalment thereof, shall be deemed and taken as made, provided, enacted, and applied to and respecting, and in order to the obtaining, making, assessing, applotting, Collection and Repayment of the Sums to be lent and advanced for the Repairs of Churches and Chapels.

Powers of
former Acts
and this Act
applied to Ad-
vancement of
Sums for re-
pairing of
Churches.

XXV. And be it further enacted, That so much and such Parts of any Act or Acts of Parliament in force in *Ireland* at the Time

So much of any
Acts as restrain
the Application

of any Parliamentary Gift to Churches, where Service has not been performed for 20 Years, repealed, &c.

Time of the passing of this Act, as restrain and limit the Application of any Grant or Appropriation by Parliament of any Sum or Sums of Money granted to the said Trustees and Commissioners of the First Fruits of Ecclesiastical Benefices in *Ireland*, by way of Gift, for the building of new Churches or Chapels, or rebuilding of old Churches or Chapels, in such Parishes wherein no Public Service has been performed for Twenty Years last, shall be and the same are hereby repealed; and that from and after the passing of this Act it shall and may be lawful to and for the said Trustees and Commissioners to appropriate, by way of Gift, so much and such Parts of all Monies in their Hands, as they may think reasonable, to the building and rebuilding of Churches and Chapels, as well in Parishes where Public Service shall have been performed in the Course of Twenty Years next preceding the Time of the several Grants and Appropriations aforesaid, as in any other Parish whatsoever; any thing in the said Acts or any of them to the contrary notwithstanding.

49G.3. c.103.
§ 5.

‘ XXVI. And Whereas by the Act passed in the Forty ninth Year of the Reign of His late Majesty King *George the Third* for making Provision for the building and rebuilding of Churches, Chapels and Glebe Houses in *Ireland*, it is amongst other Things enacted, that in case any Money advanced by such Trustees and Commissioners shall have been advanced by them out of any Money advanced to them by the Lord High Treasurer or Commissioners of the Treasury of *Ireland*, such Sum and Sums of Money shall by the said Trustees and Commissioners be paid into the Receipt of the Exchequer of *Ireland* within One Month after the Receipt thereof by the said Trustees and Commissioners: And Whereas the said Enactment has been found to be very inconvenient and productive of no Benefit; Be it therefore enacted, That so much of the said Act as is above recited shall be and the same is hereby repealed; and that from and after the passing of this Act it shall and may be lawful for the said Trustees and Commissioners of the First Fruits in *Ireland*, from time to time to apply all such Repayments so to be received by them, in furthering the Purposes of their Trust, in building and rebuilding and repairing Churches and Glebe Houses, and the Purchase of Glebes, without repaying such Money into the Receipt of the Exchequer, any thing in the said recited Act or any other Act or Acts to the contrary notwithstanding, in like Manner as is usual and lawful with respect to the Application of every other Grant made by Parliament to the said Trustees and Commissioners of First Fruits in *Ireland*.

repealed.

Trustees may apply such Sums towards building of Churches, &c.

‘ XXVII. And Whereas Doubts have been entertained as to the Time at which the Successor of any Incumbent, to whom any Money has been or shall be granted by way of Loan by the said Trustees and Commissioners of the First Fruits, first becomes bound to repay any Instalment of such Loan, in Cases where such Incumbent shall die or be removed before he has received the whole Amount of such Sum so granted by way of Loan; For Explanation thereof, be it enacted, That every Person who shall be a Successor of any such Incumbent shall be bound and obliged to repay to the said Trustees and Commissioners an Instalment, at the Rate of Four Pounds *per Cent.* for the

For regulating Payment of Instalments by Successors of Incumbents re-

the Sum which shall have been actually so advanced to such Incumbent on account of such Loan (although the whole Amount of such Loan may not have been received by such Incumbent), on the First Day of July next after such Person shall have become a Successor chargeable by virtue of the hereinbefore recited Act of the Forty third Year of the Reign of His late Majesty King George the Third; and that no Instalment not actually paid of any such Loan shall be discharged, or be deemed or taken as discharged, by reason of the Default or Neglect of any Incumbent in respect of the Nonpayment of any Instalment which may have become due and payable during his Incumbency, it being the true Intent and Meaning of this present Act, that Instalments of every such Loan shall continue to be paid, until the whole Amount of such Loan shall be actually paid to the said Trustees and Commissioners.

moved before
Receipt of the
whole Sum
granted.

‘ XXVIII. And Whereas by an Act made in the Parliament of Ireland, in the Twelfth Year of the Reign of King George the First, intituled *An Act to explain and amend an Act, intituled ‘ An Act to encourage building of Houses, and making other Improvements on Church Lands, and to prevent Dilapidations,’* it is among other Things enacted, that upon Complaint of Dilapidations of Buildings on Church Lands, a Commission shall be granted, in Manner directed by the said recited Act, to view and examine the said Buildings, and the Commissioners shall return a just Report of the same to the Chief Governor or Governors of Ireland for the Time being, or to the Archbishops or Bishops respectively, by whom the said Commission shall be granted, who, upon hearing the Allegations of either Party, shall ascertain such Sum or Sums as he or they shall judge reasonable to be allowed for Dilapidations;’ Re it enacted, That in all Cases where any such Commission shall issue, whenever it shall appear to the Commissioners that any such Houses or Buildings are too ancient or decayed to be repaired, or are placed in any unhealthy or inconvenient Situation, it shall be lawful for such Commissioners to condemn such Houses or Buildings to be pulled down and destroyed; and it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland, or Archbishop or Archbishops respectively, by whom such Commission shall be granted, to direct that other Houses or Buildings shall be erected in some more healthy and convenient Situation within the Limits of the Benefice.

12 G.1. (1.)
s.10.

Commissioners
may condemn
Buildings here-
in mentioned to
be taken down,
and Lord Lieu-
tenant may
cause others to
be erected.

XXIX. And be it further enacted and declared, That the several Powers, Provisions and Regulations contained in an Act made in the Fifty fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act for enabling Spiritual Persons to exchange the Parsonage or Glebe Houses or Glebe Lands belonging to their Benefices, for others of greater Value, or more conveniently situated for their Residence and Occupation, and for annexing such Houses and Lands so taken in Exchange to such Benefices as Parsonage or Glebe Houses and Glebe Lands to become Glebe in certain Cases, and for other Purposes,* or such of the Powers, Regulations and Provisions contained in the said Act as are applicable or shall be necessary to be applied to Benefices in Ireland, and shall and may be applied and put in Execution for the

Powers of
55 G.3. c. 147.
extended to
Ireland.

the carrying into Effect the Purposes of the said recited Act with respect to Benefices in *Ireland*, as fully and effectually to all Intents and Purposes as if all the Clauses, Powers, Provisions and Regulations in the said recited Act contained were repeated and inserted in the Body of this Act, and as if the said Clauses, Powers, Provisions and Regulations of the said recited Act had by the said Act been expressly extended and referred to Benefices in *Ireland*.

C A P. LXXXVII.

An Act to amend and render more effectual the Provisions of an Act, made in the Fiftieth Year of His late Majesty's Reign, for preventing the administering and taking unlawful Oaths in *Ireland*. [18th July 1823.]

50G.3. c.102.

WHEREAS an Act was passed in the Fiftieth Year of the Reign of His late Majesty King George the Third, intituled *An Act for the more effectually preventing the administering or taking of unlawful Oaths in Ireland, and for Protection of Magistrates and Witnesses*; and it is expedient that so much of the Provisions of the said Act as relates to such unlawful Oaths should be rendered more effectual: 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 Expiration of Fourteen Days next after the passing of this Act, any and every Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy whatsoever, now established, or hereafter to be established in *Ireland*, of the Nature hereinafter described, shall be and be deemed and taken to be, and is hereby declared to be an unlawful Combination and Confederacy; that is to say, any and every Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy, the Members whereof shall, according to the Rules thereof, or to any Provision or Agreement for that Purpose, be required or admitted or permitted to take any Oath or Engagement which shall be an unlawful Oath or Engagement within the Intent and Meaning of the said recited Act of the Fiftieth Year of His late Majesty's Reign, or to take any Oath not required or authorized by Law; and any and every Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy, the Members whereof or any of them shall take, or in any Manner bind themselves by any such Oath or Engagement upon becoming or in consequence of being Members of such Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy; and any and every Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy, the Members whereof shall take, subscribe or assent to any Test or Declaration not required by Law; and any and every Society, Association, Brotherhood, Lodge, Club or Confederacy, of which the Names of the Members, or any of them, shall be kept secret from the Society at large, or which shall have any Committee or Select Body chosen or appointed in such Manner that the Members constituting the same may not be known by the Society at large to be

Societies deemed unlawful, the Members of which are required to take Oaths declared unlawful by 50G.3. c.102.

Societies having Members whose Names are kept secret, or not known to the Associations at large:

be Members of such Committee or Select Body, or which shall have any President, Treasurer, Secretary, Delegate or other Officer, chosen or appointed in such Manner that the Election or Appointment of such Persons to such Offices may not be known to the Society at large, or of which the Names of all the Members, and of all Committees or Select Bodies of Members, and of all Presidents, Treasurers, Secretaries, Delegates and other Officers, shall not be entered in a Book or Books to be kept for that Purpose, and to be open to the Inspection of all the Members of such Society; and all such Societies, Associations, Brotherhoods, Committees, Lodges, Clubs and Confederacies as aforesaid, are hereby declared to be unlawful Combinations and Confederacies; and every Person who, at any Time after the Expiration of Fourteen Days next after the passing of this Act, shall become a Member of any such Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy as aforesaid, or who, being a Member of any such Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy, at the Time of the passing of this Act, shall afterwards act as a Member thereof; and every Person who, after the Expiration of Fourteen Days next after the passing of this Act, shall directly or indirectly maintain Correspondence or Intercourse with any such Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy, or with any Division, Branch, Lodge, Committee or other Select Body, President, Treasurer, Secretary, Delegate or other Officer or Member thereof as such, or who shall by Contribution of Money, or otherwise, aid, abet or support any such Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy, or any Member or Officer thereof as such, shall be deemed guilty of an unlawful Combination and Confederacy.

Names of Members whereof shall not be entered:

All present Members acting, and all future Members, declared guilty of unlawful Combination and Confederacy.

II. Provided always nevertheless, and be it enacted, That nothing herein contained shall extend to any Declaration to be taken, subscribed or assented to by the Members of any Society, in case the Form of such Declaration shall have been first approved and subscribed by Two or more of His Majesty's Justices of the Peace for the County, County of a City, County of a Town or Place, where such Society shall ordinarily assemble, and shall have been registered with the Clerk of the Peace, or his Deputy, for such County, County of a City, County of a Town or Place; for which there shall be paid a Fee of One Shilling and no more; but that such Approbation of the Justices as aforesaid shall remain valid and effectual no longer than until the next General Session for such County, County of a City, County of a Town or Place, unless the same shall, on Application made by the Parties concerned, be confirmed by the major Part of the Justices present at such General Session; and if the same shall not be then and there so confirmed, the Provisions of this Act shall from thenceforth extend to such Declaration, and to all Societies or Persons subscribing the same, in so far as may relate to all Acts which may be done by them or any of them subsequent to the holding of such General Session.

Proviso for Declarations of Societies, approved by Two Justices, and registered with Clerk of the Peace. Fee.

III. And be it further enacted, That every Person who, at any Time after the Expiration of Fourteen Days next after the passing of this Act, shall, in breach of any of the Provisions thereof, be guilty

Offenders may be proceeded against before Two Justices.

and on Conviction may be imprisoned or fined.

Distress.

If convicted on Indictment, Offenders may be transported or imprisoned with hard Labour.

Justices may mitigate Punishment.

Persons prosecuted either before a Justice or indicted, not liable to other Prosecution.

guilty of any such unlawful Combination and Confederacy as in this Act is described, shall and may be proceeded against for such Offence in a summary Way, either before any Two Justices of the Peace for the County, County of a City, or County of a Town or Place, where such Person shall happen to be, or by Indictment, to be preferred in the County, County of a City, or County of a Town or Place, in *Ireland*, wherein such Offence shall be committed; and every Person being convicted of any such Offence, on the Oath of One or more credible Witness or Witnesses, by such Justices as aforesaid, shall be by them committed to the Common Gaol or House of Correction for such County, County of a City, or County of a Town or Place, there to remain without Bail or Mainprize for the Term of Three Calendar Months, or shall be by such Justices adjudged to forfeit and pay the Sum of Twenty Pounds, *British* Currency, as to such Justices shall seem meet; and in case such Sum of Money shall not be forthwith paid into the Hands of such Justices, they shall, by Warrant under their 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; and for want of sufficient Distress shall commit such Offender to the Common Gaol or House of Correction of such County, County of a City, or County of a Town or Place as aforesaid, for any Time not exceeding Three Calendar Months; and every Person convicted of any such Offence upon Indictment by due Course of Law, shall and may be transported for the Term of Seven Years, in the Manner provided by Law for Transportation of Offenders, or shall and may be sentenced to Imprisonment with hard Labour, and shall be imprisoned for any Time not exceeding Two Years, as the Court before whom such Offender shall be tried shall think fit; and every such Offender who shall be ordered to be transported or imprisoned shall be subject and liable to all Laws concerning Offenders ordered to be transported or imprisoned.

IV. Provided always, and be it enacted, That it shall be lawful for the Justices of the Peace, by or before whom any Person shall in pursuance of this Act be convicted of any unlawful Combination or Confederacy, and such Justices are hereby authorized and empowered (if they shall see Cause so to do) to mitigate and lessen the Punishment hereinbefore directed to be inflicted upon any Offender against this Act so convicted as aforesaid, so as such Punishment be not thereby reduced to less than One third of the Punishment hereby directed to be inflicted as aforesaid, whether such Punishment shall be by Imprisonment or Fine.

V. Provided also, and be it enacted, That any Person who shall be prosecuted before any Justices of the Peace in a summary Way for any Offence against this Act, and shall be convicted or acquitted by such Justices, shall not afterwards be prosecuted, or be liable to be prosecuted, by Indictment or otherwise, for the same Offence; and so in like Manner any Person who shall be convicted or acquitted upon any Indictment, for any Offence against this Act, shall not afterwards be prosecuted, or be liable to be prosecuted, before any Justices of the Peace in a summary Way for the same Offence.

VI. Pro-

VI. Provided also, and be it enacted, 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, unless the Offender shall have been prosecuted for such Offence under this Act, and convicted or acquitted of such Offence ; and that no Person shall be prosecuted under this Act for having been before the passing of this Act a Member of any Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy hereby declared to be an unlawful Combination and Confederacy, if such Person shall not in any Manner have acted as a Member of such Society, Association, Brotherhood, Committee, Lodge, Club or Confederacy, after Fourteen Days from the passing of this Act.

Proviso for Indictments as heretofore.

Persons not prosecuted unless they continue to act as Members.

VII. And be it further enacted, That if any Person shall knowingly permit any Meeting of any Society hereby declared to be an unlawful Combination or Confederacy, or of any Division, Branch or Committee of such Society, to be held in his or her House or Apartment, such Person shall for the First Offence forfeit the Sum of Five Pounds, to be recovered in like Manner as any other Penalty under this Act ; 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.

Permitting unlawful Meetings in their Houses. First Offence. Penalty 5l. Second Offence.

VIII. And be it further enacted, That all pecuniary Penalties imposed by this Act shall be applied and disposed of in Manner following ; that is to say, One Moiety thereof to the Informer, and the other Moiety thereof to His Majesty, His Heirs and Successors.

Application of Penalties.

IX. And be it further enacted, That any Conviction by any Justices of the Peace for unlawful Combination and Confederacy in pursuance of this Act, shall and may be in the Form following ; (that is to say,)

‘ M. } BE it remembered, That on this
 ‘ to wit } Day of in the
 ‘ Year of the Reign of A. B. of
 ‘ is duly convicted before us, A. B. and C. D. Two of His
 ‘ Majesty’s Justices of the Peace for the County [City or Town]
 ‘ of in pursuance of an Act made in the Fourth
 ‘ Year of the Reign of King George the Fourth [set forth the Title
 ‘ of this 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
 ‘ Correspondence or Intercourse with, or by Contribution of
 ‘ Money, or otherwise, abet or support] a Society [describing the
 ‘ Society], which Society is an unlawful Combination and Con-
 ‘ federacy within the Intent and Meaning of the said Act :
 ‘ Wherefore we the said A. B. and C. D. do adjudge, that he
 ‘ the said A. B. do pay the Sum of Pounds [or, be
 ‘ imprisoned for the Space of], as a Penalty for
 ‘ his Offence, in pursuance of the said Act. 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.’

Form of Conviction.

Limitation of Actions.

X. And be it further enacted, That every 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, 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 Suit or Action shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and if 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.

General Issue.

Double Costs.

Persons in Custody, or on Bail, at passing of Act, still liable to Prosecution.

XI. Provided always, and be it enacted, That nothing herein contained shall extend to discharge any Person in Custody at the Time of the passing of this Act, or who, having been in Custody at any Time before the passing of this Act, 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.

C A P. LXXXVIII.

An Act for regulating Vessels carrying Passengers between *Great Britain and Ireland.* [18th July 1823.]

‘ WHEREAS it is expedient that such Regulations should be made respecting Vessels carrying Passengers between *Great Britain and Ireland* as may tend to the Security and Convenience of such Passengers; 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 *September* One thousand eight hundred and twenty three, it shall not be lawful for the Master or Commander or Person having the Charge or Command of any Vessel employed in the Conveyance of Passengers between *Great Britain and Ireland*, being of any Burthen less than Two hundred Tons, to have or take on board, or to carry or convey any greater Number of Persons than Twenty as Passengers from any Port in *Great Britain* to any Port in *Ireland*, or from any Port in *Ireland* to any Port in *Great Britain*, unless a Licence for the Conveyance of Passengers shall have been previously granted to the Owner or Owners, or Master or Commander of such Ship or Vessel, under the Hand of the Collector, Compt-

No Captain of Vessel under 200 Tons to take more than 20 Passengers, unless licensed by Collectors of Customs at the Port.

Comptroller or other Chief Officer of the Customs, at the Port from which such Vessel shall sail from *Great Britain to Ireland*, and from *Ireland to Great Britain* respectively; and it shall be lawful for every such Collector, Comptroller or other Chief Officer of the Customs, to grant and sign such Licence without Fee or Reward, in such Form and under such Regulations as shall be directed by the Commissioners of Customs: Provided always, that no such Licence shall be granted by such Collector, Comptroller or other Chief Officer, except upon such Certificate as shall be required by the Commissioners of the Customs, that such Vessel is Seaworthy and properly found in all respects; and every such Licence shall remain in force for the Space of One Year from the Date thereof, and no longer.

No Fee for Licence.

Conditions.

II. And be it further enacted, That it shall not be lawful for any Master or other Person having or taking the Charge or Command of any Ship or Vessel so licensed for the Conveyance of Passengers, which shall clear out from any Port or Place in the United Kingdom of *Great Britain and Ireland*, from and after the First Day of *September* One thousand eight hundred and twenty three, to have on board at or after being cleared out at any one Time, or to convey, carry or transport from any Port or Place in *Great Britain or Ireland* respectively, in any such Ship or Vessel, a greater Number of Persons (exclusive of the ordinary Crew of such Ship or Vessel) than in the Proportion of Five Adult Persons, or of Ten Children under Fourteen Years of Age, or of Fifteen Children under Seven Years of Age, for every Four Tons of the Burthen of such Ship or Vessel; and every such Ship or Vessel shall be deemed and taken to be of such Tonnage or Burthen as is or may be 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, or Horses or Carriages, 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 (exclusive of the ordinary Crew) than in the Proportion of Five adult Persons, or of Ten Children under Fourteen Years of Age, or of Fifteen Children under Seven Years of Age, for every Four Tons of that Part of such Ship or Vessel which shall remain unladen; and such Goods, Wares or Merchandize with which such Ship or Vessel may be partly laden shall, at the Sight and under the Direction of the Collector or Comptroller or other Officer of the Customs, at the Port or Place where such Goods, Wares or Merchandize shall be taken on board, be stowed and disposed of in such a Manner as to leave good, sufficient and wholesome Accommodation for the Proportion of Persons hereby allowed in such Case to be received on board.

Proportion of Passengers to Tonnage, including the Crew.

Tonnage according to Certificate of Registry.

If Ship partly laden with Goods, &c. Tonnage for Passengers to be exclusive of the Part laden.

III. And be it further enacted, That if any Master or any Person having the Charge or Command of any such Ship or Vessel shall take on board any Passenger or Passengers, or if the Owner or Owners of any such Ship or Vessel shall engage to take on board

Master or Owners taking Passengers without Licence.

Penalty 50l.

Taking more
Passengers
than allowed.
Penalty.

In what case
Ship detained
till Penalty of
50l. paid.

Merchant Ves-
sels, &c. of
certain Ton-
nage carrying
more Persons
than in pro-
portion.

Penalty.

Abstract of
Act hung up
at Custom
House, and on
board every
Vessel.

board any Passenger or Passengers beyond the Number of Twenty as aforesaid, without such Licence being previously obtained by such Master, Owner or other Person as by this Act is required, every such Master or other Person, or Owner or Owners, shall for every Offence forfeit the Sum of Fifty Pounds; and if any Master or other Person having or taking the Charge or Command of any such Ship or Vessel, shall take on board, or if such Master or other Person, or the Owner or Owners of any such Ship or Vessel, shall engage to take on board a greater Number of Persons than in the Proportion allowed by this Act, such Master or other Person as aforesaid shall forfeit and pay the Sum of Five Pounds for each and every or any such Person, exceeding in Number the Proportion hereinbefore limited; and every such Ship or Vessel so having on board, or conveying or carrying any greater Number than Twenty Persons without such Licence as aforesaid first had and obtained, shall and may be seized and detained by the Collector, Comptroller, Surveyor or Officer of the Customs, until such Penalty of Fifty Pounds shall be satisfied and paid.

IV. And be it further enacted, That from and after the First Day of *September* One thousand eight hundred and twenty three, it shall not in any Case be lawful for any Master or other Person taking or having the Charge or Command of any Trading or Coasting Ship or Vessel, not being wholly employed in the Conveyance of Passengers and not licensed to carry any Passengers pursuant to this Act, whether such Ship or Vessel shall be laden in Part or in the Whole with Goods and Merchandize, not being the Baggage of or belonging to any Passengers in such Ship or Vessel, or shall be employed in the Carriage or Conveyance of Cattle or Pigs, or shall be in Ballast, and which shall sail from any Port or Place in *Great Britain* to any Port or Place in *Ireland*, or from any Port or Place in *Ireland* to any Port or Place in *Great Britain*, to have or take on board a greater Number of Persons than Ten (exclusive of the ordinary Crew of such Ship or Vessel), if such Ship or Vessel shall be of the Burthen of One hundred Tons or under, nor a greater Number of Persons than Twenty (exclusive of the ordinary Crew), if such Ship or Vessel shall be of a Burthen greater than One hundred Tons and not exceeding the Burthen of Two hundred Tons; and if more Persons shall be found or taken on board any such Ship or Vessel than in the Proportion herein allowed, every such Master or other Person as aforesaid shall forfeit and pay the Sum of Five Pounds for every Person so taken on board beyond such Proportion.

V. And be it further enacted, That an Abstract of this Act shall be prepared and printed by and under the Direction of the Commissioners of His Majesty's Customs, and a printed Copy of such Abstract shall be hung up in the Custom House of every Port of the United Kingdom, and a printed Copy of such Abstract, and also a Copy of the Licence granted to the Captain or Owners of such Ship or Vessel, and a Notice or Statement of the Number of Persons allowed to be carried and conveyed in such Vessel, shall be hung up and affixed in some conspicuous Place on the Deck and in the Cabin of every Ship or Vessel carrying Passengers under the Regulations of this Act; and the Master or other

other Person having or taking the Charge or Command of such Ship or Vessel shall cause the said Copies to be kept and renewed, so that the same may be at all Times accessible to every Person on board such Ship or Vessel, upon Pain that every such Master or other Person having or taking the Charge or Command of every such Ship or Vessel, in which such Abstract, Licence and Notice, or any of them, shall not be hung up or affixed, and shall not be renewed and remain as aforesaid, shall for every such Offence forfeit the Sum of Ten Pounds.

Penalty 10l.
Not to extend
to Vessels in the
Service of Go-
vernment, &c.

VI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to Ships or Vessels in the Service of His Majesty, or of His Majesty's Postmaster General, or of the Commissioners of Customs and Excise, or of the *East India* Company; nor to any Ship or Vessel of the Burthen of Two hundred Tons or upwards, nor to any Ship or Vessel employed in carrying Troops.

Penalties how
recovered and
applied.

VII. And be it further enacted, That all Penalties and Forfeitures for any Offence against this Act shall and may be recovered at any Time within Three Calendar Months after the Commission of such Offence, in a summary Way, by the Order and Adjudication of any One Justice of the Peace for the County or Place in which the Port shall be situate, from which any such Ship or Vessel shall depart, or at which any such Ship or Vessel shall arrive, on Complaint to such Justice for that Purpose exhibited; and such Penalty shall be levied, as well as the Costs of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice; and such Justice is hereby authorized and required to summon before him any Witness or Witnesses, and to examine such Witness or Witnesses upon Oath, of and concerning such Offences, and to hear and determine the same; and the Overplus (if any) of the Money so levied or recovered, after discharging the Penalty or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be returned upon Demand to the Owner or Owners of the Goods or Chattels so seized or distrained; and in case such Penalty or Forfeiture shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody, until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if, upon the Return of such Warrant, it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for such Justice, or any other Justice of the Peace for such County or Place as aforesaid, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Gaol of such

Distress.

Imprisonment.

County or Place, there to remain, without Bail or Mainprize, for any Term not exceeding Two Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges, shall be sooner paid and satisfied; and one Moiety of every such Penalty or Forfeiture, when so levied, shall be paid to the Person or Persons who shall sue or prosecute for the same, for his or her own Use and Benefit, and the other Moiety thereof to the Use of His Majesty, His Heirs and Successors.

Half to the
Prosecutor, and
Half to the
King.

Appeal to
Quarter Ses-
sions.

Notice.

Security for
Costs.

Determination
of Justices final.

Distress.

Imprisonment.

Proceedings
not to be
quashed for
Want of Form.

VIII. Provided always, and be it enacted, That if any Person shall think himself or herself aggrieved by any Conviction in pursuance of this Act, it shall be lawful for such Person to appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace to be holden for the County or Place, such Appellant (if there be sufficient Time after the Cause of such Complaint shall have arisen) first giving or causing to be given Ten Days' Notice at least in Writing of his or her Intention of bringing such Appeal, and of the Matter thereof, to the Justice whose Conviction shall be so appealed against, and within Seven Days next after such Notice entering into a Recognizance before the said Justice or some other Justice of the Peace for the County or Place, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order of such Justices at Sessions thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions; and for Want of sufficient Time for giving such Notice previous to the Quarter Sessions next after the Cause of such Complaint shall have happened, then such Appeal, after such Notice and under such Recognizance, may be made at the Second General Quarter Sessions of the Peace to be holden for such County or Place; and the Justices at such First or Second Sessions, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper, and the Determination of such Justices at such Quarter Sessions shall be final, binding and conclusive to all Intents and Purposes; and the said Justices at such Sessions may also, by their Warrant or Order, cause such Costs so awarded by Distress and Sale to be levied of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same; and for Want of sufficient Distress may commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain for any Time not exceeding Two Calendar Months, or until Payment of such Costs.

IX. And be it further enacted, That no Proceedings against, nor any Conviction of any Offender or Offenders against this Act, or by or before any Justice of the Peace, shall be quashed for Want of Form, nor be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Dublin*; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the
Summons,

Summons, Conviction, Warrant of Distress or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid, if Tender of sufficient Amends shall have been made by or on Behalf of the Party distraining before such Action commenced.

Tender of
Amends.

X. And be it further enacted, That any Action or Suit which shall be brought or commenced against any Person or Persons for any Thing done in pursuance and by the Authority of this Act, shall be commenced within Three Calendar Months next after the Fact committed, and not afterwards, and shall be brought in the County, City or Place where the Cause of Action shall arise, and not elsewhere; and that the Defendant or Defendants in such Action or Suit to be brought may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to be so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any County, City or Place other than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her or their Action, or if a Verdict shall pass against the Plaintiff, or if upon Demurrer Judgment shall be given against such Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Double Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Limitation of
Actions.

General Issue.

Double Costs

C A P. LXXXIX.

An Act to limit and regulate the Expence of certain Proceedings in the Courts of Justice in *Ireland* in the Particulars therein mentioned. [18th July 1823.]

WHEREAS great and ruinous Expence is frequently incurred, by the Suitors in the first Instance, and ultimately by the Persons sued, by reason of the Number of Services made or pretended to be made of the Orders and other Proceedings of the Courts of Law and Equity, and also of the Revenue Side of the Court of Exchequer, in *Ireland*: 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 it shall not be lawful for any Attorney or Attornies, or Solicitor or Solicitors, in *Ireland* to recover against his or their Client or Clients, or for any Party or Parties to recover against the other Party or Parties,

No Attorney
to recover for
making or serving
Declaration, Writ or
in

Process above
200 Copies.

Exception.

Nothing in
1 & 2 G. 4. c. 53.
to affect Tax-
ation of Costs
incurred prior
to passing of
that Act.

Costs of Sum-
mons issued
in Proceedings
before Chief
Remembrancer
of Exchequer
allowed if is-
sued.

in any Suit or Suits depending or to depend between them in any Court of Law or Equity, or in the Revenue Side of the Court of Exchequer in *Ireland*, any Sum of Money, Fee, Reward or Emolument for making or serving of any Copy of any Declaration and Summons in Ejectment, or of any Order, Writ, Process or Proceeding filed in or made by or issued out of any of the said Courts after the passing of this Act, over and above Two hundred Copies, save and except such Sum and Sums of Money as shall be actually and necessarily paid and expended for and in and about the printing and serving of such additional Copies; any Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

II. And be it further enacted and declared, That nothing contained in a certain Act passed in the First and Second Years of His present Majesty's Reign, intituled *An Act to regulate the Proceedings in the Civil Side of the Court of King's Bench, and also in the Court of Common Pleas, and in the Pleas or Common Law Side of the Court of Exchequer, in Ireland*, shall be construed to affect the Taxation of Costs due or incurred prior to the passing of the said recited Act, but that the taxing Officers now appointed or hereafter to be appointed pursuant to said Act shall tax all Bills of Costs for Business done prior to the passing of said Act, according to the Rules, Usages or Regulations by which any such Bill of Costs was taxable at or immediately before the passing of the said recited Act.

III. And be it further enacted and declared, That in all Cases where any Summons shall issue for any Proceeding before the Chief Remembrancer of the Equity Side of the Court of Exchequer in *Ireland*, and that such Summons shall be lost or mislaid, it shall and may be lawful for the said Chief Remembrancer to allow the Costs of such Summons, and of all Proceedings thereon, on any Taxation of Costs, in case it shall appear by an Entry in the said Chief Remembrancer's Book, or by such other Evidence as to said Chief Remembrancer shall appear sufficient, that a Summons had been really and *bonâ fide* issued for such Proceeding or Proceedings; any Act to the contrary thereof in any wise notwithstanding.

C A P. XC.

An Act to regulate the Linen and Hemen Manufactures of
Ireland. [18th July 1823.]

‘ WHEREAS the Linen and Hemen Manufactures of *Ireland*
‘ have been, and continue to be, of considerable Importance
‘ to that Part of the United Kingdom: And Whereas the several
‘ Branches of Industry, connected with the said Manufactures,
‘ have been hitherto greatly promoted by the Distribution of
‘ various Kinds of Utensils applicable thereto: And Whereas
‘ it may be expedient that the Trustees of the said Linen and
‘ Hemen Manufactures should be at liberty to apply a larger
‘ Portion of their Funds to this Purpose than they are at present
‘ authorized to do, as well for maintaining the said Manufactures
‘ in the Province of *Ulster*, as for extending the same, and every
‘ Branch of Industry connected therewith, throughout the Pro-
‘ vinces

vinces of *Leinster, Munster and Connaught*: And Whereas by an Act passed in the Twenty first and Twenty second Years of the Reign of *George the Third*, intituled *An Act for prohibiting the Use of Lime in Bleaching, regulating Sealmasters of Linens, encouraging the Home Manufacture of Ashes for Bleachers' Use, enlarging and rendering more commodious the Linen Hall in the City of Dublin, and other Purposes therein mentioned*, it is enacted, that the said Trustees shall not grant in any One Year, from the First of *January* One thousand seven hundred and eighty two, for *Wheels, Reels and Looms*, more than the Sum of *Three thousand Pounds*; and that if any of the said Trustees shall sign any Grant or Order for a Grant to a greater Amount than *Three thousand Pounds* in any One Year, or shall after the Sum of *Three thousand Pounds* shall have been granted for that Purpose, sign any further or other Grant in the same Year, for *Wheels, Reels or Looms*, whereby there shall be a greater Charge than the Sum of *Three thousand Pounds* occasioned in that Year for such Purposes, every such Grant shall be null and void, and no Receipt or Voucher for the same shall be allowed in their Accounts; nor shall any Part of the Money intrusted to them to promote the *Linen and Hemen Manufactures* be applied to pay the same: And Whereas it is fit and proper that the said Trustees should have full Power and Authority to appropriate the Monies annually granted to them by Parliament, in such Manner as shall appear to them most conducive to promote and encourage the said Manufactures, according to the Terms and the true Intent and Meaning in and with which such Monies are annually granted; and it is therefore expedient to repeal the said recited Clause: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Clause, and every Part thereof, be and the same is hereby repealed, and rendered null and void; any thing in the said Act to the contrary thereof in any wise notwithstanding.

As to Restriction of appropriating more than 3000l. for Utensils repealed.

II. And be it further enacted, That from and after the First Day of *October* next, it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, to grant any such Sum or Sums of Money as the said Trustees may think expedient, for procuring *Wheels, Reels, Looms* or other Utensils, to be employed and distributed in any Manner as shall appear to them best calculated to promote such Manufactures, and otherwise to dispose of their Funds in such Manner as they shall think proper, for the Encouragement of the said Manufactures.

Trustees may grant any Sum for *Wheels, Reels, Looms, &c.*

III. Provided always, and be it enacted, That it shall not be lawful for such Trustees in any Case to grant any Sum or Sums of Money, or Premium, in the Way of Bounty or Allowance, on any Fabric of the *Linen Manufacture* which is or shall be entitled to any Bounty upon the Exportation thereof from any Part of the United Kingdom.

No Premium on Articles entitled to Bounty on Exportation.

IV. And Whereas the said Trustees have been from time to time empowered, by Acts of Parliament now in force, to ap-

‘ point sundry Officers and Servants, at certain Salaries and
 ‘ Allowances, towards enabling the said Trustees to execute with
 ‘ Energy and Effect the different Trusts committed to their
 ‘ Care: And Whereas some of the Offices held by the said
 ‘ Officers have been abolished by the said Trustees, and the
 ‘ Duties of other Offices have been increased, and are, as reported
 ‘ on by the Committee on the Linen Trade of last Session in the
 ‘ Case of County Inspectors, inadequately and injudiciously
 ‘ remunerated; and further and additional Officers have in some
 ‘ Cases become necessary by reason of the Increase of the said
 ‘ Manufactures: And Whereas Doubts have arisen, whether the
 ‘ Payment of such Persons, so employed by the said Trustees,
 ‘ is authorized under the Laws which regulate their Powers;’
 Be it therefore enacted, That from and after the First Day of
October next, it shall and may be lawful to the said Trustees, and
 they are hereby authorized and empowered, subject however to
 the Conditions and Restrictions hereinafter mentioned, to appoint
 from time to time, and at all times, in any Mode or Manner
 they shall think fit, all such Officers and Servants, and Persons
 before described, as shall appear to the said Trustees to be neces-
 sary or expedient for the Purpose of carrying into effectual Ex-
 ecution the Trusts committed to the Charge of the said Trustees,
 with such Salaries and Allowances, or Increase of Salary, as to
 the said Trustees shall seem suitable, subject however to the
 Conditions and Restrictions hereinafter mentioned.

Trustees may
 appoint Officers
 and Servants,
 with Salaries,
 as they may
 think necessary.

Appointments
 not valid, unless
 made at a
 Meeting of 12
 Trustees.

V. Provided always, and be it further enacted, That any Ap-
 pointment or Appointments of any such Officer or Officers, Ser-
 vant or Servants, Person or Persons as aforesaid, or of the
 Salary or Salaries, Allowance or Allowances, or any Increase of
 the Salary or Salaries, Allowance or Allowances, to be paid to
 them or any of them, shall not be valid and effectual, unless such
 Appointment or Appointments shall be made at a Meeting to be
 held pursuant to Notice for that Purpose, at which Twelve or
 more of the said Trustees shall be present.

Such Appoint-
 ment of Offi-
 cers not valid
 without Appro-
 bation of Lord
 Lieutenant.

VI. Provided also, and be it enacted, That any Appointment or
 Appointments of any Officer or Officers, Person or Persons as
 aforesaid, or of the Salary or Salaries, Allowance or Allowances, or
 any Increase of the Salary or Salaries, Allowance or Allowances,
 to be paid to them or any of them, made by the said Trustees
 at any Meeting to be held for that Purpose, at which Twelve or
 more Trustees shall be present, shall not be valid and effectual,
 unless a Return in Writing of such Appointment or Appointments,
 Salary or Salaries, Allowance or Allowances, or Increase of
 Salary or Salaries, Allowance or Allowances, as aforesaid, signed
 by the major Part in Number of the said Trustees present at such
 Meeting, shall be laid before the Lord Lieutenant or other Chief
 Governor or Governors of *Ireland*, and Privy Council in *Ireland*,
 for the Time being, by delivering the same at the Office of the
 Clerk of the Privy Council Thirty one Days at the least before
 such Appointment or Appointments shall be intended to take
 Effect; and if the said Lord Lieutenant or other Chief Governor
 or Governors and Privy Council shall, within the said Thirty one
 Days, signify to the said Trustees in Writing their Disapprobation
 of such Appointment or Appointments respectively, or any of
 them,

them, such Appointment or Appointments so objected to shall be of no Force or Effect.

VII. Provided always, and be it enacted, That nothing in this Mode of Appointment of Inspectors of Linen and Yarn not affected by 21 & 22G.3. (1.) Act contained shall extend or be construed to extend to repeal or alter or affect the Mode or Manner of the Appointment of Inspectors of Linen and Yarn in or for the several Counties in *Ireland* under the Directions of the said Act made in the Twenty first and Twenty second Years of the Reign of King *George* the Third, or in an Act made in *Ireland* in the Twenty third and Twenty fourth Years of the Reign of His said late Majesty, for the further promoting the Linen and Hemen Manufactures, but that such Inspectors shall be appointed in such Mode and Manner as if this Act had not been made; but that any Increase of the Salaries of such County Inspectors or any of them shall be subject to the Regulations in this present Act contained, so far as the same relate to the Approbation of the Lord Lieutenant and Privy Council. 23 & 24G. 3. (1.)

VIII. Provided also, and be it enacted, That if the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and Privy Council for the Time being, shall not within Thirty one Days, to be computed from the Day of Delivery at the Office of the Clerk of the Council, in Manner aforesaid, such Return as aforesaid, signifying to the said Trustees in Manner aforesaid their Disapprobation of such Appointment or Appointments, the same shall, from the Time of the Expiration of the said Thirty one Days, stand in full Force and Effect, notwithstanding that such Lord Lieutenant or other Chief Governor or Governors, and Privy Council, shall not have signified any express Approbation thereof. Such Appointments valid, if Lord Lieutenant do not object as herein.

IX. Provided also, and be it further enacted, That nothing herein contained shall abridge or restrain, or be construed to abridge or restrain the Power and Discretion of the said Trustees, to dismiss from their Service any Officer, Servant or other Person appointed and approved of in Manner aforesaid, who shall afterwards appear to have been guilty of any Neglect or improper Conduct in their Employment, and to nominate such others in their Stead as they shall think fit, subject nevertheless to the Provisions aforesaid. Trustees may dismiss Officers, &c. for Neglect or improper Conduct.

X. And be it further enacted, That no Act shall be deemed an Act of the said Trustees, unless there shall be at the least Five of the said Trustees duly assembled by previous Summons present at such Act; and that the Act of the Majority of the Trustees present at any Meeting so assembled shall be and be considered as the Act of the said Trustees, and be good and sufficient for all Purposes whatsoever, save and except as hereinbefore particularly mentioned, any Law to the contrary notwithstanding. Five Trustees must be present. Majority how far to bind.

XI. And Whereas the Commissioners of Public Accounts appointed by an Act passed in the Fifty second Year of the Reign of King *George* the Third, intituled *An Act to provide for the speedy and regular Examination and Audit of the Public Accounts of Ireland, and to repeal certain former Acts relating thereto*, have from time to time since their Appointment disallowed, in the Discharge Part of the Accounts of the said Trustees, 52G.3. c.52. § 14.

Lord Lieutenant empowered to allow such Items of Expenditure incurred by Trustees as have been disallowed by Commissioners of Public Accounts.

‘ Trustees, several Items of Expenditure which the said Trustees incurred, apprehending themselves to be authorized so to do, under the Power and Discretion vested in them by Parliament, by the several annual Grants expressed and directed to be applied in such Manner as should appear to the said Trustees most conducive to promote and encourage the Linen and Hempen Manufactures: And Whereas the Time for exercising the Power vested in the Lord Lieutenant to remove the said Disallowances has long since expired, and it is expedient to make Provision for discharging the Accounts of the said Trustees from the said Disallowances;’ Be it therefore 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 cause and direct Inquiry to be made into all such Items, and also into any other Items of Disallowance made by the Commissioners of Imprest Accounts before the Existence of the said Commissioners of Accounts, in such Manner as such Lord Lieutenant or other Chief Governor or Governors shall think fit; and if it shall be made appear to the Satisfaction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, on such Inquiry, that the Expenditure of such Sums so disallowed was not made by the said Trustees with any partial or corrupt or fraudulent Intent, but solely with a view to execute the Trust reposed in them faithfully and honestly, for the Promotion and Advantage of the Manufactures committed to their Charge, it shall and may be lawful for such Lord Lieutenant or other Chief Governor or Governors of *Ireland* to order, by Warrant under his or their Hands and Seals, that every or any of such Items shall be allowed, and brought forward and allowed in the next Account of the said Trustees; any Act or Acts of Parliament to the contrary thereof in anywise notwithstanding.

Trustees may prosecute in the Name of their Secretary.

‘ XII. And for the obviating and putting an End to Difficulties which have arisen in the carrying on and defending Criminal Prosecutions and Civil Suits by the Trustees of the Linen and Hempen Manufactories of *Ireland* in their own Name;’ Be it enacted, That all Actions and Suits to be commenced or instituted by or on Behalf of the said Trustees against any Person or Persons, Body or Bodies Politic or Corporate, shall and lawfully may be commenced or instituted and prosecuted in the Name of the Clerk or Secretary for the Time being of the said Trustees, as the nominal Plaintiff for or on Behalf of the said Trustees; and that in all Indictments, Informations and Complaints of what Nature or Kind soever, for Fraud upon or against, or for Embezzlement, Robbery of or stealing the Property of the said Trustees or the Funds committed to their Charge, or for any other Offence committed against or with Intent to injure or defraud the said Trustees, it shall and may be lawful to state the said Property or Funds to be the Property of the Clerk or Secretary for the Time being of the said Trustees; and it shall be sufficient Proof that such Property or Funds be the Property or Funds of the said Clerk or Secretary, if the same shall be proved to be the Property or Funds of the said Trustees; and every Offence committed with Intent to injure or defraud the said Trustees shall and lawfully may in all Cases be laid to have been committed with Intent to injure

or

or defraud the said Clerk or Secretary for the Time being of the said Trustees, and any Offender or Offenders may thereupon be lawfully convicted of any such Offence; and the Death, Resignation or Removal, or other Act of such Clerk or Secretary, shall not abate any such Action, Suit or Prosecution; and that in all such Cases it shall not be deemed necessary to name the said Trustees individually, but it shall be a sufficient Designation and Description of them to designate and describe them by the Name of "The Trustees of the Linen and Hempen Manufactures of *Ireland*;" and that such Designation and Description shall be as good, sufficient and effectual to all Intents and Purposes as if the said Trustees were a Corporate Body.

Death, &c. of
Secretary no
Abatement of
Action, &c.

XIII. And for the remedying Difficulties which have arisen in recovering from Packers, Sealmasters and Lappers and their Securities, the Amount of the Fines and Penalties legally imposed on the said Packers, Sealmasters and Lappers by the said Trustees; Be it enacted, That in all Complaints, Informations, Suits, Civil Bills or Actions, made, brought, commenced or prosecuted against any Packer, Sealmaster or Lapper, or their or any of their Securities, a Certificate of the Clerk or Secretary of the said Trustees for the Time being, under the Hand and Seal of such Clerk or Secretary, shall be taken, deemed and adjudged full and sufficient Evidence that such Person is their Clerk or Secretary, and that the Persons therein for that Purpose named were respectively and duly appointed Packers, Sealmasters or Lappers by the said Trustees, and had acted as such in the several Matters in such Certificate contained; and that the Person or Persons therein for that Purpose mentioned was or were Security or Securities for such Packer, Sealmaster or Lapper respectively, and that the Fine or Fines, Penalty or Penalties therein contained, was or were duly and legally imposed by the said Trustees, or a competent Number of them, on the said Packers, Sealmasters or Lappers respectively, and that the Person or Persons in such Certificate named as Trustee or Trustees (if any should be named), was or were duly appointed a Trustee or Trustees of the Linen and Hempen Manufactures of *Ireland*; and that in all Actions brought or to be brought by the Secretary of the said Trustees against any Packer, Sealmaster or Lapper, or their or any of their Securities, upon any Bond or Bonds executed by them or any of them, for or on account of any Breach or Breaches of any of the said Bonds in the not paying of any Fine or Fines imposed on any of the said Packers, Sealmasters or Lappers respectively, it shall not be necessary to set forth the Cause or Occasion of any such Fines, or any of the Proceedings whereby the same was imposed; but it shall be sufficient in every such Case to set forth the Day on which such Fine was imposed, together with the Amount thereof, any Law or Statute to the contrary in anywise notwithstanding.

Provisions as to
Trustees re-
covering Fines
from Seal-
masters and
Lappers.

XIV. And Whereas Doubts have arisen as to the Persons before whom certain Complaints and Offences against the Laws made for regulating the Linen and Hempen Manufactures of *Ireland* are to be heard and determined; and it is expedient that the Method of Proceeding for determining all such Complaints and Offences be uniform and clearly understood; Be it there-
fore

Penalties not exceeding 6l. may be recovered before any Trustee or Justice or Chief Magistrate.

Penalties exceeding 6l. and not exceeding 40l. to be tried before Assistant Barrister.

Penalties above 40l. to be tried in Courts of King's Bench, &c.

Where Actions for Recovery of Penalties exceeding 40l. to be laid.

fore enacted, That from and after the passing of this Act all Offences or Breaches committed of or against any Clause or Article contained in any of the Acts of Parliament now in force for regulating the Linen and Hempen Manufactures of *Ireland*, where the Penalty or Forfeiture does not or may not exceed in Value the Sum of Six Pounds Sterling, shall and may be heard and finally determined by any One or more of them, or by any One or more Justice or Justices of the Peace for the County, or by any Chief Magistrate of any City or Town Corporate where such Offences or Breaches shall be done or committed within their respective Jurisdictions; provided always, that no such Determination shall be made, unless sufficient and reasonable Notice shall be given previously to the Party complained of; and that all Offences committed against any Clause or Article contained in any of the Acts of Parliament aforesaid, where the Penalty or Forfeiture shall exceed in Value the Sum of Six Pounds Sterling, and shall not exceed Forty Pounds, shall and may be heard and finally determined in a summary Way by Civil Bill, by the Assistant Barristers in their respective Counties; on which Civil Bill the Parties may be at liberty to proceed by Process and Appeal in the usual Way, in the respective Counties where such Offences or Breaches shall respectively be done or committed, or in the County in which the Defendant or Defendants in such Civil Bill shall live, at the Option of the Plaintiff; or by the Recorder of the City of *Dublin*, or Chairman of the County of *Dublin* for the Time being, where such Offences or Breaches shall be committed in the County of the City of *Dublin*, or County of *Dublin* respectively; or in the said County or Counties where the Defendant or Defendants shall respectively live, at the Option of the Plaintiff; and that the several Assistant Barristers, Recorder and Chairman, shall and may have full Power and Authority to hear and determine all such Offences or Breaches of said Statutes, any Act to the contrary notwithstanding; and that if the Recorder or Chairman, or Assistant Barristers respectively, shall think it necessary that a Jury shall be empannelled on the Trial of such Civil Bill, a Jury shall be returned *instanter* by the Sheriff or Sheriffs (for which such Sheriff or Sheriffs shall not receive any Fee or Reward) to try the same, and that the Verdict given by such Jury shall be final and conclusive to the Parties in all Courts of Law and Equity; and that all Penalties or Forfeitures for Offences or Breaches done or committed of or against any Clause or Article in this present Act or any other Act contained, where the Penalty or Forfeiture does or may exceed in Value Forty Pounds Sterling, shall or may be sued for and recovered by Suit or Action at Law, or by Bill, Plaint or Information, in any of His Majesty's Courts of King's Bench, Common Pleas or Exchequer, where no Essoign or Wager of Law shall be allowed.

XV. And be it further enacted, That in all Actions or Suits to be brought, commenced and prosecuted for Recovery of Forfeitures or Penalties for Offences or Breaches done or committed against any of the said Acts, where the Penalties or Forfeitures shall exceed the Sum of Forty Pounds Sterling, the same shall be laid in the County, or in the County of the City, or the County

of the Town, wherein such Offences or Breaches shall be committed, and no other.

XVI. And to the End that all such Actions and Suits may be determined by a Jury of the County, or County of a City or County of a Town, wherein such Offences or Breaches shall be respectively done or committed; Be it enacted, That it shall and may be lawful to and for the several Person or Persons, and Courts, hereby empowered to hear and determine the said Offences respectively, to examine upon Oath all and every Witness and Witnesses as shall be produced before them respectively, which Oath they are hereby empowered respectively to administer, upon any Complaint or Information to him or them made of or against the said Acts, or any of them; and to issue their Executions or Warrants respectively to the Sheriff or Sheriffs of the respective Counties, Counties of Cities, Counties of Towns and Constables, requiring and empowering him or them to execute the same, as in all other Cases is usual.

Courts to examine Witnesses upon Oath,

and to issue their Executions.

XVII. And be it further enacted, That if any Action or Suit shall be commenced or brought against any Person whatsoever, for doing or causing to be done any Act, Matter or Thing in pursuance of any Act of Parliament for regulating the Linen and Hempen Manufactures of *Ireland*, or any Branch thereof, or any Thing relating thereto, 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; and if upon such Action, or in such Suit, Judgment shall be given for the Defendant or Defendants, or the Plaintiff or Plaintiffs therein shall become nonsuit, or discontinue his, her or their Action or Suit, that the Defendant or Defendants therein shall have Treble Costs.

In Action for executing Act.

General Issue.

Treble Costs.

XVIII. And Whereas by several Acts of Parliament now in force in *Ireland*, certain Duties are prescribed to and for the Sealmasters and Lappers of White Linen, appointed by the Trustees of the Linen and Hempen Manufactures of *Ireland*, and Doubts have arisen as to what Fine or Fines, Penalty or Penalties, said Sealmasters or Lappers of White Linen are in several Cases liable, for acting contrary to the said Acts of Parliament, or by or before whom such Fine or Fines, or Penalty or Penalties, is or are to be recovered; Be it therefore enacted, That in all Cases whatsoever, wherein any Sealmaster or Lapper of White Linen in *Ireland* shall act contrary to any of the Regulations in any such Act or Acts specified, he shall for every such Offence forfeit such Sum, not less than Ten Shillings, nor exceeding Five Pounds Sterling, except where the same is otherwise particularly enacted, as the Person or Persons empowered to determine such Offences shall upon the Circumstances of the Case adjudge and determine; and that all such Fines and Penalties shall and may be recovered before the several Persons by this Act empowered to hear and determine all Offences against any of the Laws for regulating the Linen and Hempen Manufactures of *Ireland*, according to the Amount of such Fine or Fines, Penalty or Penalties respectively, except where the same is otherwise particularly enacted by any Act now in force.

To what Fines Sealmasters or Lappers are liable.

XIX. Pro-

Power of Trustees to fine Sealmasters and other Officers.

XIX. Provided always, and be it enacted, That this Act, or any Clause or Thing therein contained, shall not be deemed to take from the Trustees of the Linen and Hempen Manufactures any Power of imposing any Fine or Fines upon any Sealmaster or Lapper of White Linen, or upon any Officer or Officers appointed or to be appointed by them, for any Fraud, Misbehaviour or Neglect in their respective Offices, which the said Trustees, or any Three or more of them, are by any Law now in force authorized to impose.

Power to Officer of Trustees to seize Linen, &c. in all Cases where same is liable to Forfeiture.

‘ XX. And Whereas the several Acts of Parliament now in force for regulating the Linen and Hempen Manufactures of *Ireland*, Linens are declared to be forfeited in sundry Cases in the said Acts specified, and it is nevertheless doubtful in such Cases whether any Inspector General or Inspector of Linens, or other Person is by Law, empowered to seize said Linens; Be it enacted, That in all Cases where by any Act of Parliament any Piece or Pieces, or any Part of a Piece of Linen or Hempen Cloth, is or are declared to be forfeited, it shall and may be lawful to and for any Inspector General or Inspectors of Linens in his District to seize the same, and to, dispose thereof according to Law.

C A P. XCI.

An Act to relieve His Majesty's Subjects from all Doubt concerning the Validity of certain Marriages solemnized abroad.

[18th July 1823.]

‘ **W**HEREAS it is expedient to relieve the Minds of all His Majesty's Subjects from any Doubt concerning the Validity of Marriages solemnized by a Minister of the Church of *England* in the Chapel or House of any *British* Ambassador or Minister residing within the Country to the Court of which he is accredited, or in the Chapel belonging to any *British* Factory abroad, or in the House of any *British* Subject residing at such Factory, as well as from any Possibility of Doubt concerning the Validity of Marriages solemnized within the *British* Lines by any Chaplain or Officer, or other Person officiating under the Orders of the Commanding Officer of a *British* Army serving abroad; Be it declared and enacted, and it is hereby declared and enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all such Marriages as aforesaid shall be deemed and held to be as valid in Law as if the same had been solemnized within His Majesty's Dominions, with a due Observance of all Forms required by Law.

Marriages solemnized abroad in *British* Factories, &c. declared valid.

Proviso for Marriages solemnized beyond Sea.

II. Provided always, and be it further enacted, That nothing in this Act contained shall confirm or impair or any wise affect, or be construed to confirm or to impair or any wise to affect, the Validity in Law of any Marriages solemnized beyond the Seas, save and except such as have been or shall be solemnized in the Places, Form and Manner herein specified and recited.

C A P.

C A P. XCII.

An Act for extending the Annuity granted to Earl *Saint Vincent* to the present Viscount *Saint Vincent* and the next Person to whom the Title of Viscount *Saint Vincent* shall descend.

[18th July 1823.]

WHEREAS an Act was passed in the Parliament of Ireland in the Thirty eighth Year of the Reign of His late Majesty, intituled *An Act for settling and securing a certain Annuity on John Earl Saint Vincent, and the Two next Persons to whom the Title of Earl Saint Vincent shall descend, in Consideration of the eminent Service performed by the said John Earl Saint Vincent to His Majesty and the Public*; whereby an Annuity of One thousand Pounds *British Currency* was settled and secured to the said *John Earl Saint Vincent* for and during his natural Life, and from and after his Decease unto the Two next succeeding Heirs Male of the Body of the said *John Earl Saint Vincent*, on whom the said Title, Honour and Dignity of Earl *Saint Vincent* shall descend, for and during their natural Lives: And Whereas the said *John Earl Saint Vincent* departed this Life on the Thirteenth Day of *March* last, without Issue; and it is expedient that the said Annuity of One thousand Pounds, granted by the said recited Act should be extended and secured to and settled upon *Edward Jervis*, now Viscount *Saint Vincent*, and the next Person on whom the Title of Viscount *Saint Vincent* shall descend: 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 *December* One thousand eight hundred and twenty two (being the Quarterly Day of Payment of the said former Annuity next preceding the Decease of the said *John* late Earl *Saint Vincent*) the Annuity of One thousand Pounds *British Currency* granted by the said first recited Act shall go and be extended, secured and paid to, and settled upon the said *Edward Jervis*, now Viscount *Saint Vincent*, for and during his natural Life, and after his Decease unto and upon the next Person on whom the said Title, Honour and Dignity of Viscount *Saint Vincent* shall descend, for and during his natural Life; any thing in the said recited Act contained to the contrary notwithstanding.

38G.3. c. (1.)

The Annuity of recited Act settled upon Viscount *Saint Vincent*, &c. as herein mentioned.

II. And be it further enacted, That the said extended Annuity of One thousand Pounds *British Currency* shall be charged, secured and paid in the same Manner, and with, under and subject to the same Regulations, Powers, Remedies and Provisions, in all respects, as are enacted and provided in and by an Act passed in the Parliament of *Great Britain* in the said Thirty eighth Year of the Reign of His said late Majesty with respect to a certain Annuity of Two thousand Pounds thereby settled and secured to the said *John* late Earl *Saint Vincent*, and the Two next Persons on whom the Title of Earl *Saint Vincent* should descend, and which, by an Act passed in the Parliament of the United Kingdom of *Great Britain* and *Ireland*, in the Forty sixth Year of the Reign of His said late Majesty, was extended to the Two next Persons to whom the Title of Viscount *Saint Vincent* was limited.

Annuity paid subject to 38G.3. c.21. granting an Annuity of 2000l. to Earl *Saint Vincent*, which was extended to Two other Lives by 46G.3. c.50.

C A P.

C A P. XCIII.

An Act to divide the County of *Cork*, for the Purpose of holding additional General Sessions therein.

[18th July 1823.]

‘ **W**HEREAS the County of *Cork* is very extensive and populous, and it is requisite, for the due Administration of Justice within the said County, and the Preservation of the Peace therein, that General Sessions of the Peace should be holden frequently therein;’ 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 *September* One thousand eight hundred and twenty three, for the Purpose of holding the General Sessions of the Peace in the said County of *Cork*, and for and in respect of all Matters relating to such General Sessions, but not for any other Purpose or in any other Respect, the said County of *Cork* shall be and the same is hereby declared to be divided into Two Ridings, Districts or Divisions, to be called the East Riding and the West Riding of the County of *Cork*; and that the East Riding of the said County of *Cork* shall comprize and contain the Baronies and the Liberties following; that is to say, the Barony of *Duhallow*, the Barony or united Baronies of *Orrery* and *Kilmore*, the Barony or united Baronies of *Coudons* and *Clongibbons*, the Barony of *Fermoy*, the Barony of *Kinnatalloon*, the Barony of *Imokilly*, the Barony of *Kerry Currihy*, the Barony of *Kinnalea*, the Barony of *Barrymore*, the Barony of *Barretts*, the Barony of *East Muskerry*, (except only the Parishes of *Aheena* and *Ahabullog* within the said Barony), the Liberties of the City of *Cork*, the Liberties of *Youghall*, and the Liberties of *Kinsale*; and the West Riding of the said County of *Cork* shall comprize and contain the Baronies and Parts and Divisions of the Baronies following; that is to say, the Barony of *Beer* or *Bear*, the Barony of *Bantry*, the Barony of *West Muskerry*, the Parishes of *Aheena* and *Ahabullog* in the Barony of *East Muskerry*, the Barony of *Kinalmeaky*, the Barony of *Courcies*, the Barony or united Baronies of *Ibanne* and *Barryroe*, otherwise called *Barryroe* and *Ibanne*, and the Baronies of *East Carbery* and *West Carbery*, consisting of the Eastern and Western Divisions of *East Carbery*, and the Eastern and Western Divisions of *West Carbery*; and from and after the said First Day of *September* the said County is hereby declared to be divided accordingly for the Purposes aforesaid, and no other.

II. Provided always, and be it enacted, That such Division of the said County of *Cork*, for the Purposes aforesaid, shall not be extended nor construed to extend to change or alter, or to limit or abridge, or abolish, any Power, Authority, Jurisdiction, Right, Duty or Privilege of any High Sheriff, Sub Sheriff, or Under Sheriff, Justice of the Peace, or other Magistrate, Clerk of the Crown, Clerk of the Peace, or other Officer whatsoever, of or in the said County, who shall at the passing of this Act, or at any Time after the passing of this Act, shall hold, exercise or enjoy any such Office, or any other Civil Office whatever within

For holding General Sessions the County of *Cork* divided into Two Ridings.

East Riding described.

West Riding described.

Such Divisions not to alter any Privilege or Jurisdiction.

within the said County of *Cork*; but that all the Powers, Authorities, Jurisdictions, Rights, Duties and Privileges of such Officers shall continue in force and be exercised and carried into Effect throughout the said County of *Cork*, in like Manner, to all Intents and Purposes whatsoever, as if this Act had not been had or made, except only so far as it is expressly provided and directed by this Act.

III. And be it further enacted, That Five General Sessions of the Peace shall be holden in the Course of every Year, in each of the said Ridings or Divisions, so that one General Sessions shall be holden in every Month, excepting in the Two Months in which the General Assizes shall be holden for the County at large; and that such General Sessions shall be holden alternately in the East Riding and in the West Riding of the said County, and at such Times that there shall, if possible, be Three clear Weeks between the End of the Session in one of the said Ridings or Divisions and the Beginning of the ensuing Session in the other of the said Ridings or Divisions; and that such General Sessions shall be holden in the East Riding of the said County, alternately in the City of *Cork* and in the Towns of *Middleton*, *Fermoy*, *Mallow* and *Kanturk*; and that such General Sessions shall be holden in the West Riding of the said County, alternately in the Towns of *Bandon*, *Macroom* (otherwise called *Macromp*), *Bantry*, *Skibbereen* and *Clonakilty*; and that the first General Sessions for the said East Riding shall be held as soon as may be in the Month of *September* One thousand eight hundred and twenty three, in the City of *Cork*; and that the First General Session for the said West Riding shall be held in the Month of *October*, in the Town of *Bandon*; and that the subsequent General Sessions of the Peace shall be holden alternately in the said East and West Ridings, at the several other Towns above mentioned, in the said respective Ridings, in the Order in which such Towns are hereinbefore named, and so from Year to Year in the like Order: Provided always, that nothing herein contained shall be taken to alter or affect the Manner of making known the Periods at which the several Sessions shall be held.

IV. And be it further enacted, That for the Purpose of holding the said General Sessions of the Peace, and of all Matters connected with or relating to such General Sessions, the said Two Ridings or Divisions shall be distinct and separate Counties, and shall be deemed and considered and shall be distinguished as such by the Name and Description of *Cork County East Riding*, and *Cork County West Riding*, in all Warrants, Processes and Proceedings relative to any Matters determinable at any such General Sessions respectively; and that all such Matters and Causes shall be heard, tried and determined, and all such Proceedings shall be had and done at such General Sessions, for each of such Ridings respectively, for and in respect of Matters arising within the said Ridings respectively, as might have been heard, tried, determined, had or done, at any General or Quarter Session of the Peace for the County of *Cork*, under any Act or Acts, or Law or Laws in force immediately before the passing of this Act, for and in respect of Matters arising within the

Regulations for holding Five General Sessions in the East and West Riding.

In what Places in the East Riding General Sessions shall be held.

Where in the West Riding.

Proviso for periods of holding Sessions.

In all Processes County shall be distinguished by *Cork County East Riding*, and *Cork County West Riding*.

No Process removable from one Riding to the other.

Persons chargeable with Offences to be tried only in the Riding where committed.

Lord Lieutenant to appoint a Barrister to act as an Assistant to the Justices in each Riding.

The present Assistant Barrister for Cork may be appointed.

Powers of Assistant Barrister :

His Salary.

the said County at large ; and that no Process, Plea or Proceeding, nor any Cause, Matter or Thing whatever, shall be removed or removeable, or transferred or transferrable, from any General Session to be holden in either of the said Ridings to any General Session holden in the other of the said Ridings ; and no Decree or other Order or Proceeding at any General Session to be holden in either of the said Ridings shall be of any Validity, Force or Effect, nor shall or may be executed or be enforced or put in Execution in the other of the said Ridings, otherwise than if the said respective Ridings were Two distinct and separate Counties ; and any and every Person, who shall be charged in either of the said respective Ridings with any Offence cognizable at the General Sessions, shall be held to bail, and shall be arraigned and tried in that Riding only in which the Offence shall be charged or alleged or supposed to have been committed ; and all Justices of the Peace and Magistrates shall and they are hereby authorized and required to return any Informations, for Offences taken before them, to the General Sessions to be holden within the Riding in which such Offence shall be charged or alleged or supposed to have been committed.

V. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from time to time, in case he or they shall think fit so to do, to nominate and appoint a practising Barrister at Law of Six Years standing at the least, or who shall have actually practised Six Years, and shall not at the Time of his Appointment have retired from Practice in His Majesty's Courts of Law in *Dublin* for more than Two Years, to act as an Assistant to the Justices at the several Sessions of the Peace, and Adjournments thereof, to be holden under this Act for the East Riding of the said County of *Cork* ; and in like Manner to appoint another Barrister, qualified in like Manner, to act as such Assistant at the several Sessions of the Peace, and Adjournments thereof, to be holden for the West Riding of the said County of *Cork* ; and that it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, to nominate and appoint the Barrister who at the Time of the passing of this Act shall hold the Office of Assistant Barrister of the said County of *Cork* to be the Assistant Barrister, or to be One of the said Two Assistant Barristers, for both or either of the said Ridings of the said County, as shall seem fit to such Lord Lieutenant or other Chief Governor or Governors of *Ireland* ; and that the said Two Assistant Barristers respectively, in case Two shall be appointed, shall have all such Powers, Jurisdictions and Authority, in and for such Riding of the said County for which they shall be respectively appointed, as the Assistant Barrister for the County of *Cork* heretofore had in and for the whole of the said County, and as any Assistant Barrister can or may have in or for any County in *Ireland* ; and it shall and may be lawful for each of such Assistant Barristers severally and respectively to receive, and to be paid, the like yearly Salary as is payable to or receivable by the Assistant Barrister of any County in *Ireland* under the Provisions of any Act

Act or Acts in force in *Ireland* at the Time of the passing of this Act.

VI. And be it further enacted, That the several Days to be from time to time appointed for commencing and holding the several alternate General Sessions of the Peace in the East and West Ridings of the said County of *Cork*, pursuant to the Directions of this Act, shall be from time to time ascertained and settled by the High Sheriff of the said County of *Cork*, the said Two Assistant Barristers to be appointed for the said Ridings, and the Clerk of the Peace of the said County of *Cork*, in concert with each other; and that no such General Sessions shall be holden in either of the said Ridings in the Month of *August* in any Year, nor in the Month in which the General Spring Assizes for the County of *Cork* shall be holden in any Year; and if it shall happen that any such Spring Assizes in the said County shall in any Year commence so near the Conclusion of any Month as to be continued into the next Month, the said High Sheriff, Assistant Barristers and Clerk of the Peace shall determine in which of the said Two Months a General Session shall be holden; and such General Session shall in all Cases be holden at such time that there shall be One clear Week at least between the first or last Days of such Sessions and the last or first Day of the General Assize for the County.

High Sheriff,
Two Assistant
Barristers and
Clerk of the
Peace, to settle
the Time of
commencing
and holding the
several alter-
nate Genera
Sessions, &c.

VII. 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*, on the Representation of the Grand Jury at any Assizes for the said County of *Cork*, to nominate and appoint any other Town or Place, in the East Riding or West Riding of the said County respectively, for the holding of any General Sessions under this Act, in lieu of or alternately with any Town in such Riding mentioned in this Act; and such General Sessions shall be holden at such Town or Place so to be nominated and appointed in lieu of or alternately with any Place in this Act mentioned, and as if such Town or Place had been specified in this Act.

Lord Lieu-
tenant, on Re-
presentation of
Grand Jury,
may appoint
other Towns in
the East or
West Riding
for holding Ge-
neral Sessions.

C A P. XCIV.

An Act to grant certain Duties of Excise upon Spirits distilled from Corn or Grain in *Scotland* and *Ireland*, and upon Licences for Stills for making such Spirits; and to provide for the better collecting and securing such Duties, and for the warehousing of such Spirits without Payment of Duty.

[18th July 1823.]

WHEREAS it is expedient that the Duties on Spirits distilled from Corn or Grain in *Scotland* and *Ireland* should be made equal, and that the Regulations for the Collection of the said Duties, and for the Distillation and Manufacture of such Spirits, and for the warehousing of such Spirits without Payment of Duty, should be assimilated in *Scotland* and *Ireland*: May it therefore please Your Majesty that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and

Existing Laws for granting Duties on Spirits, and regulating the Trade of Distillers of Spirits in Scotland and Ireland, repealed from the Commencement of this Act.

- 3G.4. c.52. Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act so much and such Parts of the several Acts herein after mentioned, and of all and every other Acts and Act in force immediately before the Commencement of this Act, for granting any Duty on Wash or Spirits made or distilled from Corn or Grain in *Scotland* and *Ireland* respectively, or upon Licences for keeping of Stills for making such Spirits, or for regulating the Distillation of such Spirits, as relate or relates to the Persons licensed to make or distil such Spirits, or to keep such Stills, or as relates or relate to the making or distilling any such Spirits, by any Person licensed to keep any such Still, or to the granting or charging of any Duty upon or in respect of any Licence granted to such Persons, or upon or in respect of the Wash made or Spirits distilled by such Persons so licensed, or to the allowing any Drawback on the Exportation of such Spirits to any Place except *Great Britain*, or to the warehousing of such Spirits without Payment of Duty, shall cease and determine, and be repealed; that is to say, so much and such Part as aforesaid of an Act made in the last Session of Parliament, intituled *An Act to grant certain Duties in Scotland upon Wash and Spirits made from Corn or Grain, and upon Licences for making and keeping of Stills, and to regulate the Distillation of such Spirits for Home Consumption, and for better preventing private Distillation in Scotland until the Tenth Day of November One thousand eight hundred and twenty four*; and also of an Act made in the same Session of Parliament, intituled *An Act to allow, until the Tenth Day of November One thousand eight hundred and twenty four, the Exportation of Spirits distilled from Corn for Home Consumption in Scotland to Parts beyond Seas, without Payment of the Duty of Excise chargeable thereon, except only so much of the said Act as permits the Exportation to foreign Parts of Spirits distilled from Malt made of Bear or Bigg*; and also of an Act made in the Fiftieth Year of the Reign of His late Majesty King George the Third, intituled *An Act to grant to His Majesty Duties upon Spirits made or distilled in Ireland from Corn, to allow certain Drawbacks on the Exportation thereof, to make further Regulations for the Encouragement of licensed Distillers, and for amending the Laws relating to the Distillery in Ireland*; and also of an Act made in the Fifty second Year of His said late Majesty's Reign, intituled *An Act to grant to His Majesty Duties upon Spirits made or distilled in Ireland, and to allow certain Drawbacks on the Exportation thereof, and to repeal certain Bounties given to Persons licensed to sell Spirituous Liquors, Wine, Beer and Ale, by Retail in Ireland*; and also of an Act, intituled *An Act to grant an additional Duty of Excise on Spirits made or distilled from Corn or Grain in Ireland*; and also of an Act made in the Forty sixth Year of His said late Majesty's Reign, intituled *An Act to provide for the regulating and securing the Collection of the Duties on Spirits distilled in Ireland, and the warehousing of such Spirits for Exportation, or of any Act or Acts for altering or amending the said recited Act of the said Forty sixth Year, or any of the Provisions therein contained*; and also of an Act made in the Fifty second Year of His said late Majesty's Reign, intituled *An Act to provide for the regulati-*

regulati-

regulating and securing the Collection of the Duties on Spirits distilled in Ireland from Corn, malted or unmalted, in Stills of and under One hundred Gallons Content, or of any Act or Acts for amending the said Act of the said Fifty second Year, or any of the Provisions therein contained; and also of an Act made in the Fifty seventh Year of His said late Majesty's Reign, intituled *An Act to make further Regulations for the better collecting and securing the Duties upon Spirits distilled in Ireland*; and also of an Act made in the Fifty second Year of His said late Majesty's Reign, intituled *An Act to provide for regulating the warehousing of Spirits distilled from Corn in Ireland for Exportation, without Payment of the Duty of Excise chargeable thereon, and to transfer the Custody of Spirits so warehoused from the Commissioners of Customs and Port Duties in Ireland, and their Officers, to the Commissioners of Inland Excise and Taxes in Ireland, and their Officers*, or in any Act or Acts for amending the said Act, or any of the Provisions therein contained; and also so much of an Act made in the Third Year of the Reign of His present Majesty, intituled *An Act for reducing, during the Continuance of the present Duty on Malt, the Duty on Malt made from Bear or Bigg only in Scotland*, as relates to the Exportation of Spirits; and so much and such Parts only as aforesaid of the said several Acts, and of all and every other such Acts and Act as aforesaid, are hereby repealed accordingly; save and except so far as the said Acts, or any of them, repeal or repeals any former Act or Acts, or any Part or Parts of any former Act or Acts; and except also so far as the said Acts, or any of them, relate or relates to the charging, recovering, prosecuting, suing for, levying, paying, accounting for, allowing, abating or mitigating of any Duty or any Arrear thereof, or any Drawback of such Duty, which shall have been or shall be chargeable or payable on any such Spirits under the said Acts or any of them, or of any Fine, Penalty or Forfeiture for any Offence against the said Acts or any of them, which shall have been or shall be committed at any Time on or before the Commencement of this Act; all which Suits or other Proceedings, Matters and Things, shall and may be had and proceeded on, and shall remain and be to all Intents and Purposes whatever, as if the said Acts had not been repealed in Manner aforesaid: Provided always, that nothing herein contained shall in any way extend or be construed to extend to repeal, alter or affect any Clauses, Rules, Regulation or Provisions, Fines, Penalties or Forfeitures relating to the private unlawful Distillation of Spirits in *Scotland or Ireland*, by any Person or Persons not duly licensed, or relating to the rectifying and compounding of the Spirits, or the Rectifiers or Compounders thereof in *Scotland or Ireland*, or relating to Permits for the Removal of Spirits, or to Licences for the making or using of Stills by Persons not being Distillers of Spirits, or relating to Dealers in or Retailers of Spirits, which are contained in any of the said recited Acts, or in any other Act or Acts, and which shall or may be in force in *Scotland and Ireland* respectively, at the Time of the Commencement of this Act; but that all such Clauses, Rules, Regulations or Provisions, Fines, Penalties or Forfeitures in the said Acts, shall remain in force to all Intents and Purposes as if this Act had not been made, except so far as the same or any of them are expressly

57 G. 3. c. 110.

52 G. 3. c. 30.

3 G. 4. c. 30.

§ 14—16.

Recited Acts repealed; except as they repeal former Acts; and except as to Arrear of Duties and Penalties;

Proviso for Regulations for preventing illicit Distillation; and for Regulations as to Rectifiers, &c. of Spirits, &c.; and for Permits;

and for 54G.3. c.149. as to Intercourse of Spirits between G. B. and Ireland.

Licences to Scotch Distillers to cease on 9th Oct. 1823, and all Excesses paid for up to that Time.

New Duties granted on Corn Spirits distilled in Scotland or Ireland.

Duty on warehoused Spirits taken out for Home Consumption.

Duty on Licences to keep Stills for distilling Spirits.

pressly altered by this Act; and that nothing in this Act contained shall extend or be construed to extend to repeal or affect an Act made in the Fifty fourth Year of the Reign of His said late Majesty King *George the Third*, intituled *An Act to regulate, until the End of the next Session of Parliament, the Trade in Spirits between Great Britain and Ireland reciprocally*, or any Act or Acts for amending or continuing the said recited Act of the Fifty fourth Year, except only in such Cases where any Clause or Provision of the said Acts, or any of them, for the Regulation of such Intercourse, are expressly altered or repealed by this Act.

II. Provided always, and be it enacted, That the Licences of all Distillers in *Scotland* licensed under the said recited Act of the last Session of Parliament, for granting Duties in *Scotland* upon Wash and Spirits made from Corn or Grain, shall cease and determine on the Ninth Day of *October* One thousand eight hundred and twenty three, and that such Distillers shall be chargeable and charged with and shall pay Duty on any Quantity of Spirits, exceeding the several Rates mentioned and expressed in the said recited Act, made and produced in the Distillery of any such Distiller in the Period ending on the said Ninth Day of *October* One thousand eight hundred and twenty three, during which the Distiller shall have worked under the said recited Act, in like Manner as such Distiller would have been chargeable and liable to pay for such Excess on the Ninth Day of *November*, or at the End of every Period of distilling under the said recited Act; any thing in the said recited Act or in this Act to the contrary in anywise notwithstanding.

III. And be it further enacted, That from and after the Commencement of this Act, within and through *Scotland* and *Ireland* respectively, there shall be granted, raised, levied, collected, paid and satisfied, unto and to the Use of His Majesty, His Heirs and Successors, the several Duties of Excise following; that is to say. For and upon every Gallon, *English Wine Measure*, of Spirits of the Strength of Hydrometer Proof, as denoted by the Hydrometer called *Sykes's Hydrometer*, which at any Time after the Commencement of this Act shall be made or distilled in any Part of *Scotland* or *Ireland*, from any Wort or Wash brewed or made from Malt, or from Corn or Grain malted or unmalted, or any Mixture thereof, by any Person or Persons whomsoever, or for which any Distiller shall be chargeable by this Act, the Sum of Two Shillings *British Currency*, and so in proportion for any greater or less Degree of Strength, and for any greater or less Quantity, to be paid by the First Maker or Distiller of such Spirits: For and upon every such Gallon of such Spirits, of such Strength as aforesaid, which shall have been or shall be warehoused in any of His Majesty's Warehouses or Stores without Payment of Duty, and which at any Time after the Commencement of this Act shall be taken out of Warehouse for Home Consumption, the Sum of Two Shillings *British Currency*, and so in proportion for any greater or less Degree of Strength, or any greater or less Quantity: For and upon any Licence to any Person or Persons to keep any Still or Stills for the Purpose of making or distilling Spirits in any Part of *Scotland* or *Ireland* from Corn or Grain, the Sum of Ten Pounds *British Currency*, to be paid by the Persons taking out such Licences

Licences respectively: Which said Duties shall be in lieu and full satisfaction of all Duties granted on such Spirits and Licences respectively by any Act or Acts of Parliament in force in *Scotland* or *Ireland* immediately before the Commencement of this Act; save and except such Duties on Spirits as have been granted, for local Purposes only, by any Act or Acts of Parliament.

Drawbacks on Spirits exported from Warehouse to foreign Parts.

IV. And be it further enacted, That every Person who shall, at any Time after the Commencement of this Act, export from *Scotland* or *Ireland* respectively to Foreign Parts, Spirits distilled in *Scotland* and *Ireland* respectively from Corn or Grain, and which shall have been warehoused without Payment of the Duty of Excise thereon, shall be entitled to and shall receive for every Gallon of such Spirits, in respect of the Duty on Malt used in the making of such Spirits, a Drawback or Allowance of Three Pence *British* Currency, for every Gallon of Spirits of the Strength of Hydrometer Proof; which said Drawback shall be in lieu and full satisfaction of all Drawbacks in respect of the Malt used in the making of Spirits, and payable under any Act or Acts in force immediately before the Commencement of this Act.

V. And be it further enacted, That all 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, 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.

VI. And be it further enacted, That the several Duties and Drawbacks by this Act imposed and allowed shall be under the Management of the Commissioners of Excise for the Time being; and shall be raised, levied, collected, recovered, secured and paid and allowed by such Persons, at such Times, and in such Manner, and by such Ways and Means as are hereinafter directed and set forth, and under such Management, and under and subject to such Rules, Regulations, Conditions, Penalties and Forfeitures, and with such Powers of adjudging and mitigating Penalties and Forfeitures, and with and subject to such Powers, and to the like Rules and Directions, and by such Methods, and in such Manner and Form, and in or by any of the general or special Means, Ways or Methods, by which other Duties or Drawbacks of Excise may be raised, levied, collected and recovered, and paid and allowed, as fully and effectually to all Intents and Purposes as if all such Rules, Regulations, Conditions, Penalties and Forfeitures were particularly repeated and re-enacted in the Body of this Act; except only so far as the same are expressly altered or repealed by this Act.

Duties under Management of Commissioners of Excise, and to be levied under this Act and former Excise Laws.

VII. And be it further enacted, That from and after the Commencement of this Act it shall not be lawful for any Person or Persons, in *Scotland* or *Ireland*, to have or keep any Still whatever for the Purpose of making or distilling Spirits from Corn or Grain, without having first obtained a Licence under the Provisions of this Act, signed by the Commissioners of Excise, or any Two of them, or by any Person to be for that Purpose authorized by the said Commissioners, or any Two of them; and every such Licence shall and may be according to such Form, and shall contain such Particulars, as the said Commissioners of Excise, or any

No Person shall keep any Still whatever without a Licence under the Provisions of this Act.

Proviso for Partnerships.

Two of them, shall and may from time to time direct and appoint; and every such Licence to be granted under the Provisions of this Act shall continue in force until and upon the Tenth Day of *October* next after the Date thereof, and no longer: Provided always, that Persons in Partnership carrying on Trade or Business in One House or Place only shall not be obliged to take out more than One such Licence in any One Year; and that no One Licence which shall be granted by virtue of this Act shall authorize or empower any Person or Persons to whom the same shall be granted to have, keep or make use of any Still, or to prepare or make any Wort or Wash, or to distil any Wash, Low Wines or Spirits in any other House or Premises than the House or Premises mentioned in such Licence.

Licence to be renewed annually.

VIII. And be it further enacted, That it shall not be lawful for any Person, at any Time after the Tenth Day of *October* next after the Date of any such Licence for keeping a Still, which shall be granted to such Person under this Act, to continue to keep or work or to use any Still, or to brew or make any Wort or Wash, or to distil any Low Wines, Spirits or Feints, until such Person shall have obtained a new Licence, and shall have performed all such Requisites as are required and directed by this Act to be done, either previously or subsequently to obtaining the first or original Licence, and so in every Year, so long as such Person shall continue the Business of a Distiller; and if any Person shall continue to keep or work, or shall use any Still, or shall make or brew any Wort or Wash, or shall distil any Low Wine, Spirits or Feints contrary hereto, every such Person shall in every such case forfeit the Sum of Two hundred Pounds; and all such Wort, Wash, Low Wines, Spirits and Feints, and every such Still, with the Head and Worm thereof, shall be forfeited, and may be seized by any Officer of Excise.

Working without renewal.

Penalty 200L.

No Still of less than 40 Gallons.

IX. And be it further enacted, That no Licence to be granted under the Provisions of this Act, shall authorize any Person to have, keep or make use of any Still or other Utensil for the making or distilling of Spirits from Corn or Grain, which shall be of less Capacity or Content than Forty Gallons.

No Licence for Still of less Content than 500 Gallons without Certificate of Three Justices.

X. And be it further enacted, That before any Licence shall be granted under this Act to any Person to have, keep or make use of any Still for making or distilling Spirits, which shall be of less Content than Five hundred Gallons, such Person shall produce to the Commissioners of Excise a Certificate in Writing, under the Hands of Three Justices of the Peace of the County, City or Town, that such Person is of good Character, and is a fit and proper Person to be licensed to keep such Still; and that the Premises in and upon which such Person purposes to erect such Still, and of which such Person shall be in actual Possession, are of the yearly Value of Ten Pounds at the least: Provided always, that in case any such Still shall be intended to be kept by Two or more Persons in Partnership, such Certificate, with relation to any one of them, shall be sufficient; and in such case it shall be lawful for the Person granting such Licence to enter therein the Names of all the Persons concerned in such Partnership.

XI. Pro-

XI. Provided always, and be it enacted, That any Person or Persons who under this Act shall be licensed to keep and who all actually keep and use a Still for making or distilling Spirits in Corn or Grain, of the Content of Five hundred Gallons or more, shall and may be licensed to keep a Still or Stills of less Content under the Provisions of this Act, without the Production of any such Certificate, any thing in this Act to the contrary notwithstanding.

Persons licensed for Still of 500 Gallons or upwards may keep smaller Stills.

XII. And be it further enacted, That it shall and may be lawful for the Commissioners of Excise, or any Two of them, if they shall deem it expedient so to do, to refuse to grant or to prohibit the granting of any Licence under this Act, to any Person to keep any Still of less Content than Five hundred Gallons, notwithstanding the Production of any Certificate of the Justices as resaid; and in every case when any such Licence shall be refused, the Commissioners of Excise shall and they are hereby required to state, in Writing under their Hands, to the Persons who shall have signed such Certificate, the Grounds of such their refusal.

Commissioners may refuse Licences for Stills under 500 Gallons Contents, stating the Grounds;

XIII. And be it further enacted, That it shall and may be lawful for the Commissioners of Excise, or any Two of them, to refuse to grant or to prohibit the granting of any Licence under this Act, to any Person to keep any Still of any Content whatever, for the making or distilling of Spirits, in any Building or Place in which, from the local Situation thereof, in respect to any Distillery for rectifying or compounding of Spirits, or in respect to any Brewery or Vinegar Manufactory, it may appear to the said Commissioners, or any Two of them, not to be expedient to grant a Licence to keep such Still; and it shall also be lawful for the said Commissioners, or any Two of them, to refuse to grant or to prohibit the granting of any Licence to any Person to keep any Still or Stills for rectifying or compounding Spirits, any Licence to brew Beer, Porter or Ale for Sale, or to make Negar for Sale, on any Premises in which, from their local Situation in respect to any Distillery, it shall appear to the said Commissioners inexpedient to grant any such Licences respectively.

and may refuse to license Stills of any Content in Situations herein described; and to grant Licences to Rectifiers, &c.

XIV. And be it further enacted, That every Distiller or Person who shall be licensed under this Act to keep any Still for making or distilling Spirits, in any Distillery not being situate in a Market Town or within One Mile thereof, shall provide (if required so to do by the Commissioners of Excise or any One of them), fit and proper Lodgings or Rooms for the Residence of the Officer or Officers of Excise, who may from time to time be placed in Charge of such Distillery, at some convenient Situation, to be approved of by the Collector of Excise, and not forming any Part of the Dwelling House, Residence or Distillery of such Distiller, and at a reasonable Cost, not exceeding Ten Pounds a Year; and if any Person so licensed shall refuse or neglect to provide such Lodgings as aforesaid, it shall be lawful for the Commissioners of Excise, or any Two of them, to suspend or revoke and annul any Licence granted to such Person under this Act.

Distilleries more than One Mile from Market Town, to provide Lodgings for Officers, or Commissioners may suspend or revoke Licence.

XV. And be it further enacted, That it shall and may be lawful for the Commissioners of Excise, or any Two of them, to suspend or to revoke or annul the Licence of any Distiller licensed under

Commissioners may revoke Licence of Distiller for ob-

structing Offi-
cers.

under this Act, who shall be convicted under this or any other Act, for obstructing or preventing any Officer or his Assistant in or from entering into any Distillery, or any House, Outhouse, Store or other Place whatsoever of such Distiller, or for obstructing or preventing any Officer or his Assistant in or from doing any Part of his Duty in the Execution of this or any other Act.

Distiller whose
Licence is re-
voked working
before Re-
newal.
Penalty.

XVI. And be it further enacted, That if any Distiller whose Licence shall have been suspended, revoked or annulled, under the Provisions of this Act, shall make or brew any Wort or Wash, or shall distil any Low Wines, Spirits or Feints in such Distillery, until such Suspension shall have been recalled or a new Licence shall have been obtained by such Distiller, every such Distiller shall forfeit the Sum of Two hundred Pounds, and all such Wort, Wash, Low Wines, Spirits and Feints, and all Vessels and Utensils containing the same, shall be forfeited, and may be seized by any Officer of Excise: Provided always, that it shall be lawful for the Commissioners of Excise, or any Two of them, to refuse in their Discretion to recal such Suspension, or to grant any such new Licence for such Distillery.

Distillers dis-
tilling Spirits
from Material
other than
Grain.

XVII. And be it further enacted, That it shall not be lawful for any Distiller in *Scotland or Ireland*, licensed under this Act, to make or brew any Wort or Wash, or to make or distil any Spirits from Sugar or from any Materials other than Malt, Corn or Grain, or any Mixture thereof; and if any such Distiller shall make or brew any Wort or Wash, or shall make or distil any Spirits from Sugar or from any Materials other than Malt, Corn or Grain, or some Mixture thereof, such Distiller shall forfeit the Sum of Two hundred Pounds, and all such Wort, Wash and Spirits shall be forfeited, and may be seized by any Officer of Excise.

Penalty.

After Licence,
and before Dis-
tiller make En-
try he shall
erect certain
Chargers and
Receivers.

XVIII. And be it further enacted, That every Person who shall be licensed to keep any Still for distilling Spirits, after being so licensed and before making such Entry as is by this Act required, of any Still or other Vessel or Utensil to be used by such Person, shall erect and keep the several Vessels hereinafter enumerated, and in the Manner and for the Purposes hereinafter described; that is to say, One Vessel to be called a Wash Charger, one other Vessel to be called a Low Wines Receiver, one other Vessel to be called a Low Wines and Feints Charger, one other Vessel to be called a Feints Receiver, and one other Vessel to be called a Spirit Receiver.

Undue Number
of Chargers and
Receivers.

XIX. Provided always, and be it enacted, That there shall not be erected or kept in any Distillery more than One such Wash Charger and One such Spirit Receiver, nor more than Two such Low Wines Receivers, nor more than Two such Feints Receivers, nor more than Two such Low Wines and Feints Chargers; and if any greater Number of such Vessels and Utensils as aforesaid shall be found in any Distillery, the Distiller in whose Distillery the same shall be found shall forfeit Two hundred Pounds; and all such Vessels exceeding the Number aforesaid, together with the Contents thereof, shall be forfeited, and may be seized by any Officer of Excise.

Penalty.

Description of
Wash Charger.

XX. And be it further enacted, That every such Wash Charger shall be a close covered Vessel, connected with the Wash Still by one close Metal Pipe having a Cock thereon, one End of which
Pipe

Pipe shall be fixed to the Bottom of such Wash Charger, and the other End thereof shall be affixed to such Still; and to such Wash Charger there shall be one other close Metal Pipe having a Cock thereon, one End of which Pipe shall be attached to the Pump placed in the Jack Back, if any such Vessel shall be used, or otherwise to the Pipe or Trough communicating with the Fermenting Wash Backs, and the other End of such Pipe shall be fixed to such Wash Charger, and such Charger shall not have any Communication with any other Vessel or Utensil whatever; and every such Low Wines Receiver shall be a close covered Vessel, with a Pump fixed therein for the Conveyance of Low Wines from such Receiver into the Low Wines Charger or Chargers, and there shall be one close Metal Pipe attached to and leading directly from the Safe at the End of the Worm of the Wash Still, and fixed to such Low Wines Receiver, which Receiver shall not have any Communication with any Vessel or Utensil whatsoever, except as aforesaid; and every such Feints Receiver shall be a close covered Vessel, with a Pump fixed therein for the Conveyance of Feints from such Receiver into the Low Wines Charger or Chargers, and there shall be one close Metal Pipe attached to and leading directly from the Safe at the End of the Worm of the Low Wine Still, and fixed to such Feints Receiver, which Receiver shall not have any Communication with any Vessel or Utensil whatsoever, except as aforesaid; and every such Low Wines Charger shall be a close covered Vessel, connected with the Low Wines Still by a close Metal Pipe having a Cock thereon, one End of which Pipe shall be fixed to the Bottom of such Charger, and the other End shall be affixed to such Still, and such Charger shall have Communication with the Low Wines and Feints Receivers respectively by means of close Metal Pipes, one End whereof shall be fixed to such Charger and the other End whereof shall be attached to the Pump or Pumps to be so fixed as aforesaid in the Low Wines Receivers and Feints Receivers respectively, and such Charger shall not have any Communication with any other Vessel or Utensil whatever, except as aforesaid; and every such Spirit Receiver shall be a close covered Vessel, and shall not have any Communication with any Vessel or Utensil whatever, except with the Worm of the Low Wines Still by means of one close Metal Pipe attached to and leading directly from the Safe at the End of such Worm and fixed to such Spirit Receiver, and in every such Spirit Receiver there shall either be a Pump placed and fixed for emptying the same, or a proper discharging Cock for drawing off the Spirits therefrom; and that each and every such Charger and Receiver shall be erected and kept in a convenient Situation in the Still House, and exposed to open View and easy of Access on all Parts thereof; and each such Charger and Receiver respectively shall have a sufficient Cover thereon, with a rectangular Dipping Hole cut in such Cover, not more nor less than One Inch in Length and Three tenths of an Inch in Breadth; in which Dipping Hole there shall be placed such Dipping Rod as shall be provided by the proper Officer, who shall secure such Rod in such Manner as to him shall seem expedient, to prevent the Removal thereof out of any such Charger or Receiver; and

Description of
Low Wines
Receiver.

Description of
Feints Re-
ceiver.

Description of
Low Wines-
Charger.

Description of
Spirit Re-
ceiver.

Dipping Rods
to be fixed in
Chargers, Re-
ceivers, &c.

if

Penalties.

General Directions as to the Mode and Course in which Wash, &c. shall be conveyed through these Utensils.

if any Charger or Receiver shall be made use of in the Distillery of any Distiller which shall not be erected, kept and constructed in Manner herein directed, or which shall have any Hole therein or any Communication with any other Vessel or Utensil whatever, other than as by this Act is required, authorized and allowed, then and in every such Case such Distiller shall forfeit the Sum of Two hundred Pounds, and also the Sum of Twenty Pounds for every Day during which such Charger or Receiver shall remain in the Distillery of such Distiller.

XXI. And be it further enacted, That all Wash which shall be made in the Distillery of any Distiller licensed under this Act shall be fermented in the Fermenting Wash Backs of such Distiller, and no Wash shall be removed from any such Fermenting Back until such Wash shall be conveyed directly from thence into the Wash Charger, and shall be conveyed from such Charger into the Wash Still or Stills, there to be reade or distilled into Low Wines; and all Low Wines shall be conveyed directly from the Safe at the Worm End of the Wash Still or Stills into the Low Wines Receivers or Receiver, and shall from thence be pumped up into the Low Wines and Feints Charger or Chargers, and shall be conveyed directly from such Charger or Chargers into the Low Wines Still or Stills, there to be redistilled; and all Spirits produced by such Redistillation shall be conveyed directly from the Safe at the Worm End of the Low Wines Still or Stills into the Spirit Receiver or Feints Receiver or Receivers; and so much of such Spirits as shall be conveyed into such Feints Receiver or Receivers shall be pumped directly from thence into the Low Wines and Feints Charger or Chargers, and shall be conveyed directly from such Charger or Chargers into the Low Wines Still or Stills, to be redistilled; and the Produce of such last mentioned Redistillation, and of every other Redistillation, shall in like manner be conveyed directly from the Safe at the Worm End of the Low Wines Still or Stills into the Spirits Receiver, or into the Feints Receiver or Receivers; and no Spirits or Feints conveyed into such Feints Receiver or Receivers shall in any Case be removed from thence, except by pumping such Spirits or Feints directly into the Low Wines Charger or Chargers from whence such Spirits shall be conveyed directly into the Low Wines Still or Stills for Redistillation; and no Spirits conveyed into the Spirit Receiver shall be redistilled or removed from such Receiver, except into the Spirit Store of the Distiller in the Manner hereinafter provided; and if any Distiller shall ferment or suffer to be fermented any Wash, or shall remove or distil or suffer to be removed or distilled any Wash, Low Wines, Spirits or Feints, contrary to the Directions and Provisions aforesaid, such Wash, Low Wines, Spirits and Feints respectively, together with all Vessels and Utensils wherein the same may be contained, shall be forfeited and may be seized by any Officer of Excise, and the Distiller so offending shall in every such Case forfeit the Sum of Two hundred Pounds.

Distiller acting to the contrary.

Penalty 200l.

Distiller may have an intermediate Still Charger.

XXII. Provided always, and be it enacted, That it shall and may be lawful for any Distiller to have and use an intermediate Still Charger to be situate and placed between any Still and any such Wash Charger or Low Wines and Feints Charger, any thing

thing hereinbefore contained to the contrary notwithstanding; and such intermediate Still Charger shall be a close covered Vessel, and shall be so constructed as to have no Hole or Opening therein, nor any Communication with any other Vessel or Utensil whatever, except One fixed Entrance Pipe with a Cock thereon leading from any such Wash Charger or Low Wines and Feints Charger, and One fixed Discharge Pipe with a Cock thereon leading from such Still Charger to any such Still.

XXIII. And be it further enacted, That there shall be a Discharge Cock fixed to every Still kept for the making or distilling of Spirits in the Distillery of every Distiller licensed under this Act, and such Discharge Cock shall not be more than Three Feet distant from the Body of such Still, and shall be firmly attached thereto by a straight Metal Pipe, and there shall be One other Pipe, at least Three Feet long, and of such Shape as the Supervisor or Surveyor of Excise shall direct, firmly attached to the Mouth or Discharge End of such Cock, in which last mentioned Pipe there shall be placed or fixed a Valve, in such Manner and Form as such Supervisor or Surveyor shall direct, for the Purpose of preventing the Introduction of any Liquor into such Still through such Discharge Cock; and such Discharge Cock and the Pipe containing such Valve shall be so fixed and placed as that the Officers of Excise may at all Times have free and convenient Access to the same; and if any Distiller shall have or keep any Still to which there shall not be a Discharge Cock attached, in the Manner herein directed, or if there shall not be attached to the Mouth or Discharge End of the Discharge Cock of such Still, such Pipe and Valve as are herein prescribed and directed, then and in each and every such Case such Distiller shall forfeit the Sum of Fifty Pounds.

XXIV. And be it further enacted, That in the Breast of every Still used in the Distillery of any Distiller licensed under this Act, there shall be a Hole or Opening made, to the Intent that the Officers of the Excise may be enabled to take Gauges and Samples at the Time and in the Manner required by this Act, and such Hole or Opening shall be not less than Two Inches in Diameter, and shall be contrived so that the Officers may take a Sample or Samples from the Still with a Phial to be drawn perpendicularly through the same, and also so that any such Still may be cleansed, subject to such Directions as the said Commissioners of Excise may think fit to give in that Behalf; and proper Locks and Fastenings shall be provided and maintained by the Supervisor of Excise for the District, at the Expence and Charge of every such Distiller, for properly and sufficiently locking and securing the said Hole or Opening, and for securing the Head of each and every Still, and the Furnace Door of each and every Still respectively used by such Distiller; and all such Locks and Fastenings shall be locked and sealed by the proper Officer of Excise: And if any Still shall be set up or used in the Distillery of any such Distiller, in the Breast whereof such Hole or Opening of the Size aforesaid shall not be made, or if any Distiller shall not observe any Directions which may be given by the Commissioners of Excise as aforesaid, or if such Locks and Fastenings shall not be paid for and maintained as aforesaid, or if the Officer shall be prevented

Distiller to keep a Discharge Cock to each Still.

Penalty 50l.

Distillers to make Holes in Breast of Stills through which Officers may take Samples.

Distiller neglecting, or not paying for and maintaining Fastenings herein described.

prevented or hindered by any Person in the Distillery of any such Distiller from affixing any Lock or Fastening as aforesaid, or if any of the Locks, Seals and Fastenings as aforesaid shall be wilfully and injuriously opened, broken or damaged, or if by any Means, Device or Contrivance whatsoever, any Furnace Door, or any Fastening on the Head of any Still, or on the Hole or Opening in the Breast of any Still in the Distillery of any such Distiller, shall be wilfully and injuriously opened by any such Distiller, or by any Person in the Employ or under the Command of such Distiller, at any Time after the same shall have been locked and secured by the Officer of Excise, every such Distiller shall for every such Offence or Neglect respectively forfeit and lose the Sum of Two hundred Pounds.

Penalty 200l.

No Pipe or Opening to be in any Still, except as herein described.

XXV. And be it further enacted, That if in the Distillery of any Distiller licensed under this Act, or any Place adjoining to such Distillery, there shall be any Pipe or Conveyance whatever, leading to or from any Still for making or distilling Spirits, or any Opening whatever into or out of any such Still, other than such Pipes, Conveyances and Openings as are prescribed by this Act, save and except such Air Valve or Conductor as shall be approved of by the Commissioners of Excise, or such Persons as they shall appoint, then and in every such Case such Distiller shall forfeit the Sum of Two hundred Pounds.

Penalty 200l.

The End of the Worm of each Still to be inclosed and secured, and the Spirits run into a close Safe in the Manner herein described.

XXVI. And be it further enacted, That the End of every Worm belonging to every Still in the Distillery of every Distiller licensed under this Act, shall be inclosed and secured at the Expence of such Distiller, in such Manner and by such Mechanism and Means as the Commissioners of Excise or any Two of them shall by Order in Writing from time to time direct, and shall for that Purpose provide; and that all Spirits, Low Wines and Feints from time to time running from the End of such Worm, shall run from thence into a Safe inclosed and secured as aforesaid, and shall be conveyed directly, and by such a Pipe as shall be directed as aforesaid, open externally to the Inspection of the Officers for its whole Length from such Safe into the Spirits Receiver, or Low Wines or Feints Receiver or Receivers respectively, as the case may be, of such Distiller; and if upon Demand by the proper Supervisor or Surveyor, the End of every such Worm in the Distillery of such Distiller shall not be inclosed and secured at the Expence of such Distiller, by such Mechanism and Means as shall be so directed and provided as aforesaid; or if the whole of the Spirits, Low Wines and Feints coming from any such Worm, shall not be run into such Safe so inclosed and secured as aforesaid; or if such Spirits, Low Wines and Feints respectively, and every Part thereof, shall not be conveyed from such Safe into the Spirits Receiver or Low Wines or Feints Receiver or Receivers respectively, directly and by such a Pipe as aforesaid, or if on the Demand of the proper Supervisor or Surveyor, all the Expences incurred by providing and repairing or altering such Mechanism and Means of inclosing the End of such Worm and Safe as aforesaid, shall not be paid by or on Behalf of such Distiller to such Supervisor or Surveyor; or if such Mechanism and Means of inclosing the End of such Worm and Safe as aforesaid shall not be affixed and kept and preserved affixed as aforesaid;

aforesaid; or if at any Time after the End of any such Worm and any such Safe are inclosed and secured as aforesaid, the Mechanism or Means by which the same shall be so inclosed and secured as aforesaid, or any Part thereof, shall be destroyed or injured; or if by any Art or Contrivance any Access shall be gained or had without Notice to, and except with the Knowledge and in the Presence of the Officer, to any Spirits, Low Wines or Feints, from the Time of the Extraction or Distillation thereof, in any such Still, until the same have been taken account of by the Officers in the proper Receiver or Receivers; or the Officers shall be in any Manner prevented from, or baffled or defeated in the taking a true Account of any Spirits, Low Wines or Feints in any such Receiver or Receivers, then and in every such Case every such Distiller or other Person or Persons shall for every such Offence forfeit the Sum of Two hundred Pounds: Provided always, That if inclosing and securing the End of such Worm or Safe as aforesaid shall, upon Experiment, be found to injure the Quality of the Spirits run therefrom, it shall be lawful for the Lords Commissioners of His Majesty's Treasury, or any Three of them, upon Proof thereof made to their Satisfaction, to order and direct that no such Distiller as aforesaid shall be required to inclose any such Worm End or Safe as aforesaid.

Penalty 200l.

Treasury may order Disuse of such Safe.

XXVII. And be it further enacted, That every Distiller who shall be licensed under this Act shall provide and fix a proper Discharge Cock in every Fermenting Wash Back, through which Cock the Wash in such Wash Back shall from time to time be conveyed by a Main Pipe or Open Trough into the Jack Back, if any, or into the Wash Charger; and such Main Pipe or Trough shall be placed and fixed in such Manner that all Wash or Liquor put therein shall forthwith be discharged from thence into such Jack Back or Wash Charger, as the Case may be, and not elsewhere; and there shall not be any other Pipe or Conveyance entering into or passing out of any such Wash Fermenting Back, except the Pipe for conveying Wort into such Fermenting Back from the Coolers, and except a Cock or Pipe at the Bottom of such Fermenting Back, for the Purpose only of carrying off the Water wherewith the same may have been cleansed; and if such Main Pipe or Trough shall not be placed and fixed as aforesaid, or if there shall be any other Pipe or Conveyance to or from any Fermenting Back, save as before excepted, then and in every such Case such Distiller shall forfeit the Sum of Two hundred Pounds.

Distiller to keep a proper Discharge Cock in each Fermenting Wash Back.

Penalty 200l.

XXVIII. And be it further enacted, That every Distiller licensed under this Act shall, at his own Expence and Charge, provide, maintain and keep the several Utensils, Cocks, Pumps, Pipes and Troughs which are required by this Act, and shall also provide, maintain and keep, at the Expence and Charge of such Distiller, proper and sufficient Fastenings for securing the several Cocks, and for securing the Covers of or belonging to the Wash Charger, and intermediate Still Charger, if any, and to the Chargers and Receivers for Low Wines, Feints and Spirits respectively, and also for securing the Pumps required for the Purposes of this Act; and it shall and may be lawful for the Officer of Excise in charge of the Distillery of any Distiller to lock,

Distiller to provide proper Cocks, Pumps and Fastenings, &c. at his own Expence.

secure

secure and fasten the several Cocks, Covers, Pumps, Pipes and other Utensils, for which Fastenings are required to be provided as aforesaid, and to keep the same and each and every of them so locked, secured and fastened at all Times, except when such Officer shall be required, under the Provisions of this Act, to attend and shall attend to open and unlock the same.

All such Cocks, Fastenings, &c. kept and affixed to the Satisfaction of the Officer.

XXIX. And be it further enacted, That all such Cocks, Pumps, Fastenings, Pipes, Troughs and other Utensils required or permitted or allowed by this Act, shall be made, placed, affixed and kept at the Expence of the Distiller, in proper Repair and Condition, to the Satisfaction of the Supervisor or Surveyor of Excise in charge of the Distillery of such Distiller, and shall from time to time be altered and repaired at the Expence of such Distiller, as such Officer shall require; and that the several Locks and Keys which shall be necessary for the locking and securing any Still, or any other Vessel or Utensil, shall be supplied by such Officer, at the Expence of such Distiller; and such Officer shall and may from time to time cause all and every or any such Locks and Keys to be altered, repaired or renewed, as he may think fit and necessary for the Purposes of this Act, at the Expence of such Distiller; and if any Distiller shall not, at his own Expence and Charge, before he shall proceed to brew or distil, provide, maintain and keep, place and affix all such Coverings, Fastenings, Cocks, Pipes, Pumps, Troughs and Utensils, or any of them, to the Satisfaction of the proper Supervisor or Surveyor certified by such Supervisor or Surveyor in Writing, or shall not cause the same, or any of them, to be altered, amended, repaired or renewed, or shall not pay such Supervisor or Surveyor for any such Locks or Keys as such Supervisor or Surveyor shall supply, alter, amend, repair or renew for the Purposes aforesaid; or if at any Time any such Cover, Fastening, Cock, Pipe, Pump, Lock or Key, shall be broken, damaged or injured; or if any Distiller or other Person, not being the proper Officer of Excise, shall open the same, or any of them, or shall make, procure or use, or cause to be made, procured or used, any false or duplicate Key, or any Instrument for breaking or opening any such Cock, Lock or Fastening; or if any Distiller shall, in the Construction of any such Cover, Fastening, Cock, Pump, Pipe, Lock or Key, cause or procure the same to be so made, or shall knowingly use the same when so made, as that the same, or any of them, may be employed, opened or removed in the Absence of the proper Officer of Excise, so as to avoid or in any manner to defeat the Security intended to be given or provided by any of the Regulations of this Act, every such Distiller shall for each and every such Offence forfeit the Sum of Two hundred Pounds.

Breaking or damaging Locks and other Utensils herein mentioned, or unduly making or using the same.

Penalty 200l.

Construction of Cocks required to be used in Distillery.

XXX. And be it further enacted, That every Cock required by this Act to be kept or used in the Distillery of any Distiller licensed under this Act, shall be made and constructed in the Manner hereinafter prescribed; that is to say, the Key of every such Cock shall have an open Eye or Hole in the Top Part thereof, of such Size as to be capable of receiving a Lever sufficient to turn such Key, at all Times when the Officers of Excise shall have occasion to turn the same; and such Cocks shall not have any Hole or Place of Discharge at any Part thereof, except at

at the Mouth only; and the Key of any such Cock shall not be rivetted or otherwise fastened, so as to prevent the Officer of Excise from conveniently taking out and examining such Key at all Times; and if any Cock required by this Act to be kept or used in the Distillery of any Distiller shall be made or constructed otherwise than as herein directed, the Distiller in whose Distillery such Cock shall be kept or used shall forfeit the Sum of Fifty Pounds.

Penalty 50l.

XXXI. And be it further enacted, That at or near the Top of every Fermenting Wash Back, and at or near the Top of every fixed and entered Vessel for storing or keeping Spirits in the Distillery of any Distiller licensed under this Act, there shall be a Hole or Dipping Place, at which the Officer may conveniently take his Dip or Gauge; and a Plate of Brass or other Metal shall be fixed, and shall always remain fixed at such Dipping Place, to secure the same from being worn or altered; and all such Backs and Vessels respectively shall be placed and kept in convenient Situations, and shall be at all Times easy of Access, for the more readily and effectually taking the Dip or Gauge thereof; and if in any such Back or Vessel in the Distillery of any such Distiller there shall not be such Hole or Dipping Place so constructed and secured as aforesaid, or if any such Back or Vessel shall not be placed and kept in a convenient Situation and easy of Access as aforesaid, then and in every such Case such Distiller shall forfeit the Sum of Fifty Pounds.

Each Back and fixed Vessel for keeping Spirits shall have a Dipping Place constructed as herein mentioned.

Penalty 50l.

XXXII. And be it further enacted, That every Distiller licensed under this Act shall cause to be legibly cut, branded or painted on the Outside of both of the Heads or Ends of each rolling or moveable Cask used in the Distillery of such Distiller for keeping or delivering out Spirits, and shall at all Times keep thereon so cut, branded or painted, the full and true Number of Gallons which every such Cask shall be capable of containing; and every such Cask which shall be found containing Spirits in any Distillery, without the full and true Number of Gallons which the same is capable of containing being so cut, branded or painted thereon, together with the Spirits contained therein, shall be forfeited, and may be seized by any Officer of Excise.

True Content to be painted on moveable Casks.

Penalty.

XXXIII. And be it further enacted, That every Distiller who shall be licensed under this Act shall paint, or cause to be legibly painted, and shall keep or cause to be kept so painted, upon some conspicuous Part of every Utensil intended to be used in the Distillery of such Distiller, and on the Outside of the Door of every Store, Apartment and Place wherein any Part of the Business of such Distillery is to be carried on, or wherein any Materials for distilling Spirits, or any Spirits are to be kept or stored, separate Numbers relating to each and every such Utensil, Store, Apartment and Place, in arithmetical Progression, beginning with Number One, together with the Name of such Utensil, Store, Apartment or Place, according to the Purpose for which the same is intended to be used.

Utensils and Stores to be marked.

XXXIV. And be it further enacted, That before any Distiller licensed under this Act shall give any Notice of brewing or making any Wort or Wash, as is by this Act required, and also before such Distiller shall commence to brew or make any Wort

Before proceeding to brew, Distiller to make Entry of the several

or

Utensils and Stores as herein mentioned.

or Wash, such Distiller shall make Entry, by delivering or causing to be delivered to the proper Collector of Excise, or other Officer authorized to receive the same, an Account in Writing signed by such Distiller, to be entered and registered by such Collector or other Officer, setting forth the Name or Names, and Place or Places of Abode of any and every Person so licensed, and the Place where the Distillery of such Person or Persons is or shall be situate, and also setting forth a true Description of any and every Vessel and Utensil whatsoever, erected and intended to be used in such Distillery, and the Number of Gallons which each and every or any Still in such Distillery, together with the Head thereof, is capable of containing; and specifying fully and distinctly in every such Account the Purpose for which each Vessel and Utensil in such Distillery is intended to be used, and also an Account of the several Stores, Apartments and Places wherein any Part of the Business of such Distillery is to be carried on, or wherein any Materials for making or brewing any Wash, or for distilling any Spirits, or in which any Spirits are to be kept or stored; and in such written Account every such Utensil, and also every such Store, Apartment or Place shall be distinguished by the separate and distinct Number and Name relating thereto respectively, which shall have been painted thereon pursuant to the Provisions of this Act; and every such Account shall be in such Form, and shall contain such Particulars, as shall be from time to time directed and required or authorized by the Commissioners of Excise.

Distiller entering any Utensil to be used for more than One Purpose.

XXXV. And be it further enacted, That it shall not be lawful for any Distiller licensed under this Act to set forth in the Account by this Act required to be signed and delivered, that any Still or Utensil mentioned therein is intended to be used for more than one Purpose respectively, except as hereinafter provided; and every such Account, in which any Still or other Utensil shall be described as intended to be used for Two or more Purposes (except as aforesaid), shall in respect to such Still or Utensil be deemed and taken to be void, and such Distiller shall in every such Case forfeit the Sum of Two hundred Pounds: Provided always, that nothing herein contained shall extend to inflict any such Penalty on any Distiller in whose Distillery One Still and no more shall be kept and used, on account of such Distiller entering or making use of such Still for the Distillation of Wash, and also for the Distillation of Low Wines and Feints; and that it shall be lawful for any Distiller from time to time, on giving Six Days' Notice to the Surveyor or Supervisor of the Intention of such Distiller so to do, to make use of any Still which shall have been entered as a Wash Still in the distilling of Low Wines or Feints, or to make use of any Still which shall have been entered as a Low Wines Still in the distilling of any Wash, any thing in this Act contained to the contrary in anywise notwithstanding.

Penalty 200l.

Except where there is only One Still used for distilling Wash and Low Wines.

Drawing or Description to be given showing the Course of every fixed Pipe in Distillery.

XXXVI. And be it further enacted, That together with every such Account there shall be delivered a Drawing or Drawings, or Description or Descriptions, distinctly shewing the Course, Direction, Construction and Use of all fixed Pipes to be used in the Distillery respecting which such Account shall be delivered, and of all and every Branch and Branches thereof, and of all and every

every Cock and Cocks therein, together with every Place, Vessel or Utensil from or to or with which any such Pipe shall lead or communicate; and every Pipe to be used in such Distillery shall be painted as hereinafter mentioned, that is to say, every Pipe for the Conveyance of Wort or Wash shall be painted of a Red Colour, every Pipe for the Conveyance of Low Wines or Feints shall be painted Blue, every Pipe for the Conveyance of Spirits shall be painted Black, and every Pipe for the Conveyance of Water shall be painted White; and if any Pipe shall be used in the Distillery of any Distiller, not set forth, or for any other Purpose than shall be set forth, or which shall not be painted as herein directed, or which shall be painted otherwise than is herein directed, such Distiller shall forfeit the Sum of Fifty Pounds.

Penalty 50l.

Distiller having any Utensil or Place not entered.

XXXVII. And be it further enacted, That if in the Distillery of any Distiller licensed under this Act any Still, or any Vessel or Utensil whatever, shall at any Time be used or applied for or to any Purpose connected with the Process of Distillation, or for carrying on any Part of such Process; or if any fixed Cask for storing Spirits shall at any Time be used in such Distillery, or if any Store, Apartment or Place shall be used for the carrying on any Part of the Process of Distillation, or for the keeping or storing of any Spirits, or any Materials for distilling Spirits, which Still, Vessel, Utensil, Cask, Store, Apartment or Place shall not have been set forth, or shall not have been numbered as set forth or shall be in any other Place than shall be set forth, or shall be used or applied for or to any other Purpose than shall be set forth, or shall not in all respects correspond with the Representation thereof, as set forth in the Account by this Act required to be signed and delivered by such Distiller, then and in every or any such Case such Distiller shall forfeit the Sum of Five hundred Pounds; and every such Still, Vessel or other Utensil or Cask, and all Spirits or Materials for distilling Spirits which shall or may be contained in any such Still, Vessel, Utensil or Cask, or which shall or may be found in any such Store, Apartment or Place, shall be forfeited, and may be seized by any Officer of Excise.

Penalty 500l.

XXXVIII. Provided always, and be it enacted, That it shall and may be lawful for the Commissioners of Excise, by any Instrument in Writing under the Hands of Two or more of them, to permit and allow any licensed Distiller, working under the Regulations of any Act or Acts in force prior to the passing of this Act, to keep or use such of the Vessels, Pipes, Cocks or other Utensils already fixed or used in the Distillery of such Distiller as shall in the Judgment of such Commissioners be secure and adapted to the Purposes for which such Vessel, Pipes, Cocks or other Utensils are respectively prescribed or required by this Act; and that no Distiller to whom such Permission shall be granted shall be liable to any of the Penalties imposed by this Act in respect of such Distiller keeping or using any such Vessels, Pipes, Cocks or other Utensils so permitted, although the same may not be conformable with the Provisions of this Act; any Thing hereinbefore contained to the contrary notwithstanding.

Commissioners of Excise may authorize Distillers to use their present Utensils.

XXXIX. And be it further enacted, That if the Situation or Position of any Still or other Vessel, Utensil or Pipe in the Distillery

If Position or Size of any Vessel be

altered without
Notice,

tillery of any Distiller licensed under this Act, shall be in any Manner altered at any Time after such Entry, Drawing or Description, as is by this Act required, shall have been made or given thereof; or if the Size of any Still, or other Vessel or Utensil, shall be in any manner altered at any Time after the proper Officer shall have ascertained the Capacity or Content thereof, unless on such Notice as is herein provided, then in each and every such Case such Distiller shall forfeit the Sum of Two hundred Pounds: Provided always, that it shall and may be lawful for such Distiller to alter the Size, Situation or Position of any Still, Vessel or other Utensil or Pipe in the Distillery of such Distiller, or to erect and set up any new Still or Stills or other Utensil in such Distillery, on giving Two Days' Notice in Writing of such intended Alteration to the proper Officer, specifying the particular Still, Vessel or Utensil, the Size, Situation or Position of which is intended to be altered.

Penalty 200l.

Two Days'
Notice.

Altering Dipping
Place of
any Vessel,

XL. And be it further enacted, That if the Dipping Hole or the Level of any Still, Back, Receiver or other Vessel or Utensil in the Distillery of any Distiller licensed under this Act, shall be in any Manner altered, or if any Device or Contrivance whatever shall be used to deceive any Officer in taking any Dip or Gauge of any such Still, Back, Receiver or other Vessel or Utensil, or to prevent any Officer from taking a true Account of the Quantity of Wort, Wash, Low Wines, Feints or Spirits which may be contained in any such Still, Back, Receiver or other Vessel or Utensil respectively, then in each and every such Case such Distiller shall forfeit the Sum of Two hundred Pounds.

Penalty, 200l.

Distiller to brew
and distil in
alternate
Periods only,
and in Manner
herein specified.

XLI. And for more effectually securing the Duties on Spirits granted by this Act, and regulating the Process of the Distillation of such Spirits; Be it enacted, That in the Distillery of every Distiller licensed under this Act, the Periods of Brewing and Distilling shall be always alternate and distinct Periods; one to be called the Brewing Period, and the other the Distilling Period; and that no Wort, Wash, Low Wines or Feints shall be distilled in any such Distillery, and that no Still in any such Distillery shall be made use of from the Commencement of any such Brewing Period, until Twelve Hours after the Expiration thereof, that is to say, from the Commencement of any Process of wetting, brewing or mashing any Malt, Corn or Grain, until Twelve Hours after every such Process shall have ceased; and all the Wort or Wash in such Distillery shall have been collected into the Fermenting Backs in such Distillery; and that no Malt or Corn or Grain shall be wetted, brewed or mashed, nor shall any Wort or Wash be made or produced in any Distillery during any Distilling Period, that is to say, from the Commencement of the Distillation of any Wort or Wash in any Distillery until after all the Wort or Wash in such Distillery, and all the Low Wines or Feints in such Distillery, shall have been distilled into Spirits, save and except such Feints as shall have been produced by the last Charge of Low Wines which shall have been distilled; and until the several Furnace Doors of each and every Still in such Distillery shall have been locked and secured by the proper Officer; and if at any Time during such Brewing Period, any Wort or Wash, or Low Wines or Feints, shall be distilled, or if any Still shall be

.made

made use of in the Distillery of any Distiller, or if at any Time during such Distilling Period any Malt or Corn or Grain shall be wetted, brewed or mashed, or any Wort or Wash shall be made or produced in the Distillery of any such Distiller, then in each and every such Case such Distiller shall forfeit the Sum of Five hundred Pounds.

Penalty 500l.

XLII. And be it further enacted, That after having made such Entry as is by this Act required, every Distiller licensed under this Act shall, before commencing to make or brew any Wort, and in like Manner every such Distiller who shall at any Time have discontinued making or brewing Wort for any longer Period than One Calendar Month, shall, before recommencing to make or brew any Wort, give Six Days' Notice in Writing to the Supervisor or Surveyor, or Officer in charge of the Distillery of such Distiller, in which Notice shall be set forth the Day on which such Distiller intends to commence or recommence making or brewing Wort, as the Case may be; and if any Distiller shall commence, or after such Discontinuance shall recommence the brewing or making any Wort, or if any Wort or Wash shall be found in the Distillery of any such Distiller, who shall not have given such Notice as aforesaid, or at any Time before the Day set forth as aforesaid in such Notice, then and in each and every such Case all such Wort or Wash shall be forfeited, and such Distiller shall forfeit the Sum of Two hundred Pounds.

Distiller to give Six Days Notice of commencing or recommencing to brew.

Penalty.

XLIII. And be it further enacted, That every Distiller licensed under this Act shall from time to time, at least Six Hours before he shall mash or brew any Corn or Grain, deliver to the proper Officer of Excise a Notice in Writing, in which shall be set forth the Day and Hour when such Corn or Grain is to be mashed or brewed, and the true Number of Bushels, *Winchester* Measure of such Corn or Grain, distinguishing the Species thereof, and whether malted or unmalted; and in case any Corn or Grain malted or unmalted shall be mashed or brewed in the Distillery of any Distiller, without such Notice having been given as aforesaid, such Distiller shall forfeit the Sum of Fifty Pounds; and it shall not be lawful for any such Distiller licensed under this Act to mix or cause to be mixed in any One Back or Vessel the Produce of Two or more different Brewings of Wort or Wash, or any Part thereof, on pain of forfeiting for every such Offence the Sum of Two hundred Pounds.

Distiller to give Notice of each brewing of Wort.

Penalty 50l. Brewings kept separate.

Penalty 200l.

XLIV. And be it further enacted, That every Distiller, Six Days before commencing to make or brew any Wort, shall deliver a Notice in Writing to the Supervisor or Surveyor in charge of the Distillery of such Distiller, specifying the Gravity of the Wort or Wash intended to be made in the Distillery of such Distiller; and in any such Notice such Gravity so specified shall not be less than Thirty Degrees nor more than Eighty Degrees; and in case such Distiller shall at any time, when no Wort or Wash shall be in the Distillery of such Distiller, such Time being at least One Calendar Month distant from the Date of any such Notice, be desirous of using Wort of any other Gravity than shall have been specified in such Notice, but not being of a Gravity less than Thirty Degrees nor more than Eighty Degrees, such Distiller shall in like Manner deliver a Notice, specifying the Gravity of the Wort intended to

Distiller, before brewing, to give Notice of Gravity of Worts.

Gravity charged on like Notice. Gravity ascertained by Allan's Saccharometer.

be used in such Distillery, after the Day specified in such last mentioned Notice; and the Instrument to be used, in order to ascertain the Gravity of such Wort or Wash, shall be the Instrument commonly called or known by the Name of *Allan's Saccharometer*, and all Wort and Wash shall for the Purposes of this Act be deemed, taken and declared to be of the Gravity at which the said Saccharometer shall denote or indicate such Wort or Wash to be; and if any Wort or Wash shall be found in the Distillery of any Distiller who shall not have delivered such Notice in Manner and in the respective Cases aforesaid, all such Wort or Wash shall be forfeited, and may be seized by any Officer of Excise; and if at any Time there shall be found in the Distillery of any Distiller, except in the Mash Tun or Wort Under Back in such Distillery, any Wort or Wash, the Gravity whereof shall exceed by more than Three Degrees the particular Gravity which shall have been so specified in any such Notice, then in every such Case such Distiller shall forfeit the Sum of Two hundred Pounds.

Other Words found, forfeited.

Penalty 200l.

Any Saccharometer prescribed by Treasury may be used.

How Degrees ascertained.

Distiller may erect a Wort Receiver and collect the Worts therein, and make Declaration of Quantity and Gravity, previous to such Worts being conveyed to Wash Back.

Untrue Declaration.

XLV. Provided always, and be it enacted, That any such Saccharometer may be used in the ascertaining the Gravity of Wort or Wash under this Act, as shall from time to time be prescribed for that Purpose by any Order or Writing under the Hands of the Commissioners of His Majesty's Treasury, or any Two of them; and that every Degree of Gravity, to be ascertained by *Allan's Saccharometer*, or by any other Saccharometer under the Provisions of this Act, shall be calculated in the following Manner; that is to say, that distilled Water being assumed as Unity, at the Temperature of Sixty Degrees by *Fahrenheit's* Thermometer, every Degree of such Gravity shall be correspondent to a Thousandth Part of the specific Gravity of such Water.

XLVI. And be it further enacted, That it shall be lawful for any Distiller licensed under this Act, to erect a Wort Receiver in the Distillery of such Distiller, and to collect in such Receiver all the Wort produced from any Brewing previous to such Wort being cooled to any Temperature less than One hundred Degrees by *Fahrenheit's* Thermometer; and such Distiller may in such Wort Receiver reduce or bring such Wort to the particular Gravity which shall have been specified in any such lastmentioned Notice; and such Distiller shall thereupon and forthwith, after such Wort shall have been so collected and reduced, deliver to the proper Officer in charge of the Distillery a Declaration in Writing, specifying the Quantity and Gravity of such Wort, and the particular Fermenting Back or Backs into which such Wort is to be conveyed; and such Wort shall be kept so collected in such Receiver for the Space of One Hour at least after such Declaration shall have been delivered, unless the Officer shall sooner have taken an Account of such Wort; and no Yeast, or Barm, or Bub, or other Matter for inducing or increasing Fermentation, shall be mixed with such Wort in such Receiver, nor in any other Vessel than in the Wash Fermenting Back; and if any untrue Declaration of the Quantity or Gravity of such Wort so collected in such Receiver shall be made, or if such Wort so collected shall be of any lower Temperature than as aforesaid, or if any such Yeast, Barm, Bub or other Matter for inducing or increasing

creasing Fermentation, shall be mixed with such Wort in such Receiver, then in every such Case such Distiller shall forfeit the Sum of Two hundred Pounds.

Penalty 200L.

Increase of Gravity of Wort.

XLVII. And be it further enacted, That if at any Time after such Declaration as aforesaid shall have been delivered, the Gravity of such Wort in any such Receiver or Fermenting Back shall be found to exceed the Gravity specified in such Declaration, or if the Quantity of Wort or Wash in the Fermenting Back or Backs specified in such Declaration shall be found to exceed by Five *per Centum* the Quantity of Wort mentioned in such Declaration as the Quantity collected in such Wort Receiver, then and in each and every such Case such Distiller shall forfeit the Sum of Two hundred Pounds: Provided always, that in ascertaining the Quantity of Wort in any such Receiver, the Officer shall make such Allowance for Expansion caused by the Heat of such Wort as shall and may be specified, prescribed and allowed in any Table of the Expansion of Wort, to be from time to time prepared by or under the Direction of the Commissioners of Excise.

Penalty 200L.

Allowance for Expansion of Wort by Heat.

XLVIII. And be it further enacted, That whenever the Wort in the Distillery of any Distiller shall not be collected in such Wort Receiver, and the Quantity and Gravity of such Wort shall not be declared in Manner aforesaid, all Wort intended to be run or conveyed into any Fermenting Back of any such Distiller shall be conveyed into and collected therein within the Space of Six Hours after the Running or Conveyance of such Wort shall have commenced, and the Distiller shall immediately and without Delay deliver to the proper Officer a Declaration in Writing, specifying the Number of the Back in which such Wort is contained, and the particular Gravity of such Wort, and also setting forth the Quantity thereof, by stating the Number of dry Inches; that is to say, the Number of Inches not occupied or wetted by the Wort, being the Space between the proper Dipping Place of such Back, and the Surface of the Wort therein; and no Bub, Yeast or other Matter or Thing capable of causing Fermentation, shall be added to or mixed with the Wort, nor shall any Alteration whatever be made in the Quantity or Gravity of such Wort for the Space of Two Hours next after such Wort shall have been collected in such Fermenting Back, and after such Declaration shall have been given thereof as aforesaid, unless the proper Officer shall within such Two Hours have taken an Account of the Quantity and Gravity of such Wort; and if any Wort shall be conveyed into and collected in any Fermenting Back, in any other Manner than as is herein directed, or if such Declaration shall not be given as herein required, or if any untrue Declaration shall be given of the Quantity or Gravity of any such Wort, or if any such Yeast or other Matter or Thing shall be so added to or mixed with any Wort contrary thereto, then and in each and every such Case the Distiller shall forfeit the Sum of Two hundred Pounds.

Declaration of Quantity and Gravity of Wort when collected in Fermenting Back.

Wort unduly conveyed, or untrue Declaration.

Penalty 200L.

XLIX. And be it further enacted, That if at any Time after any Officer of Excise shall have taken an Account of and ascertained the Gravity or Quantity of any Wort or Wash in any Fermenting Back in the Distillery of any Distiller licensed under this Act, any Wort shall be found in such Back, or if any Wash in

Wort or Wash found to exceed in Gravity or Quantity.

Process

Distiller
charged.

Process of Fermentation shall be found in such Back, which shall exceed in Gravity the Wort or Wash in such Fermenting Back of which such Account had been taken, or which shall exceed in Quantity, by Five *per Centum* or more, the Wort or Wash in such Fermenting Back of which such Account had been previously taken, all such Wort or Wash in such Fermenting Back shall be considered as new Wort or Wash, and not included in any former Charge against such Distiller; and such Distiller shall be charged with Duty in respect of the whole Wort or Wash in such Back or Vessel, in like Manner as such Distiller is by this Act chargeable in respect of any Wort or Wash not before charged; and the Wort or Wash of which such Account had been previously taken in such Fermenting Back shall be deemed to be distilled or decreased, and the Distiller shall be charged for a Quantity of Spirits in respect of such Wort or Wash so deemed to be distilled or decreased, in like Manner as such Distiller is chargeable under this Act for any Wort or Wash actually distilled or decreased; and such Distiller shall also, for every such Offence, forfeit the Sum of Two hundred Pounds.

Penalty 200l.

Regulation for
Distillers
making Bub or
other Compo-
sition for excit-
ing Fermenta-
tion.

L. And be it further enacted, That every Distiller who shall intend to make or prepare the Composition called Bub, or any other Composition for inducing or increasing the Fermentation of any Wort or Wash, shall from time to time, at least Six Hours previous to the beginning to make or prepare any such Composition, give or cause to be given a Notice in Writing to the proper Officer in charge of the Distillery of such Distiller, specifying the Time when, and the particular Vessel or Vessels in which such Composition is to be made or prepared, and the particular Wash Fermenting Back into which the same is to be put, and also specifying the Quantity of such Composition, which Quantity shall not exceed the Proportion of Five Gallons for every One hundred Gallons of the Wort or Wash to which such Composition is to be added; and it shall not be lawful for any Distiller to have or use at any Time any such Composition of greater Gravity than the Gravity of the Wort which such Distiller shall at such Time be authorized to use under the Provisions of this Act; and if any such Composition shall be made or prepared in the Distillery of any Distiller contrary to the Directions hereinbefore prescribed, or if the Gravity of any such Composition shall be increased at any Time after the Officer shall have taken an Account thereof, or if the whole Quantity of such Composition shall not be conveyed into the particular Fermenting Wash Back specified in such Notice within Twenty four Hours after the Time specified in such Notice for making such Composition, then and in each and every such Case the Distiller in whose Distillery any such Offence or Default shall be committed or made shall forfeit the Sum of Two hundred Pounds.

Acting con-
trary thereto.

Penalty 200l.

Distiller to
declare before
distilling, that
all the Wort
and Wash
is collected into
Fermenting
Backs.

LL. And be it further enacted, That when the whole Wort or Wash brewed or made in any Distillery during any Brewing Period shall be collected into the Fermenting Wash Backs in such Distillery, and before the Commencement of any Distilling Period, in the Distillery of such Distiller, and before any Still shall be made use of in such Distillery for the distilling of such Wort or Wash, a Declaration in Writing, by or on Behalf of such Distiller,

Distiller, shall be delivered to the proper Officer, that the whole Wort and Wash in the Distillery of such Distiller is collected into the Fermenting Wash Backs in such Distillery; and thereupon it shall be lawful for the Officer in charge of such Distillery, at any Time not being less than Twelve Hours subsequent to the Delivery of such Declaration, and such Officer is hereby authorized and required to open any Still or Stills in such Distillery, by removing such Fastenings as prevent such Still or Stills from being used; and if any Still in the Distillery of any Distiller shall be made use of before such Declaration shall have been delivered as aforesaid, or if all the Wort and Wash in any such Distillery shall not be collected as stated in such Declaration, then and in every such Case such Distiller shall forfeit the Sum of Two hundred Pounds.

Using Stills before Declaration.

Penalty 200l.

Distiller to give Eight Hours' Notice before moving Wash from Fermenting Back to Charging Back.

LII. And be it further enacted, That Eight Hours before any Wash shall be conveyed from any Fermenting Wash Back in the Distillery of any Distiller licensed under this Act, a Notice in Writing shall be given to the proper Officer, by or on Behalf of such Distiller, in which shall be stated the Number of the Back in which such Wash is contained, and the Day and Hour when such Wash is to be removed; and such Officer shall attend at the Time specified in such Notice; and after he shall have locked the Charging Cock or Cocks of the Wash Still or Stills, he shall remove all such Fastenings as prevent the Conveyance of such Wash into the Wash Charger, and thereupon forthwith, and without Delay, all the Wash which shall be contained in such Fermenting Wash Back, or so much of such Wash as such Charger shall be capable of containing, shall be conveyed into such Charger, in Manner prescribed by this Act; and such Officer, after having affixed and secured the Fastenings which he had so removed, shall unlock the Charging Cock or Cocks aforesaid; and if any Wash shall be removed before such Notice shall have been given, or shall be removed or conveyed from any other Fermenting Back, or at any other Time than shall have been mentioned in such Notice, or before the proper Officer shall have removed such Fastenings as before directed, such Distiller shall in each and every such Case forfeit the Sum of Two hundred Pounds.

Unduly removing Wash, or before Notice.

Penalty 200l.

Removing Wash till Contents of Back be conveyed to Still.

LIII. And be it further enacted, That after any Wash shall have been removed from any Fermenting Back in any Distillery, it shall not be lawful to remove any Wash from any other Fermenting Back in such Distillery, until the whole Contents of such first mentioned Back shall have been conveyed into the Wash Still or Stills; and if any Wash shall be removed contrary hereto, the Distiller in whose Distillery such Offence shall be committed shall forfeit the Sum of Two hundred Pounds.

Penalty 200l.

Notices to be given for removing Low Wines, Feints or Spirits from Receivers.

LIV. And be it further enacted, That Four Hours at least before any Low Wines or Feints or Spirits respectively shall be removed out of any of the respective Receivers of Low Wines or Feints or Spirits in the Distillery of any Distiller licensed under this Act, a Notice in Writing, specifying the Day and Hour when such Low Wines or Feints or Spirits respectively are to be removed out of such Receivers respectively, shall be given to the proper Officer by or in Behalf of such Distiller; and such Officer shall attend at the Time specified in such Notice; and after having taken an Account of the Quantity and Strength of such Low Wines or

Spirits or Feints respectively, as the Case may be, such Officer shall remove the Fastenings of the Receivers containing such Low Wines or Spirits or Feints respectively, and forthwith and without Delay all the Low Wines or Feints which shall be in such Low Wines or Feints Receiver or Receivers shall be removed and conveyed into the Low Wines Charger or such Part thereof as such Charger shall be capable of containing, and all the Spirits which shall be contained in such Spirits Receiver shall be removed and conveyed into the entered Spirit Store of such Distiller; and if any Low Wines or Spirits or Feints respectively shall be removed from any Receiver without such Notice, or at any other Time than shall have been specified in such Notice, or before the Officer shall have removed the Fastenings of such Receiver as herein directed; or if after such Officer shall have taken account of the Quantity and Strength of the Low Wines or Feints or Spirits respectively in any such Receiver, any other Low Wines or Feints or Spirits shall be conveyed into any such Receiver until the Whole of the Low Wines or Feints or Spirits of which such Account shall have been taken shall have been removed or conveyed from such Receiver, and the Fastenings thereof shall have been again secured by such Officer, then in each and every such Case the Distiller in whose Distillery such Offence shall be committed shall forfeit the Sum of Two hundred Pounds.

Conveying other Low Wines, &c. to Receiver before the former removed.

Penalty 200l.

Low Wines, Spirits and Feints produced from the Wash in each Back, to be kept separate until Account thereof shall be taken.

LV. And be it further enacted, That all the Low Wines produced by the Distillation of the Wash contained in each Fermenting Back, in the Distillery of any Distiller licensed under this Act, shall be collected and kept in the Low Wines Receiver or Receivers, separate and apart from and unmixed with any Low Wines produced by the Distillation of any Wash contained in any other Fermenting Back, or with any other Matter or Thing whatever, until an Account of the Quantity and Strength of such Low Wines so separately collected shall have been taken by the proper Officer; and all the Spirits and Feints produced by the Redistillation of such Low Wines shall in like Manner be collected in the Spirits and Feints Receivers respectively, and kept therein separate and apart from and unmixed with any other Matter or Thing (save as is hereinafter provided), until an Account of the Quantity and Strength of such Spirits and Feints respectively shall have been taken by the proper Officer; and if the whole Quantity of Low Wines which shall be produced by the Distillation of all the Wash contained in each Fermenting Back in the Distillery of any such Distiller shall not be collected in the Low Wines Receiver or Receivers, separate and apart and unmixed as aforesaid, or if all such Low Wines so collected shall not remain and be kept in such Receiver or Receivers until an Account of the Quantity and Strength of such Low Wines shall have been taken therein by the proper Officer, or if all the Spirits and Feints respectively produced by the Redistillation of such Low Wines shall not be so collected and kept separate as aforesaid (except as herein provided) until an Account of the Strength and Quantity of such Spirits and Feints respectively shall have been taken by such Officer as aforesaid, then and in every such Case every such Distiller shall forfeit the Sum of Two hundred Pounds: Provided always, that it shall and may be lawful to mix with any such Spirits and Feints

Penalty 200l.

Feints respectively so collected in such Receiver or Receivers any Spirits or any Feints respectively, which may have been produced from the Feints, if any, which shall have remained on hand after any previous Distillation.

LVI. And be it further enacted, That for and in respect of every One hundred Gallons of Wort or Wash which shall be brewed or made in the Distillery of any Distiller licensed under this Act, the Officer of Excise shall charge such Distiller with Duty for a Quantity of Spirits at the Rate of One Gallon of Proof Spirits for every Five Degrees of Gravity of such Wort or Wash which shall be attenuated; that is to say, for every Five Degrees of Difference between the original Gravity of such Wort or Wash, as declared by such Distiller pursuant to this Act, or as appearing on the first Account taken thereof in the Fermenting Back or Wort Receiver, and the decreased Gravity of such Wort or Wash, as appearing on the last Account thereof taken by the Officer previous to the Distillation thereof; and the Officer shall also charge at the same Rate and Proportion of Spirits for any lesser Quantity of such Wort or Wash, and for any such Difference of Gravity which shall be less than Five Degrees.

LVII. And be it further enacted, That when any Officer of Excise shall take an Account of the Quantity and Strength of the Low Wines or Spirits of the first Distillation which shall have been produced from the Distillation of the Wash contained in any Fermenting Back in the Distillery of any Distiller licensed under this Act, such Officer shall compute and ascertain the Quantity of Proof Spirits equivalent to such Low Wines, according to the Strength of such Low Wines or Spirits, of the first Distillation as compared with Proof Spirits, and such Quantity of Proof Spirits shall be deemed and taken to have been distilled or produced from the Wash contained in such Back, and the Officer shall charge the Distiller with Duty on the Quantity of Proof Spirits so ascertained, after making an Allowance of Five *per Centum* on such Quantity.

LVIII. And be it further enacted, That whenever any Officer of Excise shall take an Account of the Quantity and Strength of Spirits and Feints respectively which shall have been produced from the whole of the Low Wines distilled from the Wash contained in any Fermenting Back, together with any Feints which may have remained from any previous Redistillation in the Distillery of any Distiller licensed under this Act, such Officer shall compute and ascertain the Quantity of Proof Spirits equivalent to such Spirits and Feints respectively, according to the Strength of such Spirits and Feints as compared with Proof Spirits, and shall deduct from the Quantity of Proof Spirits so ascertained a Quantity of Proof Spirits, computed and ascertained as aforesaid, equivalent to the Quantity of Feints, if any, which may have remained on hand after any such previous Redistillation, and which may have been included in the Account of Spirits and Feints so taken as aforesaid; and after such Deduction the remaining Quantity of Proof Spirits so computed and ascertained shall be deemed and taken to have been distilled and produced from the Low Wines distilled from the Wash contained in such Fermenting Back, and the Officer shall charge the Distiller with Duty upon such last mentioned Quantity of Proof Spirits.

Modes of charging Duty, 1st, By Percentage from Wash, by the Rule herein-mentioned, according to the Attenuation of the Gravity thereof.

2d, By the Produce, appearing in Low Wines, as herein mentioned.

3d, By the Produce on the Redistillation of Low Wines into Spirits and Feints.

LIX. And

Wash to be charged from highest Gauge, without Allowance for Waste or Dregs.

LIX. And be it further enacted, That every Distiller shall, in respect of all Wort and Wash in the Distillery of such Distiller, be charged according to the highest Gauge of Quantity which shall at any Time be taken thereof, and according to the highest Amount of Gravity thereof at any Time ascertained by any Officer of Excise, without any Allowance for Waste, Bub, Dregs, Yeast or other Matter whatever; and when any Decrease shall take place in the Quantity of Wort and Wash in the Distillery of any Distiller, the Amount of such Decrease shall be deemed and taken to have been distilled by such Distiller, and such Distiller shall be charged with a Quantity of Spirits in proportion to the Decrease of any such Wort or Wash, according to the Directions of this Act.

In what Case Excess of Produce of Spirits from Wash deemed an undue Excess.

LX. And be it further enacted, That whenever the Quantity of Spirits which shall be actually distilled or produced, or which under any of the Provisions of this Act shall be deemed to be distilled or produced from any Wort or Wash contained in any Fermenting Back, shall exceed the Rate of One Gallon and One fifth Part of a Gallon of Proof Spirits from each and every One hundred Gallons of such Wort or Wash, for and in respect of every Five Degrees of Gravity of such Wort or Wash which shall be attenuated; that is to say, for every Five Degrees of Difference between the original Gravity of such Wort or Wash, as declared by such Distiller pursuant to this Act, or as appearing on the First Account taken thereof in the Fermenting Back, and the decreased Gravity of such Wort or Wash, as appearing by the last Account thereof, taken by the Officer previous to the Distillation thereof, then and in every such Case the Officer shall keep a distinct Account of every such excess Quantity, and shall set forth the same in his Book or Books, and in his Return or Charge against such Distiller under the Head of "Undue Excesses;" and in case the Quantity of Spirits charged upon any Distiller during the Continuance of the Licence of such Distiller, exclusive of such undue Excesses as aforesaid, shall be less, in respect of every Hundred Gallons of Wash distilled or decreased in the Distillery of such Distiller, than after the Rate or in the Proportion of one Gallon of Proof Spirits of every Five Degrees of the Gravity of the Wort which such Distiller shall be authorized to make use of, pursuant to any Notice which shall have been given under this Act, then and in every such Case such Distiller shall be chargeable with the Quantity of Spirits which shall appear so deficient, and the Officer shall, within One Calendar Month next after the Expiration of such Licence, make a Return and charge such Distiller with the Quantity of Spirits which shall appear so deficient; and such Distiller shall pay the Duty appearing by such Return to become due and payable within Ten Days next after such Return shall have been made, or shall for every Default forfeit Twenty Pounds, together with a Sum equal to double the Duty so returned and charged.

Penalty.

What deemed Low Wines and Feints.

LXI. And be it further enacted, That all Spirits of the first Extraction, or which shall be produced by One Distillation of Wash, shall be deemed to be and shall be called Low Wines; and that all Spirits which shall be produced by the Redistillation of Low Wines, or by any other Redistillation, and which shall be conveyed

conveyed into or kept in any Feints' Receiver, shall be deemed Feints, for the Purposes of this Act.

LXII. And be it further enacted, That the Officer in charge of the Distillery of any Distiller licensed under this Act, or any other Officer of Excise appointed or authorized so to do, shall from time to time, within Six Days after the End of every Distilling Period, make out and deliver to the Collector of Excise, or to such Person or Persons as the Commissioners of Excise shall appoint to receive the same, a Return or an Account of the Quantity of Spirits for which such Distiller shall from time to time be chargeable with Duty, and of the Duty payable thereon under this Act, from the Commencement of any Brewing Period to the End of the Distilling Period next following such Brewing Period; and any such Officer shall and may also make out and deliver any such Return or Account from time to time, and at any Time and for any Period, as shall be directed by the Commissioners of Excise; and every such Officer is hereby required in every such Return or Account to charge such Distiller, and such Officer shall charge such Distiller, according to such of the several Modes of charging prescribed by this Act as shall produce the highest Amount of Duty; and such Officer shall leave a true Copy of every such Return or Account, signed with his Name, and under his Hand, with every such Distiller, or at such Distillery, and the Return or Account of such Officer shall be a Charge on every such Distiller, and such Distiller shall pay the Duty appearing by such Return or Account to have become due and payable, within Six Days after such Return or Account shall be made, or shall for every Default forfeit Twenty Pounds, together with a Sum equal to double the Duty so returned and charged; and such Distiller shall not be allowed to controvert or dispute any Return or Charge of Duty made by any Officer, unless such Distiller shall have made and delivered at the Excise Office a true Account of the Quantity of Spirits by him distilled within every such Period, and shall have paid the Duty chargeable on such Quantity of Spirits, and in Default thereof, such Return or Account of the Officer as aforesaid shall be conclusive against such Distiller.

LXIII. Provided always, and be it enacted, That the Payment by any Distiller of any Sum of Money less than the Amount of Duty appearing by the Return of the Officer to be payable by such Distiller shall not exempt such Distiller from the Payment of the Difference between the Amount of Duty so appearing by such Return, and the Sum so paid by such Distiller, if such Distiller shall be by Law liable to the Payment of such Difference; and that if such Distiller shall not pay such Difference within Six Days next after such Return of such Officer, such Distiller shall for every such Default forfeit the Sum of Twenty Pounds, together with a Sum equal to double the Difference between the Amount of Duty so returned by such Officer, and the Sum so paid by such Distiller.

LXIV. And be it further enacted, That the proper Officer of Excise shall keep an Account, by way of Debtor and Creditor, of the Stock of Spirits in the Distillery and Stores of every Distiller licensed under this Act, and shall in such Account credit such Stock with the full Quantity of Spirits computed at Hydrometer Proof,

Officer to make a Return on Distiller, who shall pay Duty accordingly.

Penalty.

How far only Distiller may dispute Charge by Officer.

Proviso as to exemption from Payment of Difference between Officer's Return and Distiller's Entry.

Stock Account of Proof Spirits to be kept by Officer.

Proof, which shall be from time to time duly conveyed pursuant to this Act into such Stock from the Spirit Receiver in such Distillery, and shall debit such Stock with the full Quantity of Spirits computed at Hydrometer Proof, which shall be from time to time sent out of such Stock under legal Permit; and if at any Time the Quantity of such Spirits which shall be found in the Stock or Possession of any such Distiller shall be greater than the Quantity of Spirits which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Distiller, all such excess Quantity of Spirits shall be forfeited and may be seized by any Officer of Excise, and every such Distiller shall forfeit the Sum of Ten Shillings for each and every Gallon of such excess Quantity of Spirits; and if at any Time the Quantity of Spirits in the Stock or Possession of any Distiller shall be less than the Quantity of Spirits which by the Stock Account kept by such Officer ought to be in the Stock or Possession of such Distiller, every such Distiller, whenever such Deficiency shall appear, shall forfeit the Sum of Ten Shillings for every Gallon of Spirits which shall be so deficient: Provided always, that no Distiller shall be liable to such Penalty in any Case where such Decrease shall not exceed Three *per Cent.*, and such Distiller shall prove that such Decrease did not result from any Fraud practised or intended.

Increase in such Stock.

Penalty.

Decrease.

Penalty.

Proviso.

No Permit for Removal of Spirits except to Warehouse, until Collector's Receipt produced.

LXV. And be it further enacted, That it shall not be lawful for any Officer of Excise to grant any Permit for the Removal of any Spirits from the Stock of any Distiller licensed under this Act, except for such Spirits as shall be sent or delivered into Warehouse pursuant to the Provisions of this Act, unless such Distiller shall produce to such Officer the Receipt of the Collector of Excise for the Duty on such Spirits, nor unless such Distiller shall suffer such Officer to endorse on such Receipt the Quantity of Spirits for which such Permit is required, and the Date of such Permit; and every such Officer is hereby required to make such Endorsement accordingly.

Distillers may warehouse Spirits, without Payment of Duty.

LXVI. And be it further enacted, That it shall and may be lawful for every Distiller or Maker of Spirits in *Scotland* and *Ireland* respectively, licensed under this Act, to warehouse any Spirits distilled in the Distillery of such Distiller, without Payment of the Duty of Excise chargeable thereon according to the Provisions of this Act, and under and subject to such Rules and Regulations as the Commissioners of Excise or any Two of them shall from time to time direct or order, in any Warehouse provided or approved of by the Commissioners of Excise: Provided always, that it shall not be lawful so to warehouse any Spirits of any Strength other than the respective Strengths of Twenty five *per Centum* over Proof, or Eleven *per Centum* over Proof, as denoted by the Hydrometer called *Sykes's* Hydrometer, and that all such Spirits shall be contained in Casks of not less than One hundred Gallons Content each; and that there be marked on each End of every Cask, in Letters or Figures legibly painted, cut or branded thereon, the Number of Gallons of Spirits contained therein at the Time of the sending of such Spirits out of the Distillery for the Removal thereof to the Warehouse.

Strength of Spirits warehoused.

Quantity and Strength marked on Cask.

Distiller to give Notice of In-

LXVII. And be it further enacted, That when and as often as any Distiller licensed under this Act shall intend to warehouse Spirits,

Spirits, he shall give Two Days' Notice in Writing to the Officer or Officers of Excise in charge of the Distillery of such Distiller, and also to the Excise Storekeeper in charge of such Warehouse, of such his Intention, in which Notice shall be set forth the Mark, Number and Content in Gallons of each Cask which such Distiller intends to warehouse, and the Day and Hour of the Day on which such Distiller intends to commence the Removal of such Spirits out of the Store of such Distiller to the Warehouse: Provided always, that no Removal of any Spirits for such Purpose shall be allowed without a Permit according to Law; and no such Removal shall take place except upon the Day mentioned in such Notice as aforesaid, nor upon any Excise Office Holiday, nor shall commence at any Time of the Day before the Hour of Nine in the Forenoon or after the Hour of Two in the Afternoon.

Attention to warehouse Spirits.

Not to be warehoused without Permit.

LXVIII. Provided always, and be it further enacted, That it shall be lawful for any Officer in charge of the Distillery of any Distiller to refuse to grant any Permit or Permits for the Removal from the Store in such Distillery to the Warehouse of any greater Quantity of Spirits than such Distiller shall have become chargeable with during such Part of the Distilling Period in which such Spirits shall be distilled as shall have elapsed previous to the requiring such Permit.

In what Case Officer may refuse Permits for warehousing.

LXIX. And be it further enacted, That the Officer of Excise to whom any such Notice shall have been given shall attend at the Spirit Stores of every such Distiller at the Time mentioned as aforesaid in such Notice; and such Officer shall ascertain the Quantities and Strengths of all such Spirits as shall be sent out of such Stores, and shall compare the Marks and Numbers on the several Casks in which such Spirits shall be contained with the Marks and Numbers described and set forth in the Notice for the warehousing of such Spirits; and every such Officer shall continue in such Stores until the whole of the Spirits, of which such Notice shall be given, shall be removed out of the Stores of such Distiller, under Permit as aforesaid; and immediately after the Removal of such Spirits, such Officer shall take Stock on such Distiller, and set forth in the Stock Book the Decrease occasioned by the Removal of all such Spirits.

Officers to attend Removal of Spirits, and take Stock of Distiller, and set forth Decrease on Stock Book.

LXX. And be it further enacted, That immediately on the Arrival of such Spirits under Permit as aforesaid, at the Warehouse, the proper Officer shall gauge and take an Account of the Contents of every Cask, and the Strength of the Spirits contained therein, and shall enter an Account thereof in a Book to be by him kept for that Purpose; and thereupon the Storekeeper shall receive the same without Delay into the Warehouse, and shall deliver to the Distiller or Person requiring the same for the Use of such Distiller, a Receipt for such Spirits, specifying the Number of the different Casks, with their Gauge, and the Quantity and Strength of the Spirits contained in them, with the Day of the Month and Year when such Spirits were warehoused, and any Mark which may have been put on such Casks by such Distiller, for distinguishing the Spirits to be his Property.

Storekeeper to take account, and give Receipts for Spirits warehoused.

LXXI. And be it further enacted, That such Receipt shall be delivered over within a reasonable Time by every such Distiller to the Officer in charge of the Distillery of such Distiller, and such Officer

Such Receipt to be delivered by Distiller to

Officer who shall give Credit for same in Charge against Distiller.

Officer shall immediately give to such Distiller a Copy thereof, signed by such Officer ; and upon the Delivery of such Receipt, and not before, it shall be lawful for such Officer to deduct from the Number of Gallons of Spirits with which such Distiller shall then be charged or chargeable with Duty, the Number of Gallons so warehoused, and to return the Charge of Duty against the Distiller to the Collector of Excise for the remaining Number of Gallons, which shall be a Charge against such Distiller accordingly ; and every such Officer shall annex to such Return the Storekeeper's Receipt as his Voucher for having made such Deduction as aforesaid

Spirits may be taken out for Home Consumption in Quantities not less than the Content of original Cask, on Payment of Duty.

LXXII. And be it further enacted, That if any Distiller warehousing Spirits, or other Proprietor thereof, shall desire to take out the same for Home Consumption, or any Quantity thereof, not being less than the Quantity of Spirits contained in one of the Casks in which such Spirits shall have been warehoused, it shall and may be lawful for such Distiller or Proprietor so to do, on paying to the Collector of Excise for the District the full Amount of the Duty of Excise on Spirits payable in respect of such Spirits, for the Quantity which each and every such Cask to be taken out contained at the Time of the same being warehoused ; and upon Production of the Collector's Receipt for such Duty to the Storekeeper, it shall be lawful for him to discharge the Cask or Casks mentioned in the Collector's Receipt, and to deliver a Permit for the Conveyance of the same to the Distiller or Proprietor thereof, or to such Place as such Distiller or Proprietor shall direct or require.

Notice by Distillers of taking Spirits out of Warehouse for Exportation.

LXXIII. And be it further enacted, That so often as any Distiller warehousing Spirits, or any Proprietor of such Spirits so warehoused, shall be desirous of shipping for Exportation any Quantity of such Spirits, such Distiller or Proprietor shall deliver to the Storekeeper, Two Days at least before the Time when he intends to ship such Spirits, a Note in Writing, requiring such Storekeeper to deliver such Casks as such Person may intend to export, specifying the Number of Casks and the Quantity of Spirits intended to be shipped, as set forth in the Receipts which shall have been so given to such Distiller by the Storekeeper, and mentioning the Time when such Distiller or Proprietor purposes to ship such Spirits, and the Name and Destination of the Ship or Vessel, and the Name of the Master of such Ship or Vessel in which such Spirits are intended to be exported ; and it shall be lawful for the Officer attending the Warehouse from which such Spirits are to be taken, before the Delivery thereof from such Warehouse, to mark every Cask of such Spirits with such Mark as the said Commissioners of Excise, or any Two of them, shall direct ; and if any Spirits shall, after having been received into the Warehouse, and before their actual Exportation, be altered in Quality, Quantity or Strength, except by Decrease occasioned by Leakage, Waste or Accident, all such Spirits and the Casks containing the same shall be forfeited, and may be seized by any Officer of Excise.

Warehoused Spirits altered in Strength or Quantity.

Penalty.

Bond of Distiller on Exportation.

LXXIV. And be it further enacted, That before any such Spirits shall be delivered out of any such Warehouse for Exportation, the Distiller or Proprietor intending to export the same shall, with

with One or more sufficient Surety or Sureties, give Bond to His Majesty, His Heirs and Successors, in Double the Value of such Spirits, and of the Excise Duty which would be due and payable thereon if such Spirits were taken out for Home Consumption; which Bond the Collector of Excise or other proper Officer is hereby authorized and required to take, conditioned that such Spirits shall, the Danger of the Seas or Enemies excepted, be exported to and landed at such Port as shall be specified in such Bond, without Alteration in Quality or Quantity, except what may be occasioned by Leakage, Waste or Accident, and shall not be landed in any other Place, nor reloaded in the Country in which the same has been shipped for Exportation; and such Collector of Excise or other Officer shall sign and give to such Distiller or Proprietor a Certificate of such Bond having been entered into: Provided always, that no other or further Bond shall be required from or executed by such Distiller or Proprietor, conditioned as aforesaid; any Law or Usage to the contrary notwithstanding.

Certificate,
thereof by
Collector.

LXXV. And be it further enacted, That upon the Distiller or Proprietor of such Spirits, or some Person on Behalf of such Distiller or Proprietor, producing to the Storekeeper of the Warehouse the Certificate from the Collector, or other Officer as aforesaid, that such Bond and Security hath been given, the Storekeeper shall deliver such Spirits as shall be mentioned in such Certificate to be exported; and such Storekeeper shall cause the said Spirits to be sent to the Quay where the Ship or Vessel shall be stationed, there to be delivered into the Custody of the Shipping Officer of the Customs or Excise on such Quay, and shall at the same Time grant a Permit for the Quantity so sent, in which Permit shall be also mentioned the Date when the Spirits were warehoused, and such other Particulars as the Commissioners of Excise, or any Two of them, shall direct and appoint; and all such Spirits shall remain in the Care and Custody of the Shipping Officer on the Quay, until shipped or exported; and that no such Removal shall take place on any Excise Office or Custom House Holiday, or commence at any Time of the Day before the Hour of Nine in the Forenoon, or after the Hour of Two in the Afternoon; and all such Spirits shall be shipped in the same Casks in which they were originally warehoused, with the Marks, Numbers and Notes of the Content painted or branded or cut thereon, except in Cases of damaged or leaky Casks, which may be changed with the Leave of any Commissioner of Excise, or of the Surveyor or Supervisor of the District, and like Marks, Number and Notes shall be painted or branded or cut on the Head of each new Cask, as had been painted or branded or cut on the leaky or damaged Casks; and all such Spirits shall be shipped only in such Vessels as by Law Spirits distilled in *Scotland* or *Ireland* respectively may be shipped for Exportation, subject to all Regulations, Forfeitures and Penalties, in respect of relanding or unshipping the same, as are or may be contained in any Act or Acts respecting Spirits shipped from *Scotland* or *Ireland* respectively for Exportation to *Great Britain* or elsewhere, and as are not contrary to the Provisions of this Act.

On Production
of Collector's
Certificate of
bonding, Store-
keeper to send
Spirits on board
with a Permit.

LXXVI. And be it further enacted, That it shall and may be lawful to deliver from Warehouse any Spirits for the Purpose of being

Warehoused
Spirits may be.

shipped as
Stores without
Duty.

being shipped as Stores, and of being consumed upon the Outward and Homeward Voyage to or from Parts beyond the Seas, without Payment of the Duty of Excise, subject nevertheless to the Conditions, Regulations, Restrictions and Securities required by any Act or Acts of Parliament in force in *Great Britain* relating to the shipping of Rum as Stores.

Distiller may
view and show
his Spirits in
Warehouses.

LXXVII. And be it further enacted, That it shall be lawful for the Distiller or Proprietor of any such Spirits so to be lodged in any Warehouse aforesaid, in the Presence of the Storekeeper, who is hereby required to attend at all reasonable Times for that Purpose, not oftener than Once in Twenty four Hours, to view, examine and show for Sale such Spirits, or any Part thereof, and to examine the State of the Casks, and to prevent Leakage or Drainage therein.

Spirits ware-
housed shall be
charged Ware-
house Rent.

LXXVIII. And be it further enacted, That upon all Spirits which shall be warehoused in any Warehouse under the Provisions of this Act, whether such Spirits shall be taken out for Exportation or for Home Consumption, or for Removal from any one Warehouse to any other, under the Provisions of this Act, there shall be chargeable and charged and paid to the Collector of Excise, to the Use of His Majesty, His Heirs and Successors, Warehouse Rent, at the Rate of One Penny *British* Currency per Week for every Forty Gallons of such Spirits, and so in Proportion for any smaller Quantity; and such Rent shall be a Lien on such Spirits; and such Spirits shall not be delivered out of Warehouse until such Rent shall be paid, under and subject to such Rules and Regulations as the Commissioners of Excise, or any Two of them, shall or may from time to time direct or appoint.

Ullage Casks
may be filled up
in Warehouse.

LXXIX. And be it further enacted, That it shall and may be lawful for any Distiller or other Proprietor of Spirits warehoused under the Provisions of this Act, to cause any Cask or Casks of Spirits belonging to such Distiller or Proprietor, and which such Distiller or Proprietor shall require to be delivered out pursuant to the Provisions of this Act, to be filled (in the Presence of the Storekeeper, or such other Officer as the Commissioners of Excise or any Two of them shall appoint), from or out of any other Cask or Casks of Spirits belonging to such Distiller or Proprietor, and which shall then be in such Warehouse, upon such Distiller or Proprietor paying the Duty on the whole Quantity of Spirits contained in the Cask or Casks, the Contents of which shall be so intended to be used in filling; and in case any Part of the Contents of any such Cask shall remain after the filling up of any other Cask or Casks, the said Cask, Part of whose Contents shall have been so used in filling, shall be kept apart for the like Purpose again, or shall and may be delivered to the Distiller or Proprietor, if he shall require the same.

Warehoused
Spirits removed
from one Ware-
house to
another.

LXXX. And be it further enacted, That Spirits so warehoused may be removed at the Desire of the Distiller or Proprietor thereof, from the Warehouse at any one Place, to the like Warehouse at any other Place, under such Regulations as the Commissioners of Excise shall order in respect thereof.

Distiller liable
to Duty on De-
ficiency of

LXXXI. And be it further enacted, That in case the Quantity of any Spirits which shall have been or shall be lodged in any Warehouses, shall at any Time or by any Means fall short or be deficient

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 Warehouse, 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; 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, 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 this Act authorized and empowered to levy or cause to be levied any Duties due by any Distiller.

Spirits in Warehouse.

LXXXII. And be it further enacted, That in case any Spirits warehoused in any of His Majesty's Warehouses shall be destroyed by Fire, or the falling of such Warehouse or any Part thereof, 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 Excise, 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 in Manner aforesaid; and no Duty shall be demanded or paid for any Spirits so destroyed as aforesaid.

No Action for Distiller against the Crown for Spirits destroyed in Warehouse by Fire, &c.

LXXXIII. And be it further enacted, That every Permit which shall be granted for the Removal of any Spirits to or from any Warehouse, under any of the Provisions of this Act, shall be granted and issued, obtained and used, under the Rules, Regulations and Provisions of any Act or Acts of Parliament in force in *Scotland* or in *Ireland* for regulating the granting and issuing of Permits for the Removal or Conveyance of Exciseable Goods, or in any Act or Acts in any Manner relating to such Permits; and that all and every the Clauses, Provisions, Fines, Penalties and Forfeitures inflicted or imposed by the said Acts, or any of them, shall extend and shall be construed to extend to, and shall be applied in the Execution of this Act, and to all and every Permit and Permits which shall be granted for the Removal of any Spirits under this Act, and to the Persons issuing, obtaining or using the same, as fully and effectually to all Intents and Purposes as if the said Clauses, Provisions, Fines, Penalties and Forfeitures were repeated and re-enacted in this Act, and as if the said Clauses, Provisions, Fines, Penalties and Forfeitures had been applied in the said Acts to Spirits warehoused without Payment of Duty.

Permits for the Removal of Spirits to or from any Warehouse under this Act, granted under the Regulations of the Permit Laws.

LXXXIV. Provided always, and be it enacted; That such warehoused Spirits heretofore warehoused

may be taken out.

housed Spirits may be taken out of any such Warehouse for Home Consumption, or for Exportation, at such Strength as the same might have been taken out if this Act had not been made; any Thing in this or any other Act or Acts to the contrary notwithstanding.

Spirits warehoused in Scotland under 3 G. 4. c. 111. may be taken out of Warehouse for Home Consumption.

LXXXV. Provided always, and be it enacted, That when any Distiller in *Scotland* shall have warehoused or shall warehouse any Spirits without Payment of the Duty of Excise thereon, under the Regulations of the said recited Act of the last Session of Parliament, intituled *An Act to allow, until the Tenth Day of November One thousand eight hundred and twenty-four, the Exportation of Spirits distilled from Corn for Home Consumption in Scotland, to Parts beyond the Seas, without Payment of the Duty of Excise chargeable thereon*; it shall and may be lawful for such Distiller, at any Time after the passing of this Act, to take such Spirits out of such Warehouse for Home Consumption, on Payment of such Duties of Excise as shall be payable on such Spirits at the Time of taking the same out of Warehouse; and that from and after the Tenth Day of *October* One thousand eight hundred and twenty three, such Spirits as shall remain in such Warehouse may be taken out for Exportation, or for Home Consumption, under the Regulations of this Act.

54 G. 3. § 14. repealed.

LXXXVI. And be it further enacted, That so much of the said recited Act of the Fifty fourth Year of His late Majesty's Reign, for regulating the Trade in Spirits between *Great Britain* and *Ireland*, as relates to putting into any Warehouse any Spirits imported from *Ireland* into *Great Britain*, or to the Reduction of the Strength of such Spirits to the Strength of One to Ten over Hydrometer Proof, shall be and the same is hereby repealed, so far as relates to any Spirits to be imported from *Ireland* into *Scotland* at any Time after the Commencement of this Act.

Spirits warehoused under former Acts to remain under this Act.

LXXXVII. And be it further enacted, That all Spirits which shall have been warehoused under the Provisions of any Act or Acts for the warehousing of Spirits in *Scotland* and *Ireland* respectively in force immediately before the Commencement of this Act, shall and may remain warehoused under the Provisions of this Act; and that all such Spirits shall be subject to the Regulations in this Act contained, and shall be dealt with and disposed of to all Intents and Purposes as if the same had been warehoused under this Act.

55 G. 3. c. 111. § 7.

LXXXVIII. And be it further enacted, That from and after the Commencement of this Act, so much of an Act made in the Fifty fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better collecting and securing the Duties on Spirits distilled in Ireland*, whereby it is enacted, that no Spirits made or distilled in *Ireland* shall be permitted or allowed to be secured in Warehouse in *Ireland* without Payment of the Duty of Excise payable in *Ireland* thereon, unless such Spirits shall be of the full Strength of One to Four, or Twenty five *per Centum* over Hydrometer Proof, shall be and the same is hereby repealed; and that it shall and may be lawful for the Commissioners of Excise, or any Two of them, from time to time to make and issue such Rules and Regulations as to them shall seem fit and proper, for ascertaining the Strength of Spirits to be

Commissioners may make Regulations for ascertaining the Strength of

be warehoused, and for the warehousing of Spirits, and for taking the same out of Warehouse; and that all such Rules and Regulations which shall be so made and issued by the Commissioners, or any Two of them, for such Purposes or any of them, shall be good, valid and effectual to all Intents and Purposes whatsoever, as if the same had been hereby enacted; and such Rules and Regulations shall be obeyed accordingly.

warehoused
Spirits, &c.

LXXXIX. And be it further enacted, That from and after the Commencement of this Act, it shall and may be lawful to export from *Scotland* to *Ireland* any Spirits distilled in *Scotland*, and which shall be warehoused under the Provisions of this Act; any Thing in any Act or Acts to the contrary thereof in anywise notwithstanding.

Scotch Spirits
may be exported
to *Ireland* from
Warehouse.

XC. And be it further enacted, That no Malt shall be removed or conveyed into the Mash Tun of any Distiller without a Mashing Permit, specifying the Time when the Malt mentioned therein is to be wetted or mashed, and if in *Scotland*, specifying whether such Malt is or is not made from Bear or Bigg; and if any Quantity of Malt, whether mashed or unmashed, or whether mixed or unmixed with any unmalted Corn or not, shall be found in the Mash Tun of any Distiller, and a Permit for removing the same into such Mash Tun shall not, on Demand of any Officer of Excise, be produced to such Officer, or if any Malt shall be wetted or mashed before the Time specified in such Permit, such Distiller shall, in each and every such Case, forfeit the Sum of Fifty Pounds: Provided always, that no Mashing Permit shall at any Time be granted, except for Malt which shall be then in some Malt Store in or belonging to the Distillery of such Distiller.

Distiller mash-
ing or brewing
Malt without a
Permit.

Penalty 50l.

XCI. And be it further enacted, That every Distiller licensed under this Act shall from time to time, within Three Days after the End of every Distilling Period, deliver to the proper Officer all the Mashing Permits which shall have been granted for Malt used in making the Wort or Wash distilled in the Distillery of such Distiller during such Period; and if the Quantity of Malt so used, as appearing by such Permits, shall be less than after the Rate of One Bushel of Malt for every Ten Gallons of Proof Spirits in respect of which such Distiller became chargeable during such Period, then and in such Case every such Distiller shall, for and in respect of every Bushel of Malt so appearing to be deficient, forfeit the Sum of Five Shillings: Provided always, that in case any such Distiller shall, within Six Days after the Expiration of such Period, pay to the proper Collector of Excise a Sum after the Rate of Two Shillings and Sixpence for every Bushel of Malt so deficient, then such Distiller shall not be proceeded against for such Penalty, and such Sum so paid shall be placed by such Collector to the Account of the Duties payable on Malt.

Every Distiller
to use at least
One Bushel of
Malt for every
Ten Gallons of
Proof Spirits or
pay Duty on
Deficiency.

Penalty.
Proviso.

XCII. And for the encouraging the Use of Malt in the making and distilling of Spirits in *Scotland* and *Ireland*, be it enacted, That every Distiller who shall, under the Regulations of this Act, distil Spirits from Worts or Wash brewed and made from malted Corn only, not being mixed with any unmalted Corn or Grain whatever, shall be entitled to an Allowance or Abatement of One Shilling for every Gallon of Proof Spirits, in respect of

Allowance to
Distiller on
Spirits made
from Malt.

Notice by Distiller of Intention to use such Malt only.

Using raw Grain after such Notice.

Penalty.

Distiller using Malt only, and claiming Allowance granted by this Act, to deliver Account of Quantity of Malt used, together with Mashing Permits;

and declare the Truth of such Account.

which such Distiller shall be charged with Duty under the Provisions of this Act, during the Time such Distiller shall use malted Corn only, as aforesaid; and every Distiller who shall intend to use in his Distillery Malt only, as aforesaid, and to claim the Allowance herein granted, shall, Six Days before he shall commence to brew or make any Wort or Wash, give Notice in Writing to the Proper Officer in charge of such Distillery, in which Notice shall be stated, that such Distiller intends to use Malt only, not being mixed with any unmalted Corn or Grain whatever; and if at any Time after any such Notice shall have been given, any unmalted Corn or Grain, ground or bruised, mixed or unmixed with any Malt, shall be found in such Distillery, or in any Store, Mill or other Premises thereto belonging; or if any Wort or Wash made of any Materials save and except Malt only, shall be found in the Distillery of such Distiller, or in any Store belonging to such Distillery; then in each and every such Case, such Distiller shall (except in the Case hereinafter provided) forfeit the Sum of Two hundred Pounds, and shall not be entitled to such Allowance or Abatement of One Shilling per Gallon for or in respect of any Spirits with which such Distiller shall be charged, during the Continuance of the Licence of such Distiller.

XCIH. And be it further enacted, That every Distiller who shall use Malt only, and shall claim the Allowance of One Shilling for every Gallon of Spirits granted by this Act, shall from time to time, at the End of every Distilling Period, deliver to the proper Officer an Account in Writing of the Number of Bushels of Malt actually used in making the Wort or Wash distilled during such Period, and stating how many Bushels of such Malt used in any Distillery in *Scotland* shall have been Malt made of Bear or Bigg, and how much of such Malt shall have been made from other Corn or Grain, or that no such Malt was made of Bear or Bigg, as the Case may truly be, together with the Mashing Permits for all such Malt respectively; and such Officer shall thereupon transmit such Account, and shall also make a Return in Writing, signed by such Officer, to the Collector of Excise, specifying the Number of Bushels of all such Malt so used, and the Quantity of Proof Spirits with which such Distiller shall have been charged in respect of such Wort or Wash; and every such Distiller, or the principal Manager of his, her or their Distillery, shall make and subscribe a Declaration to the Truth of such Account, in the Form or to the Effect following:

‘ I *A. B.*, [Distiller, or principal Manager of the Distillery of
‘ *C. D.*, as the Case may be] do solemnly declare, that within
‘ the Brewing Period commencing on the Day of
‘ and ending on the Day of
‘ both inclusive, there were actually received
‘ into my [or, the said *if verified by the Manager*]
‘ Distillery, situate at the Quantity of
‘ Bushels of Malt, and no more; [*and if in Scotland, add, and*
‘ that the Quantity of such Malt made of Bear or Bigg was
‘ Bushels, and no more; or, that no Part of such Malt
‘ was made from Bear or Bigg, as the Case may be]; and that
‘ within the said Period there were actually mashed and used in
‘ the

repealed.

1 & 2 G. 4. c. 82.
as to storing
Malt by Dis-
tillers in Scot-
land, applied to
Scotland under
this Act, except
as herein men-
tioned.

tiller in the Distillation of such Spirits, shall be and the same is hereby repealed.

XCVI. And be it further enacted, That all and every the Clauses, Rules, Regulations, Provisions, Penalties and Modes of Recovery provided, mentioned and contained in the said last recited Act, passed in the First and Second Years of His present Majesty's Reign, which relate to the storing of Malt by any Distiller, and which regulate the claiming, granting and allowing the Drawback in the said Act mentioned, shall be applied and put in Practice in *Scotland*, for and in respect to the claiming and obtaining and granting the Allowance or Sum of One Shilling for every Gallon of Proof Spirits granted by this Act to any Distiller using in his Distillery malted Corn only, as fully and effectually to all Intents and Purposes whatsoever, as if all such Clauses, Rules, Regulations, Provisions, Penalties and Forfeitures had been expressly repeated and re-enacted in this Act, except so far as the same are altered by this Act; and the said recited Act and this Act shall be construed together as One Act, to all Intents whatever, so far as the same are compatible or consistent with each other.

Distiller selling
Malt.

XCVII. And be it further enacted, That it shall not be lawful for any Distiller in *Scotland* or *Ireland*, licensed under this Act, to sell any Malt, nor to send out or deliver from any Distillery, Store, Mill or other Premises belonging to such Distiller, any Malt to any Person whatever, nor to receive into any such Distillery, Store, Mill or other Premises, any Malt in a ground or bruised State from any Person whatever; and all Malt which shall be used in the Distillery of any such Distiller shall be ground or bruised in some Mill belonging to such Distiller, in or adjacent to the Distillery of such Distiller; and if any such Distiller shall sell any Malt, or if any Malt shall be sent out or delivered to any Person whatever, from any Distillery, Store, Mill, or other Premises belonging to any such Distiller, or if any Malt in a ground or bruised State shall be received from any Person whatever into any Distillery, Store, Mill or Premises, or if any Malt which shall be used or intended to be used in the Distillery of any such Distiller shall be ground or bruised in any Mill not belonging to such Distiller, and not being in or adjacent to the Distillery of such Distiller, then in each and every such Case, such Distiller shall forfeit the Sum of Two Hundred Pounds; and all Malt so sold, sent out, delivered, received, ground or bruised, contrary to the Directions of this Act, shall be forfeited, and may be seized by any Officer of Excise.

Malt used in
the Distillery to
be ground there.

Penalty.

Removal of
Malt from Mill
to Mash Tun in
Scotland.

XCVIII. And be it further enacted, That all Malt which shall have been ground or bruised pursuant to the Directions of this Act, in the Mill of any Distiller in *Scotland* licensed under this Act, shall either be conveyed directly from such Mill to the Mash Tun in the Distillery of such Distiller, or shall be again deposited and stored under the Lock of the Officer until such Mashing Permit, as in this Act is directed, shall from time to time be obtained for the Removal of such Malt into the Mash Tun in such Distillery.

No Malt to be

XCIX. Provided also, and be it enacted, That no Malt shall be deposited

deposited in any Room or Place under the Provisions of the said last recited Act, until a Receipt for the Payment of the Duty on such Malt, signed by the proper Collector of Excise, shall be produced to the Officer in whose Custody the same is to be deposited; and such Officer shall and is hereby required to indorse on every such Receipt the Quantity of Malt which shall be so deposited, and the Date of depositing the same.

deposited until
Duty paid.

C. Provided always, and be it enacted, That if any Distiller, who shall have given any such Notice of using malted Corn only as aforesaid, shall intend to commence or recommence to use unmalted Corn or Grain, or Malt mixed with unmalted Grain, at any Time when there shall not be any Wort or Wash in the Distillery of such Distiller, such Time being at least One Calendar Month distant from the Time such Distiller began to use Malt only under any such Notice, it shall be lawful for such Distiller, on giving Six Days' previous Notice to the Proper Officer, so to commence or recommence to use unmalted Grain; and such Distiller shall not thereafter be liable to any such Penalty aforesaid, or be entitled to any such Allowance: Provided also, that if any Distiller using unmalted Corn and Grain shall be desirous of commencing or recommencing to use malted Corn only as aforesaid, at any Time when there shall not be any Wort or Wash in the Distillery of such Distiller, such Time being at least One Calendar Month from the Time such Distiller shall have commenced or recommenced using unmalted Grain as aforesaid, it shall be lawful for such Distiller, on giving Six Days' Notice as aforesaid, so to commence or recommence to use malted Corn only.

When Distiller
using Malt only
may commence
using raw Grain
on Notice.

When Distiller
using raw Grain
may commence
using Malt only
on Notice.

CI. And be it further enacted, That it shall and may be lawful for the Commissioners of Excise, or any Two of them, from time to time to make such further and other Rules, Orders and Regulations, with respect to obtaining and Payment of any Allowance or Sum of Money under this Act, and for the preventing of Frauds in claiming the same, as the said Commissioners, or any Two of them, shall think fitting or expedient; and all such Rules, Orders and Regulations, when so made, shall be obeyed and complied with by all Persons claiming Payment of such Sums of Money or Allowance; and no such Sums of Money or Allowance shall be paid to any Person or Persons neglecting or refusing to comply with such Rules, Orders and Regulations, when the same shall be so made, or for or in respect of any Spirit made from any Malt not being cleaned or screened.

Commissioners
may make Reg-
ulations for
Payment of
Allowances and
for preventing
Fraud.

CII. Provided always, and be it enacted, That any Spirits which, under the Provisions in this Act contained shall be made from Malt only, unmixed with any unmalted Corn or Grain, and on which the Allowance of One Shilling for every Gallon thereof shall be made in respect of the Duty on such Malt, shall be stored and deposited in some Store or Place separate and apart from any other Spirits which shall be warehoused under this Act, and subject to and under such Rules and Regulations as shall be made by the Commissioners of Excise with respect to such Spirits; and that no such Spirits so made from Malt only, and on which such Allowance of One Shilling per Gallon shall have been made, shall be taken out of any such Warehouse, Store or Place for

Spirits made en-
tirely from Malt
warehoused
separately, and
not exported to
England, un-
less on Repay-
ment of Allow-
ance.

Exportation to *England*, until the Allowance so made shall have been repaid by the Proprietor or Exporter of such Spirits.

Distillers to affix Board over Distillery Gate, importing they are licensed.

CIII. And be it further enacted, That every Distiller who shall be licensed under this Act, shall cause to be painted on a Board, with Letters publicly visible and legible, at least Three Inches long, in White upon a Black Ground, the Name of such Distiller at full Length, and after such Name, the Words "Licensed Distiller;" and every such Distiller shall cause such Board to be affixed in some conspicuous Place on the Outside of the Front of the Distillery of such Distiller, over the Gate or Entrance Door thereto, not more than Three Feet from the Top of such Gate or Entrance Door; and every such Distiller shall preserve and keep up such Board so painted, during the Continuance of the Licence of such Distiller; and in default of affixing such Board, or keeping the same so affixed, every such Distiller shall for every such Offence forfeit the Sum of Twenty Pounds; and if any Person on or before whose House or other Place any Board or Sign shall be affixed or erected, importing that such Person is a Distiller, or exercises or carries on the Trade of a Distiller, or purporting that such Person is licensed so to do, shall not at the Time be duly licensed for such Purpose which such Board or Sign shall so import, then and in every such Case every such Person shall forfeit the Sum of Twenty Pounds.

Penalty 20l.

Unlicensed Persons affixing such Board.

Penalty 20l.

Officers empowered to enter Distilleries.

CIV. And be it further enacted, That it shall and may be lawful for any Officer of Excise, at all Times, as well by Night as by Day, to enter into every House, Distillery, Still House, Outhouse, Store and Place whatsoever, of or belonging to or made use of by any Distiller licensed under this Act, and to gauge, measure and take an Account of every Still, or other Vessel or Utensil of any Kind, of or belonging to or kept in the Distillery of any such Distiller, and to gauge and take an Account of the Quantity and Strength of all Spirits, Low Wines and Feints, which shall be from time to time made or distilled, and of the Quantity and Gravity or Strength of all Wort, Wash and Feints, which shall be from time to time made use of in the Distillery of such Distiller, and of all such Spirits and Materials for making or distilling of Spirits, as shall be in any House, Distillery, Store or Place belonging to or made use of by such Distiller; and if any Officer of Excise, or his Assistants, shall be hindered, obstructed or prevented by any Distiller, or by any Servant or Person acting in the Employment of such Distiller, from entering into any Distillery, or any House, Outhouse, Store or other Place whatsoever, of or belonging to or made use of by such Distiller; or if any such Officer or his Assistants, having entered, shall be hindered, obstructed or prevented from doing any Part of his Duty in the Execution of this Act; such Distiller shall for every such Offence respectively forfeit the Sum of Two hundred Pounds.

Obstructing Officers.

Penalty 200l.

Distillers to furnish Officer with Ladder and Lights.

CV. And be it further enacted, That if, on Demand of any Officer of Excise, made in the Distillery of any Distiller licensed under this Act, strong, safe and convenient Ladders shall not be provided and conveniently placed, of Length sufficient to enable such Officer to ascend to and examine and descend from any Vessel or Utensil in any such Distillery, or to gauge or ascertain the Content or Capacity of any Vessel or Utensil in such Distillery;

tillery; or if any such Ladder shall not be fixed at or in any Part of such Vessel or Utensil where such Officer shall require; or if on any Visit made by any Officer of Excise, on Demand of such Officer, sufficient Lights and sufficient Aid or Assistance shall not be supplied for the Purpose of gauging or ascertaining the Content or Capacity of any Vessel or Utensil, or of searching for and gauging all the Stock on Hand in such Distillery, as well by Day as by Night; every Distiller, in whose Distillery any such Neglect or Offence shall take place, shall in any of the Cases aforesaid, for every such Offence, forfeit the Sum of One hundred Pounds. Penalty 100l.

CVI. And be it further enacted, That whenever any Officer of Excise shall require that the Water contained in any Worm Tub belonging to any Still in any Distillery of any Distiller, at any Time when such Still shall not be at Work, shall be drawn or run off, the same shall be drawn or run off accordingly; and if the Water shall not be so drawn or run off at the Request of such Officer, the Distiller in whose Distillery such Worm Tub shall be situate shall forfeit the Sum of One hundred Pounds; and it shall be lawful for such Officer to draw or run off such Water, or so much thereof as he shall think necessary. Officer may order Water to be drawn off.
Refusal.
Penalty 100l.

CVII. And be it further enacted, That in case any Officer of Excise, after having demanded Admittance into the Distillery of any Distiller licensed under this Act, and having declared his Name and Business at the Gate or Entrance Door, or at any Window of such Distillery, shall not be admitted into such Distillery, such Distiller shall for every such Offence forfeit the Sum of One hundred Pounds; and if such Officer shall not obtain Admittance into such Distillery, after having so demanded such Admittance, it shall and may be lawful for such Officer and his Assistants at all Times, as well by Night as by Day, to break open and enter such Distillery. Refusing Admittance to Officer.
Penalty 100l.
Officers may break open Distillery.

CVIII. And Whereas Distillers have frequently made use of Places adjoining their own Houses or Distilleries, for the Purpose of clandestinely making, brewing, distilling or concealing their Malt, Wash, Low Wines or Spirits; For Remedy whereof, be it enacted, That if the Owner or Occupier of any House, Store or other Place, adjoining to or in the Neighbourhood of the Dwelling House or Distillery of any Distiller licensed under this Act, or if any Servant of the Owner or Occupier of any such House or Place shall not, on Demand of any Officer of Excise, admit such Officer of Excise, or shall not allow him to enter and search such House, Store or Place, for Malt, Wort, Wash, Low Wines, Feints or Spirits, such Owner or Occupier of such House, Store or other Place shall in every such Case forfeit the Sum of Fifty Pounds. Owners of Houses adjoining Distiller's shall admit Officers.
Penalty 50l.

CIX. And be it further enacted, That if no Person shall attend or appear in any such lastmentioned House, Store or Place as aforesaid, to give Entrance to such Officer, it shall be lawful in the Daytime for such Officer and his Assistants, or in the Night-time for such Officer and his Assistants in the Presence of a Constable or other Peace Officer, who is hereby authorized and required to be aiding and assisting therein, to break open and enter such House, Store or Place, and to make Search therein for any Malt, If no Person appears to the Officer to give him Entrance, House may be broken open.

Malt, Wort, Wash, Low Wines, Feints and Spirits, which such Officer may have a probable or reasonable Cause to suspect to be fraudulently concealed therein: Provided always, that if upon Search no such Malt, Wort, Wash, Low Wines, Feints or Spirits shall be found, such Officer shall repair all the Damages done, or shall make reasonable Satisfaction for the same to the Owner or Occupier of such House, Store or Place.

Officers may break up Ground in Distillery to search for private Pipes, &c.

CX. And be it further enacted, That it shall and may be lawful to and for any Officer of Excise, by Night or by Day, to break up any Ground in any Part of the Distillery of any Distiller licensed under this Act, or any Ground near adjoining such Distillery, or any Wall, Partition or other Place, to search for any Pipe or Cock, or any other private Conveyance or Utensil; and upon finding any such Pipe or Conveyance, to break up the Ground, House, Wall or other Place through or into which such Pipe or other Conveyance shall lead; and to break up or cut any such Pipe, Cock or other Conveyance; and to turn any Cock or Cocks; and to examine whether such Pipe or other Conveyance may or can convey any Wort, Wash or other Liquor fit for Distillation, out of any Back into another, or from any Back into any Still, or into any other Utensil or Place whatsoever.

Distiller having Wort or Wash, &c. not made in his Distillery.

CXI. And be it further enacted, That it shall not be lawful for any Distiller licensed under this Act to receive or have in the Distillery of such Distiller, or in any Store thereto belonging, any Wort, Wash or Low Wines or Feints whatever, which shall not have been brewed or made in the Distillery of such Distiller; and if any Distiller shall receive or have any Wort, Wash, Low Wines or Feints, which shall not have been brewed or made in the Distillery of such Distiller, such Distiller shall for every such Offence forfeit the Sum of Two hundred Pounds, and all such Wort, Wash, Low Wines and Feints shall be forfeited, and may be seized by any Officer of Excise.

Penalty.

Distiller brewing or distilling on Sunday.

CXII. And be it further enacted, That if any Malt, Corn or Grain shall be brewed or mashed, or if any Still shall be made use of in the Distillery of any Distiller licensed under this Act, at any Time between the Hour of Eleven o'Clock in the Afternoon of any *Saturday*, and the Hour of One o'Clock in the Forenoon of the next succeeding *Monday*, such Distiller in each and every such Case shall forfeit the Sum of Fifty Pounds.

Penalty 50l.

Minute or Survey Books to be kept in Distilleries.

CXIII. And be it further enacted, That in the Distillery of every Distiller licensed under this Act there shall be safely kept such Minute or Survey Book as shall be delivered to such Distiller, or some Person on his Behalf, by the Supervisor, Surveyor or other Officer in charge of such Distillery, in which Book it shall be lawful for any Officer, and every such Officer is required from time to time to make true Entries of the Times when such Officer shall visit such Distillery, and of all Particulars relative to the State and Condition of such Distillery, and of the Survey of such Officer in such Distillery; and in case any such Distiller, or the Person to whom any such Book shall be tendered as aforesaid by any Officer of Excise, shall refuse to receive the same; or if any Person employed in such Distillery shall tear, deface, obliterate or alter such Book, or any Entry therein, or cause the same to be torn, defaced, obliterated or altered, or shall make or

Obliterating, &c. such Books,

cause

cause to be made any Entry therein; or in case such Distiller, or any Person employed in such Distillery, shall at any Time when required by any Officer of Excise, neglect or refuse to produce and deliver such Book; such Distiller shall for every such Offence forfeit the Sum of Two hundred Pounds.

or refusing to produce them.

Penalty 200l.

Notice Book to be kept by Distiller.

CXIV. And be it further enacted, That the Officer in charge of the Distillery of any Distiller licensed under this Act shall provide a Book, to be called a Notice Book, to be kept in such Distillery; and before any Notice or Declaration, by this Act required to be given and delivered, shall be so given or delivered, an Entry shall be made in such Book, stating the Particulars of all such Notices and Declarations; and every such Book shall be kept and preserved in such Distillery according to the Directions of the Officer in charge of such Distillery, and such Book shall at all Times on Demand be delivered to any Officer of Excise visiting such Distillery; and if any Distiller, or any Person on his Behalf, to whom any such Book shall be tendered, shall refuse to receive the same, or if the Particulars of all such Notices or Declarations respectively shall not be inserted in such Book, or if any untrue Entry shall be made therein, or if such Book or any Entry therein shall be defaced, obliterated or altered by such Distiller, or by any Person employed in such Distillery, or if such Book shall not at any Time be delivered to any Officer of Excise on his demanding the same, then and in every such Case such Distiller shall forfeit the Sum of Two hundred Pounds.

Penalty 200l.

Notices under this Act not to be invalidated for Want of Form, &c.

CXV. And be it further enacted, That any Notice or Declaration which shall be given or served by or on Behalf of any Distiller licensed under this Act, upon any of the Persons upon whom the same ought to be given or served, shall, according to the true Intent and Meaning of such Notice or Declaration, be taken to be good and effectual as against such Distiller, although such Notice or Declaration shall not be in the Form, or shall not contain the several Particulars, or shall not be given or served on all the Persons, or within the Time or Times by this Act directed, prescribed, limited and appointed for giving or serving the same; and upon the Trial of any Information, or on any other Proceeding relating to or in any Manner touching or concerning any such Notice or Declaration, it shall not be competent to or for such Distiller to allege any Imperfection or Defect in any such Notice or Declaration or in the giving or serving the same.

CXVI. And be it further enacted, That in all Cases where any Duties payable by any Distiller licensed under this Act shall be unpaid at the Time or at any Time after the Time when such Duties are or shall be due and payable, it shall be lawful for the Collector of Excise, or other Officer in charge of the Collection of the Survey or District in which the Distillery of such Distiller shall be situate, by Warrant under the Hand and Seal of such Collector or other Officer respectively, to empower any Person or Persons to take and distrain all Spirits, and all Stills, Still Heads and Worms, and all Coppers and other Vessels, and all Utensils for distilling, and all Malt, Corn, Grain and other Materials for distilling in any such Distillery, or in any Store or Place thereto belonging, or in the Use, Custody or Possession of any such Distiller, or of any Person on his Behalf or in Trust for him, and

Collectors may distrain for Duties in Arrear.

and also all or any Spirits which, having been warehoused by any such Distiller in any of His Majesty's Warehouses, shall be in any such Warehouse, and to cause the same to be sold by public Auction, giving Six Days' previous Notice thereof; and if after the Payment of all Duties and Arrears of Duties due from such Distiller, and also the Duties on such Parts of the Spirits which shall have been so warehoused and distrained and sold as aforesaid, together with the Costs and Expences of such taking, distraining and sale, there shall be any Surplus of the Produce arising from the Sale thereof, such Surplus shall be forthwith tendered and paid to such Distiller, or some lawful Agent or Representative of such Distiller: Provided always, that when any Spirits or Malt shall be so taken and distrained, it shall and may be lawful for such Distiller, or any lawful Agent or Representative of such Distiller, at any Time or Times before the Day appointed for the Sale thereof, to obtain Permits for conveying all or any Part of such Spirits or Malt, upon paying to the Collector or other Officer in charge as aforesaid, towards discharging the Duties so due and payable, the real Value of such Spirits or Malt as shall be required to be removed; and a proper Permit or proper Permits shall on due Application be given for the same, in like Manner as if no such Distress had been made.

Costs and
Expences.

Proviso for ob-
taining Permits.

All Utensils in
a Distillery
shall remain
liable to the
Payment of
Duties and
Penalties.

CXVII. And be it further enacted, That all Stills and other Vessels and Utensils for distilling, having been kept or used in the Distillery of any Distiller, by what Title or Conveyance soever the same shall be claimed, or into whose Hands soever the same shall afterwards come, shall be liable and subject to, and are hereby charged with all Debts due to the Crown, and all Duties of Excise which shall be in arrear and owing by such Distiller, and shall also be subject to the Payment of all such Penalties as shall have been incurred under this Act by any Person who shall have occupied or used such Distillery: and it shall be lawful in all Cases to levy such Debts, Duties and Penalties by Distress and Sale of such Stills, Vessels and Utensils, as it would be lawful to do in case the Person owing such Debts and Duties, or incurring such Penalties, were at the Time the real Proprietor of such Stills, Vessels or Utensils.

Officer may
take Samples
of Wort, Wash,
Spirits, &c.

CXVIII. And be it further enacted, That it shall and may be lawful for any Officer of Excise, from time to time, and whenever and as often as such Officer shall deem expedient so to do, to take any Sample or Samples of any Wort, Wash, Low Wines, Feints and Spirits in any Back, Receiver, Charger or other Vessel or Utensil in the Distillery of any Distiller licensed under this Act, in order that such Officer may ascertain the Gravity or Strength of such Worts, Wash, Low Wines, Feints and Spirits, and from such Part of any such Back, Charger or other Vessel or Utensil, as the Officer shall think proper; and the Gravity or Strength of any such Sample so taken shall be and be held to be the true and correct Gravity or Strength of the whole Contents of the Back, Receiver, Charger or other Vessel or Utensil from which any such Sample shall be so taken: Provided always, that before any such Sample shall be so taken, all the Liquor contained in any such Back, Receiver, Charger or other Vessel or Utensil, may be stirred up and mixed together by such Distiller, or any Person in the
Employ

Such Samples
shall be deemed
true Samples.

Employ of such Distiller, for the Purpose of ascertaining the true Quality of the whole of such Liquor.

CXIX. And be it further enacted, That it shall not be lawful to mix with or add to any Low Wines, Feints or Spirits, in the Distillery of any Distiller licensed under this Act, any Salt, Sugar, Syrup or any glutinous or saccharine or other Matter or Thing, whereby the Gravity of such Low Wines, Feints or Spirits shall be increased, or so as to prevent the Strength thereof respectively being ascertained by the Hydrometer; and if it shall at any Time be found that any Salt, Sugar, Syrup or any glutinous or saccharine or other Matter shall be so mixed with or added to any Low Wines, Feints or Spirits in the Distillery of any such Distiller, contrary hereto, such Distiller shall forfeit for every such Offence the Sum of Two hundred Pounds, and all Low Wines, Feints and Spirits so mixed respectively, together with all such Mixtures, shall be forfeited, and may be seized by any Officer of Excise.

Distiller unduly mixing Sugar or other Material with Spirits, &c.

Penalty 200l. &c.

CXX. And be it further enacted, That no Spirits shall be sent out of or removed from the Distillery or Stock of any Distiller licensed under this Act, in any less Quantity than Nine Gallons, nor without a lawful Permit, expressing the true Quantity and Strength of such Spirits, and no Strength shall be expressed in any such Permit other than some of the Strengths following, that is to say, either Twenty five *per Centum* over Hydrometer Proof, or Eleven *per Centum* over Hydrometer Proof, or Ten *per Centum* under Hydrometer Proof; and if any Spirits shall be sent out of or removed from the Distillery or Stock of any such Distiller, without such Permit as aforesaid, or being of any Strength exceeding the Strength expressed in such Permit by more than One *per Centum*, or being of any Strength less than the Strength expressed in such Permit by more than Five *per Centum*, then and in any such Case all such Spirits, and every Cask and Vessel containing the same, shall be forfeited, and may be seized by any Officer of Excise, and such Distiller shall for every such Offence forfeit the Sum of Two hundred Pounds.

No Spirits to be removed from Distillery in less Quantity than Nine Gallons, nor without Permit expressing Strength thereof.

Penalty 200l.

CXXI. And be it further enacted, That from and after the Commencement of this Act it shall and may be lawful for any Dealer in or Retailer of Spirits in *Scotland*, to sell or send out and to have and keep in the Stock, Custody or Possession of such Dealer or Retailer, any Spirits distilled in *Scotland, England* or *Ireland*, being of any Degree of Strength higher or greater than Seven *per Centum* over Hydrometer Proof, and not being of any higher or greater Degree of Strength than Twenty five *per Centum* above Hydrometer Proof, any thing in any Act or Acts to the contrary in anywise notwithstanding.

Dealers in *Scotland* may send out or keep British Spirits of Strength herein mentioned.

CXXII. And be it further enacted, That no Spirits whatever shall be received or conveyed into, or kept in the Store or Stock of any Distiller licensed under this Act, other than such Spirits only as shall have been distilled in the Distillery of such Distiller, and as shall have been conveyed, according to the Directions of this Act, from the Spirit Receiver in such Distillery; and if any Spirits other than such only as shall have been distilled in the Distillery of such Distiller, shall be received or conveyed into, or shall be kept, or shall at any Time be found in the Store or Stock of

No Spirit received into Distiller's Stock, except such as shall be distilled in his Distillery.

Penalty.

Distiller to clean out Low Wine Receiver, and assist Officer in distilling a Charge of Wash out of any Wash Back required by Officer.

Penalty 200l.

Officer may distil Sample of Wash.

If Produce of Wash distilled exceeds the Proportion herein mentioned.

of such Distiller contrary to this Act, such Distiller shall forfeit the Sum of Two hundred Pounds, and all such Spirits shall be forfeited and may be seized by any Officer of the Excise.

CXXIII. And be it further enacted, That it shall be lawful for any Officer of the Rank of Surveyor or Supervisor of Excise, at any Time during the Continuance of any Licence to any Distiller granted under this Act, to require that any Low Wine Receiver in the Distillery of such Distiller shall be emptied and cleaned out, and that any Quantity of Wash shall be conveyed into any Wash Still in the Distillery of such Distiller, and from any Wash Back as such Officer shall direct or require, in order that such Wash may be distilled into Low Wines; and all Persons in the Employ of such Distiller shall give and provide Aid and Assistance to such Officer in distilling such Wash into Low Wines, and in conveying the Whole of such Low Wines directly into such Low Wines Receiver which shall be so cleaned out; and such Low Wines shall be kept in such Receiver unmixed with any Matter or Thing, until such Officer shall have taken an Account of the Quantity and Strength of such Low Wines; and if such Low Wines Receiver shall not be emptied and cleaned out, or if such Wash shall not be conveyed into such Wash Still, or from such Wash Back as shall be required by such Officer, or if such Aid and Assistance shall not be given to such Officer in the distilling such Wash into Low Wines, or in conveying such Low Wines into such Receiver, or if such Low Wines shall not be kept in such Receiver unmixed as aforesaid, until such Officer shall have taken such Account as aforesaid, then and in every such Case every such Distiller shall, for each Default or Offence, forfeit the Sum of Two hundred Pounds.

CXXIV. And be it further enacted, That it shall and may be lawful for any such Officer as aforesaid, and he is hereby authorized and empowered, to take and convey away out of such Distillery from any Wash Back in the Distillery of any Distiller, a Sample not exceeding the Quantity of Twenty Gallons of the Wash contained in any such Back, and to cause such Sample of Wash to be distilled into Low Wines in any Still provided for that Purpose by the Commissioners of Excise; and such Officer shall gauge or measure the Quantity, and ascertain the Strength of the Low Wines produced by the Distillation of such Wash.

CXXV. And be it further enacted, That in every such Case, whether such Low Wines shall have been produced from Wash distilled in any Wash Still in such Distillery, and conveyed into any Low Wines Receiver in such Distillery as aforesaid, or shall have been produced from any Sample of Wash taken by such Officer as aforesaid, distilled in any Still provided by the Commissioners of Excise as aforesaid, such Officer shall ascertain by Computation the Quantity of Proof Spirit equivalent to such Low Wines, according to the Strength of such Low Wines as compared with the Strength of Proof Spirits; and if such Quantity of Proof Spirits so computed shall, in any of the respective Cases aforesaid, be greater than after the Rate or Proportion of One Gallon or Measure of Proof Spirits for every Eighty Gallons or Measures of such Wash so distilled, in respect of every Five Degrees of the Gravity of such Wash which shall have been attenuated;

tenuated; that is to say, in respect of every Five Degrees of Difference between the original Gravity of the Wort from which such Wash was produced, as declared by such Distiller pursuant to this Act, and the Gravity of such Wash when put into any such Still respectively as aforesaid; then and in each and every such Case respectively, every such Distiller shall forfeit the Sum of Two hundred Pounds, and also the Sum of Sixpence for every Gallon of Wort or Wash contained in the Wash Back from which such Wash so distilled was taken: Provided always, that such Officer shall pay to such Distiller the Value of every Sample of Wash which he shall so take away from such Distillery; provided also, that such Distiller, or any Person acting in his Behalf, shall and may be present at the Distillation of any such Wash, if such Distiller or other Person shall desire to be so present.

Penalty.

Proviso.

CXXVI. And be it further enacted, That in case the Heir, Executor or Administrator of any Distiller who shall die, or the Assignee or Trustee of any Distiller who shall become Bankrupt or Insolvent, shall be desirous of carrying on the Business in the Distillery of any such Distiller, such Heir, Executor, Administrator, Assignee or Trustee respectively, shall transmit or deliver up to the Commissioners of Excise the Licence which had been granted to such Distiller, and shall make Application in Writing to such Commissioners for a new Licence for such Distillery; and it shall be lawful for such Commissioners thereupon to grant or cause to be granted such new Licence, without Payment of any Duty in respect of such new Licence; and such Heir, Executor, Administrator, Assignee and Trustee respectively, to whom such new Licence shall be granted, shall be liable and subject to all Duties and Penalties which shall have been incurred by any such Distiller so deceased, Bankrupt or Insolvent, and shall also be deemed and taken, for the Purposes of this Act, to be the Proprietor of such Distillery, and shall be liable and subject to all the Regulations, Penalties, Forfeitures, Clauses, Matters and Things in this Act contained.

Heirs, Executors, &c. may obtain Licence to carry on the Business;

and shall be liable as herein mentioned.

CXXVII. And be it further enacted, That all the Regulations contained in this Act shall extend and be construed to extend to any Person under the Age of Twenty one Years, in whose Name or for whose Use or Benefit any Distillery shall be exercised, managed or carried on; and such Person shall be liable to all Duties of Excise, and to all Penalties and Forfeitures, as fully to all Intents and Purposes as if such Person were adult and of full Age.

Minors being Distillers shall be liable to the Regulations of this Act.

CXXVIII. And be it further enacted, That the several Licences, Entries, Notices, Declarations, Books, Accounts and Returns required or directed by this Act, shall and may be in such respective Form or Forms as the Commissioners of Excise, or any Two of them, may from time to time direct and appoint; and it shall not be necessary to prove on the Trial of any Complaint or Information, or on any other Proceeding for any Offence against this Act, the particular Order, Direction or Appointment of the said Commissioners of Excise, or any Two of them.

Licences, &c. may be in such Form as Commissioners shall appoint.

CXXIX. And be it further enacted, That the Gallon in this Act mentioned shall, for all the Purposes of this Act, be deemed and taken to be a Gallon *English Wine Measure*.

English Gallon applied to Act

CXXX. And

Malt deemed to refer to clean Malt.

CXXX. And be it further enacted, That in all Cases where Malt is mentioned or referred to in this Act, the same shall be intended and understood to be Malt clean and screened, and not any unclean or unscreened Malt.

If Distiller a Retailer of Spirituous Liquors.

CXXXI. And be it further enacted, That if any Distiller licensed under this Act shall at any Time during the Continuance of such Licence, be directly or indirectly concerned or interested in the Sale of any Spirituous Liquors whatever by Retail, or in carrying on the Business or Trade of a Retailer of any Spirituous Liquors whatever, such Distiller, in each and every such Case, shall forfeit the Sum of Two Hundred Pounds.

Penalty 200l.

Distiller not to be concerned in dealing in Spirits within Two Miles of Distillery.

CXXXII. And be it further enacted, That no Distiller licensed under this Act shall be directly or indirectly concerned or interested in carrying on the Trade of a Wholesale Dealer in Spirits, or be concerned in Trade with any Wholesale Dealer in Spirits, at any Place within the Distance of Two Miles from the Distillery of such Distiller; and if any such Distiller shall be directly or indirectly concerned or interested in the Trade or Business of a Dealer in Spirits, at any Place within such Distance of such Distillery, then and in every such Case such Distiller shall forfeit the Sum of Two Hundred Pounds.

Penalty 200l.

Distillers and Officers entering into collusive Agreement.

CXXXIII. And be it further enacted, That if any Officer of Excise, of whatever Rank or Degree he shall or may be, who shall be employed under the Authority of the Commissioners of Excise, shall make any collusive Agreement with any Distiller, or with any other Person for or on his Behalf, or as his Agent, to omit to do any thing belonging to the Execution of his Employment as such Officer, or to connive at or to conceal any Fraud or Breach or Neglect of the Law by such Distiller, or any Servants, Workmen or Agent of such Distiller, or to make any false Return in respect of any of the Matters and Things required by this Act or any other Act of Parliament for the better securing any Duty or Duties on Spirits, or for the Prevention of Smuggling, or to do or to connive at, or to conceal, or to omit to do any other Act, Matter or Thing, by the doing or the Omission whereof His Majesty's Revenue shall be defrauded; or shall directly or indirectly ask or demand, or take or receive any Bribe, Gratuity, Fee, Recompence or Reward for the Neglect or Nonperformance of any Part of his Duty, or for the restoring or abandoning any Seizure, or for the forbearing to make any Seizure of any Still or Utensil, or any Wort, Wash, Low Wines, Feints or Spirits, or the Casks or Vessels containing the same, or any other Goods, Matters or Things forfeited by Law, every such Officer therein offending shall for each and every such Offence forfeit and lose the Sum of Five Hundred Pounds, and shall be for ever after incapable of serving His Majesty in any Office or Employment, Civil or Military; and if any Distiller licensed under this Act, or any Person on his Behalf, or as his Servant or Agent, shall directly or indirectly give, or promise or offer to give any Bribe, Recompence, Fee, Gratuity or Reward for the Performance or Nonperformance of the Duty of such Officer; or shall make any collusive Agreement with any Officer of Excise, to forbear or neglect the due Performance and Discharge of his Duty as such Officer, in any of the Matters and Things

Penalty, severally, 500l. and Incapacity.

Bribing Officer, &c.

required

required by this Act, or by any other Act of Parliament for better securing any Duty or Duties upon Spirits made, or for the Prevention of Smuggling, or to do, or to conceal, or to connive at, or to omit to do, any Act, Matter or Thing, by the doing or the Omission whereof any of the Provisions of this Act or any other Act or Acts shall be evaded or broken, or His Majesty's Revenue injured, or to restore or to abandon any Seizure, or to forbear or to neglect to make any Seizure of any Still or Utensil, or any Wort, Wash, Low Wines, Feints or Spirits, or the Casks or Vessels containing the same, or any other Goods, Matters or Things forfeited by Law, every such Distiller, and other Person as aforesaid, shall for each and every such Offence (whether the Offer, Proposal, Promise or Agreement be accepted or performed or not) forfeit and lose the Sum of Five hundred Pounds; One third Part thereof, after deducting the Expences of recovering the same, to be paid to His Majesty, and Two third Parts thereof to the Officer or Person who shall discover or disclose or inform of any such Offence: Provided always, that in case any such Officer who shall have asked, taken or received any such Bribe, Fee, Gratuity, Recompence or Reward, or entered into such collusive Agreement as aforesaid, shall, before any Complaint shall have been made, or any Proceeding had against any such Officer, for asking, taking or receiving, or for entering into the same, give Information to the Commissioners of Excise of the Gift or Offer of such Bribe, Fee, Gratuity, Recompence or Reward, or of such collusive Agreement, and the said Commissioners shall think fit that such Information should be proceeded upon, so that the Penalty aforesaid shall be recovered against the Person who shall give, or offer or propose to give such Bribe, Fee, Recompence, Gratuity or Reward, or to make such collusive Agreement; or in case the Distiller or Person who shall give or offer any such Bribe, Fee, Gratuity, Recompence or Reward, or enter into any such collusive Agreement, shall, before any Complaint shall have been made, or any Proceeding had against such Distiller or other Person for giving or offering, or entering into the same, give Information to the Commissioners of Excise of the asking, taking or receiving any such Bribe, Fee, Recompence, Gratuity or Reward, or of such collusive Agreement by any such Officer, and the said Commissioners shall think fit that such Information should be proceeded upon, so that the Penalty aforesaid shall be recovered against such Officer, then and in either of the said Cases, either of the said Parties so first giving such Information to such Commissioners shall be exempted from and indemnified against the Penalties and Disabilities imposed on such Party for such Offence by this Act.

Penalty 50: 1.

Officer being Offender and informing, indemnified.

The like Provision as to Distiller, &c.

CXXXIV. And be it further enacted, That if any Distiller or other Person shall deliver, remove or receive any Spirits, for the Removal of which a Permit is by Law required, without such Permit, or any 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 therewith the Spirits therein described, or return the said Permit within the Time by Law required; or if any Distiller or other Person shall sell, lend, deliver or employ, or make use of any such Permit, or shall cause

Delivering Spirits for which a Permit is required without a Permit, or otherwise acting contrary to the Purpose of a Permit obtained for the

Removal of
Spirits.

or suffer any such Permit 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 for which the same was obtained and granted, and which shall be therein expressed or described, or shall produce or cause, or suffer any such Permit to be produced to any Officer or other Person as having been received with any Spirits 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 of Spirits 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, then and in every such Case every such Distiller or other Person shall for every such Offence forfeit the Sum of Five hundred Pounds, over and above all other Penalty and Penalties, Forfeiture and Forfeitures whatever; and every Permit used for any Purpose whatever, other than to accompany the Removal of the Spirits for which such Permit was obtained and granted, and which shall be therein expressed or described, shall be deemed and taken to be a false Permit, and such unlawful Use thereof shall, over and above all 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 500l.

False Permit.

Penalty.

Recovery and
Applications of
Penalties in
Scotland.

CXXXV. And be it further enacted, That all Fines, Penalties and Forfeitures, for any Offence committed against this Act, which shall be committed in *Scotland*, shall be sued for, recovered, levied or mitigated by such Ways, Means and Methods, as any Fine, Penalty or Forfeiture may be sued for, recovered, levied or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint or Information in the Court of Exchequer in *Scotland*; and that one Moiety of every such Fine, Penalty or Forfeiture shall be to His Majesty, His Heirs and Successors, and the other Moiety to him or them who shall inform, discover or sue for the same.

Powers of
12C.2. c.24.
or any Law
now in force
relating to the
Excise, ex-
tended to this
Act.

CXXXVI. And be it further enacted, That all and every the Powers, Directions, Rules, Penalties, Forfeitures, Clauses, Matters and Things, which in and by an Act made in the Parliament of *England* in the Twelfth Year of the Reign of King *Charles* the Second, intituled *An Act for taking away the Court of Wards and Liveries and Tenures in Capite, and by Knights Service and Purveyance, and for settling a Revenue upon His Majesty in lieu thereof*; or by any other Law now in force in *Scotland* relating to His Majesty's Revenue of Excise, are provided and established, shall be practised, used and put in Execution in *Scotland*, 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 Act.

Recovery and
Application of
Penalties in
Ireland under
this Act and
Malt Act,
55 G.3. c.99.

CXXXVII. And be it further enacted, That all and every the Fines, Penalties and Forfeitures for any Offence against this Act which shall be committed in *Ireland*, and also all and every the Fines, Penalties and Forfeitures for any Offence against an Act made in the Fifty fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to make further Provisions* for

for collecting and securing the Duties of Excise on Malt made in Ireland, 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 made in the Parliament of Ireland, in the Fourteenth and Fifteenth Years of the Reign of His late Majesty King Charles the Second, intituled *An Act for the settling of the Excise or new Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein mentioned,* 14 & 15 C.2. (I.) or in and by an Act made in the Forty sixth Year of His late 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 Revenues of Customs and Excise, or either of them, and effectually, to all Intents, Constructions and Purposes, as if the same were particularly mentioned and expressed and re-enacted 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. 46G.3. c.106.

CXXXVIII. And be it further enacted, That this Act shall commence and take Effect upon and from the Tenth Day of October One thousand eight hundred and twenty three, except in Cases where any other Time of Commencement is expressly provided or declared. Commencement of Act.

CXXXIX. 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. Act may be altered, &c. this Session.

C A P. XCV.

An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of *Great Britain* called *England*.

[19th July 1823.]

WHEREAS an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England:* And Whereas the said Act requires to be explained, amended, and some Enactments thereof 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 so much of the said recited Act as enacts, that from and after the First Day of *January* One thousand eight hundred and twenty six, if the Tire or Tires of any Wheel or Wheels of any Waggon, Cart or other such Carriage, which should be used or drawn on any Turnpike 3 L 2

3G.4. c.126.

§ 5.

Turnpike Road, should not be so made or constructed as not to deviate more than Half an Inch from a flat or level Surface in Wheels exceeding Six Inches in Breadth, or more than One Quarter of an Inch from a flat or level Surface in Wheels less than Six Inches in Breadth; or in case the several Nails of the Tire or Tires of every such Wheel or Wheels should not be so countersunk as not to project above One Quarter of an Inch above the Surface of such Tire or Tires, then and in every such Case the Owner of every such Waggon, Cart or other such Carriage should, for every such Offence, forfeit and pay the Sum of Five Pounds, and every Driver thereof the Sum of Forty Shillings, shall be and the same is hereby repealed.

repealed.

Regulations for
countersinking
Nails of the
Tires of Wheels
of Waggons,
&c.

II. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and twenty six, the several Nails of the Tire or Tires of the Wheels of every Waggon, Wain, Cart or other such Carriage used or drawn on any Turnpike Road, shall be so countersunk as not to project beyond One Quarter of an Inch above any Part of the Surface of such Tire or Tires; and if any Waggon, Cart or other such Carriage shall, from and after the said First Day of *January* One thousand eight hundred and twenty six, be drawn or used on any Turnpike Road, with any Wheel or Wheels made, constructed or being otherwise than as hereinbefore last described, the Owner or Owners thereof shall forfeit any Sum not exceeding Forty Shillings, and every Driver thereof any Sum not exceeding Twenty Shillings, for each and every Time that such Waggon, Cart or other such Carriage shall be used or drawn on any Turnpike Road.

Penalty.

§ G. 4. c. 126.
§ 6.

III. And be it further enacted, That so much of the said recited Act as enacts, that from and after the First Day of *January* One thousand eight hundred and twenty six, no Waggon or other such Carriage should be allowed to travel or be used on any Road with the Fellies of the Wheels thereof of a less Breadth than Three Inches; and from and after the Day and Year last mentioned, if any Waggon or other such Carriage having the Fellies of the Wheels thereof of less Breadth than Three Inches, should be used or drawn on any Turnpike Road, the Owner of every such Waggon or other such Carriage so used should for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and every Driver thereof, not being the Owner, any Sum not exceeding Forty Shillings, shall be and the same is hereby repealed.

repealed.

§ G. 4. c. 126.
§ 8.

IV. And be it further enacted, That so much of the said recited Act as directs, that where any particular Act or Acts of Parliament then in force, for the making, repairing or maintaining any Turnpike Road, should direct an higher Rate of Toll or Tolls on any Waggon, Wain, Cart or other such Carriage, having the Fellies of the Wheels thereof of less Breadth than Six Inches, and such higher Rate is more than the Addition which is thereinbefore directed to be taken, such higher Rate of Tolls, in and by such Act or Acts imposed, should continue to be levied and collected on the said Road to which the said Act or Acts should relate, in the Proportions there fixed, shall, from and after the

the First Day of *January* One thousand eight hundred and twenty four, be and the same is hereby repealed.

V. And be it further enacted, That where the Trustees or Commissioners of any Turnpike Road shall not, previously to the passing of the said recited Act, have taken and collected on the Road under their Care and Management the additional Tolls on Waggon, Wain, Cart or Carriages having the Wheels thereof of less Breadth or Gauge than Six Inches from Side to Side at the Bottom or Sole thereof, and on the Horses or Beasts of Draught drawing the same, directed to be taken and collected by an Act passed in the Thirteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain, amend and reduce into one Act of Parliament the general Laws now in being for regulating the Turnpike Roads in that Part of Great Britain called England, and for other Purposes*, and the particular or local Act or Acts of Parliament in execution whereof the said Trustees or Commissioners shall act, shall not have provided a Scale of Tolls applicable to the Road under their Care and Management, such Trustees or Commissioners shall, from and after the First Day of *January* One thousand eight hundred and twenty four, continue to take, collect and receive for every Waggon, Wain, Cart or other such Carriage having the Fellies of the Wheels thereof of less Breadth or Gauge than Four and a Half Inches from Side to Side at the Bottom or Sole thereof, or for the Horses or Beasts of Draught drawing the same, the same Tolls as are in and by such particular or local Act or Acts payable in respect of such Waggon, Wain, Cart or other such Carriages; and for every Waggon, Wain, Cart or other such Carriage having the Fellies of the Wheels thereof of the Breadth or Gauge of Four and Half Inches, and less than Six Inches at the Bottoms or Soles thereof, or for the Horses or Beasts of Draught drawing the same, One Sixth less than the Tolls which are or shall be payable for the same; and for every Waggon, Wain, Cart or other such Carriage having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottoms or Soles thereof, or for the Horse or Horses drawing the same One Third less than the Tolls or Duties which are or shall be payable for the same by any Act or Acts of Parliament made for making, repairing or maintaining any Turnpike Road.

VI. And be it further enacted, That where any particular Act or Acts of Parliament now in force, for the making, repairing or maintaining any Turnpike Road, shall direct an higher or lower Rate of Toll or Tolls to be collected and taken on any Waggon, Wain, Cart or other such Carriage, or on the Horse or Horses drawing the same, regulated by or in respect of the greater or lesser Breadth of the Wheels of such Waggon, Wain, Cart or other such Carriage, and where, in addition to the Tolls received under such particular Act or Acts, the additional Tolls in respect of the Breadth of Wheels authorized to be taken by the said Act passed in the Thirteenth Year of the Reign of His late Majesty shall not have been collected and imposed, it shall and may be lawful for the Trustees or Commissioners acting in execution of any such particular Act or Acts of Parliament, from and after the First Day of *January* One thousand eight hundred and twenty

repealed.

Where
13 G.3. c.84.
in respect of
Tolls to be
taken for Car-
riages with
Wheels of cer-
tain Description
has not been
acted on, the
Tolls shall be
payable accord-
ing to the
Scale herein
specified.

Where there is
a Scale of Tolls
adapted to the
Width of
Wheels, and
additional Tolls
under
13 G.3. c.84.
not collected,
the Scale of
Tolls imposed
by Local Acts
to continue.

four, to continue to collect the Tolls directed to be taken under the Powers and Provisions of such Act or Acts of Parliament, in execution whereof they shall act, and they shall not impose the additional Tolls authorized and required to be levied by the said recited Act on Waggon, Wains, Carts or other such Carriages having the Fellies of the Wheels thereof of less Breadth than Six Inches.

In case the Tolls shall not be leased, or if leased by Agreement with the Lessee, they may be reduced before the 1st of Jan. 1824.

VII. Provided always, and be it further enacted, That in every Case where the Tolls authorized and empowered to be taken on any Turnpike Road shall be in the Hands of the Trustees or Commissioners of such Road, and not leased or let to farm, but collected on their Account, the Trustees or Commissioners of such Road shall, in case such Tolls were increased by the Provisions of the said recited Act, within Fourteen Days after the passing of this Act reduce the said Tolls, and fix the Amount thereof according to the Provisions of this Act; and in case the Tolls collected and taken on any Turnpike Road shall be leased and let to farm, it shall and may be lawful for the Trustees or Commissioners of such Road to compound and agree with the Farmer or Lessee of the said Tolls for reducing the same, and fixing the Amount thereof according to the Provisions of this Act; and in each of the said Cases the Provisions of this Act with regard to Tolls hereinbefore next mentioned shall then commence and take effect at the Time of such Reduction, and shall not be postponed to the said First Day of *January* One thousand eight hundred and twenty four.

Contractors of Tolls may be released from their Contracts so far as regards Tolls or Penalties for Overweight, on giving Notice to the Treasurer or Clerk of the Trustees by September.

VIII. ' And Whereas many Persons may at the Time of passing of this Act be Farmers or Contractors for the Tolls arising or payable on Turnpike Roads, and for Tolls and Penalties for Overweight, and whose Contracts will not expire until after the First Day of *January* One thousand eight hundred and twenty four; For Remedy whereof, and for Protection of such Lessees or Contractors, Be it further enacted, That in case any Lessee or Lessees, Farmer or Farmers, Contractor or Contractors for any Toll or Tolls arising or payable on any Turnpike Road, or for any Tolls and Penalties for Overweight, payable to any Trustees or Commissioners appointed by virtue of any Act of Parliament for making, repairing or amending Turnpike Roads, whose Contract will not expire until after the First Day of *January* One thousand eight hundred and twenty four, shall by reason of this Act be desirous of being discharged from his, her or their Contract or Contracts, so far as regards such Tolls arising and payable on any Turnpike Road, or any Tolls and Penalties for Overweight, and of such his, her or their Desire, shall, on or before the First Day of *September* One thousand eight hundred and twenty three, give Notice in Writing to the Treasurer or Clerk of any such Trustees or Commissioners, then and in every such Case all such Farmers, Lessees or Contractors shall from and after the said First Day of *January* One thousand eight hundred and twenty four, be released and discharged from their respective Contracts, so far as the same relate to such Tolls arising and payable on any Turnpike Road, or to such Tolls or Penalties for Overweight; and all and every such Contracts shall thenceforth cease and be null and void as to the Residue of the Term or Time then

then to come and unexpired therein, so far as such Contracts relate to such Tolls arising and payable on any Turnpike Road, or to such Tolls and Penalties for Overweight; any thing in such Leases or Agreements to the contrary notwithstanding.

IX. Provided also, and be it enacted, That in case any such Lessee or Lessees, Farmer or Farmers, Contractor or Contractors, shall give such Notice of determining his, her or their Contract, as hereinbefore mentioned, then and in every such Case it shall be lawful for such Trustees or Commissioners, if they think fit, to make any new Contract or Contracts with such Lessee or Lessees, Farmer or Farmers, Contractor or Contractors, or to make any Compensation to him, her or them, in respect of such Tolls payable on any Turnpike Road, or of the said Tolls or Penalties for Overweight, or to cause the said Tolls, and the Tolls or Penalties for Overweight, to be re-let on a Day and at a Place to be by them appointed, of which One Month's Notice at least shall be given, and thereupon to proceed to re-let the same, and to re-let the same for the best Price they may then be enabled to obtain for the same, without being compelled to put up the said Tolls arising and payable on such Road, or the said Tolls or Penalties for Overweight, at the Sum at which they last let, or to have any other Meeting for the letting thereof; any Law or Custom to the contrary notwithstanding.

New Contracts may be made by Trustees or Commissioners with Contractors.

Notice.

X. And be it further enacted, That no Person shall by virtue of the said recited Act, or this or any other Act or Acts of Parliament, have, claim or take the Benefit or Advantage of any Exemption from Toll or Part of Tolls, or Penalties for Overweight, or to pay less Toll for or in respect of any Waggon, Wain, Cart or other Carriage, or the Horses or Beasts drawing the same, and carrying any particular Kind of Goods, than other Carriages of the like Nature carrying other Goods ought to pay, unless such Waggon, Wain, Cart or other Carriage, in respect of which the Exemption shall be claimed, shall have the Sole of the Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Four and Half Inches or upwards (other than and except Carts and Carriages employed in carrying Corn or Grain in the Straw, Hay, Straw, Fodder, Dung or Lime for the Improvement of Land, or other Manure, or any Plough, Harrow or Implements of Husbandry only), but that the Tolls imposed by any Act, together with the additional Tolls required to be taken for or in respect of every such Waggon, Wain, Cart or other Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth or Gauge than Four and Half Inches as aforesaid, and for or in respect of Horses or Beasts of Draught drawing the same, and the additional Tolls or Penalties for Overweight (except as before excepted), shall be paid in the same Manner, to all Intents and Purposes, as if no Exemption or less Toll had been enacted or allowed, and as fully as all other Waggons, Wains, Carts and Carriages, and Horses drawing the same, ought respectively to pay, which are not entitled to any Exemption from Toll in the whole or part, or to pay a less Toll than other Waggons, Wains, Carts and Carriages; any Law or Statute to the contrary notwithstanding.

No Exemption by former Acts to be claimed, unless Carriages with 4½ inch Fellies are used.

3 G.4. c.126.
§ 12.

XI. And be it further enacted, That so much of the said recited Act as enacts, that it shall and may be lawful for the Trustees or Commissioners of any Turnpike Roads from time to time, as they shall see convenient, to compound and agree, for any Term not exceeding Three Years at any one time, with all or any of the Inhabitants of the several Parishes, Hamlets or Places to or through which such Road may lead or pass, for the passing of their Horses, Cattle or Carriages through all or any of the Toll Gates to be erected on such Road, or on the Sides thereof; which Composition shall be paid yearly in Advance, and in Default thereof the Composition or Agreement with the Person or Persons making such Default shall be thenceforth void; and all such Composition Money shall be paid and applied in such Manner as the Tolls are directed to be paid and applied: Provided always, that no such Composition shall extend to the additional Tolls for Overweight hereinbefore directed to be taken, but all such additional Tolls shall be demanded and received notwithstanding any Composition for Tolls; shall be and the same is hereby repealed.

repealed.
3 G.4. c.126.
§ 19.

XII. And be it enacted, That so much of the said recited Act as enacts, that it shall not be lawful for the Trustees or Commissioners of any Turnpike Road, their Lessee or Lessees, Collector or Collectors, or other Officers, to make any Composition for any additional Tolls or Duties, for or in respect of the Overweight, or in any other Manner as to the Weight which any Waggon, Wain, Cart or Carriage shall carry or weigh, any Law to the contrary thereof notwithstanding; but that every Contract and Agreement for such Composition for Overweight shall be null and void to all Intents and Purposes whatsoever; and every Lessee, Collector or other Officer entering into or agreeing to any such Composition, and every Person or Persons with whom any such Composition or Agreement shall be made or entered into, shall, for every such Composition or Agreement, and for every Abatement of Toll for Overweight in consequence thereof, respectively, forfeit and pay the sum of Fifty Pounds to any Person or Persons suing for the same, shall be and the same is hereby repealed.

repealed.
Composition
may be made
for Tolls for
One Year.

XIII. And be it further enacted, That the Trustees and Commissioners of every Turnpike Road may and they are hereby empowered from time to time, as they shall see convenient, to compound and agree, for any Term not exceeding One Year at any one time, with any Person or Persons, for the Tolls payable for any Horses, Cattle or Beasts, or Carriages, passing through any of the Turnpikes or Toll Gates of the Road under their Care and Management, and collected and taken under the Authority of the particular Act or Acts in execution of which the Trustees or Commissioners making such Composition shall act, or of the said recited Act or this Act.

3 G.4. c.126.
§ 129.

XIV. And be it further enacted, That so much of the said recited Act of the Third Year aforesaid as enacts, that the Owner or Owners of every Waggon, Wain or Cart, and also of every Coach, Post Chaise or other Carriage, let either in the whole or in part to hire, shall paint or cause to be painted in a straight Line upon some conspicuous Part of his Waggon, Wain or Cart, or upon

upon the Shafts thereof, and upon the Pannels of the Doors of all such Coaches, Post Chaises or other Carriages, before the same shall be used upon any Turnpike Road, his, her or their Christian and Surname, and the Place of his, her or their Abode, or the Christian and Surname and Place of Abode of the principal Partner or Owner thereof in large legible Letters, not less than Half an Inch in Height, and continue the same thereupon so long as such Waggon, Cart, Coach, Post Chaise or other Carriage shall be used upon any such Turnpike Road; and the Owner of every Common Stage Waggon or Cart employed in travelling Stages from Town to Town, shall, over and above his or her Christian and Surname, paint or cause to be painted on the Part and in Manner aforesaid the following Words, 'Common Stage Waggon' (or 'Cart,' as the Case may be); and every Owner or Proprietor of any such Waggon, Cart, Wain, Post Chaise or other Carriage as aforesaid, using or allowing the same to be used upon any Turnpike Road without the Names and Descriptions painted thereon respectively as aforesaid, and who shall paint or cause to be painted any false or fictitious Name or Place of Abode on such Waggon, Wain, Cart, Coach, Post Chaise or other Carriage, shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds, shall be and the same is hereby repealed.

XV. And for the better Discovery of Offenders, be it further enacted, That the Owner or Owners of every Waggon, Wain or Cart, or other such Carriage, shall, from and after the First Day of *October* One thousand eight hundred and Twenty three, paint or cause to be painted in one or more straight Line or Lines upon some conspicuous Part of the Right or Off Side of his, her or their Waggon, Wain or Cart, or other such Carriage, or upon the Off Side Shafts thereof, before the same shall be used on any Turnpike Road, his, her or their Christian and Surname, and the Place of his, her or their Abode, or the Christian and Surname and Place of Abode of the principal Partner or Owner thereof, at full Length, in large legible Letters not less than One Inch in Height, and continue the same thereupon so long as such Waggon, Wain, Cart or other such Carriage shall be used upon any Turnpike Road; and every Owner and Proprietor of any Waggon, Wain or Cart, or other Carriage, who shall use or allow the same to be used on any Turnpike Road without the Names and Descriptions painted thereon as aforesaid, or who shall paint or cause to be painted any false or fictitious Name or Place of Abode on such Waggon, Wain or Cart, or other Carriage, shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds.

XVI. And be it further enacted, That if any Waggon or Cart, built or constructed to be and usually used on any Railway or Tramroad, shall be drawn or pass loaded on any Turnpike Road, out of and away from such Railway or Tramroad, for the Distance of more than One hundred Yards, the Owner or Proprietor of every such Waggon or Cart shall forfeit and pay the Sum of Forty Shillings, and the Driver thereof, not being the Owner, the Sum of Twenty Shillings for each and every Time such Waggon or Cart shall be so drawn and pass.

XVII. And

Exemptions from Toll not to extend to the Tolls for Overweight, unless such Tolls are also specially exempted.

3G.4. c.126.
§ 10.

repealed.

Breadth of Wheels, or Regulations as to Weight, &c. not to extend to Coaches, &c.

Trustees or Commissioners within 10 Miles of London may reduce Tolls for Overweight.

Regulations of Weight not to extend to One Piece of Metal.

XVII. And be it further enacted, That in case where any Exemption from Toll shall be claimed or allowed under the Provisions of the said recited Act or this Act, or any other Act or Acts of Parliament for repairing and maintaining any Turnpike Road, such Exemption shall not extend to or be allowed for the additional Tolls imposed by the said recited Act, and directed to be taken for every Hundred Weight, of One Hundred and twelve Pounds to the Hundred, which any Waggon, Cart or other such Carriage, together with the Loading thereof, shall weigh at any Weighing Engine, over and above the Weights in and by the said recited Act allowed to each of them respectively, unless the Waggon, Wain, Cart or other such Carriage, in respect of which the Exemption shall be claimed, shall likewise be by the said recited Act or this or some other Act or Acts, specially exempted from such additional Tolls for Overweight; but in all Cases (where not specially exempted) the said additional Tolls shall be paid, and only the original Toll allowed.

XVIII. And Whereas it is by the said recited Act enacted, 'that nothing therein contained relating to the Breadth of the 'Wheels of Carriages, or to the Tolls payable thereon, shall extend or be construed to extend to any Chaise Marine, Coach, 'Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, 'Break, Chaise, Curricule, Gig, Chair or Taxed Cart, Market Cart 'or other Cart for the Conveyance of Passengers or light Goods 'or Articles: And Whereas the said Provision has been found 'inconvenient;' Be it therefore enacted, That the said Provision shall be, and the same is hereby repealed.

XIX. And be it further enacted, That nothing in the said recited Act or this Act contained relating to the Breadth of the Wheels of Carriages, or to the Regulations of Weight, or to the Tolls payable in respect of the Wheels, or of the Weight of Carriages, shall extend or be construed to extend to any Chaise Marine, Coach, Landau, Berlin, Barouche, Phaeton, Sociable, Chariot, Calash, Hearse, Break, Chaise, Curricule, Gig, Chair or Taxed Cart, or any Cart not drawn by more than One Horse or Two Oxen.

XX. And be it further enacted, That the Trustees or Commissioners of the several Turnpike Roads within Ten Miles of the Cities of *London* and *Westminster*, and the Borough of *Southwark*, may and they are hereby empowered, at any Meeting or Meetings to be held for the Purpose (of which Meeting or Meetings, and the Purposes thereof, Fourteen Days' Notice shall be given) to lower the several additional Tolls by the said recited Act directed to be taken for Overweight, in such Manner as to them shall seem fit and convenient, and from time to time to take such reduced Tolls for Overweight as shall be fixed and agreed on at such Meeting or Meetings.

XXI. And be it further enacted, That the Regulations of Weight in the said recited Act or this Act mentioned and provided, shall not extend to any Waggon, Wain, Cart or other Carriage carrying only One Block, Plate, Roll or Vessel of Iron or other Metal, or compounded of any Two or more Metals cast, wrought or united in One Piece.

XXII. And

XXII. And be it further enacted, That so much of the said recited Act as enacts, that nothing therein contained shall extend or be construed to extend so as to exempt any Waggon, Cart or other Carriage laden with Dung, Compost or Manure for manuring Land, or any Horse or other Beast drawing the same, from any Toll imposed in respect thereof by virtue of any Local Act or Acts now passed, whereby such Toll has been imposed for the Maintenance of the Roads therein respectively mentioned, shall be and the same is hereby repealed.

3 G.4. c.126.
§ 22.

repealed.

XXIII. And be it further enacted, That nothing in the said recited Act or this Act contained shall extend or be construed to extend to exempt any Waggon, Wain, Cart or other Carriage laden with Dung, Compost or Manure for manuring Land, or any Horse or other Beast drawing the same, from any Toll imposed in respect thereof by any Local Act or Acts, for making, repairing and maintaining any particular Roads, where in such Act or Acts such Dung, Compost or Manure shall be specially made subject to Toll throughout the whole of such Roads, without any local, parochial or partial Exemption.

Carriages laden with Dung not exempt from Toll when charged by Local Act.

XXIV. And be it further enacted, That no Toll shall be demanded or taken by virtue of the said recited Act or this Act, or any other Act or Acts for making or maintaining Turnpike Roads, for any Horses or Carriages attending or going to attend, or returning from having attended His Majesty, or any of the Royal Family; any thing in any Act or Acts to the contrary notwithstanding.

Royal Family exempted from Toll.

XXV. And be it further enacted, That so much of the said recited Act as directs that the Surveyor of any Turnpike Road, when engaged in executing or proceeding to execute, within the Limits of any adjoining Trust, the Powers of the said Act, or any Act for repairing or maintaining any Turnpike Road, shall be exempt from the Payment of Toll, shall be and the same is hereby repealed.

3 G.4. c.126.
§ 22.

repealed.

XXVI. Provided always, and be it enacted, That nothing herein, or in the said recited Act contained, shall extend or be deemed or construed to extend to repeal or take away any Exemptions from Toll which shall have been granted or allowed by any Act for making or repairing any Turnpike Road.

Proviso for Exemptions by Local Acts.

XXVII. And be it further enacted, That so much of the said recited Act as imposes a Penalty or Forfeiture on any Collector or other Person appointed to collect the Tolls on any Turnpike Road, permitting or suffering any Waggon, Wain, Cart or other Carriage to be drawn or pass on any Turnpike Road, within the View or with the Knowledge of such Collector or Toll Gatherer, or to pass through any Toll Gate or Bar drawn by a greater Number of Horses than by that Act allowed, shall be and the same is hereby repealed.

3 G.4. c.126.
§ 52.

repealed.

XXVIII. And be it further enacted, That the Trustees and Commissioners for making or maintaining any Turnpike Road shall and they are hereby required to put up or cause to be put up, and afterwards to be continued, at every Toll Gate within their respective Districts, a Table painted in distinct and legible Black Letters, on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and

Trustees to put up a Table of the Tolls, with the Names of the Gates.

Tickets denot-
ing Payment of
Tolls.

and also a List of all the Tolls payable at every such Gate, distinguishing severally the Total Amount of Tolls payable under any particular Act or Acts, and this and the said recited Act, and the different Sorts of Carriages for which they are to be paid, where there shall be any Variation therein, and also a List of the several Gates which shall be wholly or partially cleared by the Payment of Toll at the Toll Gate or Bar where such Table of Tolls shall be affixed; and the said Trustees or Commissioners shall also provide Tickets denoting the Payment of Toll, and on such several Tickets shall be specified the Name of the Gate at which the same respectively shall be delivered, and also the Names of the several Gates freed by such Payment, One of which Tickets shall be delivered *gratis* to the Person paying the Toll; and on the Production of such Ticket at any Gate or Gates therein mentioned as being cleared as aforesaid by the Payment of the Toll at the Gate where such Ticket was delivered, the Person producing the same shall pass through the Gate or Gates therein mentioned without paying any further or additional Toll.

3 G. 4. c. 126.
§ 53.

‘ XXIX. And Whereas it is by the said recited Act enacted, that every Toll Collector on every Turnpike Road should place on some conspicuous Parts of the Fronts of the several Toll Houses at which they should respectively be stationed, so that the same should appear to Public View, their Christian and Surnames, painted in Black on a Board with a White Ground, and each of such Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in Proportion, and that such Board should be and remain at such Toll House during the whole of the Time that the Person whose Name should be expressed thereon should be on Duty thereat; and every such Collector should place on the Front of the Toll House or Toll Houses at which such Collector should be stationed the Board therein before directed to be provided, containing the usual Name of the Turnpike Gate where the Board should be affixed, and also the List of the Tolls payable at such Gate, and of the several Gates cleared by the Payment of Toll at the Gate where such Collector or Collectors should be stationed; and if any Collector should not place such Boards respectively, and keep the same there during the time he should be such Collector as aforesaid, or should demand and take a greater or less Toll from any Person than he should be authorized to do by virtue of the Powers of any Act, or of the Orders and Resolutions of the Trustees or Commissioners made in pursuance thereof, or should demand and take a Toll from any Person or Persons exempt from the Payment thereof, and who should claim such Exemption, or should refuse to permit or suffer any Person or Persons to read, or should in any wise hinder any Person or Persons from reading the Inscriptions on such Boards, or should refuse to tell his Christian and Surname to any Person or Persons on being paid the said Tolls, or should in answer to such Demand give a false Name or Names, or should refuse or omit to give to the Person paying the Toll a Ticket denoting the Payment of the Tolls, and naming the Toll Gate at which such Ticket was delivered, and the Toll Gate or Toll Gates (if any) freed by such Payment, or upon the legal Toll being paid or tendered, should unnece-
‘ early

‘sarily detain or wilfully obstruct, hinder or prevent any Passenger or Passengers from passing through any Turnpike or Toll Gate, or should make use of any scurrilous or abusive Language to any Trustee or Commissioner, Traveller or Passenger, then every such Toll Collector should forfeit and pay any Sum not exceeding Five Pounds for every such Offence: And Whereas the said Provision has been found inconvenient; Be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

repealed.

XXX. And be it further enacted, That every Toll Collector on every Turnpike Road shall place or cause to be placed on some conspicuous Parts of the Fronts of the several Toll Houses at which they shall be respectively stationed, and so that the same shall appear to Public View, their Christian and Surnames, painted in Black on a Board with a White Ground, each of such Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in Proportion, and that such Board shall be and remain at such Toll House during the whole of the Time that the Person whose Name shall be expressed thereon shall be on Duty thereat; and if any Collector of the said Tolls shall not place such Board and keep the same there during the Time he shall be such Collector as aforesaid, or shall demand and take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of any Act, or of the Orders and Resolutions of the Trustees or Commissioners made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and who shall claim such Exemption, or shall refuse to permit or suffer any Person or Persons to read, or shall in any wise hinder any Person or Persons from reading the Inscriptions on such Board, or shall refuse to tell his Christian and Surname to any Person or Persons who shall demand the same on being paid the said Tolls, or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or omit to give to the Person paying the Toll a Ticket denoting the Payment of the Tolls, and naming and specifying the Toll Gate at which such Ticket has been delivered, and the Toll Gate or Toll Gates (if any) freed by such Payment, or upon the legal Toll being paid or tendered, shall unnecessarily detain or wilfully obstruct, hinder or prevent any Passenger or Passengers from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Trustee or Commissioner, Traveller or Passenger, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Toll Collectors to put up their Names;

taking greater or less Toll, &c.;

obstructing Passengers;

Penalty.

XXXI. And be it further enacted, That no Collector or Receiver of any Tolls or Penalties for Overweight, residing in any House or Building erected or used by the Trustees of any Turnpike Road for the Residence or Accommodation of Persons appointed for weighing any Waggon or other Carriages, and no Apprentice or Servant of any such Collector or Receiver, shall thereby gain a Settlement in any Parish or Place; and that no Tolls or Penalties for Overweight to be taken at any House or Weighing Machine erected or to be erected, or adjoining to any Turnpike Road, nor any Person whatsoever in respect of such Tolls

Toll Collectors, &c. residing in any House erected by the Trustees not to gain a Settlement.

Tolls or Penalties, or any House or Building as aforesaid, shall be rated or assessed towards the Payment of any Poor's Rates, or any other public or parochial Rate or Levy whatsoever.

Trustees to be sworn.

XXXII. And be it further enacted, That no Person who shall after the passing of this Act be chosen or appointed a Trustee or a Commissioner by or under any Act or Acts for making or maintaining any Turnpike Road, shall act as such Trustee or Commissioner, unless he shall, before he shall act as such (except in administering the Oath or Affirmation hereinafter mentioned), take and subscribe before One or more of the said Trustees or Commissioners (who is and are hereby empowered to administer the same) the Oath or Affirmation following; that is to say,

Oath.

‘ I *A. B.* do swear, [or, being One of the People called *Quakers*, do solemnly affirm.] That I will truly and impartially, according to the best of my Judgment, execute and perform the several Powers, Authorities and Trusts reposed in me as a Trustee [or Commissioner] by virtue of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*; and also an Act passed in the Fourth Year of the Reign of His said Majesty, intituled [*here set forth the Title of this Act*]; and also an Act passed in the _____ Year of the Reign of His Majesty _____ intituled [*here set forth the Title of the Act under which such Trustee or Commissioner shall claim to act.*] So help me GOD.’ [Or, being a Quaker, omit the Words ‘So help me GOD.’]

Acting without Oath. Penalty 50l. and Costs of Suit.

And if any such Person shall act (except as aforesaid) before he shall have taken and subscribed the said Oath or Affirmation, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, with full Costs of Suit, to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, Bill, Suit or Information, wherein no Essoign, Protection or Wager of Law, or more than One Impar lance shall be allowed: Provided always, that no Act or Proceeding touching the Execution of the said Act of the Third Year of the Reign of His present Majesty, or this Act, or any Act for making or maintaining any Turnpike Road, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oath or Affirmation by this Act prescribed, shall be thereby impeached or rendered nugatory; but all such Proceedings shall be as valid and effectual as if such Person had taken such Oath or Affirmation previously to his having acted as such Trustee or Commissioner as aforesaid.

Proceedings under recited Act valid, though Oath omitted under this Act.

Quakers making Affirmation may act as Trustees.

XXXIII. And be it further enacted, That if any Person being a Quaker shall have been or shall hereafter be appointed or elected, by or under any Act or Acts of Parliament for making, repairing or maintaining any Turnpike Road, a Trustee or Commissioner of such Road, and shall be in other respects qualified according to the Provisions of the said recited Act, it shall and may be lawful for such Person on taking and subscribing the Affirmations in the said recited Act and this Act contained, to

act as a Trustee or Commissioner in execution of the Act or Acts by or under which such Person shall be appointed or elected, without being subject or liable to any Penalty or Forfeiture by such Act or Acts imposed for acting as a Trustee or Commissioner, not having taken and subscribed the Oaths therein contained.

XXXIV. Provided always, and be it enacted, That nothing in the said recited Act made in the Third Year of the Reign of His present Majesty, or in this or any other Act contained, shall extend or be construed to extend so as to require any Justice of the Peace acting for any County to take or subscribe any Oath of Qualification before he shall act as Trustee in the Execution of any Act or Acts for making, repairing or maintaining any Turnpike Road.

XXXV. And be it further declared and enacted, That where any Persons shall, previously to the First Day of *January* One thousand eight hundred and twenty three, have been duly qualified according to the Provisions of, and taken the Oath prescribed in that Behalf by an Act passed in the Thirteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain, amend and reduce into one Act of Parliament the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England, or for other Purposes*; or have been duly qualified according to the Provisions of, and taken the Oath prescribed by any other Act or Acts of Parliament for making, maintaining or repairing any particular Turnpike Road, previously to the said First Day of *January*, and shall have been then acting as a Trustee or Commissioner in the Execution of such Act or Acts, it shall and may be lawful for such Person to continue to act as a Trustee or Commissioner under such Act or Acts, without requalifying, or taking the Oath prescribed in and by the said recited Act of the Third Year of His present Majesty's Reign, and although such Person may not be possessed of Freehold or Copyhold Lands, Tenements or Hereditaments, or be Heir Apparent to any Person possessing the same, to the Amount required by the said recited Act.

XXXVI. Provided always, and be it enacted, That if any Trustee or Commissioner who shall have been acting as such previously to the said First Day of *January* One thousand eight hundred and twenty three, shall have lost or parted with subsequently thereto, or shall hereafter lose or part with, by Sale, Assignment, Bankruptcy, Insolvency or otherwise, the Qualification in respect of which he acted as a Trustee or Commissioner, and shall not be possessed of the Qualification required by the said Act of the Thirteenth Year of the Reign of His late Majesty, or by the Act or Acts in the Execution of which such Trustee or Commissioner shall have acted, every such Trustee or Commissioner shall therefrom become disqualified and be incapable of any longer acting as a Trustee or Commissioner; and if any such Trustee or Commissioner so becoming disqualified shall presume to act in execution of the Act or Acts under which he previously acted, he shall for every such Offence incur and be liable to the Penalties and Forfeitures imposed by the said recited Act of the Third Year aforesaid, on Persons acting as Trustees or Commissioners not being

Not to extend to Magistrates taking Oath of Qualification as Trustees.

Explaining Trustees' Qualification. 13 G.3. c.84.

Trustee losing his Qualification shall become incapable of acting.

Acting.

Penalty.

being duly qualified, to be sued for and recovered under the Powers and Provisions of the said Act.

3 G.4. c.126.
§ 65.

‘ XXXVII. And Whereas in and by the said recited Act it is amongst other Things provided, that no Trustee or Commissioner shall have any Share or Interest in, or be in any Manner directly or indirectly concerned in any Contract or Bargain for making or repairing, or in any way relating to the Road for which he shall act, or for building or repairing any Toll House or Toll Gate or Weighing Engine thereon, or for supplying any Materials for the Use thereof, nor shall let out for Hire any Waggon, Wain, Cart or other Carriage, or any Horse, Cattle or Team, for the Use of any Turnpike Road for which he shall act as Trustee or Commissioner, nor by himself or by any other Person for or on his Account, directly or indirectly receive any Sum or Sums of Money to his Use or Benefit, out of the Tolls collected on the Road for which he shall act during the Time he shall be acting as a Trustee or Commissioner of such Road; and in and by the said recited Act any Trustee or Commissioner offending in any of the Cases aforesaid is thereby made liable to pay the Penalty of One hundred Pounds;’ Be it further enacted and declared, That no Person or Persons being a Trustee or Commissioner, or Trustees or Commissioners of any Turnpike Road, shall be liable to and forfeit the said Penalty of One hundred Pounds, or any other Penalty or Forfeiture, for or by reason of his or their being only a Proprietor or Proprietors, or Holder or Holders of any Share or Shares in any Canal or Railway Company which shall contract with the Trustees or Commissioners of the Road for which such Person or Persons shall act as a Trustee or Commissioner, or Trustees or Commissioners, for the Carriage or Conveyance of any Materials for the Repair of such Road.

How far
Trustees having
Shares in Canal
Companies, &c.
not liable to
Penalty for
Contract to
convey Ma-
terials.

3 G.4. c.126.
§ 67.

‘ XXXVIII. And Whereas it was by the said Act enacted, that the Trustees or Commissioners for executing any Act for repairing Turnpike Roads should from time to time meet at such Time and Place as to them should seem convenient, and adjourn themselves to meet at any Place and at such Time as the said Trustees or Commissioners should appoint; and at all their Meetings the Trustees or Commissioners should pay and defray their own Expences, except any Sum not exceeding Ten Shillings *per Diem* for the Use of the Room wherein they should meet; and all Orders and Determinations of the Trustees or Commissioners in the Execution of any such Act should be made at Meetings to be held in pursuance thereof, and not otherwise; and that no Order or Determination should be made, unless the major Part of the Trustees or Commissioners present should concur therein; and that all the Powers and Authorities thereby in them vested should be done and exercised by the major Part of the Trustees or Commissioners who should be present at Meetings to be held by virtue of any such Act; and that a Chairman should in the first Place be appointed at every Meeting, who should have the decisive or casting Vote; and that no Order or Determination at any Meeting of the said Trustees or Commissioners should be revoked or altered at any subsequent Meeting, unless Notice of the Intention to make such Revocation or Alteration should have been given at a previous Meeting,
‘ by

‘ by Notice on all the Turnpike Gates then erected upon such Road, Twenty one Days at least before such Meeting, nor unless such Revocation or Alteration should be agreed to be made by Seven Trustees or Commissioners at the least: And Whereas the said Provision has been found inconvenient;’ Be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

XXXIX. And be it further enacted, That the Trustees or Commissioners for executing any Act for making or maintaining any Turnpike Roads shall and may from time to time meet at such Time and Place on or near their respective Roads as to them shall seem convenient, and may adjourn themselves to meet at any Place or Places, and at such Time or Times, as the said Trustees or Commissioners, or the major Part of them present at any Meeting shall appoint; and at all their several Meetings the Trustees or Commissioners shall pay and defray their own Expences, except any Sum not exceeding Ten Shillings *per Diem* for the Use of the Room wherein they shall meet; and all Orders and Determinations of the Trustees or Commissioners in the Execution of any such Act shall be made at Meetings to be held in pursuance thereof, or of the said recited Act and this Act, and not otherwise (except in the Cases otherwise particularly provided for by the said recited Act or any such Act for making or repairing Turnpike Roads); and that no Order or Determination shall be made unless the major Part of the Trustees or Commissioners present shall concur therein; and that all Acts, Orders and Proceedings relating to any such Act, or the said recited Act and this Act, which are directed to be had, made, done or exercised by or before the said Trustees or Commissioners, and all the Powers and Authorities vested in them generally, shall and may be had, made, done and exercised by the major Part of the Trustees or Commissioners who shall be present at the respective Meetings to be held by virtue of any such Act or this Act, the whole Number present not being less than Three (except in such Cases where any other Number is by any Local Act, or the said recited Act or this Act, named for any particular or special Purpose); and that all Acts, Orders or Proceedings had, made or done by or before such Three Trustees or Commissioners, shall have the same Force and Effect, and be binding and conclusive on all Persons, and to all Intents and Purposes whatsoever, as fully and effectually as if the same were had, made, done or executed by or before all the said Trustees or Commissioners; and that a Chairman shall and may in the first Place be appointed at every Meeting to be held by virtue and for the Purposes of any such Local Act, or the said recited Act and this Act, who in case of an equal Number of Votes (including the Chairman’s Vote) shall have the casting or decisive Vote; and that no Order or Determination at any Meeting of the said Trustees or Commissioners, once made, agreed upon or entered into shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to make such Revocation or Alteration shall have been given by Three or more Trustees or Commissioners, by Writing under their Hands, to the Clerk to the said Trustees or Commissioners, at a previous Meeting holden for the same Road, and entered in the Book of Proceedings

repealed.

Regulations as to Meetings of Trustees and Commissioners.

Expences.

No Order unless Majority concur,

nor less than Three to be present. Exception.

Notice of Alteration, &c. of Order.

Proviso as to
Expences.

ceedings of such Meeting, and unless Notice signed by any Two or more Trustees or Commissioners shall have been affixed on all the Turnpike Gates then erected upon such Road Twenty one Days at least before such Meeting, nor unless such Revocation or Alteration shall be agreed to be made by a greater Number of Trustees or Commissioners than concurred in the making of any such Order or Determination: Provided always, that nothing herein contained, prohibiting or restraining Trustees from expending more than Ten Shillings *per Diem* for the Use of the Room wherein they shall meet, shall extend to the Trustees or Commissioners of any Road within Five Miles of the *Royal Exchange* in *London*; but such last mentioned Trustees or Commissioners may expend any Sum not exceeding Twenty Shillings for the Use of such Room.

§ G. 4. c. 126.
§ 68.

‘ XL. And Whereas it is by the said Act enacted, that if at any Time it should be thought necessary that the Trustees or Commissioners of such Road should meet before the Time to which any Meeting may be adjourned, it should be lawful for any Two or more of such Trustees or Commissioners (or for the Clerk to the said Trustees or Commissioners, by an Order in Writing signed by any Two or more of them) to give Notice of such earlier Meeting in the Manner before directed; and all the Orders and Determinations of the Trustees or Commissioners at all such Meetings should be as valid as if the same had been done at any other Meeting of Trustees or Commissioners: And Whereas the said Provision has been found inconvenient;’ Be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

repealed.

How Meetings
on Emergen-
cies shall be
held.

XLI. And be it further enacted, That if at any Time it shall be thought necessary, for the better Execution of any Act of Parliament for making or maintaining any Turnpike Road, that the Trustees or Commissioners of such Road should meet before the Time to which any Meeting may be adjourned, it shall and may be lawful for any Two or more of such Trustees or Commissioners (or for the Clerk to the said Trustees or Commissioners, by an Order in Writing, signed by any Two or more of them) to give Notice of such earlier Meeting by Advertisement in some Newspaper circulated in the Neighbourhood of such Road, and affixed on all the Turnpike Gates then standing on such Road, in which Notice shall be expressed the Time, Place and Purpose of such earlier Meeting (such Time not being less than Fourteen Days after Publication of the said Notice); and all the Orders and Determinations of the Trustees or Commissioners at all such Meetings shall be as valid as if the same had been done at any other Meeting of Trustees or Commissioners held by virtue of the said recited Act or this Act, or the Act under and by virtue of which they shall act as Trustees or Commissioners: Provided always, that no other Business than what shall be specified in such Notice shall be transacted at any such Meeting.

‘ XLII. And Whereas in and by the said recited Act, all Trustees and Commissioners of every Turnpike Road or Roads are required to hold a General Meeting of the Trust for which they shall respectively act, on a Day to be by them or any Three or more of them appointed in the Months of *April*, *September* and

‘ and *October* ;’ Be it further enacted, That where in and by any Act of Parliament a General Annual Meeting of the Trustees acting in execution of such Act shall be appointed to be held at any other Time of the Year than in the said Months of *April*, *September* or *October*, and the said Trustees shall have held such Meetings under the Authority of such Act, it shall and may be lawful for such Trustees to continue to hold the said General Annual Meetings at the Time mentioned and directed in the Act, under and by virtue of which they shall be appointed, instead of in the said Months of *April*, *September* or *October* ; any thing in the said recited Act contained to the contrary notwithstanding.

Where a Local Act has fixed a Time for Annual Meeting, it may be held on that Day.

XLIII. And be it further enacted, That the Trustees or Commissioners for making or maintaining any Turnpike Road may and they are hereby empowered, by Writing under their Hands, to appoint such Collector or Collectors of the Tolls arising on such Road, and Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors of the said Road, and such other Officers as the said Trustees or Commissioners shall think necessary ; and such Collectors, Clerks, Treasurers, Surveyors and other Officers, or any of them, from time to time remove, and on Removal, Death or Resignation of any such Collectors, Clerks, Treasurers, Surveyors or other Officers, to appoint others in their Stead ; and may and are hereby authorized and empowered, out of any of the Monies arising on such Turnpike Road, to allow and pay to the several Collectors, Clerks, Treasurers, Surveyors and other Officers, and to such other Person or Persons as shall be assisting them or any of them, in or about the Execution of the Act for making or maintaining such Road, and the said recited Act and this Act, such Salaries, Rewards and Allowances for their Attendance, Care, Labour and Services, as such Trustees or Commissioners shall deem reasonable.

Appointing Officers, Salaries, &c.

XLIV. Provided always, and be it further enacted, That it shall not be lawful for the Trustees or Commissioners acting under any Act for making or maintaining any Turnpike Road to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of such Act, or the Partner of any such Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Surveyor or Surveyors for the Purposes of such Act ; or to continue or appoint any Person or Persons who has been or may be appointed Surveyor or Surveyors, or the Partner or Partners of any such Surveyor or Surveyors, the Clerk or Clerks to the said Trustees or Commissioners ; and if any Person shall accept both the Offices of Clerk and Surveyor for the Purposes of such Act, or if any Person, being the Partner of any such Clerk or Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Surveyor, or being the Partner of any such Surveyor or Surveyors, shall accept the Office of Clerk in the Execution of such Act, and if any such Surveyor shall hold or accept any Place or Office of Profit or Trust under the said Trustees, other than that of Surveyor, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, with full Costs

Surveyor and Clerk not to be the same Person, nor Surveyor to accept any other Office under the Trustees.

Penalty 50l.

of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit or Information, wherein no *Essoign*, Protection or Wager of Law, nor more than one *Impar lance* shall be allowed.

Surveyor not to be concerned in Contracts, or sell Materials.

XLV. And be it further enacted, That if the Surveyor of any Turnpike Road shall have any Part, Share or Interest in any Contract or Bargain for Work, Materials, Tools or other Things, to be done or provided upon, for or on account of any Road or Bridge, or any Part thereof under his Care and Management, or shall upon his own Account, directly or indirectly, let to hire any Team, or sell or dispose of any Timber, Stone or other Materials, to be used or employed in making or repairing any such Road or Bridge, he shall forfeit for every such Offence the Sum of Fifty Pounds.

3 G. 4. c. 125.
§ 77.

XLVI. And Whereas it was by the said Act enacted, that all such Officers as should be appointed by any Trustees or Commissioners of any Turnpike Road should, as often as required by the Trustees or Commissioners, render a true, exact and perfect Account in Writing of all Monies which they should respectively have received and disbursed by reason of their respective Offices; and in case any Money so received by any such Officer should remain in his Hands, the same should be paid to the Trustees or Commissioners; and if any such Officer should refuse or neglect to render such Account, or to produce the Vouchers, or should refuse or neglect to render and give up all Books, Papers, Writings, Tools, Matters and Things in his Custody or Power relating to the Road for which he should act, it should be lawful for any Justice of the Peace, upon Application made to him for that Purpose, to make Inquiry concerning any such Default as aforesaid in a summary Way, and by Warrant under his Hand and Seal to cause such Money as should appear to him to be due, to be levied by Distress and Sale of the Goods and Chattels of such Officer; or if sufficient Distress could not be found, or if it should appear to any such Justice that such Officer should have refused or neglected to give such Account, or to deliver up all Books, Papers, Writings, Tools, Matters and Things in his Custody or Power relating to the Execution of his Office, such Justice should commit him to the House of Correction or Common Gaol, there to remain without Bail or Mainprize until he should make and give a true and perfect Account, and should have paid the Money (if any) remaining in his Hands, according to the Direction of the Trustees or Commissioners, or should have compounded with the said Trustees or Commissioners for such Money, or until he should deliver up such Books, Papers and Writings, Tools, Matters and Things as aforesaid, or have given Satisfaction to the Trustees or Commissioners concerning the same: And Whereas the said Provision has been found inconvenient; Be it enacted, That the said Provision shall be and the same is hereby repealed.

repealed.

Officers of Turnpike Roads to account when required by Trustees.

XLVII. And be it further enacted, That all such Officers as shall have been or shall be appointed by any Trustees or Commissioners of any Turnpike Road, shall, from time to time, when thereunto required by the Trustees or Commissioners, deliver to such Trustees or Commissioners, or to such Person or Persons

as

as they shall for that Purpose appoint, true, exact and perfect Accounts in Writing, under their respective Hands, of all Monies which they and every of them respectively shall have received to that Time, by virtue of any Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands to the said Trustees or Commissioners, or to such Person or Persons as they shall appoint to receive the same, and not otherwise, within such Time as such Trustees or Commissioners shall limit or appoint; and if any such Officer or Person shall refuse or neglect to produce or deliver up such Accounts, and the Vouchers relating to the same, or shall refuse or neglect to pay the Money due on such Account within the Time or in Manner aforesaid, or if any such Officer or Person shall refuse or neglect to deliver up to the said Trustees or Commissioners, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Trustees or Commissioners, all the Books, Papers or Writings, in his Custody or Power relating to the Execution of any such Act, then and in every or any of the said Cases it shall be lawful for any One Justice of the Peace for the County, Division or Riding in which such Road or any Part thereof shall be situate, upon Complaint made to him by or on Behalf of the said Trustees or Commissioners, and such Justice is hereby required, by Warrant under his Hand and Seal, to summon such Officer or Officers, Person or Persons, to appear before him, and upon his, her or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced; and if upon Confession of the Officer or Officers, Person or Persons, against whom any such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses (which Oath such Justice is hereby empowered and required to administer, without Fee or Reward); or upon Inspection of the said Accounts, if produced, it shall appear to such Justice that any of the Money which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may and he is hereby authorized and required, on Nonpayment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if such Officer or Officers, or other Person or Persons, shall not appear before the said Justice at the Time and Place by him appointed for that Purpose, unless for some sufficient Reason, or if appearing, shall refuse or neglect to give and deliver to such Justice an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers and Writings in his, her or their Custody or Power relating to the Execution of any Act for making or repairing Turnpike Roads, for the said recited Act or this Act; then and in either of the Cases aforesaid, such Justice may and

Proceedings on Neglect of Officers to account.

Balance in hand unpaid.

Distress.

Imprisonment.

he is hereby authorized and required, by a Warrant under his Hand and Seal, to commit such Officer or Officers, or Person or Persons, to the Common Gaol or House of Correction of the County in which such Road shall be situate, there to remain without Bail or Mainprize, in case he or they shall be committed for Nonpayment of any Money received by him or them, or in his or their Hands, until he shall have accounted for and paid the full Amount thereof, or compounded with the Trustees or Commissioners, and paid such Composition in such Manner as the said Trustees or Commissioners shall appoint (which Composition the said Trustees or Commissioners are hereby empowered to make); or in case he or they shall be committed for not delivering any Account Books, Papers or Writings as aforesaid, until he or they shall have delivered up such Books, Papers and Writings as aforesaid, or made Satisfaction in respect thereof to the said Trustees or Commissioners; Provided that no Person who shall be so committed for want of sufficient Distress shall be detained in Prison by virtue of this Act for a longer Space of Time than Six Calendar Months.

3 G. 4. c. 126.
§ 50.

‘ XLVIII. And Whereas it was by the said Act enacted, that ‘ it should be lawful for any Two or more Trustees or Commis- ‘ sioners of any Turnpike Road, upon the Death of any Collector, ‘ to nominate and appoint some other fit Person until the next ‘ Meeting of the Trustees or Commissioners of such Road; and ‘ that if any Toll Collector who should be discharged from his ‘ Office should refuse to deliver up the Possession of the House ‘ and Appurtenances which he enjoyed in Right of his Appoint- ‘ ment, or if the Wife or Family of any such Toll Collector or ‘ Deputy, who shall die as aforesaid, should refuse to deliver up ‘ the Possession of such Building and Appurtenances, it should ‘ be lawful for any Justice of the Peace, by Warrant under his ‘ Hand and Seal, to order a Constable or other Peace Officer to ‘ enter such House and Premises in the Daytime, and to remove ‘ the Persons found therein, together with their Goods, out of ‘ such House, and to put the new appointed Officer into the ‘ Possession thereof: 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.

Trustees may
appoint tem-
porary Collec-
tors, &c. in
certain Cases.

XLIX. And be it further enacted, That upon the Death, Incapacity, Refusal, Neglect or Absconding of any Collector or Receiver of Tolls at any Turnpike or Weighing Machine upon any Turnpike Road, any Two or more Trustees or Commissioners, though not assembled at any Meeting, by Writing under their respective Hands, shall and may nominate and appoint a proper Person in his Place, to continue until the then next Meeting of the Trustees or Commissioners of such Road, in the Stead of such Collector or Receiver as shall so die, become incapable, refuse, neglect or abscond; which Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all respects, as the Person who shall die, become incapable, refuse, neglect or abscond, would have had or been subject to if living; and if any Collector or Receiver of Tolls as aforesaid, who shall be discharged from his Office by the said Trustees or Commissioners, or the Wife or Wid-
ow,

dow, or any of the Children, Family or Representatives of any Collector or Receiver who shall die, abscond, refuse or neglect to perform his Duty, or be discharged, or any other Person having the Possession of any Toll House or Buildings or Weighing Machine erected by virtue of any Act for repairing Turnpike Roads, or the said recited Act, shall neglect or refuse to deliver up such Possession for the Space of Three Days after Demand thereof made, and Notice in Writing given for that Purpose, by any Two or more of such Trustees or Commissioners, or by their Clerk or Treasurer, then and in any of the said Cases it shall and may be lawful for any Justice of the Peace for the County or Place where such Toll House or Building or Weighing Machine shall be situate, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer for the same County or Place, with such Assistance as shall be necessary, to enter such House or Building or Weighing Machine in the Daytime, and to remove the Person who shall be found therein, together with his, her or their Goods, out of the same, and to put the said Trustees or Commissioners, or any of their Officers, in the Possession thereof.

L. Provided always, and be it further enacted, That from and after the passing of this Act, no Person or Persons who shall ask and take more Toll than he is authorized to take by this Act, or any Act now in force, or by any Act hereafter to be made and passed, shall be prosecuted by Indictment for Extortion, or otherwise, nor shall any other Proceeding be adopted against such Person or Persons for the Offence aforesaid, other than by prosecuting for the Forfeiture and Penalty before a Justice of the Peace, as is herein or by the said recited Act directed.

Collectors taking more Toll than allowed. Proceedings.

LI. And Whereas it was by the said Act enacted, that on every Letting of any Tolls, the Trustees or Commissioners should take of the Renter thereof One, Two or more Months' Rent in Advance; and that in every Agreement to be entered into for the letting of any Tolls, the Rent payable for such Tolls should be reserved and made payable Monthly or otherwise, and the Renter should produce Two sufficient Sureties for the punctual Payment of the Rent; and in every Case where the Terms of such Agreement should not be fulfilled, and the Rent not be paid when due, but should remain unpaid for Three Days after becoming due, then the Trustees or Commissioners making any such Agreement should, if they thought fit, declare the Agreement void, and re-enter and take Possession of any Toll Gate or Toll House, and the Tolls there collected, and relet the same, or appoint a Collector to collect and receive the same, and to put out and remove the Person or Persons so failing in their Agreement: 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.

§ G.4. c.126. § 56.

repealed.
Tolls may be let in Lots.

LII. And be it further enacted, That it shall and may be lawful for the Trustees or Commissioners of any Turnpike Road, under and subject to the Directions and Provisions of the said recited Act and this Act, to let to farm, or agree to let to farm, all or any Part of the Tolls of the several Gates erected upon their respective Roads, and all or any of the said Gates, either together and in one Lot, or by Parcels and in several Lots; and that in case the

said Trustees or Commissioners shall at any Time let to farm the said Tolls in Parcels or Lots, it shall be lawful for the said Trustees or Commissioners to put up each such Parcel or Lot at such Sum as they shall think fit.

Trustees may appoint some Person to bid at letting of Tolls.

LIII. And be it further enacted, That when the Trustees or Commissioners of any Turnpike Road shall put up the Tolls to let to farm, the said Trustees or Commissioners may, if they think fit, appoint some Person to bid for the same on their Account, to the Intent that such Tolls may not be let for less than an adequate Value.

Tolls of another Trust adjoining may be farmed.

LIV. And Whereas in some Situations a Toll Gate or Bar, belonging to Trustees or Commissioners of One Road, is placed so near to the Gate or Bar of the Trustees or Commissioners of another Road, as to be inconvenient to the respective Trusts, and to the Public; Be it therefore enacted, That it shall and may be lawful for the Trustees or Commissioners of any Turnpike Road, if they shall agree thereto, at any public Meeting to be holden for that Purpose, to take to farm the Tolls payable at any Toll Gate or Bar of any other Road adjoining or near to the Road under their Care and Management; and the Trustees or Commissioners so farming the Tolls may collect and receive the same, or may reduce the said Tolls so farmed, or may discontinue the same, as they shall see fit.

Trustees to pay Expence of Sales of Land, &c.

LV. And be it further enacted, That all Sales and Conveyances of any Lands, Tenements or Hereditaments, to be sold by the Trustees or Commissioners of any Turnpike Roads, shall be made at the Expence of such Trustees or Commissioners, and shall be expressed in the following or some similar Form of Words, as the Circumstances of the Case may require; *videlicet*,

Form of Conveyances.

WE, _____ of the Trustces or Commissioners acting in Execution of an Act passed [*here insert the Title of the Act appointing them*] in Consideration of the Sum of _____ to us paid by [*Name of the Purchaser*] do hereby by grant and release to the said [*Name of the Purchaser*], all [*describing the Premises to be conveyed*], and all our Right, Title and Interest to and in the same, and every Part thereof, to hold to the said [*Name of the Purchaser*], his Heirs, Executors, Administrators and Assigns for ever, by virtue and according to the true Intent and Meaning of an Act, passed in the Fourth Year of the Reign of King George the Fourth, intituled *An Act [here set forth the Title of this Act]*. In Witness whereof we have hereunto set our Hands and Seals, this _____ Day of _____

Ground may be purchased for Repository of Materials.

LVI. Provided always, and be it further enacted, That it shall and may be lawful for the Trustees or Commissioners of any Turnpike Road, and they are hereby empowered, to purchase or rent, with the Consent of the Owner or Proprietor thereof, any Piece or Pieces of Ground within Ten Miles of the *Royal Exchange*, as a Repository for Materials, such Piece or Pieces of Ground to be of such Extent as they may think proper, so as the same shall not exceed in the whole Half an Acre.

Where Toll Houses are not

LVII. And be it further enacted, That where any Toll House or Toll Houses standing on or adjoining any Turnpike Road, and which

which shall have been erected by or vested in the Trustees or Commissioners of such Road, shall become useless and be no longer required for the Purposes of such Road, it shall not be lawful for the Trustees or Commissioners of such Road to sell or dispose of such Toll House or Toll Houses but in every such Case the Trustees or Commissioners of the Road on which such Toll House or Toll Houses, no longer required shall stand, shall cause such Toll House or Toll Houses, with the Outhouses attached or belonging thereto, to be pulled down, and the Materials thereof to be sold or removed, and the Scite of such Toll House or Toll Houses so pulled down, together with the Gardens and Appurtenances thereunto belonging, may then be sold by the said Trustees or Commissioners, in the same Manner as and under the Regulations in the said recited Act and this Act contained, with respect to any Land or Ground not wanted for the Purposes of the Road.

wanted, they shall be pulled down and the Materials sold.

LVIII. And be it further enacted, That during such Time as the Tolls arising on any Turnpike Road, or any Part or Parts thereof, shall be leased, demised or let to any Person or Persons whomsoever, it shall and may be lawful to and for the Lessee or Lessees, or Farmer or Farmers thereof, or such other Person or Persons as he or they shall authorize or appoint, to occupy and enjoy the Toll House or Toll Houses at which the said Tolls so let are to be collected and to arise, with all the Appurtenances and Conveniences to the same Toll House or Toll Houses belonging, for the Purpose of collecting such Tolls, during so long Time only as such Lessee or Lessees, Farmer or Farmers, shall duly and regularly pay his, her or their Rent or Rents, and perform the Covenants, Agreements and Conditions of such Lease, Demise or Letting, no further or otherwise.

Lessees, or Persons appointed by them, may occupy Toll Houses.

LIX. And be it further enacted, That in case all or any of the Tolls arising by virtue of any Act for repairing or amending any Turnpike Road shall have been or shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall have been or shall be so demised or let; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear by the Space of Seven Days next after any of the Days on which the same ought to be paid, pursuant to the Agreement for letting to farm thereof; or in case any such Lease or Agreement shall in any other Manner become void; then and in any of those Cases it shall and may be lawful for any Justice of the Peace for the County or Place, by Warrant under his Hand and Seal, to order a Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of any Toll House or Toll Houses, Toll Gate, Bar or Chain, or Weighing Machine, and the Buildings and Appurtenances thereto belonging, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively, or other Person or Persons who shall be found therein, together with his, her or their Goods, out of and from the Possession of the said Toll House or Toll Houses, and from the Collection of Tolls, and to put the said Trustees or Commissioners, or any

Trustees may take Possession of the Toll House, &c. when let to farm, or held by Collectors for Trustees, in Default of Performance of Conditions, &c.

And may vacate Contract ;

and let Tolls again to other Persons, &c.

Instead of paying off Creditors rateably, Trustees may do so by Lot.

Trustees not personally liable for Mortgages.

Books used under former Acts to be Evidence.

any One of them, or their new appointed Officer, or other Person acting by or under their Authority, into the Possession thereof; and thereupon it shall be lawful for the said Trustees or Commissioners (if they shall think fit) to vacate and determine the Contract or Agreement (if any) for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be from that Time utterly void to all Intents and Purposes (save as to the Covenants or Agreements for Payment up to that Time of the Rent or Rents thereby reserved, or other Covenants or Agreements on the Lessee's Part which shall have been holden) as if such Demise or Agreement had never been made; and it shall be lawful for the said Trustees or Commissioners in every such Case to demise or let to farm the said Tolls again to any other Person or Persons, or cause them to be collected as if no former Demise, Contract or Agreement had been made relative thereto; any Rule of Law or Right to the contrary notwithstanding.

LX. And be it further enacted, That in case the Trustees or Commissioners of any Turnpike Road shall at any Time or Times be desirous of paying off any Portion of the Principal Monies due and owing upon the Credit of such Road, where all the Interest due thereon shall have been duly paid or otherwise satisfied, it shall and may be lawful for them, at any Meeting to be holden according to the Directions of the said recited Act or this Act, or of the Act or Acts in Execution of which they shall act, (Notice of such intended Meeting and of the Purposes thereof being first given, at least Twenty eight Days preceding the same, by Advertisement in some Newspaper printed in or usually circulated in the Neighbourhood of the said Road,) if they shall think fit, instead of paying the same rateably amongst all the Creditors, to determine by Lot to which of such Creditors the whole or any Portion thereof shall be so paid, and to pay the same to such Creditor or Creditors only, or to any of the Creditors, with the Consent of all the other Creditors.

LXI. Provided always, and be it enacted, That the Trustees or Commissioners for making or maintaining any Turnpike Road shall not be personally subject to or liable to be charged with the Payment of any Sum or Sums of Money, by reason of their having signed or executed any Mortgage, or Assignment by way of Mortgage, or other Security to be made by virtue or in pursuance of any Act for making or maintaining any Turnpike Road: Provided also, that in case any Action, Suit or Prosecution shall be brought or commenced against any such Trustee or Commissioner, for any Thing done by virtue or in pursuance of the said recited Act of the Third Year of his present Majesty, or this Act, or any such Act for making or maintaining any Turnpike Road, all the Costs, Charges and Expences of defending such Action, Suit or Prosecution, or which such Trustee or Commissioner shall incur in consequence thereof, shall be defrayed out of the Tolls arising on the Turnpike Road for which such Trustee or Commissioner shall act.

LXII. And be it further enacted, That all and every Book and Books containing the Accounts and Proceedings of the Trustees or Commissioners for executing any Act for making or maintaining any Turnpike Road, or containing any Orders or Agreements

ments made or entered into by them, such Book or Books being kept and signed in Manner directed by such Act, or by the said recited Act and this Act directed, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits and Actions whatsoever.

LXIII. And be it further enacted, That in case the Trustees or Commissioners for making or maintaining any Turnpike Road shall become possessed of any Tenements or Hereditaments which are useless or unnecessary for the Purposes of such Road, it shall and may be lawful for the said Trustees or Commissioners to sell and dispose of the same, in such and the same Manner as by the said recited Act they are authorized and empowered to do in the Cases of any Land or Ground not wanted for the Purposes of such Road.

Sale of unnecessary Tenements.

LXIV. And be it further enacted, That so much of the said recited Act as enacts, that it shall not be lawful for the Trustees or Commissioners of any Turnpike Road, in altering or diverting the Course of any Part of the Turnpike Road under their Care and Management, to deviate over any inclosed Lands or Grounds more than One hundred Yards, without the Consent in Writing of the Owner or Proprietor of such Lands or Grounds, or to take in or make use of any Garden, Yard, Paddock, Park, planted Walk or Avenue to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the like Consent of the Owner or Proprietor thereof first had and obtained, shall be and the same is hereby repealed.

3 G. 4. c. 1^o 6. § 96.

LXV. And be it further enacted, That it shall not be lawful for the Trustees or Commissioners of any Turnpike Road, in altering or diverting the Course of any Part of the Turnpike Road under their Care and Management, to take or pull down any Dwelling House or other Building, or in altering or diverting the Course of any Part of the Turnpike Road under their Care and Management, to deviate over any inclosed Lands or Grounds more than One hundred Yards from the Line or Course of such Turnpike Road, without the Consent in Writing of the Owner or Proprietor, or of the Person or Persons hereby authorized to act for and on Behalf of the Owner or Proprietor of such Dwelling House or other Building, or of such Lands or Grounds, or to take in or make use of any Garden, Yard or Paddock, or any Park, planted Walk or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the like Consent of the Owner or Proprietor hereof, or of the Person or Persons hereby authorized as aforesaid, first had and obtained; and it shall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators and all other Persons whomsoever, not only for or on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of the Person or Persons entitled in Reversion, Remainder or Expectancy after them, and for and on Behalf of their Cestuique Trusts, whether Femmes-Covert, Infants or Issue unborn, Lunatics, Idiots or other Person or Persons whomsoever, and to and for all

repealed.

Trustees not to pull down Dwelling Houses, or take in Gardens, &c. without Consent of Owners.

all Femes Covert who are or shall be seised of or interested in their own Right, and to and for all and every Person or Persons whomsoever, who are or shall be possessed of or interested in any such Lands, Tenements, Hereditaments or Premises, or who shall sustain any Damage, to give their Consent in Writing to the said Trustees or Commissioners, for the taking or pulling down of such Dwelling House or other Building, or the making such Deviation of more than One hundred Yards as aforesaid, or the making use of such Garden, Yard, Paddock, Park, planted Walk, Avenue or other such Premises as aforesaid, and to contract with the said Trustees or Commissioners for the Sale thereof, or for the Satisfaction to be made for the same, or for such Damages as aforesaid, and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey unto the said Trustees or Commissioners all or any such Lands, Tenements, Hereditaments or Premises, or any Part thereof, for the Purposes aforesaid; and all Contracts, Sales and Conveyances which shall be so made, shall be good, valid and effectual to all Intents and Purposes, without Fine or Recovery, and shall be a complete Bar to all Estates Tail and other Estates, Rights, Titles, Trusts and Interests whatsoever, any Law, Statute, Usage, Custom or other Matter to the contrary notwithstanding; and all such Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators and all other Persons, shall be and are hereby indemnified for what they or any of them shall do by virtue or in pursuance of this Act: Provided always, that nothing herein contained shall extend or be deemed, taken or construed to extend to revoke, limit, abridge, alter or vary any Powers or Authorities contained in any Act or Acts of Parliament existing and in force at the passing of this Act, for making, altering or diverting any Turnpike Road or Roads, or the Course thereof, to be made, altered or diverted and maintained under the Authority of such Acts, but the same Powers and Authorities shall and may be exercised and carried into Effect by the Trustees or Commissioners appointed by such Acts, fully and effectually; any thing herein contained to the contrary notwithstanding.

Proviso for existing Powers.

Trustees to fence Roads.

LXVI. And be it further enacted, That in all Cases where the Trustees or Commissioners of any Turnpike Road shall turn or alter any Part or Parts of such Turnpike Road, or make any new Road over and through any private Grounds, or across any public or private Footway, or shall take away any Fence for widening or improving any such Road, the said Trustees or Commissioners shall make or cause to be made and planted proper Quickset Hedges, or shall make or build proper Fences or Walls on both Sides of such new made Road, or on the Side upon which any such Fence may be so removed as aforesaid, with sufficient Ditches to the same, and sufficient Posts and Rails, or other Fence, on both Sides of such Quickset Hedges, to protect the Growth thereof, so as effectually to guard and fence off the Lands adjoining any such Road from Trespass or Injury by Horses, Asses, Cattle, Sheep or Swine; and also proper Gates, Stiles, Posts, Bridges and Arches, where necessary, out of any such Road into

into the Lands adjoining, and shall keep such Fences so to be made in good Order and Repair for and during the Term of Five Years from the Time that such Fences shall have been made or set up; unless the Owners or Proprietors for the Time being of any such Land or Ground shall agree with the Trustees or Commissioners to keep such Fences in Repair from an earlier Period for such Time as aforesaid.

LXVII. And be it further enacted, That it shall be lawful for the Surveyor and Surveyors, and such other Person and Persons as shall be appointed by the Trustees or Commissioners of any Turnpike Road, from time to time to cut, make or maintain Drains or Watercourses upon and through any Lands lying contiguous to any such Road, and also to make Ditches in such Places and in such Manner as such Surveyor and Surveyors, by Order of such Trustees or Commissioners, shall judge necessary; and make sufficient Fences and Barriers, and other Erections, on any Part or Parts of the said Road, in order to prevent any Rivulet or Current of Water from flooding the same, as such Surveyor or Surveyors shall judge necessary; making such Satisfaction to the Owners or Occupiers of such Lands so to be used, cut through or built upon, for the Damages which they or any of them may sustain thereby, as such Trustees or Commissioners shall judge reasonable; and in case of any Difference between such Owners or Occupiers and such Trustees or Commissioners touching such Damages, the same shall be finally settled by any Two or more Justices of the Peace for the County, City or Place in which such Road shall lie or be situate.

Surveyors may
make Drains,
&c.

Making Satis-
faction to
Owners.

LXVIII. And Whereas Doubts have arisen and may arise, whether any Body Politic or Corporate, or any particular Person or Persons, liable to repair, by Tenure or otherwise, any old Turnpike Road or Part of such Road widened, altered, diverted or turned, ought to repair or contribute to the Repair of the Whole or any Part or Proportion of the new Road set out in lieu of the old Turnpike Road; For obviating such Doubts, and preventing Disputes about the same, Be it further enacted, That all and every Body Politic or Corporate, and Person and Persons, who was, were or shall be liable as aforesaid to the Repair of any old Turnpike Road, which has been since the passing of the said recited Act, or shall be widened, altered, diverted or turned, shall respectively be and continue in the same Manner liable to the Repair of such new Road, set out in lieu of the old Road, or so much thereof as shall be equal to the Burthen and Expence of repairing such old Road, from which he, she or they shall be exonerated by the widening, altering, diverting or turning thereof; and if the several Parties interested therein cannot agree, the same shall be viewed by Two Justices of the Peace of the County where such Road shall be, and shall be settled, adjusted and determined by them, in such Manner as they shall think just and reasonable; and from and after such Determination of the Justices, the Body Politic or Corporate, and Person or Persons liable to repair such new Road as aforesaid, shall bear all Charges of Presentments, Indictments and Prosecutions for not repairing the same; and if it shall be found more convenient to fix a gross Sum or an annual Sum, to be paid by any such Body Politic or Corporate,

Regulating the
Repair of
Roads when
widened, &c.
in Cases of
Liability to
repair old
Roads.

rate, or Person or Persons, instead of fixing the Part or Proportion of such new Road to be repaired by him, her or them, the said Justices may, with the Consent of such Person or Persons, and also of the Trustees or Commissioners of the Road, obtained at a Meeting of such Trustees or Commissioners, order and direct the same accordingly; and the Order and Direction of the said Justices shall be final and conclusive, and shall continue binding on all Bodies Politic or Corporate, and Persons whomsoever.

Damages and Charges in Cases of Dispute to be settled by Justices.

LXIX. And be it further enacted, That where by this Act or the said recited Act, or any Act for making or maintaining any Turnpike Road, any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences; who is hereby authorized and required, on Non-payment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in Manner directed by the said recited Act for the levying of any Penalties or Forfeitures.

Distress.

3 G. 4. c. 126. § 135.

LXX. And Whereas it was by the said Act enacted, that when any Sum of Money should be ordered to be paid by any Justice of the Peace, in pursuance of the Directions of any Act relating to Turnpike Roads, by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil or Injury done or committed by any such Trustees or Commissioners, or any Person or Persons acting under their Authority, and such Sum should not be paid by the said Trustees or Commissioners to the Parties entitled to receive the same, within Fourteen Days after Demand in Writing should have been made, then the Amount of such Compensation or Satisfaction should be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees or Commissioners by virtue of any such Act, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace: And Whereas the said Provision has been found inconvenient; Be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

repealed.

In case of Nonpayment of Compensation for Damages, &c. by the said Trustees, &c. the same to be levied by Distress of the Goods vested in Trustees, &c. or their Treasurer.

LXXI. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said recited Act or this Act, or any Act relating to Turnpike Roads, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil or Injury, of any Nature or Kind whatsoever, done or committed by such Trustees or Commissioners, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees or Commissioners to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made from the Clerk to the said Trustees or Commissioners, or their Treasurer in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction

faction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Trustees or Commissioners by virtue of any Act for making or repairing Turnpike Roads, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees or Commissioners, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of any such Act, or the said recited Act or this Act, all such Damages, Costs, Charges and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Treasurer may retain such Costs, &c.

LXXII. And be it further enacted, That if any Person or Persons whomsoever shall wilfully pull down, break, injure or damage any Table of Tolls put up or fixed at any Toll Gate or Bar on any Part of any Turnpike Road, or wilfully or designedly deface or obliterate any of the Inscriptions, Letters, Figures or Marks thereon; or if any Person or Persons shall wilfully pull up, throw down, break, injure or damage any Posts, Rails or Fences placed or to be placed or put up by Order of any Trustees or Commissioners of any Turnpike Road, or their Surveyor or Surveyors, either by the Side or Sides of such Road, or at or near to any Pit or Quarry which shall be used, opened or made for the getting of Stones, Gravel or other Materials for the Purposes thereof, in order to prevent Accidents; or if any Person or Persons shall wilfully cause any Damage or Injury to be done to any Bridge, Arch, Wall or other Building or Erection to be set up or erected by virtue of any Act on any Part of any Turnpike Road, or by the Side or Sides thereof; or if any Person or Persons shall cast or throw any Earth or Rubbish, or other Matter or Thing, into any Drain, Ditch, Culvert, Tunnel or other Watercourse made by virtue of any Act, so as to obstruct the Water from running or draining off any Turnpike Road; or if any Person or Persons shall, without being thereto authorized by the Surveyor or Surveyors for the Time being acting under any Act, shovel up, scrape, gather or carry away any Stones, Gravel, Sand or other Materials, Slutch, Dirt, Mire, Drift or Soil from off any Footpath or Causeway, or any other Part of such Road; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his, her or their Care, upon any such Road; or if any such Person shall dig, make or use any Pit or Pits for sawing of Timber or Wood within Thirty Feet of the Centre of any such Turnpike Road,

Occasioning Annoyances.

Penalty.

If Driver offend against the Provisions of any Act, and abscond, the Master to pay the Penalty.

Road, unless where inclosed by a Fence from any such Road; every Person offending in any of the Cases aforesaid shall forfeit and pay a Sum not exceeding Forty Shillings for every such Offence: and One Moiety of such Penalties shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer of the Trustees or Commissioners of such Turnpike Road, and applied towards the Repair of such Road.

LXXIII. And be it further enacted, That in case the Driver of any Waggon, Cart, or of any Coach or other Carriage, shall offend against any of the Provisions of any Act for making or maintaining any Turnpike Road, or the said recited Act or this Act, whereby any Penalty shall be incurred, and shall refuse to give his Name, or shall abscond or absent himself so as not to be found, then it shall and may be lawful for any Justice of the Peace before whom Complaint shall be made, and he is hereby required to issue a Summons, requiring the Owner of such Waggon, Cart or other Carriage to appear before him to answer the Matter of such Complaint; and if such Owner shall refuse or neglect to appear, or appearing shall not then, or within Ten Days thereafter, produce the Driver so offending, or disclose his Name and Place of Abode, then the said Justice or any other Justice of the Peace, on an Examination of the Circumstances, and ascertaining, by the Examination of Witnesses on Oath, that such Offence has been committed by any such Driver of any Waggon, Cart or other Carriage, shall order and adjudge that the Penalty incurred by such Driver shall be paid by the Owner of such Waggon, Cart or other Carriage; which Penalty shall be recovered and applied in Manner directed by the said recited Act.

3 G. 4. c. 126.
§ 122.

LXXIV. And Whereas it was by the said recited Act enacted, that if any Horse, Ass, Sheep, Swine or other Beast or Cattle, should at any Time be found wandering, straying or lying about any Turnpike Road, or across any Part thereof, or by the Sides thereof (except on such Parts of any Road as lead or pass through or over any Common or Waste or uninclosed Ground), it should be lawful for any Surveyor of the Road where the same should be found, or any other Person or Persons, to seize and impound every such Horse, Ass, Sheep, Swine or other Beast or Cattle, in the common Pound of the Parish or Place where the same should be, or in such other Place as the Trustees or Commissioners of the Road where the same should be found shall have provided for that Purpose, and the said Horse, Ass, Sheep, Swine or other Beast or Cattle there to detain, until the Owner thereof should for every Horse, Ass, Sheep, Swine, or other Beast or Cattle so impounded, pay the Sum of Five Shillings to the Person impounding the same, together with the reasonable Charges of impounding and keeping the same; and in case the said Penalty and Charges should not be paid within Four Days after such impounding, it should be lawful for the Surveyor of the Road on which the same should have been seized, to sell such Horse, Ass, Sheep, Swine or other Beast or Cattle; and the Money arising from such Sale, after deducting the said Penalty and Charges of impounding, keeping and selling every such Horse, Ass, Sheep or Swine or other Beast or Cattle, should be paid to the Person whose Property

‘ Property the same so sold should appear to have been: And
 ‘ Whereas the said Provision has been found inconvenient;’ Be
 it therefore enacted, That the said Provision shall be and the
 same is hereby repealed.

repealed.

LXXV. And be it further enacted, That if any Horse, Ass, Sheep, Swine or other Beast or Cattle of any Kind, shall at any Time be found tethered, or wandering, straying or lying about any Turnpike Road, or on any Part thereof (except on such Parts of any Road as lead or pass through or over any Common or Waste or uninclosed Ground), it shall and may be lawful for any Surveyor of the Road where the same shall be found, or any other Person or Persons whomsoever, to seize and impound every such Horse, Ass, Sheep, Swine or other Beast or Cattle, in the common Pound (if any) of the Parish, Township, Tithing or Place where the same shall be found, or in such other Place as the Trustees or Commissioners of the Road where the same shall be found shall have provided or shall provide for that Purpose, and the said Horse, Ass, Sheep, Swine or other Beast or Cattle there to detain, until the Owner or Owners thereof shall for every and each Horse, Ass, Sheep, Swine or other Beast or Cattle so impounded, pay the Sum of Two Shillings, together with the reasonable Charges and Expences of impounding and keeping the same, to the Treasurer, Clerk or Surveyor of the Road, on which the Beast so impounded shall have been found; the said Sum of Two Shillings for each Beast to be applied to the Use of, and in Aid of the Tolls of such Road; and in case the said Penalty, Charges and Expences shall not be paid within Five Days after such impounding (Notice being thereof first given to the Owner, if known, at the Time, or if not known, by affixing written Notices at the Two next Toll Gates on the Road nearest to the Place where the same shall be impounded), it shall and may be lawful for any One or more Justice or Justices of the Peace of the County or Place where the Offence shall have been committed to order every such Horse, Ass, Sheep, Swine or other Beast or Cattle to be sold, except where it shall be made to appear to such Justice or Justices, that the Horse, Ass, Sheep, Swine or other Beast impounded, escaped from any Inclosure by any Gate or Fence being wilfully or negligently left open or destroyed by any Person not being Owner or Occupier of such Inclosure, or employed by such Owner or Occupier, in which case such Justice or Justices may remit the said Penalty; and the Money arising from such Sale, after deducting the said Penalty and Charges and Expences of impounding, keeping and selling every such Horse, Ass, Sheep, Swine or other Beast or Cattle, shall be paid to the Person whose Property the same so sold shall appear to have been; and in case the Owner thereof shall not be known, and no Application shall be made for the Money arising from such Sale within Twenty one Days after such Sale shall have taken place, the said Money shall be applied, after deducting the said Charges and Expences, in the same Manner as the said Penalty of Two Shillings is hereinbefore directed to be applied: Provided always, that no Owner of any Horses, Asses, Sheep, Swine or other Beasts or Cattle impounded as aforesaid, shall in any case pay more than the Sum of Five Pounds over and above the

Cattle found straying on the Roads to be impounded.

Owner to pay Expence and Penalty.

Notice of impounding.

Sale. Exception.

How Money arising from Sale applied.

Limiting Extent of Penalty.

Right of Pasturage not taken away.

Carriers' Dogs to be fastened to the Carriage.

Penalty.

Form of Surveyors' List given in Schedule No. 2.

Contracts or Agreements may be made for amending Roads, &c.

Actions

3 G. 4. c. 126
§ 104.

Charges and Expences of impounding and keeping the same, for any Number of Horses, Asses, Sheep, Swine or other Beasts or Cattle impounded at one Time: And provided always, that nothing in this Clause shall be deemed, taken or construed to extend to take away any Right of Pasturage which may exist on the Sides of any Turnpike Roads.

LXXVI. And be it further enacted, That if any Person or Persons, having the Care of any Waggon, Wain, Cart or other such Carriage conveying Goods for Hire or Reward, or for Sale, on any Turnpike Road, shall not chain or fasten any Dog that may be attending him or them on such Road to such Waggon, Wain, Cart or Carriage, every Person so offending shall forfeit and pay any Sum not exceeding Twenty Shillings.

LXXVII. And Whereas the Form of the List to be delivered to the Surveyors of Turnpike Roads by the Surveyors of the Highways is omitted in the Schedule to the said recited Act; Be it further enacted, That the Form given in the Schedule to this Act annexed, marked (No. 2.) shall and may be used for that Purpose.

LXXVIII. And be it further enacted, That it shall and may be lawful for the Trustees or Commissioners of any Turnpike Road, or for their Clerk, Surveyor or any other Officer by their Order, to contract and agree, by the Year or otherwise, with any Person or Persons for the making, amending, altering or maintaining the said Road, or any Bridges, Toll Houses or Buildings thereon, or for any other thing which such Trustees or Commissioners are by any Act for making or maintaining Turnpike Roads, or the said recited Act or this Act, or any other Act, authorized or empowered to make, build, do, execute or perform; and all Contracts or Agreements in Writing entered into by the said Trustees or Commissioners, or pursuant to any Order of the said Trustees or Commissioners, by their Clerk, Surveyor or other Officer, with any Workmen or other Person or Persons relating to any Matter or Thing to be done by virtue of any such Act, or the said recited Act or this Act, shall be binding on the said Trustees or Commissioners and their Successors, and upon all other Parties who shall sign the same, and the Heirs, Executors and Administrators of such other Parties; and that Actions and Suits shall and may be maintained thereon by the said Trustees or Commissioners, and Damages and Costs recovered against the Party or Parties, or Person or Persons failing in the Performance of such Contracts or Agreements respectively; and such Sum or Sums of Money as shall be requisite for the due Performance of such Contract shall be the Measure of the Damages to be recovered in any Action or Suit against such Party or Parties, or Person or Persons so as aforesaid making Default in fulfilling his, her or their Contract or Agreement; any Law or Usage to the contrary in anywise notwithstanding.

LXXIX. And Whereas it was by the said recited Act enacted, that all Persons who by Law should be liable to do Statute Work, or should be chargeable towards the repairing and amending any Turnpike Road, should remain liable thereto, and it should be lawful for any Two or more Justices of the Peace for the Place in which any such Turnpike Road should be situate, upon

' Appli-

Application made to them by the Trustees or Commissioners of any Turnpike Road, yearly to determine what Part of the Statute Work should every Year be done upon such Road by the Inhabitants of the respective Parishes, Hamlets and Places through which the said Road should pass, and also what Proportion of the Money received by the Surveyors of the Highways, as a Composition for such Statute Work, should be paid to the said Trustees or Commissioners, or their Treasurer; and that such Surveyor should, on an Order in Writing made by the said Justices, bring and deliver within Ten Days afterwards, to the said Turnpike Surveyor, true and perfect Lists in Writing of the Names of the several Persons subject and liable to do Statute Work for that Year, or to the Payment of any Money as a Composition for such Statute Work; and the said Turnpike Surveyor should, within Five Days afterwards, give a Notice to the Surveyors of the Highways of the Time when such Lists would be laid before the said Justices, in order to apportion the said Statute Duty; and at the Time appointed the said Lists should be laid before the said Justices by the said Turnpike Surveyor, in the Presence of the said Surveyor of the Highways; and out of such Lists the said Justices should order such and so many of the Persons who should appear to be subject and liable to do Statute Work in every Year upon such Road as the said Justices should think reasonable, and the same should be done on such Days as the said Trustees or Commissioners, or their Surveyor, should appoint; and the said Justices should order the Persons who by such Lists should be subject and liable to the Payment of any Money as a Composition for the Statute Work, to pay such Proportion thereof as the said Justices should think proper, to the Surveyors of such Parishes, to be by them paid over to the said Trustees or Commissioners, or their Treasurer, at such Times as the said Justices should direct; and every Person who should neglect or refuse to do such Statute Work should, for every Day of his Default, be subject and liable to such Fines and Forfeitures as such Person might be subject or liable to by any Law or Statute in force for Repair of the Public Highways; and if any Person who should come to work as a Labourer, or should be sent with any Team to work on any Part of such Road, should be found idle or negligent, the Surveyor to the said Trustees or Commissioners is thereby empowered to dismiss the Person who should be so found idle or negligent; and every such Person should be subject and liable to the respective Forfeitures and Payments, as if he had neglected or refused to come, or such Team had not been sent to work; all which Forfeitures should be paid to the Treasurer of such Trustees or Commissioners, and applied towards amending such Road; and in case the Surveyor or Surveyors of the Highways should refuse or neglect to give in any such Lists as aforesaid, or knowingly or wilfully give in false and imperfect Lists, or refuse or neglect to collect or pay over such Composition Money, or any Part thereof, every such Surveyor so offending should, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds: And Whereas it is expedient, that the said Pro-

repealed. 'vision should be repealed:' Be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Statute Labour to remain as heretofore.

Two Justices to adjudge Proportion of Statute Work yearly on Application of Trustees.

Lists of Names of Persons liable to Statute Duty to be produced and laid before Justices.

Turnpike Surveyor to give Notice to Surveyor of Lists being laid before Justices.

LXXX. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards the repairing and amending any Turnpike Road, shall be and remain liable thereto, in like Manner in every respect as they now are or have heretofore been ; and it shall be lawful for any Two or more Justices of the Peace in and for the County, City or Place in which any such Turnpike Road shall lie or be situate, and they are hereby required and empowered, upon Application made to them by any Three or more of the Trustees or Commissioners of such Turnpike Road, or by their Clerk or Surveyor, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon such Road by the Inhabitants of the respective Parishes, Hamlets and Places in or through which the said Road doth or shall lie, lead or pass, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Hamlet or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her or them paid to the said Trustees or Commissioners, or their Treasurer or Treasurers ; and in order thereunto the Surveyor or Surveyors of the Highways for every such Parish, Hamlet or Place, shall, on an Order in Writing made by the said Justices, on an Application to them by the Trustees or Commissioners of the Turnpike Road, or any Three or more of them, or by their Clerk or Surveyor, and respectively delivered to such Surveyor or Surveyors of the Highways, or left at his or their last or usual Place of Abode, bring and deliver within Ten Days afterwards to the said Turnpike Surveyor, or to his Place of Abode, true and perfect Lists in Writing of the Names of the several Persons who within such Parish, Hamlet or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid ; which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as are or may be directed by any Law or Statute in force or effect for the Repairs of the public Highways, and may be made in the Form specified in the Schedule to this Act ; and the said Turnpike Surveyor, having received such Lists, shall within Fourteen Days afterwards give a Notice to the Surveyor or Surveyors of the Highways of the Time when such Lists will be laid before the said Justices, in order to apportion the said Statute Duty ; and at the Time appointed in and by such Notice the said Lists shall be laid before the said Justices by the said Turnpike Surveyor, in the Presence of the said Surveyor of the Highways (if he shall attend), and out of such Lists the said Justices shall and may allot, appoint and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work in every Year upon such Road, as the said Justices shall think reasonable, and the same shall be done on such Days, and at such Time (not being Hay-time or Harvest), and on such Parts of the said Road, as the said Trustees or Commissioners, or their Surveyor

Surveyor or Surveyors, shall from time to time order, direct or appoint; and the said Justices shall and may order and direct the Surveyor or Surveyors of such Parishes, Hamlets and Places respectively to pay over to the said Trustees or Commissioners, or their Treasurer, or other Person duly authorized to receive the same, such Proportion of the Composition Money for Statute Work as aforesaid as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her or them at his, her or their last or usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees or Commissioners, shall for every Day of his, her or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her or them, be subject and liable to such Fines, Penalties and Forfeitures as such Person or Persons may be subject or liable by any Law or Statute now in force or effect for Repair of the public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on any Part of such Road, shall be found idle or negligent by any Surveyor to the said Trustees or Commissioners, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments as aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of such Road; all which Forfeitures shall be paid to the Treasurer to the said Trustees or Commissioners, and applied towards amending the said Road; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Hamlets or Places shall refuse or wilfully neglect to give in any such Lists as aforesaid, or shall knowingly or wilfully give in false and imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the County, City or Place where any such Road shall lie or be situate.

LXXXI. And be it further enacted, That where any Turnpike Road shall pass through any Parish, Township or Place liable to the Repair of the Roads within the same, but for which no Surveyor of the Highways shall be appointed, then and in every such Case the Churchwardens and Overseers of the Poor of such Parishes, Townships and Places respectively, and in Cases where neither Surveyor, Churchwardens or Overseers of the Poor shall be appointed, then such other Inhabitant or Inhabitants of such Parish, Township or Place as shall be thereto required by an Order in Writing made by the Justices on Application to them by the Trustees or Commissioners of the Turnpike Road, or by their

Persons neglecting to do Statute Work.

Penalty.

Idle Persons dismissed and subject to Penalty.

Surveyors neglecting to give in Lists, &c.

Penalty.

In case no Highway Surveyor appointed, Lists of Persons liable to do Statute-Work to be made out in Manner herein directed.

Clerk or Surveyor, and respectively delivered to such Churchwardens or Overseers, or Inhabitant or Inhabitants, or left at his or their last or usual Places of Abode, shall deliver or cause to be delivered within Ten Days afterwards to the said Turnpike Surveyor, or to his Place of Abode, true and perfect Lists in Writing of the Names of the several Persons who within such Parish, Township or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid; which Lists shall be made and used, and dealt with in the Manner directed by the said recited Act and this Act; and the Statute Work shall be ordered and adjudged by the Justices, and enforced and required; or compounded for, in the same Way as if the said Lists had been made and delivered by the Surveyor of the Highways, under the Provisions and Authorities of the said recited Act and this Act.

Instead of Compositions for Statute Work being paid by Sept. 29. yearly, such Composition shall be paid according to Agreements.

LXXXII. And be it further enacted, That so much of the said recited Act as directs, that the Composition Money in lieu of Statute Duty shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Parish, Hamlet or Place, or by the Person or Persons compounding, to the Treasurer of the Trustees or Commissioners, in advance, on or before the Twenty ninth Day of *September* in each and every Year, or otherwise that such Person or Persons, Bodies Politic or Corporate, or Inhabitants and Occupiers within such Parish, Hamlet or Place, shall not be permitted to compound for that Year, shall be and the same is hereby repealed; and from and after the passing of this Act, all Composition Money in lieu of Statute Duty shall be paid by the Person or Persons compounding, to the Treasurer of the Trustees or Commissioners, at such Time or Times, and in such Manner, as shall be agreed upon at the entering into such Composition.

Justices may proceed by Summons in the Recovery of Penalties.

LXXXIII. And be it further enacted, That in all Cases in which by the said recited Act any Penalty or Forfeiture, by that or any other Act or Acts for making or maintaining any Turnpike Road imposed, is made recoverable by Information before a Justice of the Peace, it shall and may be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against any such Act, or the said recited Act or this Act, to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Trustees, &c. may be Witnesses.

LXXXIV. And be it further enacted, That no Person shall be deemed incompetent to give Evidence, or be disqualified from giving Testimony or Evidence in any Action, Suit, Prosecution
or

or other legal Proceedings to be brought or had in any Court of Law or Equity, or before any Justice or Justices of the Peace under or by virtue of any Act for making or maintaining any Turnpike Road, or the said recited Act or this Act, by reason of being a Trustee or Commissioner of such Road, or a Mortgagee or Creditor, of the Tolls thereof, or a Farmer, Lessee or Collector of such Tolls, or a Treasurer, or Clerk, or Surveyor, or other Officer under such Act; nor shall such Testimony or Evidence, for any of the Reasons aforesaid, be rejected or liable to be questioned or set aside.

LXXXV. And be it further enacted, That so much of the said recited Act as authorizes any Justice or Justices of the Peace, before whom any Person shall be convicted of any Offence against the said Act, or any Act for making or repairing Turnpike Roads, to mitigate or reduce the Penalty incurred by such Person, so as such Reduction or Mitigation do not exceed Two Thirds of the Penalty to which such Person would be liable, shall be and the same is hereby repealed.

3 G. 4. c. 126.
§ 142.

repealed.

LXXXVI. And be it further enacted, That so much of the said recited Act as enacts, that if any Person shall think himself or herself aggrieved by any Thing done by any Justice or Justices of the Peace in pursuance of this Act, except under the particular Circumstances hereinafter mentioned, and for which no particular Method of Relief hath been already appointed, such Person, in case the Penalty or Forfeiture shall exceed the Sum of Forty Shillings, where the Appeal is to be against a Conviction for a Penalty or Forfeiture, may be made to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be held for the Limit wherein the Cause of such Complaint shall arise, such Appellant giving or causing to be given to such Justice, by whose Act or Acts such Person shall think himself or herself aggrieved, Notice in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, within Six Days after the Cause of such Complaint arose, and within Four Days after such Notice entering into Recognizances before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter Sessions, and also to pay the Penalty or Forfeiture, in case the Conviction should be affirmed; and each and every Justice of the Peace, having received Notice of such Appeal as aforesaid, shall return all Proceedings whatever had before him respectively touching the Matter of such Appeal, to the said Justices at their General Quarter Sessions aforesaid, on pain of forfeiting Fifty Pounds for every such Neglect; and the said Justices at such Sessions, upon due Proof of such Notice having been given as aforesaid, and of such Recognizance having been entered into in Manner before directed, 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, to be levied and recovered as hereinbefore directed, and the Determination of such Quarter Sessions shall be final and conclusive to all Intents and Purposes; and no Proceeding to be had or taken in

3 G. 4. c. 126.
§ 145.

pursuance of this Act shall be quashed or vacated for Want of Form, or removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding: Provided always, that in case there shall not be Time to give such Notice, and enter into such Recognizances as aforesaid, before the next Sessions to be holden after the Conviction of the Appellant, then and in every such Case such Appeal may be made to the next following Sessions, and shall be there heard and determined, shall be and the same is hereby repealed.

repealed.

Appeal to
Quarter Ses-
sions.

1 L. & R. 81
7 B. & C. 266

Notice.

Recognizance.

Costs.

Justice upon
Notice of Ap-
peal to return
Proceedings to
Quarter Ses-
sions.

Costs.

Distress.

Decision final.

No Certiorari.

LXXXVII. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Order, Judgment or Determination made, or by any Matter or Thing done by any Justice or Justices of the Peace, or by any Trustees or Commissioners of any Turnpike Road in pursuance of this Act, or the said recited Act, or any Local Act for making, repairing or maintaining any Turnpike Road, (except where the Order, Judgment or Determination of any such Justice or Justices, Trustees or Commissioners, are hereby declared to be final and conclusive, and except under the particular Circumstances hereinafter mentioned), and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be held for the County, Division, Riding or Place wherein the Cause of such Complaint shall arise, such Appellant first giving or causing to be given to such Justice, Commissioner or Trustee, by whose Act or Acts such Person shall think himself or herself aggrieved, Notice in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, within Six Days after the Cause of such Complaint shall arise, and within Four Days after such Notice entering into Recognizances before some Justice of the Peace, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, and pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions, and also to pay the Penalty or Forfeiture in case the Conviction should be affirmed; and each and every Justice of the Peace, Commissioner or Trustee, having received Notice of such Appeal as aforesaid, shall return all Proceedings whatever had before him respectively, touching the Matter of such Appeal, to the said Justices at their General or Quarter Sessions aforesaid; and the said Justices at such Sessions, upon due Proof of such Notice having been given as aforesaid, and of such Recognizance having been entered into in Manner before directed, 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 to be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons against whom such Determination shall be given, and the Determination of such General or Quarter Sessions shall be final and conclusive to all Intents and Purposes; and no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or removed by Certiorari, or any other Writ or Process whatsoever,
into

into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding: Provided always, that in case there shall not be Time to give such Notice, and enter into such Recognizances as aforesaid, before the next Sessions to be holden after the Conviction of the Appellant, then and in every such Case such Appeal may be made to the next following Sessions, and shall be there heard and determined: Provided always, that no Appeal shall be allowed against any Conviction for any Penalty or Forfeiture which shall not exceed the Sum of Forty Shillings.

Proviso as to Time for Notice, &c.

No Appeal, if Penalty under 40s.

LXXXVIII. And be it further enacted, That all the Powers, Authorities, Provisions, Regulations, Privileges, Penalties, Forfeitures, Clauses, Restrictions, Matters and Things whatsoever, contained in the said recited Act, so far as the same are not expressly altered or repealed by this Act, shall extend and be construed to extend to operate and be in force with respect to this Act, and shall be applied and put in execution, as fully and effectually to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, and were made Part thereof; and the said recited Act and this Act shall, as to all Matters and Things whatsoever (except as aforesaid), be considered as one Act.

Extending recited Act to this Act.

LXXXIX. And Whereas the Schedule (No. 2.), intituled "Table of Weights allowed in Winter and Summer to Carriages directed to be weighed (including the Carriage and Loading)," has been found defective; Be it therefore enacted, That the said Schedule shall be and the same is hereby repealed; and the Schedule (No. 1.) annexed to this Act shall be made use of instead thereof.

3 G. 4. c. 126. Sch. No. 2. repealed.

XC. And Whereas Doubts have arisen as to the Roads to which the Provisions of the said recited Act extend; Be it therefore enacted, That nothing in the said recited Act or this Act contained shall extend or be construed to extend to any Road or Roads not under the Care and Management of Trustees or Commissioners, or to any Road or Roads which shall be made, maintained or supported under the Provisions of any Act or Acts of Parliament passed for an unlimited Period, notwithstanding Tolls may be collected on such Roads, or shall extend to affect, alter or interfere with the Qualifications of any Commissioners or other Persons having the Care and Management of any such last-mentioned Roads, or with any Tolls taken, or Weights carried thereon, or in any other Manner therewith.

Act not to extend to certain Roads.

XCI. Provided always, and be it enacted, That nothing in the said recited Act of the Third Year of the Reign of His present Majesty, or in this Act contained, shall extend, or be deemed, construed or taken to extend to an Act passed in the Fifty ninth Year of the Reign of His late Majesty, intituled *An Act for vesting in Commissioners the Line of Road from Shrewsbury in the County of Salop to Bangor Ferry in the County of Carnarvon, and for discharging the Trustees under several Acts of the Seventeenth, Twenty eighth, Thirty sixth, Forty first, Forty second, Forty seventh and Fiftieth Years of His present Majesty, from the future Repair and Maintenance thereof, and for altering and*

3 G. 4. c. 126. or this Act, not to extend to 59 G. 3. c. 90., or 59 G. 3. c. 48., or Roads repaired under them.

repealing so much of the said Acts as affects the said Line of Road ; nor to an Act passed in the same Year, intituled An Act to amend an Act passed in the Fifty fifth Year of the Reign of His present Majesty, for granting to His Majesty the Sum of Twenty thousand Pounds towards repairing Roads between London and Holyhead by Chester, and between London and Bangor by Shrewsbury, and for giving additional Powers to the Commissioners therein named, to build a Bridge over the Menai Straits, and to make a new Road from Bangor Ferry to Holyhead, in the County of Anglesea ; nor to any Road or Roads repaired, maintained and supported under the Powers and Provisions of the said Two last-mentioned Acts.

Act not to extend to the Commercial Road.

XCII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed, adjudged, deemed or taken to extend to the Turnpike Road called *The Commercial Road*, or the several Branches leading from and out of the same, authorized to be made, repaired and maintained under and by virtue of Five several Acts of Parliament, made and passed in the Forty third, Forty fourth, Forty sixth, Forty ninth and Fifty first Years of the Reign of His late Majesty King George the Third, for making and maintaining the Roads communicating with the *West and East India Docks*, and for repairing the *Cannon Street Road*, and for making and maintaining a new Road to *Barking*, and a Road from the *Romford and Whitechapel Road* to *Tilbury Fort*, in the Counties of *Middlesex* and *Essex*, and also for making a new Branch of Road from *King David Lane*, *Shadwell*, to the *Essex Road at Mile End*, in the County of *Middlesex*, or to affect, encroach upon, vary, alter or interfere with any of the Tolls, Weights or Duties created by virtue of the said Acts or any of them, or any of the Powers and Authorities given to or vested in the Trustees acting under or by virtue of the said Acts, or any or either of them.

Certain Part of Road from Carlisle to Glasgow to be subject to General Act.

XCIII. Provided always, and be it further enacted, That so much of the Turnpike Road from *Carlisle* to *Glasgow* as lies in the County of *Cumberland* shall, from and after the passing of this Act, be subject to the Regulations, Powers and Provisions of the said Act passed in the Third Year of the Reign of His present Majesty, and this Act, so far as the same respects Nuisances, Annoyances and Trespasses ; and the Justices of the Peace acting for the County of *Cumberland* are hereby authorized and empowered to enforce all Penalties for Nuisances, Annoyances and Trespasses on the said Road, within the said County of *Cumberland*.

Act may be altered, &c. this Session.

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

SCHEDULES to which this Act refers.

(No. 1.)

TABLE of WEIGHTS allowed in Winter and Summer to Carriages directed to be weighed (including the Carriage and Loading), by the Act of the Fourth George the Fourth.

	SUMMER.		WINTER.	
	Tons.	Cwts.	Tons.	Cwts.
For every Waggon with Nine inch Wheels	6	10	6	0
For every Cart with Nine inch Wheels	3	10	3	0
For every Waggon with Six inch Wheels	4	15	4	5
For every Cart with Six inch Wheels	3	0	2	15
For every Waggon with Wheels of the Breadth of Four Inches and a Half	4	5	3	15
For every Cart with Wheels of the Breadth of Four Inches and a Half	2	12	2	7
For every Waggon with Wheels of less than Four Inches and a Half	3	15	3	5
For every Cart with Wheels of less than Four Inches and a Half	1	15	1	10

Schedule (No. 2.)

A LIST, containing the Names of all Persons in the Parish or Place of _____ in the _____ who are liable to do Statute Work, and to the Payment of Composition in lieu thereof, for the Year commencing from _____ (Signed)

Surveyors of the said Parish or Place.

1.	2.	3.	4.	5.	6.	7.
Names of Persons liable.	No. of Horses kept.	Full Annual Value.	Rate of Composition.	Total Amount liable in Money.	No. of Days' Duty Work.	General Observations.
		£. s. d.				

C.A.P.

C A P. XCVI.

Continued
~~by 7894c73~~
Expored
 replaced by
 994c83

An Act to provide, until the First Day of *July* One thousand eight hundred and twenty seven, and until the End of the next Session of Parliament, for the better Administration of Justice in *New South Wales* and *Van Diemen's Land*, and for the more effectual Government thereof; and for other Purposes relating thereto. [19th *July* 1823.]

‘ WHEREAS it is expedient to make further and more effectual Provision for the Administration of Justice in His Majesty's Colony and Settlements at *New South Wales* and *Van Diemen's Land* 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 it shall be lawful for His Majesty, His Heirs and Successors, by Charters or Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to erect and establish Courts of Judicature in *New South Wales* and *Van Diemen's Land* respectively, which shall be styled “The Supreme Court of *New South Wales*,” and “The Supreme Court of *Van Diemen's Land* ;” and that each of such Courts respectively shall be holden by One Judge or Chief Justice, and shall have such ministerial or other Officers as shall be necessary for the Administration of Justice in the said Courts respectively, and for the Execution of the Judgments, Decrees, Orders and Process thereof; and the said Judges shall from time to time be appointed by His Majesty, His Heirs and Successors; and the said ministerial and other Officers of the said Courts respectively shall from time to time be appointed to and removed from their respective Offices in such Manner as His Majesty, His Heirs and Successors, shall by such Charters or Letters Patent as aforesaid direct; and the said Judges shall respectively be entitled to receive such reasonable Salaries as His Majesty, His Heirs and Successors shall approve and direct, which Salaries shall be in lieu of all Fees or other Emoluments whatsoever; and it shall and may be lawful for His Majesty, His Heirs and Successors, from time to time as Occasion may require, to remove and displace any such Judge or Chief Justice, and in his Place and Stead to appoint another fit and proper Person: Provided nevertheless, that if it shall at any Time hereafter appear to His Majesty, His Heirs and Successors, expedient to augment the Number of the Judges of either of the Courts of Judicature aforesaid, then and in that Case it shall and may be lawful for His Majesty, His Heirs and Successors, from time to time as Occasion may require, by Commission under His or their Royal Sign Manual, to augment the Number of Judges of both or either of the said Courts to Three, and to grant to such additional Judges such reasonable Salary or Salaries as to His Majesty, His Heirs and Successors shall seem meet, and which shall be in lieu of all Fees and Emoluments whatever; provided also, that in case of the Absence or Death of any or either of the Judges of the said Courts in *New South Wales* or *Van Diemen's*

His Majesty authorized to institute Courts of Criminal and Civil Jurisdiction in *New South Wales* and *Van Diemen's Land*.

Proviso for Augmentation of Judges.

men's Land respectively, or in case of any such Disease or Infirmity as shall render any such Judge permanently incapable of discharging the Duties of his Office, it shall be lawful for the Governor or acting Governor of *New South Wales* to appoint some fit and proper Person to act in the Place and Stead of any Judge so being absent, dying or becoming permanently incapable, until such Judge shall return to the Execution of his Office, or until a Successor shall be appointed by His Majesty, as the Case may require; and in the mean time until such Judge shall return as aforesaid, or a Successor shall be appointed, and shall actually enter on the Discharge of his Office in the said Courts respectively, the Person so to be appointed by the Governor or Acting Governor as aforesaid shall have and exercise all the Jurisdiction, Powers and Authorities belonging to or vested in the Judges of the said Courts respectively.

II. And be it further enacted, That the said Courts respectively shall be Courts of Record, and shall have Cognizance of all Pleas, Civil, Criminal or Mixed, and Jurisdiction in all Cases whatsoever, as fully and amply to all Intents and Purposes in *New South Wales* and *Van Diemen's Land* respectively, and all and every the Islands and Territories which now are or hereafter may be subject to or dependant upon the respective Governments thereof, as His Majesty's Courts of King's Bench, Common Pleas and Exchequer at *Westminster*, or either of them, lawfully have or hath in *England*; and the said Courts respectively shall also be at all Times Courts of Oyer and Terminer, and General Gaol Delivery, in and for *New South Wales* and *Van Diemen's Land*, and the Dependencies thereof respectively; and the said Judges so appointed shall have and exercise such and the like Jurisdiction and Authority in *New South Wales* and *Van Diemen's Land*, and the Dependencies thereof respectively, as the Judges of the Courts of King's Bench, Common Pleas and Exchequer in *England*, or any of them, lawfully have and exercise, and as shall be necessary for carrying into effect the several Jurisdictions, Powers and Authorities committed to the said Courts respectively.

III. And be it further enacted, That the said Supreme Courts in *New South Wales* and *Van Diemen's Land* respectively shall and may inquire of, hear and determine all Treasons, Piracies, Felonies, Robberies, Murders, Conspiracies and other Offences of what Nature or Kind soever committed or that shall be committed upon the Sea or in any Haven, River, Creek or Place where the Admiral or Admirals have Power, Authority or Jurisdiction, or committed or that shall be committed in the Islands of *New Zealand*, *Otaheite* or any other Island, Country or Place, situate in the *Indian or Pacific Oceans*, and not subject to His Majesty, or to any *European* State or Power, by the Master or Crew of any *British Ship* or Vessel, or any of them, or by any *British Subject* sailing in or belonging to, or that shall have sailed in or belonged to and have quitted any *British Ship* or Vessel to live in any Part of the said Islands, Countries or Places, or that shall be there living; and that all Persons convicted of any of the Offences so to be inquired of, heard and determined in the said Courts respectively, shall be subject and liable to and shall suffer all such and the same Pains, Penalties and Forfeitures as by any Law or Laws

Jurisdiction of such Courts.

The said Supreme Courts to have Jurisdiction over Piracies and Offences committed at Sea, or in the Islands in the Indian or Pacific Oceans.

Laws now in force Persons convicted of the same respectively would be subject and liable to in case the same were respectively inquired of, tried, heard, determined and adjudged in *England*; any Law, Statute or Usage to the contrary notwithstanding.

The Trial of Crimes and Misdemeanors cognizable in the said Courts to be prosecuted by Information, and tried by the Judge and Seven Officers of the Army or Navy.

IV. And be it further enacted, That all Crimes, Misdemeanors and Offences cognizable in the said Courts respectively shall be prosecuted by Information in the Name of His Majesty's Attorney General or other Officer duly appointed for such Purpose by the Governor or Acting Governor aforesaid, and all Issues of Fact joined on every such Information shall be tried by the respective Judges of the said Courts, and a Jury of Seven Commissioned Officers of His Majesty's Sea or Land Forces, whether on full or Half Pay; and such Jurors shall from time to time be nominated for the Purpose aforesaid by the Governor or Acting Governor of *New South Wales* or *Van Diemen's Land* respectively for the Time being; and the said Officers shall severally be liable to be challenged or objected to upon the special Ground of direct Interest or Affection, to be specified in open Court at the Time of Challenge; and in case of such Challenge or Objection being allowed by the Judges of the said respective Courts, the Officer or Officers so challenged or objected to shall be succeeded by another such Officer or Officers as aforesaid, who shall in like Manner be nominated by the Governor or Acting Governor for the Time being as aforesaid, and be liable in the same Manner to Challenge or Objection, until Seven Officers shall appear duly qualified for the Trial of any Offender in the said Courts respectively, and the said Officers shall thereupon severally take and repeat in open Court the same Oath as is taken by Petit Jurors impannelled for the Trial of any Crime or Misdemeanor in any Court of Record in *England*, and shall return their Verdict in open Court, by the Mouth of the senior Officer serving on such Jury; and the Proceedings of the said Courts respectively shall be under the Controul and Direction of the respective Judges thereof; and all Matters of Law arising in the Course of Trial shall be determined by such Judges respectively, and the Judgment of the said Courts respectively shall be pronounced by them in the Manner by Law established on the Trial of Persons indicted in any Court of Record in *England*: Provided nevertheless, that if at the Time of the Meeting of the Supreme Court of *Van Diemen's Land* there should not be Seven Commissioned Officers of His Majesty's Sea or Land Forces within the Distance of Fifty Miles from the Place of holding such Court, or in case of the Sickness of any such Officers, the Person administering the Government of *Van Diemen's Land* shall nominate such Magistrates of the said Island, or of any District or County of the said Island, as to him shall seem meet, to act as Jurors on the Trials of such Crimes, Misdemeanors or Offences as aforesaid, together with such and so many Commissioned Officers as aforesaid as may then be within such Distance as aforesaid, and competent to act upon such Jury, so as that there may in every Case be a complete Jury of Seven Men for the Trial of the said Crimes, Misdemeanors and Offences; and the Magistrates so to be appointed by the Person administering the Government of *Van Diemen's Land* shall be liable to be challenged or objected to in such and the same Manner,

Proviso where there shall not be Seven Commissioned Officers.

Magistrates acting as Jurors may be challenged.

ner, and shall, if necessary, be succeeded by some other Magistrates to be nominated by the Person administering the Government of the said Island, and shall severally take and repeat such Oath as is hereinbefore directed with respect to the said Commissioned Officers of His Majesty's Sea and Land Forces.

V. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by his or their Instruction under His or their Royal Sign Manual, at any Time hereafter to authorize the Governor or Acting Governor of *New South Wales* for the Time being, to convene a Court or Courts, as often as Occasion may require, for the Trial of all Crimes and Misdemeanors committed within any Place or Places in *New South Wales* or *Van Diemen's Land*, or the Dependencies thereof, which by any Order in Council to be for that Purpose issued as after mentioned shall be appointed for the Reception of transported Felons and other Offenders; which Court or Courts shall be of Record, and shall have and exercise all the Powers and Authorities incident and belonging to a Court of Record, and shall consist respectively of a Judge to be appointed by His Majesty, His Heirs and Successors, and such and so many proper Persons, not fewer than Three or more than Five, as shall be appointed for such Purpose by such Governor or Acting Governor, by Commission to be duly made and executed under his Hand and Seal; and such Persons shall be sworn in such and the like Form, and the Verdict of the Whole of such Persons shall be taken and recorded in such and the like Manner, and the Proceedings of the said last mentioned Court or Courts shall be superintended and the Judgments thereof pronounced by the Judge or Judges presiding at every such Trial, according to such and the like Law and Usage as is hereinbefore directed with respect to the Trials of Persons prosecuted before the said Supreme Courts of Judicature of *New South Wales* and *Van Diemen's Land* respectively; and in all Cases where the Offence charged against any Person indicted before any such Court or Courts so to be established in any such Place or Places as aforesaid shall not be punishable with Death, the Judge or Judges of the said Court or Courts respectively shall, and he and they is and are hereby authorized to adjudge the Offender to any Corporal Punishment not extending to Life or Limb, as the Circumstances of the Case may require: Provided always, that the Particulars and Grounds of every such Sentence shall in all Cases be made known by the Judge or Judges of the said last mentioned Court or Courts respectively to the Governor or Acting Governor of *New South Wales* or *Van Diemen's Land*, as the Case may be, for his Approbation.

VI. And be it further enacted, That in any Actions at Law to be brought in the said Supreme Courts of *New South Wales* and *Van Diemen's Land* respectively, whenever the Parties Plaintiff and Defendant in any such Action shall join Issue on any Matter of Fact, the Trial of such Issue or Issues shall be by the Chief Judge of the said Courts respectively, and by Two Assessors, being Magistrates or Justices of the Peace in and for the said Colony, or some County or District thereof; and the said Magistrates shall be nominated from time to time for the Purpose aforesaid by the Governor or Acting Governor for the Time being of

His Majesty may hereafter institute other Criminal Courts in any New Settlements.

Proceedings in such Courts regulated.

Trial of Actions at Law to be by the Chief Justice and Two Magistrates.

New

Challenge as in
case of Jury.

New South Wales and *Van Diemen's Land* respectively, and shall be liable to Challenge upon such and the same Grounds as may lawfully be alleged as Causes of Challenge against any Person impanelled as a Juror, for the Trial of any Issue of Fact joined between the Parties in any Action depending in any of His Majesty's Courts of Record at *Westminster*, and such Challenges shall be made in open Court, and decided by the Judges of the said Supreme Courts respectively; and in case any such Challenge shall be allowed by the said Judges respectively, another Justice of the Peace shall be nominated in Manner aforesaid in the Place of the Justice against whom such Challenge shall have been so allowed, who may in like Manner be challenged, until Two Justices shall appear competent to act as Assessors of the Court upon the Trial of the said Issue or Issues of Fact; and the said Two Assessors shall thereupon severally take and repeat in open Court such and the same Oath as is taken by any Juror sworn upon the Trial of any Issue of Fact in any of His Majesty's said Courts of Record at *Westminster*, and the Judges of the said Supreme Courts respectively shall, together with the said Two Assessors, give their Verdict upon every such Issue or Issues of Fact as aforesaid; and in case any such Judge and Assessors cannot agree upon such Verdict, the Verdict of the major Part of them shall be taken, entered and recorded as the Verdict of all: Provided always, that if the Parties, Plaintiff and Defendant in any such Action, shall be desirous of having any such Issue or Issues of Fact as aforesaid tried by a Jury of Twelve Men, and shall concur in an Application for that Purpose to the Judges of the said Supreme Courts respectively, then and in every such Case such Issue or Issues of Fact shall be tried by a Jury, under the Direction of the said Judges respectively.

Proviso where
Parties desire a
Jury.

Qualification of
Jurors.

VII. And be it further enacted, That no Person shall be deemed competent to serve upon any Jury as aforesaid, who shall not have and possess a Freehold Estate of Fifty Acres or more of cleared Land, or a Freehold Dwelling House or Tenement of the Value of Three hundred Pounds Sterling or upwards, situate in some Part of *New South Wales* or *Van Diemen's Land* respectively.

His Majesty,
by Order in
Council, au-
thorized to ex-
tend the Trial
by Jury.

VIII. And be it further enacted, That it shall and may be lawful for His Majesty, his Heirs and Successors, by any Order to be by Him or Them issued with the Advice of His or Their Privy Council, at any Time or Times hereafter, to cause the Trial by Jury to be further introduced and applied in such Parts of *New South Wales* and *Van Diemen's Land*, and their respective Dependencies, at such Time, in such Cases, and with, under and subject to such Rules, Modifications and Limitations in respect thereof, as to His Majesty, His Heirs and Successors, shall seem meet, and as shall be specified in any such Order in Council in that Behalf.

Supreme
Courts to have
Equitable
Jurisdiction.

IX. And be it further enacted, That the said Supreme Courts respectively shall be Courts of Equity in *New South Wales* and *Van Diemen's Land*, and the Dependencies thereof respectively, and shall have Power and Authority to administer Justice, and to do, exercise and perform all such Acts, Matters and Things necessary for the due Execution of such Equitable Jurisdiction, as
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the Lord High Chancellor of *Great Britain* can or lawfully may within *England*.

X. And be it further enacted, That the said Supreme Courts respectively shall be Courts of Ecclesiastical Jurisdiction, and shall have full Power and Authority to administer and execute within *New South Wales* and *Van Diemen's Land*, and the Dependencies thereof respectively, such Ecclesiastical Jurisdiction and Authority as shall be committed to the said Supreme Courts respectively by His Majesty's said Charters or Letters Patent; provided, that in all Cases where the Executor or Executors of any Will, upon being duly cited, shall refuse or neglect to take out Probate, or where the next of Kin shall be absent, and the Effects of the Deceased shall appear to the said Judges respectively to be exposed and liable to Waste, it shall be lawful for the said Judges respectively to authorize and empower the Registrar, or other Ministerial Officer of the said Supreme Courts respectively, to collect such Effects, and hold or deposit or invest the same in such Manner and Place, or upon such Security, and subject to such Orders and Directions as shall be made either as applicable to all such Cases, or specially in any Case, by the said Judges, in respect of the Custody, Controul or Disposal thereof.

And also Ecclesiastical Jurisdiction.

XI. And be it further enacted, That in all Cases where the Process of the said Supreme Courts respectively hath been sued out against any Defendant or Defendants in any Plaint or Action entered in the said Supreme Courts respectively, for Debt upon Specialty, or Bill or Note under Hand, or Book Debt, upon a *Concessit solvere*, and a *Non est inventus* hath been returned, it shall be lawful for the said Supreme Courts respectively to issue an Attachment, thereby commanding the Sheriff or Provost Marshal of *New South Wales* or *Van Diemen's Land* respectively, or his lawful Deputy, to attach the Monies, Goods, Chattels or Debts of any such Defendant or Defendants, in the Hands of any Person or Persons whomsoever, and notwithstanding any such Person shall be the Wife or Attorney of the Defendant aforesaid, in whose Possession or Power such Monies, Goods and Chattels may be, or from whom such Debts may be due; and also to require such Person or Persons to appear at a Day certain of the next Term or Meeting of the said Supreme Courts respectively, to shew Cause why the said Monies, Goods, Chattels or Debts, or so much thereof as will satisfy the Debt demanded, should not be delivered to the Plaintiff or Plaintiffs in such Action; at which Day, if the said Person or Persons shall confess, or it shall otherwise be made to appear to the Satisfaction of the said Supreme Courts respectively, that the said Monies, Goods, Chattels or Debts do properly belong to the said Defendant or Defendants against whom Process hath been returned as aforesaid, and if the said Plaintiff or Plaintiffs, their, his or her Agent or Attorney do swear in open Court that the Debt so demanded is due, and that no Part thereof hath been satisfied, and do also give Security in Double the Debt demanded, to restore with Treble Damages the same, or so much thereof as shall afterwards be disproved, then and in all such Cases the Plaintiff or Plaintiffs shall have Judgment for the said Debt demanded, and Execution against the said Monies, Goods, Chattels and Debts so attached: Provided always,

In what Cases Courts to issue foreign Attachments.

Proceedings thereon.

Proviso for
Bail.

that if the said Defendant or Defendants, or any Person as Attorney to the said Defendant or Defendants, shall appear, and put in Bail to answer the Action and satisfy the Judgment, then and in all such Cases the said Attachment shall be dissolved, and Proceedings had according to the usual Course in the said Supreme Courts respectively; and if any Person or Persons as aforesaid, in whose Possession or Power such Money, Goods, Chattels or Debts shall be so attached, shall dispose of the same or any Part thereof before the said Debt demanded shall be satisfied, or the said Attachment dissolved, then and in every such Case the said Person or Persons for such their Default shall be liable to make Satisfaction to the Plaintiff or Plaintiffs, out of his, her or their proper Estates, and in case no such Satisfaction shall be made, shall be liable to be dealt with as for Contempt of the said Supreme Courts respectively.

Where the Cause shall exceed 500l. and shall not be tried by a Jury, the Evidence shall be taken in Writing.

XII. And be it further enacted, That on the Trial of every Issue of Fact joined between the Parties in any Action at Law by this Act made cognizable in the said Supreme Courts, where the Sum or Matter at Issue shall exceed the Amount or Value of Five hundred Pounds Sterling, and where such Trial shall not be by a Jury, the Judges of the said Supreme Courts respectively shall cause the Evidence to be taken down in Writing by the Clerk or other proper Officer of the said Supreme Courts respectively, and repeated in open Court to the Witnesses respectively giving the same; and the Evidence so taken and repeated shall be entered upon the Proceedings of the Court, and be of Record, and that no Objection shall be allowed to the Competency of Witnesses of sufficient Age and Discretion, except for Interest in the Event of the Trial; and in every Case in which any Appeal shall be made or allowed under the Provisions of this Act, Copies of all Documents and Papers which shall have been produced and given in Evidence shall be certified by the said Clerk, or other proper Officer of the Court to be appointed for that Purpose, as authentic; and also Copies of any Documents and Papers which shall have been produced and tendered in Evidence, and rejected, shall, if required by the Party producing the same, be in like Manner authenticated, but marked by such Officer as aforesaid as rejected, in order that all such Copies may be annexed to the Record as Part thereof, in case of Appeal.

Appeal to the Court of Appeals where the Cause of Action shall exceed 500l.

XIII. And be it further enacted, That it shall be lawful for the Plaintiff or Plaintiffs, Defendant or Defendants, against whom any Judgment, Decree, Order or Sentence of the said Supreme Courts respectively shall be given, for or in respect of any Sum or Matter at Issue above the Amount or Value of Five hundred Pounds Sterling, to appeal therefrom to the Court of Appeals hereinafter mentioned; and the Party or Parties appealing from such Judgment, Decree, Order or Sentence, shall, within Fourteen Days from the passing thereof, give Notice to the adverse Party or Parties of such Appeal, and within Twenty eight Days from and after such Judgment, Decree, Order or Sentence, enter into sufficient Security, to be approved by the Judges of the said Supreme Courts respectively, to satisfy or perform the said Judgment, Decree, Order or Sentence, in case the same shall be affirmed, or the Appeal dismissed, together with such further Costs

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as shall be awarded thereon; and in all Cases of Appeal where Notice shall be given and Security perfected as aforesaid, Execution shall be stayed, and not otherwise.

XIV. And be it further enacted, That it shall be lawful for the Judges of either of the Supreme Courts aforesaid, on the Application of either of the Parties, Plaintiff or Defendant, at or before the Hearing or Trial of any Suit or Action commenced in the said Supreme Courts respectively, to permit an Appeal to the said Court of Appeals from any Judgment, Decree, Order or Sentence of the said Supreme Courts respectively, although the Sum or Matter at Issue, for or in respect of which such Judgment, Decree, Order or Sentence shall or may be given, made or pronounced, shall not amount to or be of the Value of Five hundred Pounds Sterling, in case it shall be made to appear to the Satisfaction of the said Judges of the said Supreme Courts respectively that such Judgment, Decree, Order or Sentence may be of peculiar Importance, or may affect directly or indirectly the Decision of any other Question or Questions of peculiar Importance, or involve directly or indirectly any Claim, Demand or Question to or respecting Property, or any Civil Right, amounting to or of the Value of Five hundred Pounds Sterling; and in all such Cases where the Trial shall not be by a Jury, the Evidence given before the said Supreme Courts respectively shall be taken down in Writing, and repeated to the Witnesses giving the same; and such Evidence shall be of Record, and Copies shall be made and authenticated of all Documents and Papers produced, in such Manner as before directed respecting the Trial of Issues of Fact where the Sum or Matter at Issue shall exceed the Amount or Value of Five hundred Pounds Sterling.

Appeals may be allowed by the Judges where Cause of Action shall be less than 500L. in certain Cases.

Evidence to be of Record.

XV. And be it further enacted, That the Governor or Acting Governor of *New South Wales* shall from time to time hold a Court, to be called "The Court of Appeals of the Colony of *New South Wales*;" which Court shall have Power and Authority, in all such Cases as aforesaid, to receive and hear Appeals from the Judgments, Decrees, Orders and Sentences of the Supreme Courts of *New South Wales* and *Van Diemen's Land* respectively, and to affirm, alter or reverse the said Judgments, Decrees, Orders or Sentences, in Whole or in Part, or to dismiss the said Appeals, with Costs or otherwise, as may be just; provided always, that the Governor or Acting Governor aforesaid shall be assisted in the hearing or determining of all Appeals from the Supreme Court of *Van Diemen's Land* by the Chief Justice of the Supreme Court of *New South Wales*: Provided also, that the Record of every Judgment, Decree, Order or Sentence, to be pronounced by the said Court of Appeals, shall by such Court be remitted to the Supreme Court whence the Appeal was brought, to be by such Supreme Court carried into effect according to Law: Provided also, that upon any Appeal to be brought to the said Court of Appeals from any Judgment of either of the said Supreme Courts, founded upon the Verdict of a Jury of Twelve Men, the said Court of Appeals shall not reverse, alter or inquire into the said Judgment, except only for Error of Law apparent upon the Record.

The Governor to hold a Court of Appeal.

Proviso.

Proviso.

Appeals to His Majesty in Council to be regulated by Charter.

His Majesty to make Rules and Orders for the Conduct of all Business in the said Courts.

Regulations as to opening the Supreme Courts upon the Arrival of the Kings's Charter.

And thereupon 27 G. 3. c. 2. to cease.

XVI. And be it further enacted, That it shall and may be lawful for His Majesty, by the said Charters or Letters Patent respectively, to allow any Person or Persons feeling aggrieved by any Judgment, Decree, Order or Sentence of the said Court of Appeals, to appeal therefrom to His Majesty in Council, in such Manner, within such Time, and under and subject to such Rules, Regulations and Limitations, as His Majesty, by any such Charters or Letters Patent respectively shall appoint and prescribe.

XVII. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by His said Charters or Letters Patent, or by any Order in Council, at any Time hereafter to make and prescribe, or to authorize and empower the Judges of the said Supreme Courts in *New South Wales* and *Van Diemen's Land* respectively, under such Limitations as His Majesty shall deem proper, to make and prescribe such Rules and Orders touching and concerning the Time and Place of holding the said Courts respectively, the Forms and Manner of Proceeding, and the Practice and Pleadings upon all Indictments, Informations, Actions, Suits and other Matters to be therein brought, the appointing of Commissioners to take Bail and examine Witnesses, the taking Examinations of Witnesses *de bene esse*, and allowing the same as Evidence, the granting of Probates of Wills and Letters of Administration, the Proceedings of the Sheriff, Provost Marshal and other Ministerial Officers, the Process of the said Courts and the Mode of executing the same, the impanelling of Juries, the Admission of Attornies, Solicitors and Barristers, the Fees, Poundage or Perquisites to be lawfully demanded by any Officer, Attorney or Solicitor in the said Courts respectively, and all other Matters and Things whatsoever, as to His Majesty, His Heirs and Successors, shall seem meet for the Conduct of Business in the said Courts respectively, and as may be adapted to the Circumstances and Condition of the said Colony; and such Rules and Orders from time to time to alter, amend or revoke, as to His Majesty, His Heirs and Successors, shall seem requisite; and all Rules and Orders so to be established by any such Order or Orders in Council as aforesaid shall be of such and the like Force and Effect as if the same had been inserted in this present Act.

XVIII. And be it further enacted, That the Governor or Acting Governor of *New South Wales* and *Van Diemen's Land*, and the Dependencies thereof respectively, upon the Arrival in the said Colony of His Majesty's Charter or Letters Patent for the Establishment, by virtue of this Act, of the Supreme Courts of *New South Wales* and *Van Diemen's Land* respectively, shall by Proclamation notify to the Inhabitants of the said Colony the Time when the said Courts respectively are to be opened, and the Judges thereof respectively are to assume and enter upon the Exercise of their Jurisdiction therein; and when and so soon as the said Courts shall actually have so assumed and entered upon the Exercise of such Jurisdiction, then and from thenceforth the Act made and passed in the Twenty seventh Year of His late Majesty's Reign, intituled *An Act to enable His Majesty to establish a Court of Criminal Judicature on the Eastern Coast of New South Wales, and the Parts adjacent*, shall cease to have effect and determine, and the Courts of Criminal and Civil Jurisdiction

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in *New South Wales* and its Dependencies respectively, instituted by His Majesty's Letters Patent under the Great Seal, and bearing Date respectively the Second Day of *April* and the Fourth Day of *February*, in the Twenty fourth and Fifty fourth Years of His late Majesty's Reign, shall likewise cease and determine, and every Suit or Complaint which shall at that Time be depending in the said Courts respectively shall and may be proceeded upon in the said Supreme Courts of *New South Wales* or *Van Diemen's Land* respectively, in the same Manner as any Suit or Complaint originally commenced or brought in such Courts respectively under this Act, and as if such Suit or Complaint had been originally brought or commenced in such Courts respectively; and all the Records, Muniments and Proceedings whatsoever of and belonging to the said Courts of Criminal and Civil Jurisdiction respectively shall, from and immediately after the opening of the Supreme Courts respectively instituted under this Act, be delivered over and deposited for safe Custody in the said Supreme Courts respectively, to which all Parties concerned shall and may have Recourse as to the other Records of the said Courts: Provided, that until the said Supreme Courts to be established by virtue of this Act shall have actually assumed and entered upon the Exercise of their Jurisdiction in the said Colony, the said Courts of Criminal and Civil Jurisdiction now existing within *New South Wales* and *Van Diemen's Land*, and the Dependencies thereof, shall enjoy and exercise all Powers, Authorities and Jurisdictions lawfully vested in them by the said several Letters Patent, as fully and effectually to all Intents and Purposes as if this Act had not been made.

XIX. And be it further enacted, That Courts of General or Quarter Sessions shall be holden in *New South Wales* and *Van Diemen's Land*, and their Dependencies, at such Times and Places as the Governor or Acting Governor of *New South Wales* shall by his Proclamation appoint; and the said Courts of Sessions respectively shall have Power and Authority to take Cognizance of all Matters and Things cognizable in Courts of General or Quarter Sessions in *England*, so far as the Circumstances and Condition of the said Colony shall require and admit; and the said Courts shall have Power and Authority in a summary Way to take Cognizance of all Crimes and Misdemeanors not punishable with Death, which have been or shall be committed by any Felons or other Offenders who have been or shall be transported to *New South Wales* or its Dependencies, and whose Sentences shall not have expired or been remitted, and also of all Crimes and Misdemeanors committed by any such Felons or Offenders on board of any Ship or Vessel during the Voyage to *New South Wales* or the Dependencies thereof, and the same to punish, if such Courts shall see fit, by extending the Time for which such Persons may have been originally transported, or by Transportation to such other Part of *New South Wales*, or the Dependencies thereof, as shall or may be appointed for the Reception of Offenders as hereafter mentioned, and as the Case may require, and by hard Labour for any Time not exceeding Three Years; and also in a like summary Way to take Cognizance of all Complaints made against any such Felons or Offenders for Drunkenness; Disobedience of Orders, Neglect of Work, Absconding or Desertion, abusive Language to

And also the Letters Patent dated 2d Day of April, 24 G.S. and 4th Day of Feb. 54 G.S.

Proviso for existing Courts.

Courts of Sessions to be held, and the Authority thereof extended.

their, his or her Employers or Overseers, Insubordination or other turbulent or disorderly Conduct, and all such Offences to punish by whipping or other corporal Punishment not extending to Privation of Life or Member, or by Removal to some other Part or Place in the said Colony or its Dependencies, and hard Labour, according to the Nature and Degree of such Offences respectively: Provided, that a Return of all Sentences imposed by the said Court be made to such Governor or Acting Governor aforesaid, and shall be by him within Six Months transmitted to one of His Majesty's Principal Secretaries of State in *England*.

Proviso.

The Governor to institute Courts of Requests, and such Courts to determine all Civil Suits under 10l.

XX. And be it further enacted, That it shall be lawful for the Governor or Acting Governor of *New South Wales* from time to time to institute Courts of Civil Jurisdiction, to be called "Courts of Requests," in different Parts of *New South Wales* and *Van Diemen's Land*, or the Dependencies thereof, as Occasion shall require, with full Power and Authority to hear and determine in a summary Way all Actions, Complaints and Suits for the Payment or Recovery of any Debt, Damages or Matter not exceeding Ten Pounds Sterling, except the Matter in question shall relate to the Title to any Lands, Tenements or Hereditaments, or to the taking or demanding of any Duty payable to the King, or to any Fee of Office, annual Rent or other such Matter, where Rights in future may be bound, or to any general Right or Duty, and to award Costs therein; and the Determination and Award of such Courts of Requests, in all Cases within the Jurisdiction thereof, shall be final and shall be carried into Execution by Attachment and Sale of the Goods and Effects, or by Corporal Arrest of the Party or Parties against whom such Determination or Award shall be made; and each of the said Courts of Requests respectively shall be holden by a Commissioner, to be appointed by the Governor or Acting Governor aforesaid for the Time being, with such Salary as the said Governor or Acting Governor, with the Approbation of His Majesty, shall think proper to appoint; which Salary shall be in lieu of all Fees, Profits or Emoluments whatever, in respect of the Office of such Commissioner as aforesaid.

Salary of Commissioners.

The Governor, with the Chief Justice, to settle Rules and Fees for the Courts of Sessions and Requests.

XXI. And be it further enacted, That the Governor or Acting Governor of *New South Wales* shall and may, with the Assistance of the Chief Justice of the Supreme Court of *New South Wales*, from time to time settle such Forms of Process, and such Rules of Practice and Proceeding, for the Conduct and Dispatch of Business in the said Courts of Sessions and Requests respectively, and appoint such reasonable Fees to be taken as shall seem necessary and proper for expediting the Business of the said Courts with most Convenience and least Expence to the Parties concerned therein, and such Rules and Forms shall be followed, and such Fees shall be paid accordingly, and no other.

Provision for declaring Insolventcies, and distributing the Effects of Insolvent Persons

XXII. And Whereas it is expedient to make Provision for an equal Distribution of the Effects of Insolvent Debtors in *New South Wales* and *Van Diemen's Land*, and the Dependencies thereof, among their Creditors; Be it further enacted, That as often as any Writ or other Process for the Recovery of any Debt or Sum due shall be issued by the Supreme Courts aforesaid, or either of them, against any Person or Persons residing or carrying on Business in *New South Wales* or *Van Diemen's Land*, or any

any Place within the respective Dependencies thereof, and it shall be made to appear to the said Courts respectively at the Return of such Writ or Process, that the Person or Persons against whom the same shall have been issued is or are unable to pay Twenty Shillings in the Pound to all his, her or their Creditors, it shall be lawful for the Judges of the said Courts respectively to cause the Person or Persons against whom the same shall have been issued, together with all his, her or their Creditors, to be summoned by public Notice to attend the said Court on a certain future Day; and in the mean time, if it shall appear necessary to the Judges of the said Courts respectively, to appoint One or more of the said Creditors as provisional Trustee or Trustees, to discover, collect and receive the Estates and Effects of such Person or Persons so appearing to be insolvent, subject to the Orders and Directions of the said Judges respectively; and if after due Examination of the Person or Persons against whom Process shall have been issued as aforesaid, or if such Person or Persons shall abscond or fail to attend the said Courts respectively, pursuant to such Summons as aforesaid, it shall be made to appear to the Satisfaction of the said Judges respectively that such Person or Persons is or are insolvent, it shall be lawful for the said Courts respectively to declare such Person or Persons insolvent accordingly, and immediately to take Order for discovering, collecting and selling the Estates, Debts and Effects of such Insolvent or Insolvents, and distributing the Produce thereof equally and rateably amongst all his, her or their Creditors, and for that Purpose to authorize any Two or more Creditors of the said Insolvent or Insolvents, or any other fit and proper Person or Persons to be for that Purpose nominated by the said Courts respectively, to act as and be Trustees for the Benefit of the Creditors of such Insolvent or Insolvents; and the said Courts respectively shall from time to time make such Orders as shall be just, for better discovering, collecting, selling and realizing the Estates, Debts and Effects of the Person or Persons so declared insolvent, and for making a rateable Distribution thereof amongst all the Creditors of such Insolvent Person or Persons, or if Occasion shall require, for vesting the same, or any Parts thereof, in the Public Funds or Securities in *England*, until such Distribution can be made.

XXIII. And be it further enacted, That if such Insolvent Person or Persons shall make a full and true Disclosure, Discovery and Surrender of all his, her or their Estates, Goods, Debts and Effects, and shall conform to the Orders and Directions of the said Judges of the said Supreme Courts respectively in respect thereof, the same shall and may, with the Consent in Writing under the Hands of the major Part in Number and Value of the Creditors of such Insolvent or Insolvents, be certified by the Judges, under the Seal of the said Courts respectively; and such Certificate may be pleaded, and shall be a Bar to all Suits and Complaints for Debts and Contracts for Payment of Money due, and entered into by such Person or Persons prior to the Time of his, her or their being declared insolvent as aforesaid; and if any Person or Persons so declared insolvent as aforesaid shall fail to make a true Disclosure and Discovery of all his, her or their Estate or Estates and Effects, or shall otherwise refuse to conform

in New South
Wales.

Regulations as
to granting
Certificates to
Insolvents.

form to the Orders or Directions of the said Judges of the said Courts respectively, it shall be lawful for the said Courts respectively to cause such Person or Persons to be arrested and imprisoned until he, she or they shall make such Disclosure and Discovery, and in all respects conform to such Orders and Directions: Provided always, that no Person or Persons who shall be declared insolvent as aforesaid a Second Time shall be entitled to any such Certificate, unless his, her or their Estate or Estates and Effects, when collected and realized, shall be sufficient to pay at least Fifteen Shillings in the Pound to all his, her or their Creditors; and that no Person or Persons who shall be declared insolvent as aforesaid a Third Time or oftener shall be entitled to any such Certificate.

‘ XXIV. And Whereas it may be necessary to make Laws and Ordinances for the Welfare and good Government of the said Colony of *New South Wales*, and the Dependencies thereof, the Occasions of which cannot be foreseen, nor without much Delay and Inconvenience be provided for, without entrusting that Authority for a certain Time, and under proper Restrictions, to Persons resident there: And Whereas it is not at present expedient to call a Legislative Assembly in the said Colony;’ Be it therefore enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by Warrant under His or Their Sign Manual, to constitute and appoint a Council, to consist of such Persons resident in the said Colony, not exceeding Seven nor less than Five, as His Majesty, His Heirs and Successors, shall be pleased to appoint; and upon the Death, Removal or Absence of any of the Members of the said Council, in like Manner to constitute and appoint such and so many other Person or Persons as shall be necessary to supply the Vacancy or Vacancies; and the Governor or Acting Governor for the Time being of the said Colony, with the Advice of the Council to be appointed as aforesaid, or the major Part of them, shall have Power and Authority to make Laws and Ordinances for the Peace, Welfare and good Government of the said Colony, such Laws and Ordinances not being repugnant to this Act, or to any Charter or Letters Patent or Order in Council which may be issued in pursuance hereof, or to the Laws of *England*, but consistent with such Laws, so far as the Circumstances of the said Colony will admit: Provided always, that no Law or Ordinance shall be passed or made, unless the same shall first by the said Governor or Acting Governor be laid before the said Council, at a Meeting to be for that Purpose convened by a written Summons under the Hand of such Governor or Acting Governor, to be delivered to or left at the usual Place of Abode of the Members of such Council respectively; provided also, that in case all or the major Part of the Members of the said Council shall dissent from any Law or Ordinance proposed by such Governor or Acting Governor at any such Meeting as aforesaid, the Members of the said Council so dissenting shall enter upon the Minutes of such Council the Grounds and Reasons of such their Dissent, and in every such Case such proposed Law or Ordinance shall not pass into a Law; provided nevertheless, that if it shall appear to the Governor or Acting Governor for the Time being of the said Colony, that such proposed Law or Ordinance is

essen-

Proviso for
Second and
Third Insol-
vency.

His Majesty to
constitute a
Council in
New South
Wales; and
the Governor,
with the Advice
of such Coun-
cil, shall have
Power to make
Laws for the
Government of
the said Colony.

essential to the Peace and Safety thereof, and cannot without extreme Injury to the Welfare and good Government of the said Colony be rejected, then and in every such Case, if any One or more Member or Members of the said Council shall assent to such proposed Law, the said Governor shall enter upon the Minutes of the Council the Grounds and Reasons of such his Opinion; and in every such Case, and until the Pleasure of His Majesty, His Heirs and Successors, shall be made known in the said Colony respecting the same, such Law or Ordinance shall be of full Force and Effect in the said Colony, and the Dependencies thereof, any such Dissent as aforesaid of the Majority of the Members of the said Council notwithstanding.

XXV. Provided also, and be it further enacted, That in case any Rebellion or Insurrection shall have actually broken out in the said Colony, or if in the Judgment of the Governor or Acting Governor thereof for the Time being, there shall be good and sufficient Cause to apprehend that any such Rebellion or Insurrection is about forthwith to break out therein, then and in every such Case it shall and may be lawful for such Governor or Acting Governor to promulgate and enforce within the said Colony and its Dependencies any Law or Ordinance which may be necessary for suppressing or preventing any such Rebellion or Insurrection as aforesaid, although every Member of the said Council should dissent from any such Law or Ordinance.

XXVI. Provided also, and be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by any Order to be by Him or Them issued by and with the Advice of His or Their Privy Council, to make and establish any Law or Ordinance which may have been previously laid before and dissented from by the whole or the major Part of the said Council, in case such Law or Ordinance shall appear to His Majesty, His Heirs and Successors, to be necessary for the better Government of the said Colony and its Dependencies.

XXVII. Provided also, and be it further enacted, That the said Governor and Council shall not impose any Tax or Duty upon any Ship or Vessel trading with the said Colony or the Dependencies thereof, or upon any Goods, Wares and Merchandize imported into or exported from the same, nor any other Tax or Duty, except only such Taxes or Duties as it may be necessary to levy for local Purposes; and the Purposes for which every such Tax or Duty may be so imposed, and to or towards which the Amount thereof is to be appropriated and applied, shall be distinctly and particularly stated in the Body of every Law or Ordinance imposing every such Tax or Duty.

XXVIII. And Whereas an Act of Parliament was made in the Fifty ninth Year of the Reign of His late Majesty King George the Third, intituled *An Act to stay Proceedings against any Governor or other Person concerned in imposing and levying Duties in New South Wales; to continue until the First Day of January One thousand eight hundred and twenty one, certain Duties; and to empower the said Governor to levy a Duty on Spirits made in the said Colony*: And Whereas the said Act hath been continued from time to time by divers Acts of Parliament, and was varied and altered by an Act passed in the Third Year of

In case of actual or apprehended Rebellion or Insurrection, the Governor to make Laws for suppressing the same.

His Majesty in Council may establish any Law dissented from by the Council.

No Tax imposed by the Governor and Council, except for local Purposes.

‘ the Reign of His present Majesty, intituled *An Act to continue, until the First Day of January One thousand eight hundred and twenty four, an Act passed in the Fifty ninth Year of His late Majesty, relating to imposing and levying Duties in New South Wales; to authorize the imposing and levying other Duties on Goods imported into the said Colony; and to suspend for Ten Years the Payment of Duty on the Importation of certain Goods the Produce of New South Wales; and it is expedient that the said Act of the Fifty ninth Year of the Reign of His said late Majesty King George the Third should be made perpetual, and that all the Powers and Authorities thereby or by the said Act of the Third Year of the Reign of His present Majesty committed to the Governor or other Person administering the Government of New South Wales, should be continued as fully as if this present Act had not been made:* Be it therefore enacted, by the Authority aforesaid, That the said Act passed in the Fifty ninth Year of His said late Majesty King George the Third shall be and the same is hereby made perpetual, and that nothing in this Act contained shall extend or be construed to extend to repeal, alter or affect the said last mentioned Act, or the said Act passed in the Third Year of the Reign of His present Majesty; any thing herein contained to the contrary in anywise notwithstanding.

59 G. 3. c. 114.
made perpetual.

No Law to be passed until a Copy laid before Chief Justice, and his Certificate.

XXIX. And be it further enacted, That no Law or Ordinance shall by the said Governor or Acting Governor be laid before the said Council for their Advice or Approbation, or be passed into a Law, unless a Copy thereof shall have been first laid before the Chief Justice of the Supreme Court of *New South Wales*, and unless such Chief Justice shall have transmitted to the said Governor or Acting Governor a Certificate under the Hand of such Chief Justice, that such proposed Law is not repugnant to the Laws of *England*, but is consistent with such Laws, so far as the Circumstances of the said Colony will admit.

Laws, &c. made by the Governor, &c. within Six Months from the Date thereof to be transmitted for His Majesty's Approbation.

XXX. And be it further enacted, That every Law or Ordinance so to be made as aforesaid shall, within Six Months from the Date thereof, be transmitted by the Governor or Acting Governor for the Time being of the said Colony to One of His Majesty's Principal Secretaries of State for the Time being; and that it shall and may be lawful for His Majesty, His Heirs and Successors, from time to time as He or They shall think necessary, to signify, through One of His or Their Principal Secretaries of State, His or Their Approbation or Disallowance of all such Laws and Ordinances; and that from and immediately after the Time when such Disallowance shall be published in the said Colony, by a Proclamation to be for that Purpose issued by the said Governor or Acting Governor, all such Laws and Ordinances shall be null and void; but in case His Majesty, His Heirs and Successors, shall not, within the Space of Three Years from the making of such Laws and Ordinances, signify His or Their Disapprobation or Disallowance thereof as aforesaid, then and in that Case all such Laws and Ordinances shall be valid and effectual, and have full Force.

Laws in the Colony and Orders of Council laid before Parliament.

XXXI. Provided also, and be it further enacted, That all Laws and Ordinances to be made in the said Colony, and all Orders to be made by His Majesty, His Heirs and Successors, with the Advice of His and Their Privy Council, in pursuance of this Act, shall be

be laid before both Houses of Parliament within Six Weeks at latest next after the Commencement of each Session.

XXXII. And be it further enacted, That the Members for the Time being of the said Council shall by virtue of such their Office be Justices of the Peace in and for the Whole of the said Colony of *New South Wales* and its Dependencies, and shall within the said Colony take Precedence of all Persons next after the Governor or Acting Governor thereof, and the Judges of the said Supreme Courts, and the Commander in Chief for the Time being of His Majesty's Forces within the said Colony and its Dependencies; and the said Members of the Council shall, before they enter upon and discharge the Duties of such their Office, severally take and subscribe, before and in the Presence of the Governor or Acting Governor thereof for the Time being, an Oath in the following Words; that is to say,

Members of the Council to be Justices of the Peace.

Oath to be taken.

‘ I DO swear, That I will, to the best of my Judgment and Ability, faithfully advise and assist the Governor or Acting Governor of the Colony of *New South Wales* and its Dependencies, in all such Matters as shall be brought under my Consideration as a Member of the Council of the said Colony; and I swear, that I will not, directly or indirectly, communicate or reveal to any Person or Persons, any Matter which shall be so brought under my Consideration, or which shall become known to me as a Member of the said Council. ‘ So help me GOD.’

XXXIII. And be it further enacted, That in case of the Death, Absence or permanent Incapacity of any Member or Members of the said Legislative Council, the Governor or Acting Governor for the Time being of the said Colony shall and may appoint some fit and proper Person to act in the Place and Stead of such Person or Persons, until the Vacancy or Vacancies so created shall be filled up by an Appointment to be made by His Majesty, His Heirs and Successors, in Manner aforesaid.

Regulations as to any Vacancy in the Council.

‘ XXXIV. And Whereas by an Act passed in the Thirtieth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for enabling His Majesty to authorize the Governor or Lieutenant Governor of such Places beyond the Seas to which Felons or other Offenders may be transported to remit the Sentences of such Offenders*, after reciting several Orders made by His Majesty with the Advice of His Privy Council, whereby His Majesty had declared and appointed that the Eastern Coast of *New South Wales* and the Islands thereunto adjacent should be the Place or Places beyond Sea to which certain Felons and other Offenders should be conveyed and transported, it was enacted, that it should be lawful for His Majesty, by His Commission under the Great Seal, to authorize the Governor or Lieutenant Governor for the Time being of such Place or Places as aforesaid, by any Instrument in Writing under the Seal of the Government in which such Place or Places should be situated, to remit, either absolutely or conditionally, the Whole or any Part of the Time or Term for which any such Felons or Offenders should have been or should thereafter be respectively conveyed or transported to such Place or Places; and it was further enacted, that such Governor or Lieutenant Governor

30 G.3. c.47.

§ 1.

§ 2.

‘ nor should, by the first Opportunity, transmit to One of His Majesty’s Principal Secretaries of State Duplicates of every Instrument as aforesaid, and that the Names of such Felons or other Offenders respectively, which should be contained in such Duplicates, should be inserted in the next General Pardon which should pass under the Great Seal of *Great Britain* after the Receipt of such Duplicates: And Whereas in virtue of the said Act and of His Majesty’s Commission under the Great Seal, the Governors of *New South Wales* for the Time being have from time to time remitted the Time or Term for which divers Felons and other Offenders have been transported to the said Places, but the Duplicates of the several Instruments, by which such Times or Terms of Transportation were remitted have not been regularly transmitted to *England*, and the Names of the Felons or other Offenders respectively therein contained, have not been inserted in any General Pardon under the Great Seal of *Great Britain*;’ Be it further enacted, That all Instruments in Writing, made in Conformity with the said Act, or which shall be so made before the First Day of *January* next, whereby any Governor or Lieutenant Governor of *New South Wales*, for the Time being, hath remitted or shortened, or may remit or shorten the Time or Term of Transportation of any Felons or Offenders as aforesaid, shall have and shall be deemed and taken to have had, within *New South Wales* and its Dependencies, from the Days of the respective Dates of such several Instruments, such and the like Force and Effect in the Law, to all Intents and Purposes, as any General Pardon, if passed under the Great Seal aforesaid, and including the Names of such Felons or other Offenders respectively, could or would have had; and the same Instruments, whenever they shall be ratified by His Majesty, if His Majesty shall be pleased to ratify the same, and such Ratification shall be notified in Writing by One of His Majesty’s Principal Secretaries of State, shall have the same Force and Effect within this Realm, and all other His Majesty’s Dominions, from the Days of the respective Dates of such several Instruments, or from such other Days as shall be expressed in such Ratifications respectively.

XXXV. And be it further enacted, That all Instruments in Writing whereby any Governor or Acting Governor of *New South Wales* shall hereafter remit or shorten the Time or Term of Transportation of any Felons or other Offenders, in pursuance of the said Act passed in the Thirtieth Year of the Reign of His said late Majesty King *George* the Third, shall by such Governor or Acting Governor be transmitted to His Majesty, His Heirs and Successors, for His and Their Approbation or Allowance; and in case His Majesty, His Heirs and Successors, shall, through One of His or Their Principal Secretaries of State, signify His or Their Approbation or Allowance of any such Remission or shortening of any such Time or Term of Transportation as aforesaid, then and in such Case only, every such Instrument so transmitted as aforesaid shall have, and shall be deemed and taken from the Date thereof to have had, within *New South Wales* and the Dependencies thereof, but not elsewhere, such and the same Effect in the Law, to all Intents and Purposes, as if a General Pardon

All Instruments whereby the Governors of *New South Wales* have remitted the Term of Transportation of Felons to have the same Effect as Pardons under the Great Seal.

Regulations as to Remissions of Time of Transportation in future.
30 G. 3. c. 47.

Pardon had passed under the Great Seal aforesaid, on the Days of the Dates of such Instruments respectively, in which the Names of such Felons or Offenders as aforesaid had been included.

XXXVI. And be it further enacted, That if any Person or Persons, being in *New South Wales* or any of the Dependencies thereof, under or by virtue of any Sentence of Transportation, or Order of any Court in the United Kingdom of *Great Britain* and *Ireland*, for any Time or Term of Years not then expired, or not remitted by the Governor or Acting Governor of the said Colony, shall be convicted by due Course of Law in the said Colony, or any of the Dependencies thereof, of any Offence which if committed in *England* would or might be punishable by Transportation, it shall and may be lawful for the Court before which any such Offender or Offenders may be so convicted, to sentence and adjudge him, her or them to Detention and safe Custody in *New South Wales*, or any of the Dependencies thereof, for any Term or Number of Years, not exceeding the Term or Number of Years for which such Offender or Offenders might or could by Law be sentenced to Transportation, in case he, she or they had been convicted of such or the like Offence in any Court of Record in *England*; and such Detention shall take Effect, and be computed, not from the Date of any such Sentence or Judgment as aforesaid, but from the Time when the Term of such original Sentence of Transportation shall expire; and in case any Person or Persons who shall be so sentenced to be detained in the said Colony or its Dependencies, shall be afterwards at large within any Part of the United Kingdom of *Great Britain* and *Ireland*, without lawful Cause, before the Expiration of the Term for which such Offender or Offenders shall have been sentenced to be detained as aforesaid, every such Offender being at large as aforesaid, and being thereof lawfully convicted, shall suffer Death as in Cases of Felony without Benefit of Clergy; and such Offender or Offenders may be tried before the Justices of Assize, Oyer and Terminer, Great Sessions or Gaol Delivery for the County, City, Liberty, Borough or Place, in any Part of His Majesty's Dominions, where such Offender or Offenders shall be apprehended or taken; and on every such Trial, a Certificate in Writing signed by the Judge or Judges of the Court in *New South Wales* or its Dependencies, whereby such Offender was so sentenced to be detained, containing the Effect and Substance only (omitting the formal Part) of the Indictment and Conviction of such Offender, and of the Sentence of Detention, shall be sufficient Proof of the Conviction and Sentence of every such Offender.

XXXVII. And be it further enacted, That if any Person or Persons who may hereafter be transported to *New South Wales*, or any of the Dependencies thereof, under any Sentence or Order of any Court in the United Kingdom aforesaid, shall be guilty of Misbehaviour or disorderly Conduct on board of any Ship or Vessel in which such Person or Persons shall be so transported, it shall be lawful for the Surgeon or Principal Medical Officer for the Time being of any such Ship or Vessel to inflict or cause to be inflicted on the Person or Persons so offending such

Persons under Sentence of Transportation, who shall be convicted there of Offences punishable by Transportation, may be detained in *New South Wales* or its Dependencies for the same Terms for which they might have been transported.

Unduly returning, Death.

Surgeons of Convict Ships may inflict moderate Punishment on Convicts guilty of Misbehaviour.

With the Ap-
probation of the
Master.

Entered upon
the Log.
Penalty 50l.

His Majesty to
appoint Places
for the Recep-
tion of Offend-
ers, and to
prohibit trading
Vessels from
holding Inter-
course with
such Places.

Persons assist-
ing in the
Escape of
Felons deemed
guilty of a Mis-
demeanor.

such moderate Punishment or Correction as may be inflicted by Law on Convicts confined on board Vessels in the River *Thames* by the Superintendent or Overseer of those Vessels: Provided always, that no such Punishment or Correction shall be so inflicted, unless the Master or Principal Officer for the Time being of such Ship or Vessel shall first signify his Approbation thereof in Writing under his Hand; and every such Punishment or Correction as aforesaid, together with the Particulars of the Offence for which the same may be so inflicted, together with such written Approbation as aforesaid, shall on the same Day, in all Cases, be entered by such Master or Principal Officer as aforesaid, upon the Log of every such Ship or Vessel, under a Penalty of Fifty Pounds in case of every Refusal or Neglect to make such Entry, to be recovered by Bill, Plaint or Information in either of the Supreme Courts of *New South Wales* and *Van Diemen's Land* aforesaid, or in any Court of Record in *England*; One Half of which Penalty shall go to the Use of His Majesty, His Heirs and Successors, and the other Half to the Person or Persons who may inform or sue for the same.

‘ XXXVIII. And Whereas it may be expedient to appoint certain Ports or Places in *New South Wales*, or the Dependencies thereof, for the Reception of Felons and other Offenders who may hereafter be sentenced to Transportation, or whom it may be necessary to remove from the Settlements at present formed in the said Colony; and for the better preventing the Escape of such Felons or other Offenders, it is expedient that no trading Ship or Vessel should be permitted to enter, or touch at, or hold Intercourse with any such Ports or Places;’ Be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, by any Order or Orders to be issued by and with the Advice of His or Their most Honourable Privy Council, from time to time to appoint such Ports or Places in *New South Wales*, or any of the Dependencies thereof, as shall be deemed proper for the Reception and Keeping of Felons or other Offenders; and to prohibit all Masters, Mariners and other Persons, commanding, navigating or sailing on board of any Ship or Vessel, from entering, touching at or communicating with any such Port or Place, and for that Purpose to establish all such Rules and Regulations as may be necessary; and for the Breach or Violation of any such Order or Orders, Rules or Regulations, to impose all such Penalties and Forfeitures as to His Majesty, His Heirs and Successors, with the Advice of His and Their said Council, shall seem meet; which Penalties and Forfeitures shall and may be recovered in the Supreme Courts of *New South Wales* and *Van Diemen's Land* respectively, or in any Court of Record or Vice Admiralty in any Part of His Majesty's Dominions.

XXXIX. And be it further enacted and declared, That any Person or Persons who shall in any Manner contrive, aid, abet or assist in the Escape, or intended Escape, from any Part of *New South Wales* or *Van Diemen's Land*, or the Dependencies thereof, of any Person or Persons there being under or by virtue of any Judgment or Sentence of Transportation for any Term not
then

then expired, or of any Judgment or Sentence pronounced in any Court of competent Jurisdiction in the said Colony or its Dependencies, is and are, and shall be and be deemed and taken to be guilty of a Misdemeanor, and shall incur and be liable to fine not exceeding Five Hundred Pounds, or to Imprisonment for any Time not exceeding Two Years, or to both, at the Discretion of the Court before which any such Person or Persons may be convicted; and such Misdemeanor shall and may be tried and inquired of by the Supreme Courts of *New South Wales* or of *Van Diemen's Land* respectively, or by His Majesty's Court of King's Bench at *Westminster*, or by any Court of Record in any of His Majesty's Colonies, Plantations or Foreign Dominions.

Penalty 500l.

XL. And be it further enacted, That from and after the Thirtieth Day of *June* in the Year of our Lord One thousand eight hundred and twenty four all the Provisions, Penalties, Clauses, Matters and Things contained in an Act passed in the Second Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the Regulation and Government of Seamen in the Merchant Service*, shall be and the same are hereby extended to *New South Wales* and the Dependencies thereof.

2 G. 2. c. 36. extended to New South Wales.

XLI. And be it further enacted, That it shall and may be lawful for any Artificer, Handicraftsman, Mechanic, Gardener, Servant in Husbandry or other Labourer, not being under the Age of Eighteen Years, by Indenture duly executed, and without a Stamp, to contract with any Person or Persons about to proceed to or actually resident in *New South Wales*, or the Dependencies thereof, or with the Agent or Agents of such Person or Persons, faithfully to serve or to proceed to and faithfully serve such Person or Persons in the said Colony, or the Dependencies thereof, for any Period not exceeding the full Term of Seven Years, to be computed from the Day of the Date of such Indenture.

Artificers and others may contract to serve in New South Wales as here- in mentioned.

XLII. And be it further enacted, That it shall and may be lawful for any Person or Persons with whom such Artificer, Handicraftsman, Mechanic, Gardener, Servant in Husbandry or other Labourer, shall have so contracted to serve as aforesaid, to maintain an Action on the Case against any Person or Persons who shall employ, retain, harbour or conceal any such Artificer, Handicraftsman, Mechanic, Gardener, Servant in Husbandry or other Labourer, with Intent to deprive the Employer of any such Person or Persons of his, her or their Services or otherwise, with Intent to defraud or injure such Employer; and in case the Plaintiff or Plaintiffs in any such Action shall recover a Verdict, he, she or they shall, in addition to the Damages found by such Verdict, recover and have Treble Costs.

Persons with whom Artificers, &c. have contracted may maintain Action against Person employing them.

XLIII. And be it further enacted, That it shall and may be lawful for the Court of Sessions, or any Two or more Justices of the Peace in *New South Wales*, or the Dependencies thereof, upon Complaint made upon Oath, to punish by Fine or Imprisonment, or both, any wilful Violation of the Provisions of such Indentures as aforesaid by, or any Misdemeanor, Miscarriage or ill Behaviour of such Artificer, Handicraftsman, Mechanic, Gardener, Servant in Husbandry or other Labourer, in such his Service or Employment as aforesaid, and also to hear and determine all Complaints, Differences and Disputes which shall happen and arise

Court of Sessions or Justice of the Peace to punish Violation of such Indentures, and to determine Differences.

arise between any such Artificer, Handicraftsman, Mechanic, Gardener, Servant in Husbandry or other Labourer, and the Person or Persons whom he shall have so contracted to serve as aforesaid, and to make such Order or Award in every such Case as to such Courts of Sessions or Justices respectively shall seem just, and every such Order or Award to enforce by Execution against the Goods, Effects or other Property of the Party or Parties against whom such Order or Award shall be made, or by Arrest of the Person, and Imprisonment for any Time not exceeding Three Calendar Months.

His Majesty may erect Van Diemen's Land into a separate Colony ;

after which, Appeal from Van Diemen's Land to Governor of New South Wales to cease.

After such Order the Governor of Van Diemen's Land may remit Sentences, &c.

Continuance of Act.

XLIV. Provided always, and be it further enacted, That in case it shall at any Time seem fit to His Majesty, His Heirs and Successors, to constitute and erect the Island of *Van Diemen's Land*, and any Islands, Territories or Places thereto adjacent, into a separate Colony, independent of the Government of *New South Wales*, it shall and may be lawful for His Majesty, His Heirs and Successors, so to do, any thing hereinbefore to the contrary contained in any wise notwithstanding ; and in that Case it shall and may be lawful for His Majesty, His Heirs and Successors, by any Order to be by Him or Them issued, by and with the Advice of His or Their Privy Council, to commit to any Persons or Person within the said Island of *Van Diemen's Land*, and such Islands, Territories or Places as aforesaid, such and the like Powers, Authorities and Jurisdictions, as by virtue of this present Act or of any other Act of Parliament are or may lawfully be committed to any Person or Persons within the Colony of *New South Wales* and its Dependencies, subject nevertheless to all such and the like Restrictions, Provisoos and Declarations as are hereinbefore made and contained, and thereupon the Appeal hereinbefore granted to the Governor of *New South Wales* and its Dependencies, from the Judgments, Decrees, Orders and Sentences of the Supreme Court of *Van Diemen's Land* shall cease and determine ; and from and after the making of any such Order, all Instruments in Writing whereby any Governor or Acting Governor of *Van Diemen's Land*, and its Dependencies, shall remit or shorten the Term or Time of Transportation of any Felons or other Offenders, shall have such and the like force, effect and virtue in the Law, as any such Instruments in Writing to be made by any Governor or Acting Governor of *New South Wales* and its Dependencies can or may lawfully have by virtue of the before mentioned Act passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Third, or by virtue of this present Act.

XLV. And be it further enacted, That this Act shall be and continue in force until the First Day of *July* in the Year of our Lord One thousand eight hundred and Twenty seven, and from thence until the End of the next Session of Parliament.

C A P. XCVII.

An Act for the Regulation of the Court of the Commissaries of *Edinburgh*; and for altering and regulating the Jurisdiction of Inferior Commissaries in *Scotland*.

[19th July 1823.]

WHEREAS an Act was passed in the Forty eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act concerning the Administration of Justice in Scotland, and concerning Appeals to the House of Lords*; by which Act His said late Majesty was empowered to name and appoint, and pursuant to which His said late Majesty did name and appoint, by His Majesty's Royal Sign Manual, certain Persons to make Inquiries into the Form of Process before the Court of Session and the Inferior Courts, and to report upon various Matters therein particularly set forth: And Whereas an Act was passed in the Forty ninth Year of the Reign of His said late Majesty, intituled *An Act to give to the Persons named by His Majesty, pursuant to an Act passed in the last Session of Parliament, intituled 'An Act concerning the Administration of Justice in Scotland, and concerning Appeals to the House of Lords,' further Time for making their Report or Reports*: And Whereas the Commissioners so appointed did make Reports to His said late Majesty, and the Two Houses of Parliament, relative to the Subject Matter upon which they were directed to report: And Whereas, by a Warrant under the Sign Manual of His Royal Highness the Prince Regent, acting in the Name and on Behalf of His said late Majesty, dated the Eighth Day of *February* One thousand eight hundred and fifteen, other Commissioners were appointed for inquiring into the Duties, Salaries and Emoluments of the several Officers, Clerks and Ministers of Justice of the Courts of *Scotland*, and for reporting what Regulations might be fit to establish respecting the same; which Commissioners have accordingly made several Reports, which have been laid before Parliament, and in which it is recommended that Provision should be established with respect to the granting Confirmations, which may prevent the just Rights of next of Kin and of Creditors from being defeated; that Quots or Compositions should be abolished; and that certain Regulations with respect to Fees and otherwise should be made in regard to the Court of the Commissaries of *Edinburgh*, and with respect to the Jurisdiction of inferior Commissary Courts: 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* One thousand eight hundred and twenty four, all Compositions in respect of Confirmation, and all Fees termed Consignation Fee and Sentence Money, shall be and the same are hereby from thenceforth abolished.

48G.3. c.151.
§ 22.

49G.3. c.119.

Such Compositions and Fees abolished.

II. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and twenty four, Extracts of Decrees in the said Court of the Commissaries of *Edinburgh*, and Testaments Testamentor in the Manner now practised, shall be and the same are hereby from thenceforth abolished.

Extracts of Decrees, as now practised, to cease.

tised, shall cease and determine; and thereafter abridged Forms of Extracts, in the Manner hereinafter provided, shall be adopted; save and except where a full Extract shall be required in the Manner now practised by any Party desiring the same.

Commissaries of Edinburgh to prepare Table of Fees, and to frame Forms for abridging of Extracts.

50 G. 3. c.112.

Such Form and Table of Fees to be sanctioned by the Court of Session.

Proviso.

Office of Principal Clerk abolished.

Commissaries Clerks to act in Person.

Sheriffdoms and Stewartries to become Commissariats.

III. And be it further enacted, That as soon as conveniently may be after the passing of this Act, the Judges of the said Court of the Commissaries of *Edinburgh* shall and they are hereby directed and required to frame a proper and suitable Table of Fees, to be taken by the Clerks and Officers of the said Court, and the Practitioners before the same, for and in respect of Proceedings in such Court, in order to fix and ascertain the Emoluments and Charges which shall be justly exigible by such Clerks, Officers and Practitioners; and also proper and suitable Forms for abridging the Forms of Extracts now in use in the said Court, as nearly as may be according to the Forms for Extracts prescribed by an Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for abridging the Form of extracting Decrees of the Court of Session in Scotland, and for the Regulation of certain Parts of the Proceedings of that Court*; and also to fix and ascertain the Fees to be paid for such Extracts to be included in the said Table of Fees, having regard to the Reports of the said Commissioners in that Behalf.

IV. Provided always, and be it enacted, That every such Form and Table of Fees, to be framed by the Judges of the said Court, pursuant to this Act, shall be presented by such Judges to the Lords of Council and Session, by whom the same shall be considered; and after due Deliberation and Conference, if necessary, with the said Judges, every such Form and Table of Fees shall, with or without Alteration, be adjusted and published by an Act of Sederunt of the Court of Session; and it shall be lawful for the said Lords to alter any such Form and Table of Fees by a new Act or Acts of Sederunt, from time to time thereafter, as they shall see cause: Provided always, that every such Act of Sederunt shall be reported to Parliament in Manner hereinafter directed.

V. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and twenty four the Office of Principal Clerk of the said Court of the Commissaries of *Edinburgh* shall be and the same is hereby from thenceforth abolished, and thenceforth there shall only be Two Clerks of the said Court entitled to receive Fees; the one to be appointed by His Majesty, and who shall perform the Duties of his Office in Person; the other to be named by the Clerk so appointed, as his Deputy during his Pleasure, and for whom he shall be responsible.

VI. And be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and twenty four, the Boundaries of all inferior Commissariats, as they exist at present, shall cease and determine; and from thenceforth every Sheriffdom and Stewartry shall constitute a Commissariat, excepting always the Sheriffdoms of *Edinburgh*, *Haddington* and *Linlithgow*, which Sheriffdoms shall be and remain the Commissariat of *Edinburgh* as provided by this Act; and provided always, that where Two Counties shall be under the Jurisdiction of One Sheriff, such Two Counties shall constitute One Commissariat.

VII. And

VII. And be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and twenty four, the Jurisdiction now exercised by the Commissaries of *Edinburgh*, in Actions for the Recovery of Debts not exceeding Forty Pounds *Scots*, and all Prorogation of their Jurisdiction in any Action for the Recovery of Debt, shall be and the same is hereby declared to be from thenceforth abolished and prohibited; and no inferior Commissary, as established by this Act, shall possess or exercise any Jurisdiction in such Actions, or in any Cases to which the Jurisdiction of the Sheriff is now competent.

Small Debt Jurisdiction of Commissaries abolished.

VIII. And be it further enacted, That from and after the said First Day of *January* One thousand eight hundred and twenty four, the Persons then severally filling the Offices of inferior Commissaries shall cease to hold such Offices; and the Persons then filling the Offices of Sheriffs or Stewarts Depute shall respectively become Commissaries, each over the Commissariat comprehending the County or Stewartry or Counties of which such Persons shall respectively be Sheriffs or Stewarts Depute; and every such Person shall continue to hold the said Office of Commissary so long as he shall fill the said Office of Sheriff or Stewart Depute of such County or Stewartry, or Counties, and no longer; and every Person thereafter appointed to the Office of Sheriff or Stewart Depute shall, in consequence of such Appointment, become the Commissary of the Commissariat hereby established, over the County or Stewartry or Counties of which he is appointed the Sheriff or Stewart Depute, and be vested with all the Jurisdiction, Powers and Privileges belonging to the said Office of Commissary therein, and shall continue to hold and exercise the same so long as he shall fill the said Office of Sheriff or Stewart Depute, and no longer.

Inferior Commissaries as at present to cease and Sheriffs to become Commissaries.

IX. And be it further enacted, That it shall not be lawful or competent for the Judges of the said Court of the Commissaries of *Edinburgh* to review the Proceedings of inferior Commissaries as established by this Act, but all such Proceedings shall be reviewable only by the Court of Session.

Review of Proceedings of inferior Commissaries.

X. And be it further enacted, That it shall and may be lawful for every Sheriff or Stewart Depute hereby appointed a Commissary, and his Successor in Office within his Sheriffdom or Stewartry, to name and appoint as his Deputy or Deputies the Person or Persons acting as Sheriff Substitute or Substitutes within such County, so long as any such Person or Persons shall continue so to act; and every such Commissary and Commissary Depute shall exercise within their several Commissariats, as hereby constituted, the Powers and Authorities exercised by the present Commissaries; save and except as is provided by this Act.

Sheriff Substitutes to be appointed Commissaries Depute.

XI. And be it further enacted, That all Actions and Proceedings which shall be depending on the said First Day of *January* One thousand eight hundred and twenty four, before any inferior Commissary, shall by virtue of this Act be transferred to the Commissary of the County or Stewartry wherein such Actions and Proceedings would have originated if this Act had been passed previous to the Commencement thereof; and such Actions and Proceedings shall thereupon be pursued and brought to a Conclusion before such Commissary, in the same Manner

Provision as to depending Actions.

as if they had been brought or commenced before such Commissary in the first Instance; and as soon as conveniently may be after the said First Day of *January* One thousand eight hundred and twenty four, the Processes in all such depending Actions and all such depending Proceedings shall be accordingly transmitted, together with an Inventory thereof made by the Commissary Clerk, to the Accuracy of which he shall make Oath, if required.

Records, &c. of inferior Commissaries transmitted to General Register House.

XII. And be it further enacted, That as soon as conveniently may be after the said First Day of *January* One thousand eight hundred and twenty four, all other Processes, Records and Warrants of Decrees of inferior Commissaries, together with an Inventory thereof made by the Commissary Clerk, which he is hereby required to do, and to make Oath to the Accuracy thereof, if required, shall be transmitted to the General Register House at *Edinburgh*.

Where Courts are at present held, the Clerk shall become Commissary Clerk, who may Name his Deputy, &c.

XIII. And be it further enacted, That in Counties or Stewartries wherein a Commissary Court is at present held, the Clerk of such Court shall, after the said First Day of *January* One thousand eight hundred and twenty four, become the Commissary Clerk for the Commissariat hereby established in such County or Stewartry, with Power to such Commissary Clerk to name a Deputy to act for him so long as he shall hold the said Office, and for whom he shall be responsible; and in any County or Stewartry where more than one of such Courts is at present held, the Commissary Clerk whose Emoluments shall amount to the highest annual Sum, as set forth in the Report of the said Commissioners in that Behalf, hereinbefore recited, shall become the Commissary Clerk for the Commissariat hereby established in such County or Stewartry, with Power to name a Deputy as aforesaid.

Provision as to other Commissary Clerks.

XIV. And be it further enacted, That in all other Counties, as also in the Event of the Death, Resignation or Removal of any such Commissary Clerk, who shall become the Commissary Clerk of a Commissariat, as immediately before directed, it shall and may be lawful for His Majesty, His Heirs and Successors, to appoint a proper Person to be Commissary Clerk; and every Person henceforth to be appointed a Commissary Clerk shall perform his Duty in Person.

No Gratuity for any Appointment.

XV. And be it further enacted, That all Appointments and Nominations to any Office in any of the said Commissary Courts shall be made without receiving any Price, Gratuity or valuable Consideration of any Kind.

Appointment of Commissioners to frame Regulations for Commissary Courts.

XVI. And be it further enacted, That as soon as conveniently may be after the passing of this Act, the Court of Session, at a Meeting specially called by the Lord President for this Purpose, shall and they are hereby directed and required to appoint, by a Commission duly executed by them, Five Sheriffs or Stewarts Depute, for the Purpose of establishing Tables of Fees in the several inferior Commissary Courts as hereby established, in the Manner directed in the Case of the Court of the Commissaries of *Edinburgh*, regard being always had to the Reports of the said Commissioners hereinbefore recited in that Behalf.

Provision as to abridged Extracts.

XVII. And be it further enacted, That the said Five Sheriffs or Stewarts so appointed shall and they are hereby authorized and required

required to frame proper and suitable Forms for abridging the Extracts of the Decrees of the said inferior Commissary Courts, as established by this Act, as nearly as may be according to the Forms for Extracts prescribed by the said Act passed in the Fiftieth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for abridging the Form of extracting Decrees of the Court of Session in Scotland, and for the Regulation of certain Parts of the Proceedings of that Court.* 50 G.3. c.112.

XVIII. And be it further enacted, That a Report or Reports shall be made to the Court of Session by the said Five Sheriffs or Stewarts so appointed, as to the several Matters and Things upon which they are directed to report as aforesaid; and after such Reports shall have been so made, it shall and may be lawful for the said Court, if they think fit, to require Explanations or Information relative to any Part of such Report or Reports, and to have Conferences thereupon with all or any of the said Sheriffs and Stewarts so appointed; and after being well and ripely advised in that Behalf, it shall and may be lawful for the Court of Session to give effect to the same by any Act or Acts of Sederunt, to be observed in each of the said Commissary Courts established by this Act, and the several Persons holding Offices and discharging Duties therein, or practising before the same.

Form to be established by Act of Sederunt.

XIX. Provided always, and be it enacted, That a Copy of every such Act of Sederunt, and Table of Fees to which it may or shall refer, shall be transmitted by the Lord President of the Court of Session to His Majesty's Secretary of State for the Home Department, who shall cause a Copy thereof to be laid before each House of Parliament, at or immediately after the Commencement of the Session of Parliament next ensuing the passing of this Act; and every Fee sanctioned by such Act of Sederunt shall and may be demanded and taken from and after the said First Day of *January*. One thousand eight hundred and twenty four, and shall thereafter, according to the Terms of such Act of Sederunt, be and be deemed and taken to be a legal Fee, and payable and receivable as such in the Manner therein directed, unless altered by Parliament.

A Copy of every Act of Sederunt made under this Act to be laid before Parliament.

XX. And be it further enacted, That from time to time and in all Time hereafter, as often as it shall appear to be necessary, it shall and may be lawful for the Court of Session, at a Meeting to be called by the Lord President for that Purpose, to appoint, by a Commission duly executed by them, Five Sheriffs Depute, for the Purpose of considering any such Table of Fees theretofore established, in or for the inferior Commissary Courts hereby established, by which Five Sheriffs, so to be from time to time appointed, a Report or Reports shall be made to the Court of Session as hereinbefore directed; and after any such Report shall have been made, it shall and may be lawful for the said Court, if they think fit, to require Explanations or Information relative thereto as aforesaid, and to have Conferences thereupon with all or any of the said Sheriffs; and by Act or Acts of Sederunt to make and establish a further or other Table or Tables of Fees in and for the said inferior Commissary Courts, and the Officers and Practitioners therein: Provided always, that no Claim of Compensation shall arise or be allowed to any Clerk or Officer appointed

Further Power to Court of Session to establish Fees.

Proviso respecting Claim

of Compensation.

after the passing of this Act, by reason of any such further Table of Fees; and provided also, that a Copy of every such Act of Sederunt, together with any Table of Fees to which it may refer, shall be transmitted by the Lord President of the Court of Session to His Majesty's Secretary of State for the Home Department, who shall cause a Copy thereof to be laid before each House of Parliament as hereinbefore directed; and after the Expiration of the Period hereinbefore limited, as the Case may be, every such Act of Sederunt and Table of Fees shall become in force; and thereafter, but not sooner, every such Fee shall, according to the Terms of such Act of Sederunt, be and be deemed and taken to be a legal Fee, and payable and receivable as such in the Manner therein directed.

Compensation to Commissaries, &c.

XXI. And be it further enacted, That it shall and may be lawful for any Commissary, Commissary Clerk or other Officer holding his Office at the passing of this Act, and entitled to Compensation for Loss to be suffered through the Operation and Effect of this Act, to make Application to the Barons of Exchequer in *Scotland*, who shall direct Intimation thereof to be given to His Majesty's Advocate, and thereafter the said Barons shall enquire into and consider the Circumstances of the Case, and after due Investigation of the Legality of the Claim, and of the Fees or Emoluments in respect whereof such Loss shall be stated to have arisen, and having regard to the Fees to which any such Person may become entitled pursuant to this Act, the said Barons shall award to every such Person such Compensation as they shall think such Person entitled to, either by the Payment of a gross Sum or by way of Annuity, as they shall think proper: Provided always, that every Order made for such Compensation shall be laid before Parliament within Two Calendar Months after the Commencement of the Session next ensuing after making the same: Provided further, that no Decision of the said Barons shall be final and conclusive, until Two Calendar Months after a Copy of the Order of such Barons for Compensation shall have been laid before Parliament.

Orders for Compensation laid before Parliament.

Fund out of which Compensation shall be paid.

XXII. And be it further enacted, That any Sum of Compensation so to be awarded shall be paid and payable upon the Order of the said Barons, in such Manner and at such Time or Times as they shall direct, out of any Monies charged or made chargeable by Acts made in the Seventh and Tenth Years of the Reign of Her Majesty Queen *Anne*, with the Fees, Salaries and other Charges allowed or to be allowed for keeping up the Courts of Session, Justiciary or Exchequer; and every Sum of Compensation to be paid shall be free and clear of all Taxes and Deductions whatsoever.

Tax free.

Salaries of Sheriffs to be paid without Deduction.

XXIII. And be it further enacted, That the respective Salaries of Sheriffs and Stewarts Depute and Substitute shall, after the passing of this Act, be paid to them free of all Taxes and Deductions whatsoever; any Law or Practice to the contrary notwithstanding.

C A P. XCVIII.

An Act for the better granting of Confirmations in *Scotland*.

[19th July 1823.]

‘ **W**HEREAS it is expedient that Provision should be made for the better granting of Confirmations, in certain Cases, in *Scotland*;’ 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, in all Cases of Intestate Succession, where any Person or Persons who, at the Period of the Death of the Intestate, being next of Kin, shall die before Confirmation be expedite, the Right of such next of Kin shall transmit to his or her Representatives, so that Confirmation may and shall be granted to such Representatives, in the same Manner as Confirmations might have been granted to such next of Kin immediately upon the Death of such Intestate.

Right to Confirmation to transmit to Representatives.

II. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and twenty four, Caution shall not be required to be found by Executors Nominated; and in all other Cases the Court granting Confirmation shall fix the Amount of the Sum for which Caution shall be found by the Person or Persons to whom Confirmation shall be granted, not exceeding the Amount confirmed.

Court to regulate Caution to be found.

III. And be it further enacted, That from and after the First Day of *January* One thousand eight hundred and twenty four, every Person requiring Confirmation shall confirm the whole moveable Estate of a deceased Person known at the Time, to which such Person shall make Oath: Provided always, that it shall and may be lawful to eik to such Confirmation any Part of such Estate that may afterwards be discovered, provided the whole of such Estate so discovered shall be added, upon Oath as aforesaid: Provided nevertheless, that nothing herein contained shall affect or alter the Provision made with respect to special Assignations by an Act of the *Scottish* Parliament, made in the Year One thousand six hundred and ninety, intituled *Act anent the Confirmation of Testaments*.

Partial Confirmations to cease.

Scotch Act 1690.

IV. Provided further, and be it enacted, That in the Case of Confirmation by Executor’s Creditor, such Confirmation may be limited to the Amount of the Debt and Sum confirmed to which such Creditor shall make Oath: Provided always, that Notice of every Application for Confirmation by any Executor’s Creditor shall be inserted in the *Edinburgh Gazette*, at least once, immediately after such Application shall be made; in Evidence whereof, a Copy of the Gazette in which such Notice shall have been inserted shall be produced in Court before any such Confirmation shall be further proceeded in.

In Cases of Executor’s Creditor, Confirmation to be granted.

C A P. XCIX.

An Act to provide for the establishing of Compositions for Tithes in *Ireland* for a limited Time. [19th July 1823.]

‘ **W**HEREAS various Circumstances relating to the Agriculture and Population of *Ireland*, and which do not apply to *Great Britain*, render it peculiarly expedient, that for the Purpose of further encouraging the Industry and Enterprize of Owners, Farmers and Occupiers of Land, and rendering the Incomes arising from Tithes there more certain in Amount and more easy of Collection, and of avoiding Controversies respecting the same, Provision should be made for the authorizing Compositions to be made for Tithes in *Ireland* only, to endure for 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 at any Time after the passing of this Act it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, upon the Application of the Rector, Vicar or other Ecclesiastical Incumbent, or of any Impropriator or other Person or Persons entitled to any Tithes or Portion of Tithes, or of any Five or more of the Owners or Occupiers of Land, each holding or possessing Lands of the yearly Value (if Owners) or at the yearly Rent (if Occupiers) of not less than Twenty Pounds, in any Parish in *Ireland*, to give Orders and Directions from time to time, when and as such Lord Lieutenant or other Chief Governor or Governors shall think proper, to the Churchwardens of any such Parish, such Orders and Directions to be signified to such Churchwardens by the Chief Secretary to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, or in his Absence by the Under Secretary, that a Special Vestry shall be assembled in such Parish, to proceed in carrying into Execution the Purposes of this Act, and that such Vestry shall be composed of such Persons occupying Lands, not being Tithe free, within such Parish, who shall, during the last preceding Year, have paid or yielded the highest or greatest Amount of County Cess Charges or Grand Jury Rates in respect of such Lands, to be ascertained in Manner hereinafter mentioned; and a Copy of such Orders and Directions, with the Names and Residences of the Parties signing the Application for the same, shall be inserted under the Direction of such Chief Secretary in the *Dublin Gazette*; and Notice or Information of such Orders and Directions shall also be given at the same Time, by the Chief Secretary of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, (or in his Absence by the Under Secretary,) to the Bishop of the Diocese in which any and every such Parish shall be situate, and to the Ecclesiastical Incumbent of the Parish, if such Incumbent shall be within the United Kingdom.

Lord Lieutenant, on Application of Persons herein named, may give Orders that Special Vestries be assembled in Parishes for carrying this Act into Execution.

Notice of such Orders to be given to Bishop of Diocese and Incumbent.

In case of Absence of Incumbent, his Agent or some other fit Person

II. Provided always, and be it enacted, That if it shall happen that at the Time when any such Orders and Directions shall be given by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, the Ecclesiastical Incumbent who shall be entitled

titled to or in the Receipt of any Rectorial or Vicarial Tithes within any such Parish shall not be resident within *Ireland*, then and in such Case it shall and may be lawful for the Bishop of the Diocese in which such Parish shall be situate to nominate and appoint some Agent of such Incumbent, or some other fit and proper Person, to act for and on Behalf of such Incumbent, and in such Case all Matters required to be done and performed by such Ecclesiastical Incumbent, for carrying into Effect the several Provisions of this Act, shall and may be done and performed by such Agent or other Person so appointed by the said Bishop for and on Behalf of such Incumbent.

may be appointed by the Bishop to act for such Incumbent.

III. And be it further enacted, That the High Constable or other Collector of the County Cess Charges and Grand Jury Rates, or Rates and Assessments levied under and by virtue of the Presentments of Grand Juries, within any Parish in which such Application shall have been made for carrying this Act into Execution, shall, within Twenty one Days after such High Constable or Collector shall be thereunto required by the Incumbent of such Parish, or by the Impropiator, or by any other Person or Persons, or any Two of them by whom such Application shall have been made, prepare and deliver to the Churchwardens or Churchwarden of such Parish a List containing the Names and Residences of all and every Persons and Person within such Parish, who shall have been charged with and shall have paid any such County Cess Charges or Grand Jury Rates, for and in respect of any Lands within such Parish, not being Tithe free, to an Amount exceeding Twenty Shillings in the Whole within the Year next preceding, together with the Amount of the several and respective Sums charged on and paid by every Person whose Name shall be contained in such List; and every such List shall be made out according to the Form in the Schedule marked A. to this Act annexed; and the Names contained in such List shall be arranged according to the Amount of the Sums actually paid in such Year by the Persons whose Names shall be contained in such List, so that the Names of the Persons having paid the highest Amounts of such Rates shall appear at the Head of such List, and the Names of all other Persons shall be placed in such List according to the Amount of the Sums paid by them respectively; and when several Persons shall have paid the same Amount, the Names of such Persons shall be placed alphabetically according to the Letters of their respective Surnames; and such List shall be signed by the High Constable or other Collector by whom the same shall be made, and shall be verified on the Oath of such High Constable or other Collector before any one Justice of the Peace of the County, County of a City or County of a Town or Place in which such Parish shall be situate; and which Oath any such Justice is hereby authorized and empowered and required to administer.

High Constable, &c. to deliver to Churchwardens a List of Persons paying County Rates for Lands not Tithe free; Amount exceeding 20s. &c.

Lists to be according to Form A. Names arranged according to Amount of Sums paid.

Lists to be verified on Oath.

IV. And be it further enacted, That after the Receipt by the Churchwardens of any Parish, of any such List as aforesaid, containing the Names of such Persons charged with and having paid such County Cess Charges and Grand Jury Rates as aforesaid, such Churchwardens shall upon the *Sunday* next after the Receipt of such List affix or cause to be affixed on the principal outer Door

Churchwardens shall affix Copy of such List of Rate Payers (or of the First 25 Names therein) on the Door of

the Church,
&c. for Two
successive
Sundays.

59 G.3. c.84.

Door of the Church, and of any Roman Catholic Chapel and Presbyterian Meeting House within such Parish, a Copy of the Whole of every such List, in case such List shall not contain more than Twenty five Names, and in case any such List shall contain more than Twenty five Names, then a Copy of all such Part of the said List as shall relate to the First Twenty five Names inserted in such List, there to remain so affixed for Two successive *Sundays* next after the Receipt of every such List, by such Churchwardens; and in case it shall happen that in any Parish there shall not be any Church or any Roman Catholic Chapel or Presbyterian Meeting House, then and in such Case a Copy of such List, or of such Part thereof as aforesaid, shall be affixed on or at the place appointed for posting Notices of Applications to Special Sessions, with respect to Grand Jury Presentments, under an Act made in the Fifty ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend the Laws for making, repairing and improving the Roads and other public Works in Ireland, by Grand Jury Presentments, and for a more effectual Investigation of such Presentments; and for further securing a true, full and faithful Account of all Monies levied under the same*; and if any such Copy of any such List, or of such Part thereof as aforesaid, shall be removed from the Door of such Church, Chapel or Meeting House, or other Place, or shall be destroyed or defaced at any Time before the Expiration of the last of the said Two successive *Sundays*, such Churchwardens shall from time to time affix, or cause to be affixed, a new Copy of such List, or such Part thereof, on the Door of such Church, Chapel or Meeting House, or on or at such other Place as aforesaid.

On Appeal by
Persons
charged with
Rates, and
whose Names
are omitted,
&c. in such
Lists or Re-
turns, Two
Magistrates
may, on Appli-
cation, add
their Names,
&c. to such
Lists.

V. And be it further enacted, That if any Person who shall during any preceding Year have paid any County Cess Charges or Grand Jury Rates within any such Parish shall think himself or herself aggrieved by the Omission of his or her Name from any such List, or Copy of such List, or of such Part thereof as aforesaid, or by any Error or Mistake in the Amount of the Sums stated in any such List or Copy to have been charged on or paid by such Person, it shall and may be lawful for any such Person, within the Space of Ten Days next after the Second *Sunday* on which any such Copy of such List, or of any such Part thereof as aforesaid, shall have been affixed on the Door of such Church or other Place of Worship, or at such other Place as aforesaid, to apply to any Two Justices of the Peace in and for the County or Place in which such Parish shall be situate, to have his or her Name added to such List or Copy, or to have his or her Name substituted in any such List or Copy for the Name of any Person who shall have paid a lesser Sum, or to have the Error or Mistake in the Amount payable by such Person rectified; and on producing to such Justices a Receipt or Receipts from the High Constable or other Collector, given to such Person so complaining, for any Amount of County Cess Charges or Grand Jury Rates exceeding the Amount paid by any Person or Persons whose Name or Names shall be contained in such List (or equal to such Amount in Cases where the Amount stated to be paid by all the Persons whose Names shall be contained in such List shall be equal), it shall be

be lawful for such Justices to direct, by Order under their Hands to the Churchwardens of the said Parish, that the Name of some one of the Persons having paid such lesser or equal Sum be removed from such List or Copy, and that the Name of such Complainant, and the Sum payable by such Complainant, shall be added to any such List or Copy, or that the Amount payable by such Person so complaining shall be correctly and truly stated in any such List or Copy, as the Case may require; and the Name of some Person shall be removed from such List, and the Name of such Complainant, or the Amount paid by such Complainant, as the Case may require, shall be added to or inserted in such List or Copy accordingly.

VI. And be it further enacted, That whenever any such List shall be made under this Act, and any Copy thereof, or of any Part thereof, shall be made and affixed as required by this Act, no Person shall be admitted or entitled to attend or to vote at any Special Vestry to be held for carrying into Execution the Purposes of this Act, other than such Persons whose Names shall appear in or be added to such Copy so affixed under the Provisions of this Act, and who shall have actually paid and satisfied, or *bonâ fide* tendered, the several Sums specified in such Copy of such List so affixed or amended as aforesaid.

What Persons only may attend or vote at Vestry.

VII. And be it further enacted, That if any High Constable or Collector by this Act required to make out and deliver any such List as aforesaid, shall refuse or neglect or omit to make or deliver such List, or if the Churchwardens of any Parish shall neglect or refuse to affix or cause to be affixed Copies of any such List, on the Door of any Church or other Place of Public Worship, or at any other Place, according to the Provisions of this Act, or shall neglect or refuse to add to or insert in any such List the Name of any Person, or the Amount of County Cess Charges or Grand Jury Rates payable by any Person, in compliance with the Order of any Two Justices, made pursuant to this Act, every Person so offending shall forfeit the Sum of Ten Pounds, to be recovered and applied in Manner hereinafter mentioned.

High Constable, &c. neglecting to deliver Lists, Churchwardens neglecting to affix Copies on Church Door, &c.

Penalty 10l.

VIII. And be it further enacted, That after such Lists or Returns respectively shall have been transmitted as aforesaid, to the Churchwardens of any such Parish, public Notice shall be given by such Churchwardens, in the usual Manner of Notices given for holding Vestries in such Parish, that a Special Vestry, to consist only of Persons whose Names shall appear in or be added to such Lists, under the Provisions of this Act, will be holden in and for such Parish, pursuant to this Act, on some Day to be named in such Notice, not being less than Three Weeks nor more than Six Weeks distant from the *Sunday* on which any such List shall have been first affixed to the Door of the Church, or other Place or Places of Public Worship in such Parish, or at such other Place as aforesaid, pursuant to this Act; and such Special Vestry, consisting of such Persons only as aforesaid, shall be holden, and shall meet accordingly on the Day mentioned in such Notice.

On a Day herein mentioned, a Special Vestry to be held for executing Act.

IX. And be it further enacted, That it shall be lawful for any Seven Persons or more, qualified as by this Act is directed, and duly assembled at any Special Vestry duly called in pursuance of this

Seven Vestrymen may proceed in Execution of Act.

Chairman.

How Questions proposed at Vestry shall be decided.

Casting Vote.

If Parishioners and Incumbent at Vestry agree in not proceeding, or disagree as to proceeding under this Act, Vestry shall be adjourned sine Die, subject to being resummoned at any Time, &c.

this Act, (and at which Special Vestry it shall be lawful for the Incumbent or other Person or Persons entitled to Tithes, and Churchwardens, if any, of such Parish to be present,) to proceed from time to time in the Execution of the Purposes of this Act; and in the first Place, to elect a Chairman to preside at such Vestry; and all Questions to be proposed at such Vestry shall be decided by the Majority of the Votes of the Persons present at such Vestry in Manner following; that is to say, all Persons attending at such Vestry, who shall in any such List as aforesaid be charged with and shall have actually paid or *bonâ fide* tendered such County Cess Charge or Grand Jury Rate, to an Amount not exceeding Ten Pounds in the Whole, shall be entitled to One Vote; and all Persons so charged or having paid or tendered to an Amount exceeding Ten Pounds, and not exceeding Twenty Pounds in the Whole, shall be entitled to Two Votes; and so in Progression of One Vote for every complete Sum of Ten Pounds with which any Voter shall be so charged, and shall have paid or tendered, not exceeding Six Votes in the Whole by any One Person, to whatever Amount, above Sixty Pounds, any such Person may be so charged; and in case the Number of Votes given according to the Proportions aforesaid, including the Vote or Votes of the Chairman, shall be equal upon any Question, such Chairman shall have One casting Vote for the Decision of such Question; and it shall be lawful for such Vestry to adjourn from Day to Day, or from time to time, as may be necessary for carrying into Execution the Purposes of this Act.

X. Provided always, and be it enacted, That if at any Meeting of any such Special Vestry, in which Seven Persons or more, duly qualified according to this Act to vote at such Vestry, together with the Ecclesiastical Incumbent of such Parish, or other Person or Persons entitled to Tithes as aforesaid, or their Agents respectively, shall be present, it shall be agreed between such Parishioners, and such Incumbent or other Person or Persons as aforesaid, that no Proceedings shall be had under this Act, such Vestry shall forthwith adjourn *sine Die*, and no further Proceedings shall be had under this Act, without further Orders and Directions from the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for that Purpose, pursuant to this Act; and if at any Meeting of such Special Vestry as aforesaid, such Parishioners, and such Incumbent or other Person or Persons as aforesaid, shall disagree as to whether Proceedings shall or shall not be had under this Act, the Vestry shall be adjourned from time to time, or *sine Die*, as may be agreed upon at such Vestry, subject to being re-assembled at any Time, on Application of the Incumbent, or of any Person entitled to Tithes, or any Five or more Occupiers of Land, or Owners of Land occupying the same, within such Parish, pursuant to the Provisions of this Act; and the Ecclesiastical Incumbent or other Person or Persons as aforesaid, or the Churchwardens of such Parish, if any, shall certify such Result of the Meeting of such Special Vestry, in Writing under their Hands, and signed with their Names, to the Office of the Chief Secretary of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, for the Information of such Lord Lieutenant, or other Chief Governor or Governors; and if any Person or Persons,

sons, hereby required to certify such Result, shall omit or neglect so to do, every Person so offending shall forfeit the Sum of Five Pounds, to be recovered and applied in Manner hereinafter mentioned.

Not certifying
Adjournment,
Penalty 5l.

XI. Provided also, and be it enacted, That if at the First Meeting of any Special Vestry to be held in any Parish, in pursuance of this Act, there shall not be present Seven Persons at least entitled to attend and vote at such Vestry, for the Purposes of this Act, all Proceedings under this Act shall and may be adjourned by the Incumbent or Lay Impropriator or other Person entitled to Tithes as aforesaid, or by the Churchwardens, or by One of the Persons by whom the Notice for calling such Special Vestry shall have been signed, for any Number of Days not more than Seven; and such Incumbent or Impropriator, or Churchwardens or other Person, shall cause a written Notice of every such Adjournment to be given in such Manner as is hereinbefore required with respect to the holding of such Special Vestry; and if after Two such Adjournments an Attendance of Seven Persons so entitled to attend and vote at such Vestry shall not be procured, such Special Vestry shall be adjourned *sine Die*, and the Incumbent or Impropriator, or the Churchwardens of such Parish, or such other Person as aforesaid, shall certify such Adjournment to the Office of the Chief Secretary of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, and such Vestry shall not be assembled until further Directions shall have been issued from the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, for that Purpose, pursuant to this Act; and if any such Person shall omit or neglect to certify such Adjournment accordingly, every Person so offending shall forfeit the Sum of Five Pounds, to be recovered and applied in Manner hereinafter mentioned.

If Seven Vestrymen do not attend, Vestry to adjourn *sine Die*.

Not certifying
Adjournment,
Penalty 5l.

XII. And be it further enacted, That whenever any Special Vestry consisting of Seven or more in Number shall be duly assembled for the Purposes of this Act, and it shall be agreed between the Parishioners and the Ecclesiastical Incumbent of such Parish, or other Person or Persons entitled to Tithes as aforesaid, to carry into Execution the Purposes of this Act, a Memorandum of such Agreement, or some Minute or Entry of the same shall be reduced into Writing, and shall be signed by the said Incumbent, or other Person or Persons entitled to Tithes as aforesaid, or their Agents respectively, and by Four or more of the Persons present at such Special Vestry; and at the same or some subsequent Meeting such Vestry shall proceed to elect, nominate and appoint a fit and proper Person, qualified as hereinafter mentioned, to be a Commissioner for carrying into Execution the Purposes of this Act, on Behalf of all the Owners and Occupiers of Land within such Parish, and to treat with a Commissioner to be named and appointed in Manner hereafter mentioned by the Ecclesiastical Incumbent of such Parish, or other Person or Persons entitled to Tithes as aforesaid, for the making and ascertaining a Composition for all the Tithes, rectorial or vicarial, prædial, personal or mixed, or of any Nature or Kind soever, growing, renewing, arising, payable or yielded within such Parish, whether such Tithes shall be payable wholly to the Rector, Vicar

Vestry duly assembled, and agreeing with Incumbent to proceed under this Act, shall elect a Commissioner on Behalf of the Owners and Occupiers of Land, to treat with a Commissioner to be named by the Incumbent, &c.

or

Notification of such Election to Bishop of Diocese, and Chief Secretary.

Incumbent, &c. to appoint a Commissioner, and give Notice to Bishop and Churchwardens; Bishop may approve or disapprove of such Commissioner; if not disapproved within Six Weeks, to be held approved; if One disapproved of, a Second may be appointed by the Incumbent within Seven Days, and if he be disapproved of, a Commissioner shall be appointed by the Archbishop.

or other Ecclesiastical Incumbent, or to any Body Politic or Corporate or Collegiate, or to any Corporation Aggregate or Sole, or to any other Person or Persons whomsoever, Lay or Ecclesiastical; and Notice of the Election, Nomination and Appointment of such Commissioner, on Behalf of the Owners and Occupiers of Land in the said Parish, and the Name and Place of Abode of such Commissioner, shall be transmitted by the Churchwardens of such Parish, or by the Chairman of such Vestry (as shall be directed by such Vestry), to the Bishop of the Diocese in which such Parish shall be situate, and to the Chief Secretary of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, in Writing under the Hand, and subscribed with the Names or Name of such Churchwardens, or of such Chairman of such Vestry, within Seven Days next after such Election, Nomination and Appointment shall have taken place, in pursuance of this Act.

XIII. And be it further enacted, That whenever such Agreement as aforesaid shall be made in Writing, and entered into and signed as aforesaid, for carrying into Execution the Purposes of this Act in any Parish, and a Special Vestry shall have appointed a Commissioner on Behalf of the Owners and Occupiers of Land within such Parish, according to the Provisions of this Act, then and in such Case, within Seven Days next after the Appointment of such Commissioner by such Vestry, the Rector, Vicar or other Ecclesiastical Incumbent of such Parish entitled to the Receipt of Tithes, or any Portion of Tithes, in such Parish; or in case there shall not be any Ecclesiastical Incumbent so entitled, then any other Person, or the Majority in Value of any other Persons entitled to the Tithes in such Parish, shall, by Writing under the Hand and Seal of such Ecclesiastical Incumbent or other Person or Persons as aforesaid, appoint a fit and proper Person, qualified in Manner directed by this Act, to be a Commissioner on the Part as well of such Incumbent or other Person or Persons as aforesaid, as of any and every Person or Body Politic or Corporate or Collegiate, or Corporation, being the Owner of any Tithes arising, growing, yielded or payable within such Parish, to treat with the Commissioner appointed by such Vestry, for the making a Composition for all Tithes arising, growing, yielded or payable within such Parish; and such Incumbent or other Person or Persons as aforesaid shall give and transmit notice in Writing to the Churchwardens of such Parish, and to the Bishop of the Diocese, and to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, of the Name and Place of Abode of such Commissioner so appointed, within Seven Days next after such Appointment shall be made; and in all Cases where any Person or Body Politic or Corporate or Collegiate, or Corporation, other than the Ecclesiastical Incumbent of such Parish or other Person or Persons appointing such Commissioner, shall be entitled to the Receipt of any rectorial, vicarial or other Tithes, arising, growing, yielded or payable within such Parish, such Incumbent or other Person or Persons as aforesaid shall also give Notice in Writing, within the like Space of Seven Days, of the Name and Place of Abode of such Commissioner, to any and every Person, or Body Politic or Corporate or Collegiate, or Corporation, entitled to such rectorial or vicarial or other Tithes;

Tithes; and it shall be lawful for any and every such Person, or Body Politic or Corporate or Collegiate, or Corporation, so entitled to such rectorial or vicarial or other Tithes, to submit to the Bishop of the Diocese any Objection to the Person so appointed by such Incumbent or Improprator, or other Person as aforesaid, to be such Commissioner; and it shall be lawful for such Bishop at any Time, not less than Two Weeks and not more than Six Weeks after the Notice of such Appointment, to signify to such Incumbent, or other Person or Persons as aforesaid, the Approbation or Disapprobation of such Bishop of the Person so appointed to be such Commissioner: Provided, that in case no Disapprobation of such Commissioner by such Bishop shall be made and signified by such Bishop, by Writing under his Hand, on some Day within Six Weeks after the Notice of the Appointment of such Commissioner, such Appointment shall be deemed and taken to be approved by such Bishop, and such Commissioner shall thereupon be authorized and empowered to proceed in the Execution of this Act: And provided, that in case no Person other than the Improprator or Person or Persons appointing such Commissioner shall be entitled to or interested in any Portion of such Tithes, it shall not be lawful for such Bishop to signify any Disapprobation of such Commissioner; and if such Bishop, within Six Weeks after the Notice of the Appointment of such Commissioner, shall by any Writing under his Hand signify his Disapprobation of such Commissioner (except in the Case aforesaid), the Incumbent, or other Person or Persons as aforesaid, by whom such Commissioner shall have been named and appointed, shall, within Seven Days next after the Receipt of such Disapprobation, nominate and appoint another Person to be Commissioner, in like Manner as is herebefore directed, and shall give like Notices of such Appointment to such Bishop and Chief Secretary, and to any and every Person or Body Politic or Corporate or Collegiate, or Corporation, who may be interested in any rectorial or vicarial or other Tithes, as are hereinbefore required in case of the First Appointment of such Commissioner; and it shall be lawful for such Bishop to signify his Approbation or Disapprobation of such secondly named Commissioner, in like Manner and under the like Regulations as are herebefore contained respecting such first named Commissioner; and if it shall happen that such Bishop shall signify his Disapprobation of such Second Person, so named to be such Commissioner by such Incumbent or other Person or Persons as aforesaid, then and in such Case, upon Notice given and Application made by such Incumbent or other Person as aforesaid, to the Archbishop of the Province in which the Diocese of such Bishop shall be situate, of such Disapprobation of such Bishop, of the Two Persons so successively named by such Incumbent or other Person or Persons as aforesaid, to be such Commissioner, it shall be lawful for such Archbishop to nominate and appoint a fit and proper Person to be a Commissioner to act in the Execution of the Purposes of this Act, on Behalf of such Incumbent, or other Person or Persons as aforesaid, and of any and every other Person, or Body Politic or Corporate or Collegiate, or Corporation, entitled to any rectorial or vicarial or other Tithes arising and payable within such Parish; and it shall and may be lawful for

Where Improprator, &c. is solely entitled to Tithes, Bishop shall not dissent from Appointment of Commissioner.

Mandamus to Archbishop to appoint.

for such Incumbent, or other Person or Persons as aforesaid, or Body Politic or Corporate or Collegiate, or Corporation, or for the Owners and Occupiers of Land in any Parish, to make Application to such Archbishop for that Purpose; and in case of Refusal by such Archbishop, it shall be lawful for the Court of King's Bench in Ireland to direct a Writ of *Mandamus* to such Archbishop, to enforce the making such Nomination and Appointment of such Commissioner by such Archbishop, pursuant to this Act.

Oath of Commissioners.

XIV. And be it further enacted, That no Person shall be capable of acting as a Commissioner for the Purposes of this Act, until he shall have taken and subscribed an Oath, in the Words or to the Effect following; that is to say,

‘ I *A. B.* do swear, That I will faithfully, impartially and honestly, according to the best of my Skill and Ability, execute and perform the Powers and Authorities vested and reposed in me as a Commissioner, in the Parish of _____, by virtue of an Act passed in the Fourth Year of the Reign of King George the Fourth, intituled [*here set forth the Title of this Act*], according to the Directions of the said Act, and according to Equity and good Conscience, and without Favour or Affection, Prejudice or Malice, to any Person or Persons whomsoever. ‘ So help me GOD.’

Qualification of Commissioners.

And no Person shall be capable of acting as a Commissioner for the Purposes of this Act, unless such Person shall be seised of a Freehold Estate, or Estates in Fee Simple or Fee Tail, or for Life, of the annual Value of One hundred Pounds at the least, situate in any Part of the United Kingdom, or shall be Heir Apparent to some Person so seised, or shall be seised or possessed of a Leasehold Estate or Estates for Life or for a Term of Years, whereof not less than Fourteen Years shall be unexpired, of the yearly Value of Two hundred Pounds at the least, situate in any Part of the United Kingdom, or being seised of a Freehold Estate, or possessed of a Leasehold Estate for Life, not being of such Value, shall be also possessed of a Leasehold Estate or Estates for a Term of Years as aforesaid, which, together with such Estate for Life, shall amount to the clear yearly Value of Two hundred Pounds at the least in any Part of the United Kingdom, or who shall be possessed of Personal Property to the Value of One thousand Pounds, over and above all his just Debts; and that no Person shall be capable of acting as such Commissioner, until he shall have also taken and subscribed an Oath in the Words or to the Effect following; that is to say,

Oath of Qualification.

‘ I *A. B.* of _____ do swear, That I am seised of a Freehold Estate [*or, Estates*] in Fee Simple [*or, in Fee Tail, or, as Tenant for Life*], in Possession, of the annual Value of _____ Pounds, [*or, that I am Heir Apparent of C. D. who is seised of an Estate [*or, Estates*] in Fee Simple, or, Fee Tail, of the annual Value of _____ Pounds, [*or, that I am seised of a Leasehold Estate [*or, Estates*] for Life, [*or, for a Term of Years* whereof not less than _____ Years are unexpired], of the annual Value of _____ Pounds,*] [*or, that I am seised of a Freehold Estate, or possessed of a Leasehold Estate [*or, Estates*]*]*

‘ Estates] for Life, and am also possessed of Leasehold Estate or
 ‘ Estates for a Term of Years, whereof not less than
 ‘ Years are unexpired, which are together of the annual Value of
 ‘ Pounds]; and that such Estate [or, Estates] is [or, are]
 ‘ situate in [stating in all Cases in what Part of the United King-
 ‘ dom any or every such Estate is or are situate, and specifying
 ‘ the Name of the Estate or Estates or other Descriptions of the
 ‘ Property]; and that such Estate [or, Estates] is [or, are] bond
 ‘ fide my Property, [or, in case of Freehold Estate, the Property of
 ‘ to whom I am Heir Apparent;] [or, that I
 ‘ am possessed of a clear Personal Estate and Property of
 ‘ over and above all my just Debts and Incumbrances].

‘ So help me GOD.’

Which several Oaths any Justice of the Peace of any County in which the Parish shall be situate in which such Commissioner shall be appointed to act, is hereby empowered to administer; and every such Oath when so taken and subscribed shall be lodged by such Commissioner in the Registry of the Bishop of the Diocese in which such Parish shall be situate; and if any Person shall presume to act as a Commissioner in the Execution of this Act, without having taken and subscribed the Oath or Oaths required by this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered by Action of Debt or on the Case in any of His Majesty Courts of Record at *Dublin*.

Acting without
 taking Oaths,
 Penalty 100l.

XV. And be it further enacted, That if any Commissioner appointed in pursuance of this Act shall die, or shall neglect or refuse to act, or shall become incapable of acting in the Execution of this Act, then and in every such Case a new Commissioner shall be appointed for the Execution of this Act, by the Owners or Occupiers of Land, or by the Incumbent, or any other Person or Persons entitled to Tithes as aforesaid, or his or their Successors or Heirs respectively, by whom or on whose Behalf the Commissioner so dying or neglecting or refusing to act, was originally appointed; and the Appointment of such new Commissioner on Behalf of the Owners or Occupiers of Land, shall be made at a Special Vestry, to consist of Seven Persons at the least, qualified for electing a Commissioner, pursuant to the Regulations of this Act, to be holden in pursuance of a Notice to be given as hereinbefore directed in the Case of holding a Special Vestry, at least Fourteen Days before the Day appointed for the Nomination of such Commissioner; and the Appointment, as well of such new Commissioner on Behalf of the Owners and Occupiers of Land as of such new Commissioner on Behalf of the Incumbent or other Person or Persons as aforesaid, shall be subject to the like Rules and Regulations, and the Appointment of such new Commissioner on Behalf of the Incumbent or other Person or Persons as aforesaid, shall be subject and liable to the same Approbation or Disapprobation of the Bishop of the Diocese, and finally to the Interference and Nomination of the Archbishop of the Province, as are hereinbefore required with respect to the Appointment of the Commissioner originally appointed; and every such new Commissioner shall be qualified and shall take the Oath and Oaths by

Appointment of
 Commissioner
 in case of
 Death, &c.

by the Parish,
 at Special
 Vestry of Seven
 Persons, on
 Notice.

New Commis-
 sioner to be

qualified and sworn.

Commissioners empowered to agree in fixing Amount of Sum to be paid as a Composition for Tithes.

How such Amount calculated.

In what case Commissioners may add thereto.

Proviso for Case where Tithes not paid, nor agreed for, nor adjudged to be paid.

Commissioners may meet for the Purposes aforesaid.

this Act required to be taken respectively, and shall have the like Powers and Authorities in all respects as the Commissioner in whose Room he shall be appointed.

XVI. And be it further enacted, That it shall be lawful for the said Two Commissioners so respectively appointed on Behalf of the said several Parties, and such Commissioners are hereby authorized and empowered to agree upon and to ascertain and fix the Amount of the yearly Sum of Money to be paid to the Incumbent, or any other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation, entitled to any Tithes, rectorial or vicarial, prædial, personal or mixed, in the Parish where such Commissioners shall be so appointed, as a Composition for and in Satisfaction of all such Tithes; and that such Amount shall be calculated upon an Average of all the Sums paid, or agreed for, or adjudged to be paid, in such Parish on Account of Tithes during the Seven successive Years preceding the First Day of *November* One thousand eight hundred and twenty one; and if it shall appear to the said Commissioners that the Sums which have been paid or agreed for during such Seven Years have not been an adequate Compensation for the Tithes of the several Articles on Account of which such Sums have been paid or agreed for, it shall be lawful for the said Commissioners in such Case to add to the Amount of such Average any Sum, not in any Case exceeding in the Whole One fifth Part of the Amount of such Average: Provided always, that if it shall happen that any Land subject to Tithes in any such Parish shall during such Period of Years have been held and possessed by any Person entitled to the Tithes, or to the Receipt of the Tithes of such Land, or in any Manner so that the Tithes of such Land shall not have been actually paid, nor agreed for, nor adjudged to be paid during such Period, then and in every such Case the annual Value of the Tithes of such Land shall be estimated by the said Commissioners according to the best Information which they can obtain; and in any other Case where it shall happen that the Tithes of any Land shall not have been paid, nor agreed for, nor adjudged during such Period, it shall be lawful for the said Commissioners to fix and ascertain the Value of the Tithes of such Land in each Year of the said Period, according to the Payments made for Tithes of the like Kind in the same or any adjoining Parish: And for all the said Purposes, it shall be lawful for the said Commissioners to meet together from time to time, and to require from the Incumbent and Impropiator, and every other Person or Body Politic or Corporate or Collegiate, or Corporation, entitled or claiming to be entitled to or interested in the Receipt of any such Tithes, a full and particular Statement in Writing, under the Hand of such Incumbent, Impropiator and other Person, or of any Steward or Agent of any Body Politic or Corporate or Collegiate, or Corporation Aggregate or Sole, or any Person or Persons whomsoever, of his or their Claim or Claims respectively, and to what Particulars such Claims apply, and out of or upon what Land within such Parish, and by what Persons such Tithes are claimed, or have been agreed for, or adjudged to be issuing, yielded, chargeable, payable or paid, and the Nature, Amount and Value of all Tithes claimed, or payable or receiv-

receivable, or yielded or paid and received or agreed for, or adjudged to be paid, in Kind or otherwise, for and during such Seven Years; and it shall be lawful for such Commissioners to summon and call before them, as well the Incumbent or Impropropriator, or any Steward or Agent of any Body Politic or Corporate or Collegiate, or Corporation Aggregate or Sole, or any Person or Persons entitled or claiming to be entitled to such Tithes or any of them, as also any Owner or Occupier of any Lands, or any other Person or Persons charged or chargeable with the Payment of such Tithes, and to examine any such Incumbent or Impropropriator, or Steward or Agent, or Owner or Occupier of Land, and any other Person or Persons whomsoever upon Oath, (which Oath the said Commissioners, or either of them, are and is hereby authorized and empowered to administer,) as to the Truth of any Fact of which such Commissioners may require to be satisfied, for the Purpose of obtaining the Information requisite for the making of any Agreement for such Composition; and all such Persons so summoned or called before such Commissioners are hereby required to give Evidence and Information accordingly.

Commissioners empowered to examine Persons on Oath.

XVII. And be it further enacted, That if the Commissioners so appointed as aforesaid, acting in the Execution of this Act, shall not agree in settling and ascertaining the Amount of the Composition for Tithes to be paid and made in any Parish, pursuant to the Provisions of this Act, it shall be lawful for such Commissioners to refer the settling and ascertaining of the Amount of such Composition in such Parish to the Decision of some Third Person, not interested in the Question, as an Umpire; and such Umpire shall be nominated and appointed by such Commissioners, by Writing under their Hands; and Notice of the Appointment of such Umpire by such Commissioners shall be given by such Commissioners in Writing under their Hands, and shall be transmitted by such Commissioners to the Office of the Chief Secretary, for the Information of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and to the Bishop of the Diocese, and to the Incumbent or Impropropriator, or other Person or Persons having appointed any Commissioner as aforesaid, and to the Churchwardens of the Parish, and to every Person, or Body Politic or Corporate or Collegiate, or Corporation, entitled to any Tithes in such Parish, and to Three or more of the Persons who shall have attended at the Special Vestry at which either of the said Commissioners was appointed; and the Decision of any Umpire so to be nominated or appointed as aforesaid shall be final and conclusive.

Commissioners not agreeing to appoint an Umpire, and give Notice to Chief Secretary, Bishop, Incumbent, Tithe Owners and Three of the Vestry.

XVIII. And be it further enacted, That it shall be lawful for any Umpire so to be appointed as aforesaid, and such Umpire is hereby authorized and required to ascertain and fix the Amount of the yearly Sum of Money to be paid as a Composition for and in Satisfaction of all Tithes payable in such Parish, in like Manner and upon the same Principles as the Two Commissioners by whom such Umpire shall be appointed are by this Act authorized to ascertain and fix such Composition; and it shall be lawful for such Umpire to proceed in ascertaining and fixing such Composition, either upon such Information as shall have been obtained by such Two Commissioners, or it shall be lawful for such Umpire to make

Powers of Umpire in ascertaining the Amount of the Composition.

such further Inquiries, and to proceed in such Manner in all respects as such Commissioners might have proceeded under this Act in obtaining the Information requisite for the ascertaining and fixing of such Composition; and such Umpire shall for that Purpose have and exercise all such Powers and Authorities as are by this Act given to such Two Commissioners, and as such Two Commissioners, or either of them, might have used and exercised for the Purposes of this Act.

Commissioners not agreeing or appointing an Umpire shall certify to Lord Lieutenant; who in Council may refer the Case to Reconsideration of Commissioners, and if they do not agree or appoint an Umpire, Lord Lieutenant to appoint Umpire.

XIX. And be it further enacted, That in any Case where it shall happen that any Commissioners acting in the Execution of this Act shall not agree in settling and ascertaining the Amount of such Composition, within Four Calendar Months next after their First Meeting, and on Failure of so agreeing, in case such Commissioners do not appoint such Umpire within such Space of Four Calendar Months, such Commissioners shall transmit to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, a Certificate under their Hands, stating the Grounds and Causes of the Difference between them, and shall from time to time give any Information or Explanation of their Proceedings under this Act which shall be required by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, as signified by his or their Chief Secretary; and thereupon it shall 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 refer the Case for the Reconsideration of such Commissioners; and in case such Commissioners shall not, within One Calendar Month next after such Reference, agree either in settling and ascertaining the Amount of such Composition, or in naming an Umpire for that Purpose, it shall then be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, to nominate a Person to be such Umpire, and such Umpire shall have all such and the same Powers and Authorities as if he had been originally appointed by such Commissioners in pursuance of this Act.

Oath of Umpire.

XX. And be it further enacted, That no Person shall be capable of acting as an Umpire in the Execution of this Act, whether appointed by Commissioners for the Execution of this Act, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, until he shall have taken and subscribed an Oath in the following Form; (that is to say,)

‘ I *A. B.* do swear, That I will faithfully, honestly and impartially, according to the best of my Skill and Ability, execute and perform the Powers and Authorities reposed in me as Umpire by virtue of an Act passed in the Fourth Year of the Reign of King *George* the Fourth, intituled [*here insert the Title of this Act*], in the Parish of _____ according to the Directions of the said Act, and according to Equity and good Conscience, and without Partiality, Favour or Affection, Prejudice or Malice, to any Person or Persons whomsoever; and that I am not Owner or Proprietor of any Tithes, nor Owner nor Occupier of any Lands subject to the Payment of any Tithes, or Composition for Tithes, in the said Parish of _____ nor Agent or Steward of any Person so interested.

‘ So help me GOD.’

Which

Which Oath it shall be lawful for either of the Commissioners by whom such Umpire shall be appointed, or for any Justice of the Peace for the County in which the Parish shall be situate, relating to which such Umpire shall be appointed, to administer, and they or any one of them are and is hereby authorized to administer the same; and such Oath, when so taken and subscribed by such Umpire, shall be annexed to the Certificate or Return of the Amount of such Composition to be made by such Umpire pursuant to this Act, in Manner hereinafter mentioned:

XXI. And be it further enacted, That it shall be lawful for any Commissioners or Umpire acting under this Act, in case they or he shall think fit so to do, to cause a Survey and Admeasurement to be made of all the Lands and Grounds in any such Parish, and an Estimate of the annual Value of all such Lands and Grounds as shall not be Tithe free, and of the Amount of Composition for Tithes to be made payable in and for such Parish; and when and as such Survey, Admeasurement and Estimate or Valuation shall be made and completed, such Survey and Admeasurement and Estimate or Valuation, or a Duplicate thereof, shall be deposited by such Commissioners or Umpire with some Person at some convenient Place in such Parish, for the Inspection of all Persons interested in such Lands or Tithes; and such Commissioners or Umpire, within Seven Days next after such Survey and Admeasurement and Estimate or Valuation shall be deposited, shall give and deliver a Notice in Writing to the Churchwardens of such Parish, and to the Incumbent or Impropriator, and other Person or Persons entitled to any Tithes in such Parish, or to the Composition or any Part of the Composition for such Tithes, or to the Agent of any such Person or Persons, that such Survey and Admeasurement and Estimate or Valuation have been deposited, and the Name of the Person with whom the same shall have been deposited, and where the same may be inspected; and shall also in such Notice appoint some convenient Place within such Parish, and a Time (not earlier than Twenty one Days from such Notice) when and where such Commissioners or Umpire will attend to hear Objections from the Incumbent or Impropriator, or other Person or Persons entitled to such Tithes, or to the Composition for the same, or any Part thereof, or from the Owners or Occupiers of Lands within such Parish, who may be dissatisfied with such Survey or Estimate or Valuation, or either of them, and such Commissioners or Umpire shall attend at the Place and Time to be appointed; and it shall be lawful for such Commissioners or Umpire to hear and determine any Objections which may be then and there made to such Survey or Estimate or Valuation, or to adjourn the further Hearing of such Objections, if such Commissioners or Umpire shall think proper, to a future Time; and it shall be lawful for such Commissioners or Umpire to examine any Person or Persons on Oath (or in the Case of a Quaker or Quakers on solemn Affirmation), touching any such Objections (which Oath or Affirmation any such Commissioner or Umpire is hereby authorized and empowered to administer); and when such Commissioners or Umpire shall have heard and determined all such Objections, if any, as may be so made,

Commissioners may cause a Survey and Valuation to be made of Lands and Tithes in the Parish,

and give Notice of its being deposited, and may hear Objections thereto, and amend the same.

Commissioners or Umpire may alter Survey.

made, it shall be lawful for such Commissioners or Umpire to cause such Survey or Estimate or Valuation to be altered; and if any Alteration or Alterations shall be made therein, such altered Survey or Estimate and Valuation shall be left and deposited at the same Place as the first Survey or Estimate or Valuation was deposited at, for the Inspection of all Persons interested in the Lands or Tithes in such Parish; and Notice in Writing shall forthwith be given by such Commissioners or Umpire to the Churchwardens of such Parish, and to the Incumbent and other Person or Persons entitled to such Tithes or Composition for Tithes, or any Part thereof, of the depositing of such altered or amended Survey or Estimate or Valuation.

Old Surveys may be used if the Commissioners, &c. think proper.

XXII. Provided always, and be it enacted, That if any Plan, Survey, Estimate or Valuation made of all or any Part of the Lands or Tithes in any such Parish, shall be produced and laid before such Commissioners or Umpire, of the Authenticity and Accuracy of which they or he shall be satisfied, it shall and may be lawful to and for them or him to make use of such Plan, Survey, Estimate or Valuation, to assist in the Survey and Estimate or Valuation directed by this Act to be made, without causing any new Survey or Estimate to be made of such Lands or Tithes.

Power to Commissioners or Umpire to enter Lands.

XXIII. And be it further enacted, That it shall and may be lawful for any Commissioners or Umpire for carrying this Act into Execution, and for the Surveyor to be employed as aforesaid, and for any Person or Persons employed as Clerk, Assistant or Servant to such Commissioners or Umpire, or Surveyor respectively, and he and they is and are hereby empowered and authorized, for the Purposes of this Act, to enter into and upon all and every or any of the Lands and Grounds in any such Parish, without being subject to any Action or Molestation for so doing.

In what Case no particular Survey to be made of any Parish.

XXIV. Provided always, and be it enacted, That whenever and as soon as any General Survey of *Ireland* shall be made and completed under the Authority of any Act or Acts to be made for that Purpose, or whenever and as soon as any Survey of any Parish in *Ireland* shall be made and completed as Part of such General Survey, such General Survey or such Survey of such Parish shall be applied to the Purposes of this Act, in any Parish which shall be contained in or shall form Part of such General Survey.

Two Commissioners, or Umpire, to make and sign Certificate of Amount of Composition, subjoining the then Price of Wheat or Oats, and transmit Certificate to Bishop, &c. to be recorded in Registry of Diocese, and send Copies to

XXV. And be it further enacted, That when any Two Commissioners appointed under this Act, or any Umpire named by such Commissioners, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in pursuance of this Act, shall have finally agreed upon, or shall have ascertained and fixed the Amount of Composition to be paid for Tithes in any Parish under the Provisions of this Act, such Commissioners, or Umpire, as the Case may be, shall make and sign a Certificate, according to the Form in Schedule (B.) to this Act annexed, or in such other Form as the Nature of the Case may require, stating the Amount of the true and just Composition which shall thenceforth be paid in Satisfaction of all Tithes in such Parish, and in what Proportions such Composition shall be paid or divided to or amongst the Party or Parties entitled to such Tithes, or any particular Share or

Pro-

Proportion of such Tithes; and such Commissioners or Umpire shall subjoin to such Certificate a Statement of the Average Price of Wheat or Oats (whichever of the Two they shall consider as the Corn principally grown in such County) for the Period of Seven Years next preceding the First Day of *November* One thousand eight hundred and twenty one, calculated upon the Returns advertised in the *Dublin Gazette* during such Seven Years; and such Commissioners or Umpire shall transmit such Certificate to the Bishop of the Diocese in which such Parish shall be situate, and shall also transmit a Duplicate of such Certificate, made and signed in like Manner, to the Registrar of such Bishop, to be entered and recorded in the Registry of such Diocese, and such Certificate shall be entered and recorded accordingly; and such Commissioners or Umpire shall also transmit or deliver One Copy of such Certificate to the Churchwardens of such Parish, and One other Copy to the Incumbent of such Parish, and One Copy thereof to any and every Person, or Body Politic, Corporate or Collegiate, or Corporation, entitled to any Part or Proportion of such Composition for Tithes; and every such Copy shall be signed with the Names or Name, in the proper Handwriting of such Commissioners or Umpire by whom such Certificate shall be made.

Incumbent and
Tithe Owners.

XXVI. Provided always, and be it enacted, That in any Case where it shall happen that any Commissioners or Umpire acting in the Execution of this Act shall, in the ascertaining and fixing the Amount of any Composition to be paid for Tithes in any Parish, have increased the Amount of such Composition beyond the average Amount of such Tithes during Seven Years preceding the First Day of *November* One thousand eight hundred and twenty one, by adding any Sum or Sums of Money to such average Amount, the said Commissioners or Umpire shall subjoin to the Certificate of the Amount of such Composition a Statement of the average Amount of such Tithes for such Seven Years, and also the Amount of the Sum or Sums added to such average Amount, and by which such Composition shall be so increased beyond such average Amount, together with the Grounds and Reasons upon which Sum or Sums was or were so added to such average Amount as aforesaid.

In what Case
Commissioners
to state their
Reasons for In-
crease on Cer-
tificate of Com-
position.

XXVII. Provided always, and be it enacted, That if the Incumbent of any Parish entitled to any Tithes or Portion of Tithes in such Parish, and the Improprator of any Tithes or Portion of Tithes in any Parish, or other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation Aggregate or Sole, entitled to any Tithes or any Portion of Tithes in any Parish, shall agree to receive any fixed annual Sum or Sums as the Amount of the Composition to be paid for all Tithes in any Parish payable to him or them, and shall signify such Agreement in Writing, stating the Amount of the Sum or of the several Sums so agreed to, and shall have obtained the Assent of the Bishop of the Diocese and of the Patron of the Benefice to such Agreement, to be signified in Writing, and signed by such Bishop and Patron respectively; and if such Agreement shall be assented to, and accepted at some Vestry, or adjourned Vestry, to be holden in pursuance of this Act, at which not less than Seven

Where Incumb-
ent, Impro-
priator, &c.
shall agree to
receive a fixed
Sum, as a Com-
position for
Tithes, and
such Agree-
ment shall be
assented to by
the Vestry,
such Agree-
ment shall bind
Commissioners,
and such Sum
shall be insert-
ed in Certificate
of Composi-
tion.

Persons entitled to vote therein shall be present, and such Assent and Acceptance shall be certified by the Chairman of such Vestry to the Commissioners or Umpire who may be appointed under this Act; then and in such Case upon the Production of such Certificate to such Commissioners or Umpire, by or on Behalf of the Incumbent or other Person or Persons by whom such Agreement was made or entered into, such Agreement shall be binding and conclusive upon such Commissioners or Umpire; and the Sum or Sums so agreed upon shall be inserted by such Commissioners or Umpire in the Certificate of the Amount of such Composition to be made by such Commissioners or Umpire as aforesaid, as if the same had been ascertained by such Commissioners or Umpire in Manner required by this Act: Provided nevertheless, that if it shall appear to such Commissioners or Umpire that the Amount of the Composition specified in such Agreement (if made payable to any Incumbent or other Person having an Estate less than Fee Simple in such Tithes, or any Portion thereof,) shall be below the average Amount of the Sums actually paid during such Seven Years as aforesaid, in respect of the Tithes for which such Composition shall be so agreed to be received, such Commissioners or Umpire shall state and certify their Opinion to that Effect; and in such Case such Commissioners or Umpire shall insert in their Certificate of the Amount of such Composition a Sum equal to such average Amount of the Sums paid during such Seven Years, and such Sum shall be stated as and for the Amount of the Composition ascertained and certified by such Commissioners or Umpire.

Vestry or Incumbent may Appeal to Lord Lieutenant in Council against the Certificate.

XXVIII. And be it further enacted, That within Three Days after the Copy of such Certificate of any Commissioners of the Amount of any such Composition shall have been received by the Churchwardens of any Parish, such Churchwardens shall cause Public Notice to be given, in the usual Manner of giving Notices for holding Vestries in such Parish, that a Special Vestry of Persons qualified according to this Act will be holden on some Day to be named in such Notice, being not less than Seven Days nor more than Fourteen Days distant from the publishing of such Notice, for the Purpose of taking into Consideration such Certificate of such Commissioners; and such Vestry so assembled may proceed to take such Certificate into Consideration, and may adjourn from time to time to any Day not more than Ten Days distant from the First Day of Meeting; and if at such First Day of Meeting, or at any adjourned Meeting of such Vestry, which shall be held on any Day not more than Ten Days distant from such First Day of Meeting, it shall be determined that an Appeal shall be made against such Certificate on account of any thing therein contained or omitted therefrom, to the Prejudice of such Parish, it shall be lawful for such Vestry to direct that such Appeal shall be made to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, in Council, in the Name of such Vestry, on Behalf of the said Parish; and the Grounds of such Appeal shall be stated in Writing, and shall be signed by the Chairman of such Vestry, and shall be transmitted by him, within Two Days after such Meeting, to the Clerk of the Privy Council; and in like Manner it shall be lawful for any Incumbent or Impropiator, or Body Politic or Corporate or Collegiate, or any Person or Persons

sons entitled to any Tithes or Portion of Tithes in any Parish, or the Patron of the Benefice, (or where the King shall be Patron, the Attorney General in *Ireland*;) who shall think themselves aggrieved by any thing contained in or omitted from such Certificate, to Appeal to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, in Council, at any Time within One Calendar Month next after the Time when the Duplicate of such Certificate shall have been deposited with the Registrar of the Diocese as aforesaid; and such Appeal, together with the Grounds and Reasons thereof in Writing, shall be lodged with the Clerk of the Privy Council within such Calendar Month; and in all Cases of Appeal, whether on Behalf of the Parish or of the Incumbent, or other Party entitled to Tithes, Notice of such Appeal shall be inserted, by or on Behalf of the Party Appellant in the *Dublin Gazette*, once in Two successive Weeks after such Appeal shall have been lodged with the Clerk of the Council as aforesaid.

XXIX. And be it further enacted, That it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors, by and with the Advice and Consent of His Majesty's Privy Council in *Ireland*, to hear and determine such Appeal, and to make such Order for the confirming, or for the decreasing or increasing or modifying the Amount of the Composition stated in such Certificate, as to such Lord Lieutenant, or other Chief Governor or Governors and Council shall seem consonant to the true Intent and Meaning of this Act; and such Certificate, and the Amount of the Composition as ascertained thereby, and the Entry of such Certificate in the Registry of the Diocese, shall be altered and amended in such Manner as shall be directed by the Lord Lieutenant, or other Chief Governor or Governors and Privy Council.

XXX. Provided always, and be it enacted, That whenever any such Appeal shall be brought before the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, in Council, it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors, by and with the Advice of His Majesty's Privy Council, to refer the Matter of such Appeal to the next going Judge of Assize in the County in which the Parish shall be situate, to which such Appeal shall relate; and it shall be lawful for such Judge at the next ensuing Assizes to be holden for such County, to hear and determine the Merits of such Appeal, and to make such Order for the confirming or annulling, or abating or modifying the Amount of such Composition, as the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in Council, might have done under this Act; and such Certificate, and the Amount of the Composition ascertained thereby, and the Entry thereof in the Registry of the Diocese, shall be altered and amended accordingly.

XXXI. And be it further enacted, That the Certificate of such Commissioners or Umpire as aforesaid shall be conclusive Evidence of the Amount of such Composition, and that such Composition was duly fixed and ascertained pursuant to the Directions of this Act; and such Certificate, and the Amount of the Composition thereby fixed and ascertained, shall be valid and effectual to all Intents and Purposes whatsoever, from and after the Registry of such Certificate, unless in case of such Appeal

Lord Lieutenant and Council may hear Appeal, and modify Composition.

Lord Lieutenant and Council may refer Appeal to the next going Judge of Assize.

Certificate conclusive Evidence of Composition, and not invalidated by Informality in Proceedings.

against

When such Composition shall commence, and how long continue.

Composition shall suspend the Right of taking Tithes, or Payment for Tithes, as herein mentioned.

Composition liable to same Charges as Tithes. Rent of Tithes to be paid in lieu of Composition.

Proviso for Tithes due before Composition made.

against the same in Manner hereinbefore mentioned; and in case of such Appeal, then from and after the Determination of such Appeal; and such Certificate shall not be otherwise disputed or called in question, or invalidated in any Manner whatever, on account of or under pretext of any Informality or Irregularity with respect to any Proceedings had under this Act at any Time previous to the making of such Certificate; and the Composition specified in such Certificate shall take effect from the First Day of *November* next ensuing the Date of such Certificate, and shall continue to be levied for the Term of Twenty one Years from such First Day of *November*, subject only to such Variation as may be made in the Amount thereof according to the Price of Wheat or Oats in any Period of Three Years, according to the Provisions hereinafter contained; and from and after the Registry of such Certificate, or after the Determination of such Appeal, as the Case may be, the Composition mentioned in such Certificate, or to be ascertained upon such Appeal as aforesaid, shall be deemed and taken to be, and to amount in Law and in Fact to a Suspension of the Right of claiming or taking the Tithes for which such Composition shall be made, or of any Payment in respect of such Tithes, other than the Amount of such Composition, for and during such Term of Twenty one Years; and all and every the Owners and Occupiers of any Land in such Parish shall, during the said Term of Twenty one Years, hold such Land free and discharged of and from all Tithes, and of and from all Payments in respect of Tithes, other than the Amount of such Composition; and no such Tithes, nor any Payment in lieu or Satisfaction of such Tithes, other than such Composition, shall at any Time during such Term of Twenty one Years be claimed or taken by any Incumbent, or any other Person or Persons whomsoever, either as Owner or Lessee of such Tithes, or any Portion of Tithes, within such Parish, any Law, Statute, Custom or Usage, or any Lease, Covenant or Agreement to the contrary in anywise notwithstanding; and such Composition shall be subject and liable to all such Charges as the Tithes in respect of which such Composition shall have been made were by Law subject and liable to: Provided always, that when any Owner or Occupier of any Land out of which any such Tithes shall have been issuing shall be liable, by or under any Covenant, to the Payment of any Sum or Sums of Money to the Party entitled to such Tithes, as and for the Rent of such Tithes, such Owner or Occupier shall, during the Continuance of such Covenant, pay such Rent or Sum to the Person or Persons entitled to the same, and such Rent shall be received by such Person or Persons in lieu of such Portion of such Composition as shall be assessed and apportioned upon such Occupier in respect of such Land.

XXXII. Provided always, and it is hereby declared, That no Proceedings under this Act for effecting any Composition for Tithes shall take away or affect any Right or Claim to Tithes which shall have accrued due before the Time at which the Composition specified in any such Certificate is hereby directed to take effect, but all such Tithes, and any Compositions or Sum or Sums of Money payable in lieu thereof, shall and may be recovered and

and recoverable in like Manner, and by the same Forms of Proceeding, as if this Act had not passed.

XXXIII. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend to or in anywise to affect or alter the Powers or Provisions of an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to enable Ecclesiastical Persons and others, in Ireland, to grant Leases of Tithes so as to bind their Successors.*

Proviso for 3 G. 4. c. 125. for leasing Tithes.

XXXIV. And be it further enacted, That before the Expiration of Four Calendar Months after the First Day of *November* next after the making and signing of such Certificate, the Commissioners or Umpire by whom such Certificate shall be so made and signed shall, and they or he are and is hereby required to assess and applot the full Amount of such Composition upon all Land within such Parish, not being Tithe free, equally in proportion, and according to the true annual Value of the several Lands; and the Sums so assessed and applotted shall be paid from time to time by the Occupiers of such Land for the Time being, or by the Owners of such Land occupying the same; and such Assessment and Applotment shall state the whole Number of Acres of Land in such Parish to be charged with the Payment of such Composition, the several Sorts and Qualities of such Land in such Parish, and the several Districts or Parts of the Parish in which such Land shall be situate respectively, and the Rate or Sum to be charged by the Acre, or less Quantity, on each of the several Sorts and Qualities of Land, so that the whole Amount of such Composition may be raised as equally as possible on all the Lands in the Parish not being Tithe free; and such Assessment and Applotment shall also state and set forth the Proportion in which the Rates or Sums imposed on any Land in respect of such Composition shall be payable by the Occupier of such Land, or by the Owner occupying such Land from time to time for the Time being, to and among the several Persons entitled to such Composition, or any Part thereof, according to the Certificate hereinbefore mentioned; and every such Assessment or Applotment shall be signed by the Commissioners or Umpire by whom the same shall be made; and every such Assessment and Applotment so made shall be entered in a Book to be delivered by such Commissioners or Umpire to, and to be carefully kept in the Custody of the resident Ecclesiastical Incumbent or Minister of such Parish; or if there shall not be any such resident Ecclesiastical Incumbent or Minister, then in the Custody of the Churchwardens of such Parish, or in such other Place and in the Custody of such Person as shall be ordered and directed by such Commissioners or Umpire as aforesaid; and such Book shall be open for the Inspection of every Occupier of Land in the said Parish, at all reasonable Times, without Fee or Reward; and it shall be lawful for any such Owner or Occupier, at his own Expence, to take any Extract or Copy of such Assessment or Applotment, or any Part thereof.

Amount of Composition shall be assessed and applotted by Commissioners on all Land not Tithe free, payable by the Occupiers.

Such Assessment to be entered in a Book, and signed by Commissioners.

XXXV. Provided always, and be it enacted, That no Land, nor the Occupier of any Land, nor any Owner of Land occupying the same, shall be exempted from any Assessment or Applotment to be made under this Act, nor from the Payment of any Part of any

No Land exempted from Assessment solely in respect

of barren Cattle agisted, nor of depending Claim of Exemption from Tithe.

Where Lands assessed to Composition afterwards declared exempted, Occupier charged shall be repaid, &c.

Copies of Assessment to be delivered by Commissioners to Incumbent and other Persons entitled to Composition, to be levied by Half yearly Payments.

any Sum assessed or applotted under this Act, solely upon the Ground that dry or barren Cattle have been fed or agisted on such Land, or any Part thereof; and that any Claim of Exemption, or the Pendency of any Action or Suit in Law or Equity, respecting any alleged Exemption of any Lands from the Payment of Tithe, shall not prevent or delay the Applotment or Assessment of any Part or Portion of such Composition upon such Lands, nor the Payment of such Part or Portion when ascertained and fixed according to the Regulations of this Act; and in case it shall happen that after any such Applotment and Assessment of any such Composition shall have been made in any Parish, any Land in such Parish made subject to the Payment of any Part of such Composition shall, by virtue of any Decision in Law or Equity, be declared to be exempted from the Payment of Tithes, it shall be lawful for any Two or more Justices of the Peace assembled in Petty Session, to assess and applot the Sum formerly assessed on such Lands so exempted, in proportion upon the Occupiers of all other Lands within such Parish, not being Tithe free, according to the Nature and Quality of the several Lands holden by such Occupiers respectively; and also to assess and applot upon the Occupiers of such other Lands any such Sum and Sums of Money as shall be sufficient to repay to the Occupier of the Lands so exempted all such Sums as shall have been paid in respect of any former Composition made by virtue of this Act, at any Time after the Claim shall have been made on which such Exemption shall have been decided; and such last mentioned Sum and Sums of Money shall be collected by the Person or Persons appointed to collect such Composition, and shall by such Person or Persons be paid over to the Occupier of such Land so exempted, in such Manner and under such Regulations as shall be made by such Justices for that Purpose.

XXXVI. And be it further enacted, That Copies of every Assessment and Applotment made by any Commissioners or Umpire under this Act shall be made and attested by the Commissioners or Umpire, by whom such Assessment or Applotment shall be made, and shall be by them or him delivered to the Ecclesiastical Incumbent of such Parish, and to all and every Person and Persons, or Body Politic or Corporate or Collegiate, or Corporation, entitled to any Portion of such Composition, or to his or their Agent, or to any Person or Persons appointed to collect such Composition, or any Portion thereof respectively, by or on Behalf of such Incumbent or other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation; and it shall be lawful for any Person or Persons appointed for that Purpose by such Incumbent, or other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation, and such Person or Persons so appointed are hereby authorized to collect and levy such Compositions, or such Part thereof, as such Incumbent or other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation, shall be entitled to, by Two equal Half yearly Payments in each Year, the one whereof shall be and become due on the First Day of *May*, and the other on the First Day of *November*, in each and every Year, during the Continuance of such Composition.

XXXVII. Pro-

XXXVII. Provided always, and be it enacted, That upon the Death, Cession, Resignation or Removal of the Incumbent of any Parish, or of any other Person or Persons entitled to any such Composition for Tithes, or any Part, Share or Proportion thereof, at any Time in the Half Year between the First Day of *November* and the First Day of *May*, or in the Half Year between the First Day of *May* and the First Day of *November* respectively, every such Incumbent, or his Executors, Administrators or Assigns, and every such other Person or Persons, shall be entitled to and shall receive so much and such Part of the Composition payable to such Incumbent, or other Person or Persons, as shall be in proportion to the Number of Days elapsed between the First Day of *November* or the First Day of *May* next preceding the Death, Cession, Resignation or Removal of such Incumbent or other Person or Persons, and the Day of the Death, Cession, Resignation or Removal of such Incumbent, or other Person or Persons.

Apportionment of Half yearly Composition on Death of Incumbent between 1st Nov. and 1st May, or between 1st May and 1st Nov.

XXXVIII. And be it further enacted, That the original Assessment and Applotment made, signed and entered in such Book as aforesaid, shall be conclusive Evidence of the Amount of the Sums payable in respect of such Composition for Tithes in any such Parish, and of the Proportion in which such Sums shall be payable to the Incumbent, and other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation, entitled to the Whole or any Part of such Composition; and that the Amount of such Composition, and of the several Portions thereof payable according to such Assessment and Applotment, and all Arrears thereof from time to time, not exceeding the Amount of One whole Year of such Composition, shall be a Charge on the Lands specified in such Assessment and Applotment during the Continuance of such Composition, and shall be payable by the Occupier or Occupiers of such Lands, or by the Owner of such Lands occupying the same for the Time being, according to the Quantity of such Lands which each such Occupier shall from time to time hold and occupy; and that it shall be lawful for the Incumbent, and for every or any other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation, entitled to such Composition, or any Part, Share or Portion thereof, to receive the Amount of such Composition, or of such Part, Share or Portion thereof, or to cause the same to be levied upon the several Lands specified in such Assessment and Applotment, and on the several Occupiers of such Lands for the Time being, in preference to any other Charge upon such Lands, whether for Rent, or for any Taxes or Assessments, Parliamentary or other, and in preference to any other Charge whatever upon such Lands, by all the Ways and Means allowed by Law for the Recovery of Rent; and it shall and may be lawful for any Collector or Person appointed to collect and levy such Composition, or any Part thereof, by the Incumbent, or other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation, entitled to such Composition, or any Part thereof, to collect and levy the Amount of such Composition from time to time as the same shall become due; and every such Collector so appointed shall collect and levy, and is hereby authorized, empowered and required to collect and

Original Assessment Evidence of Sums payable.

Composition a preferable Charge on Land (not exceeding One Year's Amount), and leviable by the Collectors of the Incumbent, and other Parties entitled, and recoverable as Rent.

levy

On Execution or Distress on Land subject to Composition, One Year's Arrears thereof shall be paid in preference to all other Demands.

Parties aggrieved by Assessment or Applotment may Appeal to Quarter Sessions, who may amend the same.

Proviso as to Diminution of total Amount of Composition.

levy all and every Sum and Sums of Money which shall become due from time to time, in respect of such Composition, to the Incumbent, or other Person, or Body Politic or Corporate or Collegiate, or Corporation, in whose Behalf such Collector shall be appointed to levy the same; and every such Incumbent, Proprietor or other Person or Persons entitled to such Composition, shall, in case of any Execution levied, or any Distress made upon any Land, or upon any Cattle, Goods or Chattels upon any Land, or in any House situate on any Land, liable to the Payment of such Composition, or any Part thereof, be entitled in the first Place to receive out of the Produce of such Distress all Arrears (not exceeding One whole Year's Amount) of any Composition for Tithes payable in respect of such Land, or in respect of any Land of which such Land shall form a Part, in preference to any Debt, Rent, Taxes or Sum or Sums whatever, for which such Execution shall be levied, or such Distress made; any Law, Statute, Usage or Custom to the contrary notwithstanding.

XXXIX. Provided always, and be it enacted, That if any Person shall feel himself or herself aggrieved by or dissatisfied with the Rate or Sum at which any Land shall be assessed in such Assessment or Applotment, as compared with the Rate or Amount payable in respect of any other Land in the same Parish under such Assessment or Applotment, it shall be lawful for such Person so feeling himself or herself so aggrieved, to appeal to the Justices of the Peace at their General Quarter Sessions of the Peace, or any Adjournment thereof, for the County or Place in which such Parish shall be situate, giving such Notice and entering into such Recognizance as is hereinafter provided; and it shall be lawful for such Justices to order any such Alteration or Amendment to be made in such Assessment or Applotment as shall appear to them to be requisite and necessary according to the Justice of the Case, as well in the Amount of the Assessment made on the Land of the Party appealing, as in the Amount of the Assessment on the Land of any other Party or Parties mentioned in such Appeal; and the Determination of such Justices in Session shall be binding, final and conclusive on all Parties, to all Intents and Purposes, and the Assessment or Applotment shall be amended accordingly in the Book in which the same shall have been originally entered, pursuant to this Act, and a Re-assessment or Re-applotment, between such Parties and Persons only, shall be made pursuant to the Directions of such Justices, as the Case may require, and such Amendment shall be signed in such Book by the Chairman present at such Session; and such Book so amended, and such Re-assessment or Re-applotment, shall be thenceforth conclusive Evidence of the Sum due in respect of such Land: Provided always, that no Diminution or Alteration shall be made in the total Amount of such Composition, or of the whole Sum to be raised in such Parish, by any such Amendment of any such Assessment or Applotment, but that the Effect of such Amendment shall be the equal Assessment on the Lands of the Parties appealing and appealed against, of their several Shares and Proportions of the Whole of such Composition and Assessment.

XL. Pro-

XL. Provided always, and be it enacted, That in case such Assessment and Applotment of such Composition shall not be made within Four Calendar Months next after such First Day of November, then and in such Case, and until such Assessment and Applotment shall be so made, it shall be lawful for any Person or Persons appointed to collect such Composition, or any Portion thereof, respectively to collect and levy the same according to the last Applotment or Assessment made in such Parish for the levying of any Parish Cess raised in such Parish; and every Collector of such Parish Cess shall, whenever thereto required by or on Behalf of the Incumbent or other Person or Persons entitled to such Composition or any Portion thereof, deliver to or for the Use of such Incumbent or other Person or Persons a true Copy of the last Applotment or Assessment made and in force in such Parish in respect of the Parish Cess payable therein; and the several Persons liable to the Payment of any such Applotment or Assessment shall be liable to the Payment of the full Amount of the Half yearly Payments of such Composition under this Act, and the full Amount of every such Half yearly Payment shall be levied on all such Persons respectively, in Proportion to the Amount of the several Assessments made on them in respect of such Parish Cess; and it shall be lawful for every Collector of such Composition, or any Portion thereof, and every such Collector is hereby respectively authorized and required to collect and levy such Composition, and the several Parts and Proportions thereof payable by any such Persons liable to the Payment of such Parish Cess, with the like Powers and Authorities, and in like Manner to all Intents and Purposes, as if such Assessment had been duly made by such Commissioners or Umpire as aforesaid.

On Failure of Assessment by Commissioners, Composition shall be levied according to the Parish Cess.

XLI. And be it further enacted, That whenever, under the Provisions of this Act, any Composition shall be made for the Tithes payable in any Parish, every Person who shall afterwards let, set or demise any Land lying within such Parish, at a Rack Rent, shall make such Lease or Demise free from the Payment of Tithes during the Continuance of such Composition; and in such Case it shall and may be lawful for the Lessee or Occupier of such Land, and every such Lessee or Occupier is hereby authorized and required to pay the Amount of such Composition as shall be due from time to time, in respect of the Lands demised by such Lease, to the Incumbent and other Person, or Body Politic or Corporate or Collegiate, or Corporation, entitled to such Composition or any Part thereof, or to the Person or Persons employed to collect such Composition; and it shall be lawful for such Lessee or Occupier of such Land to deduct the Amount of all such Payments from time to time out of the Amount of Rent payable by such Lessee or Occupier of such Land to his immediate Landlord; and the Receipt or Acquittance of the Incumbent or Impropiator, or other Person, or Body Politic or Corporate or Collegiate, or Corporation, entitled to such Composition or any Part thereof, or of his or their Collector, or the Receipt of any such Collector, having levied any such Composition or any Part thereof, under the Authority of this Act, and which Receipt such Collector is hereby required to give whenever the

Owners of Land in any Parish for Tithes of which Composition is made under this Act, shall let such Land Tithe free, and the Occupier paying the Composition may deduct it out of his Rent.

same

same shall be demanded, shall be a good and sufficient Discharge to the Lessee or Occupier of such Land, for so much of the Rent payable by such Lessee or Occupier to such Landlord, as the Sum specified in such Receipt to be the Proportion of such Composition paid by such Lessee or Occupier shall amount unto; and every such Landlord shall accept such Receipt in Payment of so much of the Rent payable by such Lessee or Occupier to him: Provided always, that in Cases where either the Landlord or the Occupier of any such Land shall be One of the Persuasion of the People called *Quakers*, the Receipt of any Collector having collected or levied any such Composition, or any Part thereof, and which Receipt such Collector is hereby required to give in such Case, whether the same shall be demanded or not, shall express the whole Sum paid or satisfied by such Lessee or Occupier, including, in the Case of Levy, the Expences of such Levy; and such Receipt being produced to such Landlord, such Landlord shall accept the same in Payment (or shall suffer the Amount thereof to be deducted as in Payment) of so much of the Rent payable to him by such Lessee or Occupier, as shall be equal to the Whole of such Sum: Provided also, that the Receipt of such Landlord for the Sum which shall remain due for such Rent, after deducting the Amount of the Composition specified in the Receipt of such Collector, shall be taken and received by such Tenant (the said Tenant retaining the Receipt of such Collector) as a full Discharge for the whole Amount of Rent due: Provided also, -that every such Lease shall contain a Proviso, that in case such Composition shall cease and determine at any Time during the Continuance of such Lease, the Rent reserved in such Lease shall be reduced in Amount by a Sum equal to the Amount of such Composition: Provided also, that no Deduction on account of Composition of Tithes under this Act shall be held to be a Discharge of any Portion of any Gale, or quarterly or other Payment of Rent, due by such Lessee or Occupier of such Land, so as to prejudice the Right of such Landlord to recover the Possession of such Land by Ejectment for Non-payment of the Rent thereof, in any Case where the remaining Portion of such Gale shall be unpaid; but that it shall and may be lawful for such Landlord to proceed for the Recovery of such Land by Ejectment, as effectually as if the entire Gale, or Quarterly or other Payment of Rent, out of which such Deduction is hereby allowed, had remained wholly due and unpaid to such Landlord.

XLII. And be it further enacted, That so much and such Parts of an Act made in the Parliament of *Ireland* in the First Year of the Reign of King *George* the Second, intituled *An Act for the more easy Recovery of Tithes, and other Ecclesiastical Dues of small Value*; and of an Act made in the Parliament of *Ireland* in the Seventh Year of the Reign of His late Majesty King *George* the Third, for continuing and amending an Act of the Third Year of His said late Majesty's Reign, made for amending and explaining an Act of the Thirty third Year of the Reign of King *Henry* the Eighth, for *Tithes*, as relates to Proceedings against the People called *Quakers*, refusing to set out or pay or compound for Tithes, for the Recovery of such Tithes, not exceeding the Sum of Ten Pounds,

Proviso where Quakers are Landlords or Tenants.

Receipt a full Discharge.

Deductions on account of Tithes not a Discharge to prevent Ejectment for Non-payment, if any Part remains unpaid.

Provisions of 1 G.2. c.12. (I.) and 7 G.3. c.21. § 11. (I.), for Recovery of Tithes, as extended by 54 G.3. c.68. § 6., applied for Recovery from Quakers of Composition for Tithes under this Act.

Pounds, and also so much of an Act made in the Parliament of the United Kingdom in the Fifty fourth Year of the Reign of His said late Majesty, intituled *An Act for the better Regulation of Ecclesiastical Courts in Ireland, and for the more easy Recovery of Church Rates and Tithes*, as extends the said Provisions of the said Act of the Seventh Year of His said late Majesty's Reign to any Value not exceeding Fifty Pounds, shall extend and be construed to extend, and shall be applied and put in Execution for the Recovery of any Composition for Tithes, or any Part thereof, which shall be payable under this Act in respect of any Land in the Occupation of any of the People called *Quakers*, or whereof any Quaker shall be Owner or Proprietor, in all Cases where the Occupier of such Land, or the Owner occupying such Land, shall refuse to pay such Composition, or any Part thereof, to all Intents and Purposes as if such Composition had been in force at the Time of the making of the said recited Acts.

XLIII. And be it further enacted, That at any Time between the First Day of *May* and the First Day of *October* in the Third Year next after the First Day of *November* on which any Composition for Tithes under this Act shall commence in any Parish under the Provisions of this Act, and in like Manner at any Time between the First Day of *May* and the First Day of *October* in every subsequent Third Year during the Continuance of such Composition, but in no other or intermediate Year, it shall and may be lawful for the Ecclesiastical Incumbent of such Parish, or for any other Person or Persons, or Body Corporate or Collegiate, or Corporation Sole or Aggregate, entitled to such Composition, or any Part thereof, or for any Three or more Owners or Occupiers of Land in such Parish charged with the Payment of the Sum of Three Pounds or upwards each, in respect of any such Composition, to cause a Notice in Writing, signed by such Incumbent or other Person or Persons, or by the Steward or Agent of any such Body Corporate or Collegiate, or Corporation, or by such Owners or Occupiers of Land, to be affixed on the principal outer Door of the Church of such Parish, or if there shall not be any Church in such Parish, then upon the principal outer Door of every known Place of Religious Worship in such Parish, on Two successive *Sundays*, the last of such *Sundays* not being less than Eight Days previous to the Day of holding the then ensuing Quarter Session for the Peace in the County in which such Parish shall be situate, signifying that it is the Intent of such Incumbent or other Person or Persons, or Body Corporate or Corporation, or Owners or Occupiers of Land, to make Application to the Justices of the Peace at such Quarter Sessions to have the Average Price of Wheat or Oats for the Three Years preceding inquired of and ascertained, in order that such Composition may be varied and increased or diminished for the ensuing Three Years, in proportion to such Average Price; and it shall be lawful for the Persons or Parties by or on whose Behalf such Notice shall have been so given, to make such Application to such Justices at such Quarter Sessions, in Writing, for such Purpose accordingly; and thereupon it shall be lawful for such Justices, and they are hereby required, at such Sessions, or any Adjournment thereof, to ascertain the Average Price of good Marketable Wheat or Oats within

Between
1st May and
1st Oct. in the
Third Year af-
ter 1st Nov.
from which
Composition
shall have com-
menced (and so
in every subse-
quent Third
Year), Incum-
bent, or Titha
Owners, or
Three Land-
holders charged
with 3l. a Year
to Composition
Money (on No-
tice) may apply
to Quarter
Sessions to alter
Amount of
Composition
for ensuing
Three Years, in
Proportion to
Average Price
of Wheat or
Oats for Three
Years preced-
ing.

the said County, for the Term of Three Years next preceding such Application; and for that Purpose it shall be lawful for the said Justices at such Quarter Sessions (if they shall think fit so to do) to nominate and appoint a Person to be an Arbitrator for ascertaining the Average Price of the Barrel of good Marketable Wheat or Oats within such County for the Term of Three Years then last past; and such Arbitrator is hereby authorized and required, from the *Dublin Gazette*, to ascertain the Price of a Barrel of good marketable Wheat or Oats, upon the Average of such Term of Three Years preceding, and to state and set forth such Average Price by his Report in Writing under his Hand, to be delivered to the Justices at such Session or some Adjournment thereof, or at such Time as such Justices shall direct; and if it shall appear that the Average Price of Wheat, where Wheat shall have been taken as the Measure of Composition for Tithes in such County, or that the Average Price of Oats, where Oats shall have been taken as the Measure of Composition for Tithes in such County, for such Three Years preceding, is more or less by One Tenth than the Average Price thereof set forth in the original Certificate of such Composition, then and in such Case the Amount of such Composition shall be increased or diminished, by Order of such Justices at such Session, in such Manner and to such Extent that the Amount of such Composition payable for and during the next ensuing Three Years shall bear the like Proportion to the Amount of the Composition set forth in such original Certificate, as the Average Price of Wheat or Oats so ascertained at the Time of such Application shall bear to the Price thereof set forth in such original Certificate; and such revised or new Composition shall be divided among the several Parties entitled to receive the same, in such Shares and Proportions as shall be stated in the Certificate made of the original Composition; and the Assessment and Applotment of such Composition shall be increased or diminished by the Order of such Justices, so as to bear the like Proportions to the Amount of the Composition payable for and during such Three Years, as the original Assessment and Applotment did bear to such original Composition; and such revised and new Composition shall be in full force for Three Years from the First Day of *November* then next ensuing, and until such Composition shall afterwards, upon a like Application, be again varied and ascertained, according to the Average Price of Wheat during the Term of Three Years then last past; and the several Parties are hereby respectively authorized to make such further Applications from time to time, after the Expiration of every Term of Three Years during the Continuance of such Composition, in such or the like Manner and Form as hereinbefore mentioned and directed with respect to the First Application; and the Costs, Charges and Expences of every such Application to the Court of Quarter Sessions, and of varying and re-ascertaining the Amount of such Composition and the Applotment thereof as aforesaid, shall be defrayed by the Person or Persons who shall give such Notice and make such Application as aforesaid, or in such other Manner as such Justices at such Quarter Sessions shall order and direct.

XLIV. And be it declared and enacted, That from and immediately after the Expiration of the Term of Twenty one Years for
which

If Price of
Wheat or Oats
(according to
prevalent
Growth in the
County) in pre-
ceding Three
Years varies by
One tenth from
Price stated in
Certificate of
Composition,
Composition
shall be in-
creased or di-
minished by the
Sessions for the
next Three
Years from
1st Nov.

and so from
Three Years to
Three Years.

After Twenty
one Years,

which any Composition for Tithes in any Parish shall be made under the Authority of this Act, all Right and Claim to such Tithes, and all Remedies for the Recovery of the same, shall revive and be renewed, and such Tithes shall be yielded and paid and payable, and recovered and recoverable in all respects, and to all Intents and Purposes, as if this Act had not been made, and as if no such Composition had been made or paid under this Act; any thing in this Act contained to the contrary in anywise notwithstanding.

XLV. And be it further enacted, That this Act and the several Provisions therein contained shall extend, and be deemed and construed to extend, to all Ecclesiastical Persons and Bodies Corporate or Collegiate, and to all Corporations Sole or Aggregate, and to all Incumbents of Parishes, whether Rectors, Vicars or Curates, and to all Impropriators and Appropriators, and to all and every Person and Persons whomsoever, Ecclesiastical or Lay, being the Owner or Owners of or entitled to any Tithes or Portions of Tithes in *Ireland*, as fully and effectually as if all such Persons or Bodies Corporate or Collegiate, or Corporations Sole or Aggregate, were named, specified or referred to in the several Clauses of this Act, and to the known Agents or Stewards of all such Persons or Bodies Corporate or Collegiate, or Corporations, duly authorized respectively; and that all Notices by this Act required to be given to, and all Matters by this Act required to be done by any such Person or Body Corporate or Collegiate, shall and may, in the Absence of any such Persons, and on Behalf of any such Body Politic or Corporate or Collegiate, or Corporation, be given to and done by any such known Agent or Steward duly authorized thereto respectively; and all such Matters and Things which shall be done in the due Execution of this Act by any such known Agent or Steward, duly authorized on Behalf of any such Person or Body Corporate or Collegiate, or Corporation, shall be as valid and effectual as if the same had been done by such Person, or Body Corporate or Collegiate, or Corporation, to all Intents and Purposes whatsoever; and that all Matters by this Act required to be done by or with relation to the Churchwardens of any Parish, shall and may be done by or with relation to any One Churchwarden where there shall be only One Churchwarden in any Parish; and in Cases where it shall happen that there shall not be any Churchwarden in any Parish, then all Matters by this required to be done by or with relation to the Churchwardens of any such Parish shall and may be lawfully done by or with relation to any One or more Person or Persons to be for that Purpose nominated and appointed as and in lieu and instead of Churchwardens or a Churchwarden of and for such Parish, by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in case such Lord Lieutenant or other Chief Governor or Governors shall think fit so to do, on the Application of the Ecclesiastical Incumbent of such Parish for such Purpose; and all Acts, Matters and Things done and performed under this Act by or with relation to any such Person so to be nominated and appointed as and in lieu and instead of a Churchwarden, shall be as good and effectual, to all Intents and Purposes whatsoever, as if the same were done and performed

when Composition shall cease, Right to Tithes shall revive.

Act to extend to all Persons and Corporations entitled to Tithes, and their Agents and Stewards;

One Churchwarden, or Person appointed to act as such, may act.

by the Churchwardens or Churchwarden of any Parish duly appointed according to Law.

Proceedings under Act in united Benefices to be carried on in the several Parishes of such Union.

XLVI. Provided always, and be it enacted, That where any Two or more Parishes shall have been or shall be united into One Benefice under any Act or Acts in force in *Ireland*, such Union shall not be considered as One Parish for the Purposes of this Act, but the Provisions of this Act shall be carried into effect in the several Parishes of any such Union or united Benefices, or any of them; and the Ecclesiastical Incumbent and the Churchwardens entitled by Law to act in or for any such Parish as Part of such Union or united Benefice, shall act in and for any such Parish in the Execution of this Act, as if such Parish were and remained a distinct and separate Benefice; any such Union, or any Thing contained in any Act or Acts in force in *Ireland* relating to such Unions, to the contrary in anywise notwithstanding.

How Proceedings may be had for executing Act in Extraparochial Places.

XLVII. And be it further enacted, That in any One or more Place or Places being Extraparochial, or where the Parish in which any Place or Places is or are situate is not known, or where the Tithes payable are wholly appropriate or inappropriate, and the Owners or Occupiers of the Land situate in such Place or Places are liable to any Tithes payable to the same Person or Persons, and the Number of such Owners or Occupiers shall be too small to furnish a sufficient Number of Vestrymen, but shall be sufficient in the aggregate so to do, it shall and may be lawful for the Person or Persons entitled to such Tithes, or for any Five or more of the Owners or Occupiers of Land qualified as hereinbefore mentioned, or where there shall not be Five such Owners or Occupiers, then for the Persons or a Majority of the Persons entitled to the Lands subject to such Tithes as are wholly payable to the same Person or Persons, to apply to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, to give Orders and Directions that a Vestry or Meeting shall be held for the carrying into effect the Purposes of this Act with respect to any such Place or aggregate Places; and in such Case it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors, if he or they shall think fit so to do, to direct that a Vestry shall be holden for the Purposes of this Act, in the Church of some Parish, which shall be for that Purpose appointed by the Bishop of the Diocese in which such Extraparochial Place or Places shall be situate; and the Bishop of such Diocese shall, on Notice of any such Orders or Directions of the Lord Lieutenant or other Chief Governor or Governors, appoint and nominate some Church accordingly; and some Person or Persons shall in such Case be nominated by such Lord Lieutenant or other Chief Governor or Governors to act as Churchwarden or Churchwardens, for the carrying this Act into effect with respect to such Tithes; and it shall be lawful for the Persons liable to the Payment of County Cess Charges in such Extraparochial Place or aggregate Places, and for the Person or Persons entitled to such Tithes, to meet and appoint Commissioners for ascertaining the Composition to be paid for such Tithes, and to do all Acts, Matters and Things respecting the making and carrying into effect of such Composition, as are required or authorized by this Act to be done by the Parishioners and Incumbent of any Parish in Vestry assembled,
or

or otherwise for the Purposes of this Act; and all Questions relating to any Matter or Thing to be done by or at any such Vestry shall be determined by the Votes of the Persons liable to the Payment of such County Cess Charges, in like Manner as is directed in other Cases by this Act; and any Composition made and certified by any Commissioners or Umpire to be for that Purpose appointed, with respect to such Tithes, shall be as good, valid and effectual, to all Intents and Purposes, as any other Composition directed or authorized to be made under the Provisions of this Act.

XLVIII. Provided also, and be it enacted, That whenever any Sequestration of the Profits of any Benefice in *Ireland* shall be made and in force, it shall not be lawful for the Incumbent of such Benefice to do any Matter or Thing whatever in the Execution of this Act, for, or towards, or relating to the making any Composition for any Tithes or Portion of Tithes payable to such Incumbent, or for the Collection or Receipt of such Composition, without the Consent in Writing under the Hand or Hands of the Person or Persons by whom or on whose Behalf such Sequestration shall have been made, or shall have taken place, so long as such Sequestration shall remain in force; and that all Matters and Things which shall be done with relation to this Act by any such Incumbent, without the Consent of such Person or Persons in Writing as aforesaid, shall be null and void; any Thing in this Act contained to the contrary thereof in anywise notwithstanding.

XLIX. And be it further enacted, That whenever any Benefice or Parish in *Ireland* shall be vacant of an Ecclesiastical Incumbent, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, upon the Application or with the Consent of the Patron of such Living, (or with the Consent of the King's Attorney General in *Ireland*, in Cases where the King shall be the Patron,) and also with the Consent of the Bishop of the Diocese in which such Parish shall be situate, to give Orders and Directions for the assembling of a Special Vestry in such Parish, at any Time during such Vacancy, for the carrying into effect the Purposes of this Act, to be held according to the Directions of this Act, by Persons qualified in Manner hereinbefore directed; and in such Case it shall be lawful for such Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, to nominate and appoint some Person, to be approved of by the Patron of such Benefice and the Bishop of the Diocese, to do and perform all Acts, Matters and Things whatsoever, which, under the Regulations of this Act, are required or authorized to be done by any Incumbent entitled to any Tithes or Portion of Tithes in such Parish, for the making a Composition for Tithes, and for carrying into effect the Purposes of this Act; and in such Case all Acts, Matters and Things whatever, which shall be done and performed by such Person so appointed, shall be as good, valid and effectual to all Intents and Purposes, as if such Acts, Matters and Things were done and performed by any Ecclesiastical Incumbent of such Parish, entitled to any Tithes or Portion of Tithes in such Parish.

L. And be it further enacted, That the Possession and Enjoyment of the Lands, on or out of which any Composition shall

Where Benefice is sequestered, Incumbent shall not act without Consent of Sequestrator.

During Vacancies of Benefices, Lord Lieutenant, with Consent of Patron and Bishop, may order Vestry to be assembled, and may appoint a Person to act for Incumbent in Execution of this Act.

Possession of Land by Occu-
be

pier discharged of Tithes, and Payment and Receipt of Composition by Incumbent, &c. deemed Possession and Payment of Tithes.

be charged and payable under this Act, by the Occupier of such Lands, discharged from the Payment of such Tithes during the Continuance of such Composition, and the Receipt of such Composition by the Incumbent, or other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation, entitled to the same, or any Proportion thereof, shall be deemed and taken to be in Law and in Fact tantamount to, and to be, the actual Possession and Enjoyment of such Tithes by such Incumbent or other Person or Persons, or Body Politic or Corporate or Collegiate, or Corporation, and of his or their Successor or Successors; and that the Payment of any Composition, or any Part thereof, under this Act, shall be deemed and taken to be the Payment of the Tithes in satisfaction of which such Composition, or any Part thereof, shall be payable; and shall and may be so alleged and insisted upon, in all and every or any Proceedings in Law and Equity in all Cases whatsoever.

Lord Lieutenant may order Advance of Money for executing Act in any Parish, not exceeding 300l., to be repaid by Assessment in addition to Tithes Composition, by Instalments of One fifth in Five successive Years.

LI. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, to order and direct that any such Sum or Sums of Money as he or they shall think proper shall from time to time be advanced out of the Produce of the Consolidated Fund arising in *Ireland*, for the defraying of any Expences to be incurred in the carrying this Act into Execution in any Parish in *Ireland*, not exceeding the Sum of Three hundred Pounds with relation to any One Parish; and that all such Advances shall be made to such Persons, at such Times, in such Manner, and under such Rules and Regulations, as shall from time to time be ordered and directed by such Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, and as shall be signified in the usual Manner by the Chief Secretary of such Lord Lieutenant or other Chief Governor or Governors, or in his Absence by the Under Secretary; and that a Certificate of the Amount of any Money so advanced under the Hand of such Chief Secretary or Under Secretary, shall be sent to the Treasurer of the County, who shall forthwith direct his Warrant to any Collector or Collectors of the Assessments made in such Parish under Presentments of the Grand Jury for the Year next after the Receipt of such Certificate, and it shall be lawful for such Collector or Collectors, and he and they is and are hereby authorized and required to collect and levy One Fifth Part of the Amount of the Money contained in such Certificate, on and among the Owners and Occupiers of Land in such Parish liable to the Payment of any Composition made under this Act, in exact Proportion to the Amount of the Assessment and Applotment of the Composition or Part of the Composition payable by such Owners or Occupiers; and in like Manner One other Fifth Part of such Amount in each of the Four Years next ensuing; and such Amount shall be collected and levied by such Person authorized to collect and levy the Assessments made in such Parish under Presentments of the Grand Jury, at such Time, and with such Powers, and in like Manner in all respects, as such Assessments may be collected and levied; and all Money so collected in respect of such Advance shall be paid over, by the Person receiving the same, to the Collector of Excise for the District in which such Parish shall be situate, to be

be accounted for by him as any other public Money in his Hands ; and the Receipt of such Collector of Excise shall be a sufficient Acquittance to the Collector of such Assessment, and shall be allowed accordingly in his Account with the Treasurer of the County.

LII. Provided always, and be it enacted, That no Person employed as a Commissioner or Umpire in the Execution of this Act shall receive any higher or greater Sum or Payment or Remuneration for the Performance of his Duty under this Act, than after the Rate of One Pound and Ten Shillings for every Day during which he shall of Necessity be employed in the Execution of the Duties required to be performed by him under this Act, over and above the necessary Expences of travelling, and other Expences necessarily and actually incurred in the Discharge of such Duties ; and that an Account of the Attendance of every such Commissioner or Umpire, and of such his Expences of travelling, and other his necessary Expences, shall be stated under the Hands of the Commissioners or Umpire acting in Execution of this Act ; and that the Charges and Accounts of any Surveyor to be employed under this Act shall be examined, certified and approved by the Commissioners or Umpire under whom such Surveyor shall be employed ; and that all and every such Accounts and Charges of such Commissioners, Umpire and Surveyor, shall be submitted to and examined and approved by some competent Person or Persons, to be for that Purpose appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, before Payment of the same shall be made under any Order of such Lord Lieutenant or other Chief Governor or Governors of *Ireland*: Provided also, that any Money which shall have been advanced under the Orders of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, for the Payment of any Commissioner appointed by or on Behalf of the Incumbent, Impropiator or other Person or Persons entitled to the Composition for Tithes in such Parish, or any Portion of such Composition, shall be paid out of the Amount of such Composition payable to such Incumbent, Impropiator or other Person or Persons, at such Time and in such Manner as shall from time to time be directed by such Lord Lieutenant or other Chief Governor or Governors.

Remuneration to Commissioners and Umpire.

Payment of Advances to Commissioners, for Incumbent out of Composition.

LIII. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act (the Recovery and Application whereof are not before provided for), may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any One Justice of the Peace for the County or Place in which such Penalty shall be incurred, on Complaint to him for that Purpose exhibited, and shall afterwards be levied as well as the Costs of such Proceedings, in case of Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice ; and such Justice is hereby authorized and required to summon before him any Witness or Witnesses, and to examine such Witness or Witnesses upon Oath (or Affirmation) of and concerning such Offences, Matters or Things, and to hear and determine the same ; and the Overplus (if any) of the Money so levied or recovered, after discharging the Fine, Penalty or Forfeiture

Recovery of Penalties before One Justice of Peace.

Distress.

which such Warrant shall be issued, and the Costs and Expenses of recovering and levying the same, shall be returned upon Demand to the Owner or Owners of the Goods or Chattels so seized or distrained; and in case such Penalties or Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take, by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for such Justice, or any other Justice of the Peace for such County or Place as aforesaid, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Gaol of such County or Place, there to remain without Bail or Mainprize for any Term not exceeding Two Calendar Months, unless such Penalties or Forfeitures respectively, and all reasonable Charges, shall be sooner paid and satisfied; and one Moiety of such Penalties or Forfeitures, when so levied, shall be paid to the Person who shall sue or prosecute for the same, and the other Moiety shall be paid and applied to the Use of the Poor of the Parish in which such Offence shall be committed, in such Manner as such Justice shall direct and appoint.

Offender detained.

Imprisonment.

Application of Penalties.

Form of Conviction.

LIV. And for the more easy and speedy Conviction of the Offenders against this Act, be it further enacted, That every Justice of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words (as the Case shall happen), or in any other Form of Words to the same Effect; (that is to say,)

‘ to wit { **BE** it remembered, That on the
Day of in the Year
 ‘ of our Lord A. B. is convicted
 ‘ before me, One of His Majesty’s Justices of the Peace of the
 ‘ said County [or City, or Town, as the Case may be,] by virtue of
 ‘ an Act passed in the Fourth Year of the Reign of King George
 ‘ the Fourth, intituled *An Act [here set forth the Title of this Act,*
 ‘ *and specify the Offence and when and where committed]*. Given
 ‘ under my Hand and Seal, the Day and Year above written.’

Persons aggrieved by Conviction or Assessment under this Act may Appeal to Quarter Sessions.

LV. Provided always, and be it further enacted, That it shall be lawful for any Person, who shall think himself or herself aggrieved by any such Conviction, to appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the County or Place; and every Person appealing against any such Conviction, or against any Assessment or Applotment of any Composition under this Act, as hereinbefore mentioned, shall (if there be sufficient Time after the Cause of Complaint shall have arisen) first give, or cause to be given, Ten Days’ Notice

Notice at least, in Writing, of his or her Intention of bringing such Appeal, and of the Matter thereof, to the Justice or other Person or Persons whose Conviction or Act or Determination shall be so appealed against, and within Seven Days next after the Date of such Notice shall enter into a Recognizance before some Justice of the Peace for the County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and to abide by or to submit to the Order thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and for Want of sufficient Time for giving such Notice previous to the Quarter Sessions next after the Cause of any such Complaint shall have happened, then such Appeal, after such Notice, and under such Recognizance, may be made at the Second General or Quarter Sessions of the Peace to be holden for such County or Place; and the Justices, at such First or Second Sessions, or any Adjournment thereof, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of such Justices at such Sessions shall be final, binding and conclusive to all Intents and Purposes; and it shall be lawful for the said Justices at such Sessions, by their Order or Warrant, to levy such Costs so awarded, by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same, and for Want of sufficient Distress to commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain for any Time not exceeding Two Calendar Months, or until Payment of such Costs.

Notice and
Security.

Costs of Ap-
peal recoverable
by Distress.

Imprisonment.

LVI. And be it further enacted, That it shall be lawful for any Commissioner or Commissioners, acting in the Execution of this Act, in any Parish in *Ireland*, or for any Umpire appointed by any such Commissioners, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and every such Commissioner and Umpire is hereby authorized and empowered to call before them, and to examine any Person or Persons upon Oath or solemn Affirmation, as well in any Case specially provided for by this Act, as in any other Case in which it shall be requisite and necessary for any such Commissioner or Umpire so to do in the Execution of this Act; and which Oath or Affirmation any such Commissioner or Umpire is hereby authorized and empowered to administer; and that in all Cases where any Oath is by this Act authorized and empowered to be taken or administered, the solemn Affirmation of any of the People called *Quakers* shall and may be admitted and taken and administered; and that if in any Oath or Affirmation authorized or required to be taken under this Act, or in any Examination upon Oath or Affirmation authorized or required by this Act, any Person shall wilfully swear or affirm falsely, every such Person being duly convicted of such Offence shall be subject and liable to all such Pains, Penalties, Forfeitures and Disabilities, as Persons guilty of wilful and corrupt Perjury are subject and liable to by the Laws in force in *Ireland*.

Commissioners
and Umpire
authorized to
examine Wit-
nesses on Oath
or Affirmation.

Quakers
Affirmation.

False Swear-
ing.

Perjury.

Proceedings
made

LVII. And be it further enacted, That no Order or Proceeding

not quashed for
Want of Form.

made or had touching or concerning any of the Matters in this Act contained, nor any Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, shall be quashed for Want of Form, nor be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Dublin*; and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons or Conviction, or in the Warrant of Distress or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid, if Tender of sufficient Amends hath been made by or on Behalf of the Party distraining, before such Action commenced.

Tender of
Amends.

Limitation of
Actions, &c.

LVIII. And be it further enacted, That no Action, Suit or Proceeding shall be commenced or prosecuted against any Justice of the Peace, or any Commissioner or Umpire, or other Person or Persons, for any thing done in pursuance of this Act, until Thirty Days' Notice thereof shall be given to such Justice, or Commissioner, or Umpire, or other Person or Persons, nor after a sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit or Prosecution shall be laid or brought in the County, County of a City or County of a Town, where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action, Suit or Prosecution, shall and may, at his or their Election, plead specially, or the General Issue, not guilty, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if any Replevin shall be brought for any Cattle, Goods or Chattels seized or taken by virtue or in pursuance of this present Act, it shall and may be lawful and sufficient to and for any Person or Persons, who shall be Defendant or Defendants, or Avowant or Avowants, in any such Replevin, to avow, plead or make Cognizance generally, that he or they took the same Cattle, Goods or Chattels, as a Distress, by force of the Statute in that Case made and provided, without more particularly setting forth this Act, or the Cause of making or detaining the said Distress or Distresses, or making any other more special Plea, Avowry or Cognizance; any thing herein contained to the contrary notwithstanding; and if it shall appear that the Matter on which the Cause of Action arose was done, or that the Distress replevied was made in pursuance and by Authority of this Act, or that such Action or Suit shall have been brought before Thirty Days' Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered

Venue.

General Issue.

General
Avowry in
Replevin.

dered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, County of a City or County of a Town than as aforesaid, then the Jury shall find for the Defendant or Defendants, or Avowant or Avowants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her or their Action, Suit or Prosecution, after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants, or Avowant or Avowants, shall recover Double Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases of Costs given by Law.

Double Costs.

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

Act may be amended, &c. this Session.

SCHEDULES to which this Act refers.

SCHEDULE A.

LIST of Persons in the Parish of _____ who have been charged with and have paid County Cess Charges or Grand Jury Rates, for any Land not being Tithe free within the said Parish, in the Year ending on the _____ Day of _____ to the Amount of Twenty Shillings and upwards.

NAMES.	Quantity of Land charged.	Amount charged.			Amount actually paid.		
		£.	s.	d.	£.	s.	d.
Murphy, Patrick -	40 Acres.	20	0	0	20	0	0
Burke, James -	40	20	0	0	15	0	0
Connor, Luke -	30	15	0	0	15	0	0
Dempsey, Thomas -	30	15	0	0	15	0	0
Anderson, William -	20	10	0	0	10	0	0
O'Connor, Dennis -	15	7	10	0	7	10	0
Purcell, Peter -	15	7	10	0	7	10	0

I, H.C., High Constable of _____ [or, Collector of the County Cess Charges or Grand Jury Rates in the Parish of _____], do make Oath, that the above List contains a true and just Account of the Names of all Persons required to be returned by me, under an Act made in the Fourth Year of the Reign of King George the Fourth, intituled [here set forth the Title of this Act].

Signed, H.C.

High Constable of _____,
[or, Collector of Grand Jury Cess in the Parish of _____.]

Sworn before me, this _____ Day of _____ at _____.

J. P.

[Justice of the Peace
for _____.]

SCHE-

SCHEDULE B.

WE, *A.B.* and *C.D.*, Commissioners duly appointed and sworn, [*or, I, E. F.*, having been duly appointed and sworn an Umpire,] under and by virtue of an Act made in the Fourth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*], to ascertain and fix a true and just Composition for all Tithes arising, growing, yielded or payable within the Parish of *C.* in the County of _____ do hereby certify, That the true and just Amount of Composition for all Tithes whatever within the said Parish is _____ Pounds by the Year. Of which Sum of _____ Pounds, Three fourth Parts [*or such other Proportion as shall be specified*] are due and payable to _____ as a Composition for the Tithe claimable by him [*or, them*] as Rector of the said Parish [*or, as Owner of the Rectorial Tithe, or, as Lay Impropiator*], One eighth Part [*or such other Proportion as shall be specified*] is due and payable to _____ the Vicar [*or, to _____ as Owner of the Vicarial Tithes*] of the said Parish; and One eighth Part [*or such other Proportion as shall be specified*] is due and payable to the Bishop of the Diocese of _____ : [*or such other Proportions, and payable to such Persons as the Nature of the Case shall require.*]

And we [*or, I*] do further certify, That the Average Price of Wheat, being the Corn principally grown in such County, for the Period of Seven Years, ending on the _____ Day of _____ is _____ Shillings *per* Barrel, [*or, that the Average Price of Oats, being the Corn principally grown in such County, for the Period of Seven Years, ending on the _____ Day of _____ is _____ Shillings *per* Barrel.*]

(Signed) { *A.B.* } Commissioners.
 { *C.D.* }
 [*or, E.F.* Umpire.]

C A P. C.

An Act for raising the Sum of Fourteen Millions Seven hundred thousand Pounds by Exchequer Bills; for applying a certain Sum of Money for the Service of the Year 1823; and for further appropriating the Supplies granted in this Session of Parliament. [19th July 1823.]

- § I. £.14,700,000 0 0 By Exchequer Bills as under 48 G. 3. c. 1.
See § 9. *post.*
- II. Clauses in 48 G. 3. c. 1. extended to this Act.
- III. Treasury to apply the Money raised under this Act.
- IV. Exchequer Bills payable out of Supplies for the next Session.
- V. Such Exchequer Bills to bear Interest not exceeding $3\frac{1}{2}$ *per Cent.* *per Diem.*
- VI. Such Exchequer Bills to be current at the Exchequer after April 5, 1824.
- VII. Bank of *England* may advance 10,000,000*l.* on credit of this Act, notwithstanding Statute 5 & 6 *W. & M. c. 20.* § 7.
- VIII. Any Sums paid into the Exchequer by the *East India Company* towards

towards the Half Pay Pensions, &c. to His Majesty's Forces serving in *India* to be issued, towards making good the Supply for 1823.

IX.	£.3,000,000	0	0	Monies raised by Exchequer Bills, under <i>c. 3. ante</i>	-	} To be applied as hereinafter mentioned.
	20,000,000	0	0	By Exchequer Bills, under <i>c. 4. ante</i>	-	
				Monies coming into Exchequer, under <i>c. 6. ante</i>	-	
				Ditto, under <i>c. 21. ante</i>	-	
				Monies arising by Lotteries, under <i>c. 60. ante</i>	-	
	14,700,000	0	0	(Granted above,) § 1. <i>ante</i>		
				Money paid in by <i>East India</i> Company as by § 8. <i>ante.</i>	-	
X.	For Naval Services,			£.5,442,540	6s. 8d.	(that is to say,)
	763,750	0	0	For Wages for 25,000 Men, including 8,700 Royal Marines		} For 13 Months.
	455,000	0	0	For Victuals		
	243,750	0	0	For Wear and Tear of Ships		
	81,250	0	0	For Ordnance for Sea Service,		
	55,406	5	1	For Salaries and Contingent Expences of Admiralty Office		
	32,454	1	6	For ditto ditto Navy Pay Office		
	63,819	18	6	For ditto ditto Navy Office		
	35,267	10	0	For ditto ditto Victualling Office		
	18,687	8	4	For ditto ditto <i>Deptford</i> Yard		
	21,509	10	0	For ditto ditto <i>Woolwich</i> Yard		
	24,531	4	10	For ditto ditto <i>Chatham</i> Yard		
	16,134	10	6	For ditto ditto <i>Sheerness</i> Yard		
	36,311	3	2	For ditto ditto <i>Portsmouth</i> Yard		
	30,905	15	8	For ditto ditto <i>Plymouth</i> Yard		
	8,818	8	2	For ditto ditto Out Ports		
	476,902	0	0	For Wages to Artificers and Labourers in His Majesty's Yards at Home, and for Teams of Horses		
	524,360	7	4	For building and Repair of His Majesty's Ships, Ordinary Repair of Ships in		

			Harbour and for Repair of Docks, &c.	
£40,000	0	0	For Pilotage, Salvage, Bounty for Slaves, Maintenance of distressed Seamen in Foreign Parts, Exchequer Fees and other Contingencies	
52,188	2	8	For Salaries of Officers and Contingent Expences of Foreign Yards	
63,110	12	0	For ditto ditto Victualling Yards	
51,631	17	1	For Medical Establishments	
6,227	19	5	For Royal Naval College and School for Naval Architecture	For the Year 1823.
104,284	16	9	For Wages to Officers and Men of Vessels in Ordinary	
53,253	10	0	For Victuals for ditto	
933,400	0	0	For Half Pay to Naval Officers	
137,635	16	2	For Superannuations, Pensions and Allowances to Officers in the Military Line of the Naval Service, their Widows, &c.	
1,500	0	0	For Bounty to Chaplains	
7,000	0	0	For Widows and Orphans on the Compassionate List	
100,000	0	0	For Deficiency of Funds for Relief of Widows of Commission and Warrant Officers of the Navy	
300,000	0	0	For ditto Out Pensioners of Greenwich Hospital	
170,149	9	6	For Superannuations to Commissioners, &c., and Allowances in lieu of Half Pay to Naval Officers formerly employed in the Naval Service	
20,000	0	0	For building Ships of War in the <i>East Indies</i>	
124,000	0	0	For Improvements in the Dock Yards	
205,000	0	0	For Provisions for Troops, &c. on Foreign Stations and for Convict Service, and Value of Rations for Troops to be embarked on board Ships of War and Transports	
184,300	0	0	For Transport Service	

XI. For Land Forces, and other Services hereinafter more particularly expressed, £.7,294,458 7s. 6d. (that is to say,)				
£.1,841,658	18	8	For Land Forces in <i>Great Britain</i> and on Stations abroad (except the <i>East Indies</i>)	
719,710	12	8	net For ditto in <i>Ireland</i>	
93,303	2	1	For General and Staff Officers and Officers of Hospitals serving with Forces in <i>Great Britain</i> and on Foreign Stations (except <i>India</i>)	From the 25th December 1822, to the 24th December 1823, inclusive.
18,565	17	3	net For ditto in <i>Ireland</i>	
114,337	1	2	For Allowances to principal Officers of several Public Departments in <i>Great Britain</i> , their Deputies, Clerks and Contingent Expences	
9,107	16	11	net For ditto in <i>Ireland</i>	
13,130	0	0	For Medicines and Surgical Materials for Land Forces on the Establishment of <i>Great Britain</i>	For the Year 1823.
4,835	11	0	net For ditto in <i>Ireland</i>	
134,000	0	0	For Charge of Volunteer Corps in <i>Great Britain</i>	
19,384	4	2	net For ditto in <i>Ireland</i>	
19,976	16	10	For ditto of Four Troops of Dragoons and 11 Companies of Foot stationed in <i>Great Britain</i> for recruiting the Corps employed in the Territorial Possessions of the <i>East India Company</i>	From the 25th December 1822, to the 24th December 1823.
182,820	10	6	For ditto of the Pay of General Officers in the Forces not being Colonels of Regiments	
29,150	0	4	For ditto of Garrisons at home and abroad on the Establishment of <i>Great Britain</i>	For the Year 1823.
6,241	15	10	net For ditto in <i>Ireland</i>	
786,507	13	10	For ditto of Half Pay to reduced Officers of Land Forces	
69,648	16	5	For Allowances to reduced Officers of ditto	
114,070	0	0	For Half Pay and reduced Allowances to Officers of Disbanded Foreign Corps, Pensions to Wounded Foreign Officers, and Allow-	

				ances to Widows and Children of deceased Foreign Officers			
	£32,496	9	0	For In Pensioners of Chelsea Hospital			
	14,585	10	9 net	For ditto <i>Kilmainham</i> ditto			
	1,224,484	15	10 net	For Out Pensioners <i>Chelsea</i> ditto			
	136,243	7	11	For full Pay for retired Officers and unattached Officers of Land Forces			
	127,287	6	3	For Pensions to Widows of Officers of Land Forces and Marines			From the 25th December 1822, to the 24th December 1823.
	179,798	13	9	For Allowances on the Compassionate List and of Pensions to Officers for Wounds			
	36,703	6	10	For Allowances, Compensations and Emoluments in the Nature of Superannuation or retired Allowances, to Persons belonging to several Public Departments in <i>Great Britain</i> , in respect of their having held any Public Offices or Employments of a Civil Nature			
	6,854	14	3 net	For ditto in <i>Ireland</i>			
	33,000	0	0	For Fees expected to be paid at the Exchequer by Paymaster General of Forces on Issues for Army Services			
	81,829	7	11 net	For Charge of Three Royal Veteran Battalions in <i>Ireland</i>			
	620,000	0	0	For Extraordinary Expences of the Army			For the Year 1823.
	253,185	8	4	For the Commissariat Department in <i>Great Britain</i>			
	82,818	13	9	For ditto in <i>Ireland</i>			
	189,473	8	2	For disembodied Militia of <i>Great Britain</i>			From the 25th December 1822, to the 24th December 1823.
	99,248	7	1 net	For ditto in <i>Ireland</i>			
XII.	48,027	13	0	For Salaries to Master General and principal Officers, and Salaries and increased Salaries for Length of Service to Clerks, &c. belonging to Office of Ordnance, and employed at the <i>Tower</i> and <i>Pall Mall</i>			

£. 7,025	6	11	For Salaries and increased Salaries to the several Civil Establishments of the Office of Ordnance at the Royal Laboratory, the Inspector of Artillery's Department, the Royal Carriage Department and the Royal Military Depository, <i>Woodwich</i>
8,555	10	10	For ditto to Civil Establishments of the Office of Ordnance at the Home and Foreign Stations of the First Class - -
12,277	13	4	For ditto ditto, 2d Class -
8,195	19	0	For ditto ditto, 3d Class -
6,561	11	7	For ditto ditto, under Deputy Storekeepers -
10,829	2	2	For Civil Contingencies at the <i>Tower</i> , and <i>Pall Mall</i> , for Rents, and Repairs of Storehouses, &c. and certain Barracks under the Charge of the principal Clerk of the Works at the <i>Tower</i> , after deducting 9,000 <i>l.</i> for Rents to be received for Lands, &c. due in the said Year -
4,293	7	11	For Expence of 57 Master Gunners, at the Garrisons and Batteries in <i>Great Britain</i> , and of Three Fee Gunners at <i>Hythe</i> , <i>Saint James's Park</i> and <i>Whitehall</i> , with Allowance of Coals and Candles to them, and to 50 Non-commissioned Officers and Gunners, late of the Invalid Battalion of the Royal Regiment of Artillery, stationed in the said Garrisons and Batteries -
40,829	11	3	For ditto of the Corps of Royal Engineers for <i>Great Britain</i> - - -
26,304	12	9	For ditto of Royal Sappers and Miners, and of Junior Officers of the Corps of Royal Engineers, in the Construction of Field Works - - -
241,235	8	5	For Expence of the Royal Regiment of Artillery for <i>Great Britain</i> - - -

For the Year 1823.

£. 29,435	17	7	For ditto of the Brigade of Royal Horse Artillery, and also a Riding House Troop for <i>Great Britain</i> - - -
2,299	10	0	For ditto of the Director General of the Field Train and for the Field Train Department - - -
6,937	5	9	For ditto of the Medical Establishment for the Military Department of the Ordnance - - -
6,059	10	3	For ditto of the Establishment of the Civil Officers, Professors and Masters of the Royal Military Academy at <i>Woolwich</i> , including additional Pay to Officers of the Royal Regiment of Artillery for attending the Company of Gentlemen Cadets
1,466	0	0	For ditto of Sums to be paid at the Treasury and at the Exchequer for Fees on the Amount of the Ordnance Estimate for <i>Great Britain</i>
140,464	13	5	For Extraordinaries of the Office of Ordnance, after deducting 129,000 <i>l.</i> for small Savings upon various Items of the Extraordinaries for the Years 1820 and 1821, and presumed Sale of Old Stores, Lands, &c.
10,661	12	5	For Expenditure of Services performed by the Office of Ordnance for Land Service for <i>Great Britain</i> , and not provided for by Parliament in the Year 1822.
90,913	9	5	For the Office of Ordnance in <i>Ireland</i> , after deducting 8252 <i>l.</i> 6 <i>s.</i> 2 <i>d.</i> for small Savings of the Extraordinaries for 1820 and 1821, and Sale of Old Stores - - -
307,401	4	6	For the Office of Ordnance for <i>Great Britain</i> on Account of the Allowances to Superannuated, Retired and Half Pay Officers, to Superannuated and Disabled Men and Pensioners; also for Pensions to Widows and Children of deceased Officers late belonging to

				the several Ordnance Military Corps - - -	
£. 10,751	2	1		For ditto in <i>Ireland</i> on Account of Pay of Retired Officers of the late <i>Irish</i> Artillery and Engineers; and of Pensions to Widows of deceased Officers of the same - - -	
43,817	10	2		For Allowances, Compensations and Emoluments in the Nature of Superannuations 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 Widows' Pensions - -	} For the Year 1823.
6,256	13	3		For ditto ditto in <i>Ireland</i> -	
100,000	0	0		For Barrack Department in <i>Great Britain</i> , after deducting 18,000 <i>l.</i> for yearly Receipts of the said Department, Sale of Barracks, Rents of Canteens, &c. -	
107,985	18	0		For Barrack Department in <i>Ireland</i> - - -	
83,594	10	10		For the Store Branch of the Commissariat Department transferred to the Ordnance Department in <i>Great Britain</i> - - -	
8,346	3	7		For ditto in <i>Ireland</i> - - -	
XIII. 34,800,000	0	0		For discharging Exchequer Bills charged on the Supplies for the Years 1822 or 1823, remaining unpaid or unprovided for.	
XIV. 144,150	0	0		For ditto issued between the 5th <i>January</i> 1822 and the 5th <i>January</i> 1823, pursuant to 57 G. 3. c.34. 58 G. 3. c.45. and 1 G. 4. c.60. for authorizing the Issue of Exchequer Bills for carrying on Public Works and Fisheries in the United Kingdom, and for building and promoting the building of additional Churches.	
XV.	For the Charge of Civil Establishments; (that is to say,)				
3,297	5	0		<i>Bahama Islands</i> - - -	} For the Year 1823.
600	0	0		<i>Dominica</i> - - -	
12,232	3	6		<i>Upper Canada</i> - - -	
13,140	0	0		<i>Nova Scotia</i> - - -	
6,757	10	0		<i>New Brunswick</i> - - -	
3,520	15	0		<i>Prince Edward Island</i> - - -	
15,222	1	0		<i>New South Wales</i> - - -	

£. 22,816	17	0	<i>Sierra Leone</i>	-	-	-	}	
1,522	1	4	<i>Bermudas</i>	-	-	-		
5,873	0	0	<i>Newfoundland</i>	-	-	-		
XVI. 3,000,000	0	0	For discharging the like Amount of Supplies granted for the Year 1822.					
11,539	16	1	For the Royal Military Col- lege	-	-	-	} From the 25th De- cember 1822, to the 24th De- cember 1823.	
26,075	16	7	For the Royal Military Asy- lum	-	-	-		
59,192	16	6½	For enabling His Majesty to pay 39,192 <i>l.</i> 16 <i>s.</i> 6½ <i>d.</i> the Remainder of the Grant of 1817 for making good Deficiency of the Consolidated Fund in <i>Ireland</i> to the 5th <i>January</i> 1817, and to pay 20,000 <i>l.</i> granted in the Years 1818 and 1819, for Provision for the Augmentation of Maintenance of the Poor Clergy in <i>Scotland</i> , and which Sums now remain unpaid.					
1,100,000	0	0	For paying Interest on Ex- chequer Bills	-	-	-	} For the Year 1823.	
40,000	0	0	For Works and Repairs of Public Buildings	-	-	-		
5,000	0	0	For Extraordinary Expences for Prosecutions, &c. relat- ing to the Coin	-	-	-		
25,000	0	0	For Law Charges	-	-	-		
62,405	0	0	For confining, maintaining and employing Convicts at Home	-	-	-		
18,000	0	0	For the Establishment of the Penitentiary House at <i>Milbank</i> , from the 24th <i>June</i> 1823 to the 24th <i>June</i> 1824, to be paid without Fee, &c.					
3,000	0	0	For the National Vaccine Establishment, for the Year 1823, and to be paid without Fee, &c.					
40,000	0	0	For Bills drawn by His Ma- jesty's Governors (<i>et alia</i>) for Expences incurred under the Act for the Abol- ition of the Slave Trade, and in conformity to the Orders in Council of the 16th <i>March</i> 1808, and the 11th <i>July</i> 1817, for the Support, &c. of captured Negroes, Free American Settlers, &c.					
22,650	0	0	For the Deficiency of the Fee Fund in the Department of His Majesty's Treasury					
15,000	0	0	For ditto of the Home Sec- retary of State					
20,538	0	0	For ditto of the Foreign Se- cretary of State					
13,363	0	0	For ditto of the Secretary of State for the Colonies					

£. 16,086	0	0	For ditto of the Privy Council, and Privy Council for Trade	} For the Year 1823.
10,000	0	0	For Contingent Expences and Messengers' Bills in the Department of the Treasury	
10,996	0	0	For ditto of the Home Secretary of State	
39,026	0	0	For ditto of the Foreign Secretary of State	
8,276	0	0	For ditto of the Secretaries of State for the Colonies	
3,277	0	0	For ditto of the Privy Council, and Privy Council for Trade	
5,850	0	0	For Salaries of certain Officers, and Expences of the Court and Receipt of the Exchequer	
9,040	0	0	For Salaries to Commissioners of the Insolvent Debtors' Court, of their Clerks and Contingent Expences of their Office	
1,058	5	0	For Salaries or Allowances to certain Professors in the Universities of <i>Oxford</i> and <i>Cambridge</i> for reading Courses of Lectures	
15,446	0	0	For Expences of the Houses of Lords and Commons	
23,237	0	0	For Salaries and Allowances to the Officers of the Houses of Lords and Commons	
4,800	0	0	For the Extraordinary Expences in the Department of the Lord Chamberlain of His Majesty's Household, for Fittings and Furniture for the Two Houses of Parliament	
50,000	0	0	For Foreign and other Secret Services	
10,147	13	11	For Expences for Printing in the Year 1823, by Order of the Commissioners for carrying into Execution the Measures recommended by the House of Commons respecting the Records of the Kingdom.	
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, Re-	

				ports, Evidence and other Papers and Accounts for the House of Lords for the Year 1823.
£. 3,500	0	0		For Printing 1,750 Copies of the 78th Volume of Journals for the House of Commons for the Session 1823.
3,500	0	0		For Printing the Votes of the House of Commons for the Session 1823.
88	8	0		For Deficiency of Grant of the Year 1822, for Printing the Votes for the House of Commons during the last Session of Parliament.
20,000	0	0		For Printing Bills, Reports and other Papers, by Order of the House of Commons during the present Session.
3,000	0	0		For Reprinting Journals and Reports of the House of Commons for the Year 1823.
16,150	0	0		For Relief in the Year 1823 of <i>Touloinese</i> and <i>Corsican</i> Emigrants, <i>Dutch</i> Naval Officers, <i>Saint Domingo</i> Sufferers, and others who have heretofore received Allowances from His Majesty, to be paid without Fee, &c.
7,000	0	0		For Relief of <i>American</i> Loy-
				alists - - - - - } For the Year 1823,
3,306	10	0		For confining and maintaining } and to be paid
				Criminal Lunatics - - - } without Fee, &c.
6,736	8	10		For Allowances in the Year 1823 to Dissenting Ministers in <i>England</i> , Poor <i>French</i> Protestant Refugee Clergy, Poor <i>French</i> Protestant Refugee Laity, and sundry small Charitable and other Allowances to the Poor of <i>Saint Martin's in the Fields</i> and others.
10,567	16	8		For paying in the Year 1823 Allowances or Compensations granted as retired Allowances or Superannuations to Persons formerly employed in Public Offices or Departments, or in the Public Service, as under 50 G. 3. c. 117. and 3 G. 4. c. 113. to be paid without Fee, &c.
499	18	3		For completing the Repairs } of <i>Henry VIIIth's</i> Chapel -
10,000	0	0		For Works carrying on at the } College of <i>Edinburgh</i> -
12,847	0	0		For ditto now executing at } <i>Port Patrick</i> Harbour -
25,000	0	0		Towards completing the } Works of the <i>Caledonian</i> Canal - - - - - } For the Year 1823,
				- - - - - } and to be paid
5,300	0	0		For building a Court for the } Commissioners of the In-
				solvent Debtors - - - - - } without Fee, &c.
30,000	0	0		For building the New Courts } of Justice in <i>Westminster</i> } Hall - - - - - }
24,926	13	10		For the Civil and Military Establishments of the Settlements of the Gold Coast, from the 1st <i>January</i> to the 31st <i>December</i> 1823.

£. 5,314	17	0	For Salaries of Officers and Contingent Expences in the Office for the Superintendance of Aliens, and also the Superannuations or retired Allowances to Officers formerly employed in that Service, for the Year 1823.	
15,000	0	0	For paying in the Year 1823 the Awards of the Commissioners established in <i>London</i> , in pursuance of 58 G.3. c. 85. for carrying into Effect a Convention between His late Majesty and His most faithful Majesty, to Claimants of <i>Portuguese</i> Vessels and Car-goes captured by <i>British</i> Cruisers, on account of the unlawful Trading in Slaves since the 1st <i>June</i> 1814 -	} To be paid without Fee, &c.
18,700	0	0	For paying in the Year 1823 the Salaries and incidental Expences of the Commissioners appointed on the Part of His Majesty under the Treaties with <i>Spain</i> , <i>Portugal</i> and the <i>Netherlands</i> , for preventing the illegal Traffic in Slaves, in pursuance of 58 G.3. cc.36. 85., and 59 G.3. c.16. for carrying the said Treaties into effect - - -	
150,000	0	0	For defraying Bills drawn or to be drawn from <i>New South Wales</i> - - -	} For the Year 1823.
2,442	10	0	For Colonial Services, formerly paid out of the Extraordinaries of the Army	
6,250	0	0	For Compensation to the Commissioners for enquiring into the Collection and Management of the Revenue in <i>Ireland</i> , and the several Establishments connected therewith - - -	} To be paid without Fee, &c.
5,000	0	0	For the Institution called the Refuge for the Destitute, for the Year 1823. - - -	
8,766	0	0	For the <i>British</i> Museum, for One Year ending 25th <i>March</i> 1824, without Fee, &c.	
160,000	0	0	For providing for such Expences of a Civil Nature, as do not form a Part of the Ordinary Charges of the Civil List, for the Year 1823.	
40,000	0	0	For Buildings at the <i>British</i> Museum for the Re-	

ception of the Royal Library, &c. and for providing for the Officers of the Establishment of the said Library; but that it is expedient before any such Building shall be undertaken that a General Design, with Plans and Estimates, be prepared, under the Direction, and subject to the Approbation of the Commissioners of His Majesty's Treasury, of a suitable Edifice for the Reception of the several Collections of the *British Museum*, and that the Works which may from time to time become necessary shall be erected in conformity with such general Design; for the Year 1823, and to be paid without Fee, &c.

£. 2,000	0	0	To Captain <i>Manby</i> as a Reward for his Invention, to be paid without Fee, &c.
15,000	0	0	For Works executing at <i>Donaghadee</i> Harbour, for the Year 1823, to be paid without Fee, &c.
29,114	9	3	For completing the Improvements on the Road from <i>London</i> to <i>Holyhead</i> , in the Year 1823, to be paid without Fee, &c.
45,000	0	0	} Br. Cur. } For Works at the Royal Harbour of <i>George</i> the Fourth at <i>King's Town</i> (formerly <i>Dunleury</i>), for the Year 1823.
20,870	0	0	
2,350	2	10	For Deficiency of Grant of the last Session of Parliament for Printing 1750 Copies of the 77th Volume of the Journals of the House of Commons.
59,760	0	0	For Stationery, Printing and Binding for certain Public Departments, including Expence of the Establishment of the Stationery Office, for the Year 1823.
20,692	3	8	For Deficiency of Grant of last Session of Parliament for Printing Bills, Reports and other Papers by the Order of House of Commons during that Session of Parliament.
1,525	3	0	For Printing 11,250 Copies of the 51st Volume of Journals of the House of Peers in the Year 1823.
7,652	15	6½	For Deficiency of Grant of the last Session of Parliament for Printing Acts of Parliament for the Two Houses of Parliament, for the Sheriffs, Clerks of the Peace and Chief Magistrates of the United Kingdom, and for the Acting Justices in <i>Great Britain</i> ; also for Printing Bills, Reports, Evidence and other Papers and Accounts for the House of Lords.
5,850	0	0	For the Society for the Propagation of the Gospel in the <i>North American Colonies</i> .
15,000	0	0	To facilitate Emigration from the <i>South of Ireland</i> to the <i>Canadas</i> and the <i>Cape of Good Hope</i> .

British Currency net.

XVII. £.16,107 0 0

17,301 0 0

6,500 0 0

3,700 0 0

24,000 0 0

13,000 0 0

8,789 10 9½

4,034 15 5

756 0 0

1,151 7 1

4,000 0 0

6,100 0 0

27,000 0 0

1,651 0 0

For the Board of Works in *Ireland*, for the Year 1823.

For Printing, Stationery and other Disbursements of the Chief and Under Secretaries' Offices and Departments, and other Public Offices in *Dublin* Castle, and other Places, and for Riding Charges and other Expences of the Deputy Pursuivants and Messengers attending the said Offices, also superannuated Allowances in the Chief Secretary's Office - -

For One Year ending the 5th January 1824.

For publishing Proclamations and other Matters of a Public Nature in the *Dublin* Gazette, and other Newspapers - - - -

For Printing and Binding several Copies of a Folio Edition of the Public General Acts of the present Session for the Use of the Lords, Bishops and other Public Officers, and 1500 Copies of a Quarto Edition for the Use of the Magistrates of *Ireland*.

For Criminal Prosecutions, including the Apprehension of Offenders and other Law Expences in *Ireland*, for One Year ending the 5th January 1824.

For Deficiency of Grant of the Year 1822 for Criminal Prosecutions in *Ireland*.

For supporting the Nonconforming Ministers in *Ireland*, for One Year ending 5th January 1824.

For the Seceding Ministers from the Synod of *Ulster* in *Ireland*, for One Year ending 25th March 1824.

For the Protestant Dissenting Ministers in *Ireland*, for One Year ending 5th January 1824.

For Salaries of Lottery Officers in *Ireland*, for One Year ending 24th June 1823.

For Works at the Harbour of *Howth* - - -

For the Directors and Officers of Inland Navigation in *Ireland*, and for Maintenance of the several Navigations

For the Year 1823.

For the Police and Watch Establishments of the City of *Dublin* - - -

For Salaries, &c. of the Commission of Enquiry into the

British Currency net.

			Land Revenue of the Crown in <i>Ireland</i> - - -	
	£. 7,200	0 0	For Salaries, &c. of the Commissioners to enquire into the Duties, Salaries and Emoluments of the Officers, Clerks and Ministers of Justice in all Temporal and Ecclesiastical Courts in <i>Ireland</i> - - -	} For One Year ending the 5th January 1824.
	3,500	0 0	For Salaries, &c. of the Record Commission in <i>Ireland</i> }	
	904	12 3	For Retired Allowance to the late Inspector General of Prisons in <i>Ireland</i> , for Two Years ending the 24th December 1823.	
XVIII.	9,230	0 0	For Building Churches and Glebe Houses, and purchasing Glebes in <i>Ireland</i> }	} For One Year ending the 5th January 1824.
	19,938	9 2½	For the Trustees of the Linen and Hempen Manufactures of <i>Ireland</i> , to be by them applied in such manner as shall appear to them most conducive to promote and encourage the said Manufactures - - -	
	10,000	0 0	For Expence of Commissioners for making wide and convenient Streets in the City of <i>Dublin</i> - - -	
	3,000	0 0	For the Royal <i>Irish</i> Academy,	} for the Year 1823.
	15,000	0 0	For Civil Contingencies in <i>Ireland</i> - - -	
XIX.	17,000	0 0	For the Protestant Charter Schools of <i>Ireland</i> - - -	
	14,000	0 0	For the Society for promoting the Education of the Poor in <i>Ireland</i> - - -	
	27,667	0 0	For the Foundling Hospital in <i>Dublin</i> - - -	
	19,000	0 0	For the House of Industry, Asylum and Hospitals - - -	
	4,900	0 0	For the <i>Richmond</i> Lunatic Asylum in <i>Dublin</i> - - -	
	7,500	0 0	For the <i>Hibernian</i> Society for Soldiers' Children - - -	
	1,600	0 0	For the <i>Hibernian</i> Marine Society in <i>Dublin</i> - - -	
	1,930	0 0	For the Female Orphan House in <i>Dublin</i> - - -	} For One Year ending 5th January 1824.
	2,680	0 0	For the <i>Westmorland</i> Lock Hospital in <i>Dublin</i> - - -	
	2,800	0 0	For the Lying-in Hospital in <i>Dublin</i> - - -	

British Currency net.

£. 1,400	0	0	For Doctor <i>Steven's</i> Hospital in <i>Dublin</i> - - -
3,692	0	0	For the Fever Hospital and House of Recovery in <i>Cork</i> Street, <i>Dublin</i> - - -
300	0	0	For the Hospital for Incura- bles in <i>Dublin</i> - - -
8,928	0	0	For the Establishment of the Roman Catholic Seminary in <i>Ireland</i> - - -
2,000	0	0	For the Royal <i>Cork</i> Institution
7,000	0	0	For the Royal <i>Dublin</i> Society
2,500	0	0	For the Farming Society of <i>Ireland</i> - - -
500	0	0	For Commissioners of Charit- able Donations and Be- quests - - -
7,000	0	0	For enabling the Lord Lieutenant of <i>Ireland</i> to issue Money from time to time in Aid of Schools established by Voluntary Contributions.
8,385	0	0	For the Association incorporated for discounte- nancing Vice and promoting the Knowledge and Practice of the Christian Religion in <i>Ireland</i> , for One Year ending 5th <i>January</i> 1824.

- XX. Supplies to be applied only for the Purposes aforesaid, &c.
- XXI. Rules for Application of Half Pay.
Proviso for receiving Half Pay under any Act relating to the General or Local Militia, or the Yeomanry or Volunteers, &c.
- XXII. Persons concerned in issuing, paying and receiving Money for the Payment of Half Pay not having taken the Oaths, indemnified.
- XXIII. Half Pay to Officers of *Manx* Fencibles.
- XXIV. Ditto to Chaplains of Regiments in Possession of Ecclesiastical Benefices not derived from the Crown.
- XXV. Application of Overplus of Sums appropriated to Half Pay Officers under 3 G. 4. c. 127.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLICK,

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 for building a Bridge over the River *Severn*, at or near the *Haw Passage*, in the County of *Gloucester*, and for making convenient Roads thereto. (b) [19th March 1823.]

[*Royal Family exempt from Toll.*]

Cap. ii.

An Act for building a Bridge over the River *Severn*, at or near to the *Mythe Hill*, within the Parish and near to the Town of *Tewkesbury* in the County of *Gloucester*, to the opposite Side of the said River, in the Parish of *Bushley* in the County of *Worcester*; and for making convenient Roads and Avenues to communicate with such Bridge, within the Counties of *Gloucester* and *Worcester*. (a) [24th March 1823.]

[*Royal Family exempt from Toll.*]

Cap. iii.

An Act for Lighting, Cleansing, Watching and otherwise improving the Town and Borough of *Darlington*, in the County of *Durham*. [24th March 1823.]

3 G. 4. c. 26.
 extended to
 this Act.

Cap. iv.

An Act to amend and enlarge the Powers and Provisions of an Act of His late Majesty King *George* the Third, for the Improvement of *Portman Square*, within the Parish of *Saint Mary-le-bone*, in the County of *Middlesex*. [24th March 1823.] Powers of 22G.3. c.85. extended to this Act.

Cap. v.

An Act for Lighting with Gas the Town and Borough of *Plymouth*, and Places adjacent, in the County of *Devon*. [24th March 1823.]

Cap. vi.

An Act for more effectually amending, improving and keeping in Repair, several Roads in the Counties of *Cornwall* and *Devon*, leading to the Borough of *Saltash*, in the County of *Cornwall*. (a) [24th March 1823.] 2G.3. c.43. 17G.3. c.79. 42G.3. c.17. repealed, § 1. Powers of 3G.4. c.126. extended to this Act, § 2.

Cap. vii.

An Act to rectify a Mistake in an Act passed in the Third Year of the Reign of His present Majesty, for more effectually improving the Roads leading from the East Side of *Lincoln Heath* to the City of *Peterborough*, and several other Roads therein mentioned, in the Counties of *Northampton* and *Lincoln*; and for making a new Branch of Road to communicate with the said Roads, from *Bourn* to *Spalding* in the said County of *Lincoln*. (c) [24th March 1823.] 3G.4. c.lxvi.

Cap. viii.

An Act for repairing and amending the Road from the City of *Peterborough* through *Oundle* and *Thrapston* to *Wellingborough*, in the County of *Northampton*, and several other Roads near or adjoining thereto. (a) [26th March 1823.] 27G.2. c.23. 13G.3. c.91. 41G.3. U.K. c. xiv. repealed. Powers of 3G.4. c.126. extended to this Act.

Cap. ix.

An Act for building a Bridge and making a Causeway from *Langstone* in the Parish of *Havant*, in the County of *Southampton*, to *Hayling Island* in the Parish of *Hayling North*, in the said County, at or near a certain House there, called *The Ferry House*; and for forming and making proper Roads, Approaches or Avenues thereto. [2d May 1823.]

Cap. x.

An Act for erecting a Bridge over the Water of *Lary*, from *Pomphlet Point*, to or near to *Great Prince Rock*, in the County of *Devon*. [2d May 1823.] 52G.3. c. 1. See c. cix, post. [Royal Family exempt from Toll.]

Cap. xi.

An Act for erecting and maintaining a new Court Room, Record Rooms and other Offices, for the County of *Forfar*. [2d May 1823.]

Cap. xii.

- 17G.3. c.97.
42G.3. c. ix.
repealed.
Powers of
3G.4. c.126.
extended to this Act, § 2.
- An Act for more effectually making, repairing and improving the Roads from *Union Point* near *Uckfield* to the *Sea Houses* in *Eastbourne*, and from *Horsebridge* to *Cross in Hand*, all in the County of *Sussex*. (a) [2d May 1823.]

Cap. xiii.

- 24G.2. c.20.
22G.3. c.88.
43G.3. c.54.
repealed.
- Powers of 3G.4. c.126. extended to this Act, § 2.
- An Act for more effectually repairing the Road from *Preston* to *Garstang* in the County of *Lancaster*. (a) [2d May 1823.]

Cap. xiv.

- Powers of
3G.4. c.126.
extended to
this Act.
- An Act for making and maintaining a Turnpike Road from *Stroud* to *Bisley*, in the County of *Gloucester*. (b) [2d May 1823.]

Cap. xv.

- 31G.2. c.75.
20G.3. c.90.
41G.3. U.K.
c. xcv.
42G.3. c. lii.
repealed.
Powers of
3G.4. c.126.
extended to
this Act, § 2.
- An Act for repairing and improving the Roads from the Town of *Stockbridge* to the City of *Winchester*, and from the said City of *Winchester* to the Top of *Stephen's Castle Down*, near the Town of *Bishop's Waltham*, in the County of *Southampton*, and from the said City of *Winchester* through *Otterborne* to *Bar Gate*, in the Town and County of the Town of *Southampton*, and certain Roads adjoining thereto. (a) [2d May 1823.]

Cap. xvi.

- Powers of
3G.4. c.126.
extended to
this Act.
- An Act for making and maintaining a Turnpike Road from and out of the Road leading from *Quebec* in *Leeds*, to *Homefield Lane End* in *Wortley*, to communicate with the Road leading from *Huddersfield* to *Birstall*, at *Smithie's Lane*, in the West Riding of the County of *York*. (b) [2d May 1823.]

Cap. xvii.

- 5G.3. c.69.
24G.3. Sess.1.
c.26.
27G.3. c.74.
48G.3. c. lxxvi.
49G.3. c. lvi. all repealed.
- An Act for more effectually making and repairing the Roads between *Newton Abbott* and *Brixham*, *Kingswear* and *Dartmouth*, *Shaldon* and *Torquay*, and several other Roads communicating therewith, in the County of *Devon*. (b) [2d May 1823.]
- See 2G.4. c. lxxix. Powers of 3G.4. c.126. extended to this Act.

Cap. xviii.

- [60,000l.]
57G.3. c. lvi.
59G.3. c. xxix.
1 & 2G.4. c. cxxii. all continued.
- An Act to enable the *Edinburgh* and *Glasgow* Union Canal Company to borrow a further Sum of Money. [12th May 1823.]

Cap. xix.

- 8G.1. c.11.
repealed.
- An Act for the Improvement, more effectual Security and Maintenance of the Harbour of *Bridport* in the County of *Dorset*. [12th May 1823.]
- [*Vessels in His Majesty's Service, &c. exempt from Duties.*]

Cap. xx.

- 3G.4. c. xxii.
amended and
in part re-
- An Act for amending an Act of the Third Year of His present Majesty, for continuing and altering Six former Acts of their late

late Majesties King *George* the Second and King *George* the Third, for enlarging the Piers and Harbour of *Scarborough*, in the County of *York*. [12th May 1823.]

18G.3. c.20. 41G.3. U.K. c. lxi. 46G.3. c. xxxiii. repealed. 5G.2. c. 11. 25G.2. c.44. 3G.3. c.42. recited.

Cap. xxi.

An Act for appointing Select Vestrymen, Governors and Directors of the Poor of the Parish of *Saint Matthew Bethnal Green*, in the County of *Middlesex*; and for altering and amending Two Acts passed in the Thirteenth and Fifty third Years of His late Majesty King *George* the Third, relating to the same. [12th May 1823.]

19G.3. c.59. 53G.3. c. cxiii. amended and in part repealed.

Cap. xxii.

An Act for more effectually repairing the Road leading from the *Bolton* and *Blackburn* Road in *Sharpley*, to the *Blackburn* and *Preston* Road in *Hoghton*, in the County of *Lancaster*, called the *Sharpley* and *Hoghton* Turnpike Road. (b) [12th May 1823.]

41G.3. U.K. c. cxviii. repealed. Powers of 3G.4. c.126. extended to this Act.

Cap. xxiii.

An Act for more effectually amending, improving and keeping in Repair the Road between the Towns of *Cockermouth* and *Worington*, in the County of *Cumberland*. (b) [12th May 1823.]

26G.2. c.49. 19G.3. c.105. 41G.3. U.K. c. xx. repealed. Powers of 3G.4. c.126. extended to this Act.

Cap. xxiv.

An Act for more effectually repairing and improving the Road from the Town of *Garstang* to the Town of *Lancaster*, and from thence to a Place called *Heiring Syke*, and the Road from the Guide Post in the Township of *Slyne with Hest* to *Hest Bank*, all in the County Palatine of *Lancaster*. (a) [12th May 1823.]

[*New Trustees.*]

24G.2. c.20. 22G.3. c.88. 43G.3. c.54. repealed. Powers of 3G.4. c.126. extended to this Act.

Cap. xxv.

An Act for more effectually amending, widening and keeping in Repair several Roads in and near to the Town of *Tenbury*, in the Counties of *Salop*, *Worcester* and *Hereford*, and the Roads leading from the *Knowle Gate* to the Turnpike Road on the *Clee Hill*, and from *Kyre Mill* to the Turnpike Road leading from *Bromyard* to *Tenbury*. (a) [12th May 1823.]

[*New Trustees.*]

50G.2. c.38. 22G.3. c.103. 42G.3. c. ii. Powers of 3G.4. c.126. extended to this Act.

Cap. xxvi.

An Act for continuing the Term and Powers of an Act passed in the Forty second Year of the Reign of His late Majesty King *George* the Third, for repealing an Act for repairing the Highways and Bridges in the County of *Wigtown*, and for other Purposes in the said Act mentioned. (c) [12th May 1823.]

42G.3. c. lv. continued.

[*Royal Family exempt from Toll.*]

Cap. xxvii.

42G.3. c. lxi.
repealed.
Powers of
3G.4. c. 126.
extended to
this Act.

An Act for amending the Road from *Offington Corner* in the Parishes of *Broadwater* and *West Tarring*, or one of them, in the County of *Sussex*, by *Findon*, *Washington Hill Rock*, and *Ashington Common*, to *Dial Post*, and from thence by *Nep Castle*, to the *Steyning* Turnpike Road at *West Grinstead Park* in the said County; and for making a new Branch of Road to communicate therewith. (b) [12th May 1823.]

[New Trustees.]

Cap. xxviii.

33G.2. c. 39.
21G.3. c. 81.
42G.3. c. vii.
repealed.
Powers of
3G.4. c. 126.
extended to
this Act.

An Act for more effectually repairing the Road leading from the Turnpike Road near the West End of the Town of *Chesterfield* to *Matlock Bridge*; and also the Road leading out of the said Road over *Darley Bridge* to *Cross Green*; and also the Road leading out of the last mentioned Road to the Turnpike Road near *Rowesley Bridge*, all in the County of *Derby*. (b) [12th May 1823.]

[New Trustees.]

Cap. xxix.

20G.3. c. 98.
42G.3. c. iii.
in part
repealed.
Powers of
3G.4. c. 126.
extended to
this Act.

An Act for amending the Road from the *Devizes* Turnpike Road, at or near *Somerham Brook*, through *Melksham*, to the *Horse and Jockey* in the Parish of *Box*, in the County of *Wilts*, and certain other Roads leading out of the said Road, all in the said County. (b) [12th May 1823.]

[New Trustees.]

Cap. xxx.

19G.3. c. 119.
31G.3. c. 129.
56G.3. c. xlix.
repealed.
Powers of
3G.4. c. 126.
extended to
this Act.

An Act for improving the Roads from *Darlaston Bridge*, through *Newcastle under Lyme*, to *Butt Lane* and *Linley Lane*, and from the *Black Lion* to *Shelton Wharf*, all in the County of *Stafford*. (b) [12th May 1823.]

[New Trustees.]

Cap. xxxi.

28G.2. c. 60.
21G.3. c. 95.
42G.3. c. xxvi.
repealed as
relates to the Road from Otley to Skipton.

An Act for repairing and improving the Road from *Otley* to *Skipton* in the County of *York*. (a) [12th May 1823.]

[New Trustees.]

9G.3. c. 84.
19G.3. c. 42.

An Act for altering and enlarging the Powers of Two Acts of the Ninth and Nineteenth Years of His late Majesty King *George the Third*, for building and completing a Bridge at *Worcester* over the River *Severn*, and for opening convenient Avenues thereto. [23d May 1823.]

[Additional Trustees. Former Tolls to cease, and reduced ones granted. Royal Family exempt from Toll.]

Cap. xxxiii.

An Act to enable the *Stockton and Darlington Railway Company* to vary and alter the Line of their Railway, and also the Line or Lines of some of the Branches therefrom, and to make an additional Branch therefrom, and for altering and enlarging the Powers of the Act passed for making and maintaining the said Railway. [23d May 1823.] 1 & 2 G. 4. c. xlv.

Cap. xxxiv.

An Act to alter and amend Two several Acts passed in the Twenty eighth and Thirtieth Years of His Majesty King *George the Second*, for the Purpose of enabling the Churchwardens, Overseers and Inhabitants of the Parish of *Saint Saviour* in the Borough of *Southwark* in the County of *Surrey*, to hold a Market within the said Parish. [23d May 1823.] 28 G. 2. c. 23. 30 G. 2. c. 31.

Cap. xxxv.

An Act for paving, lighting, watching, cleansing and improving the Town of *Knaresbrough* in the West Riding of the County of *York*, and that Part of the Township of *Scriven with Tentergate* which adjoins the said Town, and is called *Tentergate*. [23d May 1823.]

Cap. xxxvi.

An Act for lighting with Gas the Town of *Rochdale*, and the Neighbourhood thereof, within the Parish of *Rochdale* in the County Palatine of *Lancaster*. [23d May 1823.]

Cap. xxxvii.

An Act for lighting with Gas the Town of *Belfast*, and the Suburbs thereof. [23d May 1823.] 40 G. 3. (I.) 56 G. 3. c. lviii. recited.

Cap. xxxviii.

An Act for establishing an additional Company for lighting the City and Suburbs of *Dublin* with Gas. [23d May 1823.] 47 G. 3. Sess. 2. c. cix. recited.

Cap. xxxix.

An Act for lighting with Oil Gas the Town of *Liverpool* and certain Places adjacent thereto. [23d May 1823.] 26 G. 3. c. 12. 39 G. 3. c. xxxvi. 42 G. 3. c. lxxi. 50 G. 3. c. clxv. 53 G. 3. c. cxlii. 58 G. 3. c. lxxvi. 3 G. 4. c. lxxvii. recited as to Proprietors of *Liverpool Canal and Water Works*, § 87.

Cap. xl.

An Act for lighting with Gas the public Streets, Lanes, Passages and Places, and the Houses, Warehouses and other Buildings, within the King's Town and Parish of *Maidstone* in the County of *Kent*. [23d May 1823.]

Cap. xli.

An Act for more effectually repairing the Road from *Alfreton* in the County of *Derby* to the Town of *Derby*. (b) [23d May 1823.] 42 G. 3. c. 83. repealed. Powers of 3 G. 4. c. 126. extended to this Act.

Cap. xlii.

Powers of
3G.4. c.126.
extended to
this Act.

An Act for making and maintaining a Turnpike Road from *Horsham* in the County of *Sussex*, by *Bewbush*, to the Town of *Crawley* in the said County. (b) [23d May 1823.]

Cap. xliii.

Powers of
3G.4. c.126.
extended to
this Act.

An Act for making and maintaining a Turnpike Road from the Turnpike Road between the Town of *Mold* in the County of *Flint*, and the Town of *Wrexham* in the County of *Denbigh*, to the Turnpike Road between the Town of *Ruthin* in the said County of *Denbigh*, and the Town of *Wrexham* aforesaid, and also Two several Branches of Road therefrom. (a) [23d May 1823.]

Cap. xliv.

Powers of
3G.4. c.126.
extended to
this Act.

An Act for making and maintaining a Turnpike Road from *East Teignmouth*, through *Dawlish*, *Starcross* and *Kenton*, to communicate with the *Exeter* Turnpike Road in the Parish of *Exminster*, all in the County of *Devon*. (b) [23d May 1823.]

Cap. xlv.

22G.3. c.105.
42G.3. c. xxxix.
repealed.
Powers of
3G.4. c.126.
extended to
this Act.

An Act for more effectually amending the Road from *Wrexham* in the County of *Denbigh*, to *Barnhill* in the County of *Chester*; and for making and keeping in Repair the Road branching out of the said Road at *Pwll-y-rhwyd* to the Borough of *Holt* in the said County of *Denbigh*. (b) [23d May 1823.]

Cap. xlvi.

41G.3. U.K.
c.viii. repealed.
Powers of
3G.4. c.126.
extended to this
Act.

An Act for more effectually repairing the Road leading from the *Botley* Turnpike Road on *Curdrige Common* in the Parish of *Bishops Waltham*, to the *Gosport* Turnpike Road at or near *Filmer Hill* in the Parish of *Westmeon*, with a Branch from the said Road on *Corhampton Down*, to the Village of *Corhampton*, all in the County of *Southampton*. (a) [23d May 1823.]

[New Trustees.]

Cap. xlvii.

44G.3. c. xxv.
repealed.
Powers of
3G.4. c.126.
extended to
this Act.

An Act for repairing and improving divers Roads in the Counties of *Stafford* and *Salop*, comprised in Three Districts, called the *Eccleshall*, *Newport* and *Walling Street* District, the *Newcastle* and *Eccleshall* District, and the *Hilton* and *Honnington*. (a) [23d May 1823.]

[New Trustees.]

Cap. xlviii.

28G.2. c.50.
21G.3. c.96.
43G.3. c.1.
repealed.
Powers of
3G.4. c.126.
extended to
this Act.

An Act for more effectually repairing, widening and improving the Roads from the West End of *Toller Lane* near *Bradford* through *Haworth* to *Blue Bell* near *Colne*, and from the *Two Laws* to *Kighley*, in the Counties of *York* and *Lancaster*. (a) [23d May 1823.]

[New Trustees.]

Cap. xlix.

- An Act for more effectually repairing and improving the *Yorkshire District of the Road from Keighley in the West Riding of the County of York to Kirkby in Kendal in the County of Westmoreland*, and for making several Diversions therefrom, within the said West Riding of the County of *York*. (a)
 [23d May 1823.]
 [New Trustees.]
 Powers of 3G.4. c.126. extended to this Act.

See 57G.3. c. xvii. § 17.
 59G.3. c. xviii. § 17.
 26G.2. c. 86.
 18G.3. c. 113.
 30G.3. c. 99.
 repealed.

Cap. l.

- An Act for repairing the Road from *Sage Cross* in the Town of *Melton Mowbray*, in the County of *Leicester*, to the Town of *Grantham*, in the County of *Lincoln*. (a)
 [23d May 1823.]
 [New Trustees.]
 Powers of 3G.4. c.126. extended to this Act.

20G.3. c. 95.
 41G.3. U. K. c. lxxvii. repealed.
 Powers of 3G.4. c. 126. extended to this Act.

Cap. li.

- An Act for improving and maintaining in repair divers Roads in the County of *Stafford*, leading from *Newcastle under Lyme* to *Blyth Marsh*, from *Cliff Bank* to *Snape Marsh*, from *Lower Lane* to *Hem Heath*, and from *Shelton* to *Newcastle under Lyme*. (b)
 [23d May 1823.]
 [New Trustees.]

32G.2. c. 60.
 3G.3. c. 57.
 18G.3. c. 109.
 42G.3. c. xcvi. repealed.
 Powers of 3G.4. c. 126. extended to this Act.

Cap. lii.

- An Act for more effectually making, repairing and improving certain Roads leading to and from *Liskeard*, and certain other Roads therein mentioned, in the Counties of *Cornwall* and *Devon*. (a)
 [23d May 1823.]
 [New Trustees.]
 extended to this Act.

1G.3. c. 25.
 10G.3. c. 87.
 41G.3. U. K. c. xcii.
 Powers of 3G.4. c. 126. extended to this Act.

Cap. liii.

- An Act for making, amending, widening and keeping in repair certain Roads passing through or near the Town of *Ilminster*, in the County of *Somerset*. (a)
 [23d May 1823.]
 [New Trustees.]
 extended to this Act.

43G.3. c. xxiii. repealed.
 Powers of 3G.4. c. 126. extended to this Act.

Cap. liv.

- An Act for making and maintaining a Turnpike Road from *Wibsey Low Moor*, near *Bradford*, through *Brighouse* to *Huddersfield*, with Three Diversions or Branches from such Road, in the West Riding of the County of *York*. (a)
 [23d May 1823.]
 [New Trustees.]

Powers of 3G.4. c. 126. extended to this Act.

Cap. lv.

- An Act for more effectually amending the Roads from the *Little Bridge* over the End of the Drain next *Wisbeach River*, lying between *Roper's Fields* and the *Bell Inn* in *Wisbeach* in the Isle of *Ely*, to the West End of *Long Bridge* in *South Lynn*, in the

5G.3. c. 101.
 26G.3. c. 127.
 47G.3. Sess. 1. c. xxv. repealed.
 Powers of 3G.4. c. 126.

extended to
this Act. See
35G.3. c.77.
§ 41. 36G.3.
c.33. 45G.3.
c.lxxii. 56G.3.
c. xxxviii.
58G.3. c.xlviii.

the Borough of *King's Lynn*, in the County of *Norfolk*; and for amending, improving and keeping in Repair certain other Roads therein mentioned, in the said County of *Norfolk*. (b)
[23d May 1823.]

[*New Trustees.*]

59G.3. c. lxxix. 1 & 2 G.3. c. lxiv.

Cap. lvi.

41G.3. c. cxvii.
continued.
3G.4. c. 126.
recited.

An Act for continuing the Term and Powers of an Act of His late Majesty's Reign, for repairing the Road from the North End of *Bridgford Lane*, in the County of *Nottingham*, to the *Bowling Green* at *Kettering*, in the County of *Northampton*. (b)
[23d May 1823.]

[*New Trustees.*]

Cap. lvii.

43G.3. c. xvii.
repealed.
Powers of
3G.4. c. 126.
extended to this
Act.

An Act for more effectually repairing the Road from the City of *Canterbury* to the *Dover* Turnpike Road, in the Parish of *Barham* in the County of *Kent*; and for lighting, watering and watching Part of the said Road, leading into the said City of *Canterbury*. (b)
[23d May 1823.]

[*New Trustees.*]

Cap. lviii.

Powers of
3G.4. c. 126.
extended to this
Act.

An Act for making and maintaining a Turnpike Road from *Holehouse* or *Riding*, near *Greenfield* in *Saddleworth*, to join the *Stayley* Turnpike Road, and also to join the *Halifax* and *Sheffield* Turnpike Road, all in the West Riding of the County of *York*. (b)
[23d May 1823.]

Cap. lix.

32G.2. c. 60.
3G.3. c. 57.
18 G.3. c. 109.
42G.3. c. xcvi.
in part repealed.
Powers of
3G.4. c. 126.
extended to
this Act.

An Act for more effectually amending and keeping in repair the Roads from the Town of *Uttoxeter* to the Town of *Newcastle under Lyme* in the County of *Stafford*, so far as relates to the *Uttoxeter* District of the said Roads; and for making certain new Pieces of Road to communicate therewith, all in the said County of *Stafford*. (b)
[23d May 1823.]

[*New Trustees.*]

Cap. lx.

2 G.3. c. 54.
24 G.3. scss. 1.
c. 28.
45G.3. c. xxxvi.
repealed.
Powers of
3G.4. c. 126. extended to this Act.

An Act for repairing and amending the Road from *Castle Street* at the End of the Town of *Hinckley* in the County of *Leicester*, to the End of the Town of *Lutterworth* in the same County. (a)
[23d May 1823.]

[*New Trustees.*]

Cap. lxi.

28G.2. c. 40.
19G.3. c. 82.
44 G.3. c. lxxvi.
repealed.
Powers of
3G.4. c. 126. extended to this Act.

An Act for repairing and amending the Road from the Town of *Market Harborough* in the County of *Leicester* to the City of *Coventry*. (a)
[23d May 1823.]

[*New Trustees.*]

Cap. lxii.

An Act for more effectually repairing the Roads from *Dyed Way* to *Somerton*, and from *Gawbridge* to *Tintinhull Fords*, and from a Stream of Water called *Ford* to *Cartgate* in *Martock*, and other Roads therein mentioned, in the County of *Somerset*. (b) [23d May 1823.]

[New Trustees.]

1 G. 3. c. 29.
23 G. 3. c. 96.
43 G. 3. c. xxvi.
repealed.
Powers of
3 G. 4. c. 126.
extended to
this Act.

Cap. lxiii.

An Act for repairing and widening the Road from *Rugby* in the County of *Warwick*, to the Turnpike Road from *Lutterworth* to *Market Harborough* in the Counties of *Leicester* and *Northampton*. (a) [23d May 1823.]

[New Trustees.]

41 G. 3. U. K.
c. lxxxiii. re-
pealed.
Powers of
3 G. 4. c. 126.
extended to this Act.

Cap. lxiv.

An Act for more effectually repairing and improving the Road from the South End of *Sparrows Herne* on *Bushey Heath*, through the Market Towns of *Watford*, *Berkhamsted Saint Peter*, and *Tring*, in the County of *Hertford*, by *Pettipher's Elms*, to the Turnpike Road at *Walton*, near *Aylesbury*, in the County of *Buckingham*. (b) [23d May 1823.]

[New Trustees.]

2 G. 3. c. 63.
23 G. 3. c. 93.
43 G. 3.
c. xxxix. re-
pealed.
Powers of
3 G. 4. c. 126.
extended to this
Act.

Cap. lxv.

An Act for more effectually repairing the Roads from *Staplecross* to *Hornscross*, and from *Hornscross* to the Turnpike Road near *Brickwall House* in the Parish of *Northiam*, and from *Hornscross* to the Turnpike Road near the Windmill in the Parish of *Beckley*, and from *Staplecross* to *Bodiam Bridge*, and to the Turnpike Road at *Silver Hill*, all in the County of *Sussex*. (a) [23d May 1823.]

[New Trustees.]

41 G. 3. U. K.
c. l. repealed.
Powers of
3 G. 4. c. 126.
extended to this
Act.

Cap. lxvi.

An Act for repairing and maintaining the Roads from *Barnsley Common* to *Grange Moor* and *White Cross*; and from the Guide Post in *Barugh* over *Barugh Brook* into the Township of *Cawthorne*, all in the County of *York*. (b) [23d May 1823.]

[New Trustees.]

32 G. 2. c. 70.
18 G. 3. c. 96.
42 G. 3. c. xxi.
repealed.
Powers of
3 G. 4. c. 126.
extended to this
Act.

Cap. lxvii.

An Act for more effectually amending, repairing and keeping in repair the Road from the Toll Gate in the Parish of *Kettering*, through *Wellingborough* in the County of *Northampton*, and through *Olney*, over *Sherrington Bridge*, to *Newport Pagnell* in the County of *Buckingham*. (a) [23d May 1823.]

[New Trustees.]

27 G. 3. c. 31.
13 G. 3. c. 87.
21 G. 3. c. 103.
42 G. 3.
c. xxxvii. re-
pealed. Powers
of 3 G. 4.
c. 126. extended to this Act.

Cap. lxxiii.

[6000l.]
Powers of
57 G.3. c. lxxii.
extended.

An Act for raising a further Sum of Money for carrying into Execution an Act passed in the Fifty seventh Year of His late Majesty King *George the Third*, intituled *An Act for rebuilding the Church and improving the Churchyard of the Parish of Saint Paul Shadwell in the County of Middlesex*; and for amending the said Act.

[30th May 1823.]

[Additional Trustees.]

Cap. lxxix.

10G.3. c.22.
11 G.3. c. 13.
20 G.3. c.21.
repealed.

An Act for better supplying the City of *Worcester* and the Liberties thereof with Water; and for more effectually paving, lighting, watching and otherwise improving the said City.

[30th May 1823.]

Cap. lxx.

26G.2. c.100.
recited.

An Act for lighting and watching the Parish and Town of *Greenwich* in the County of *Kent*, and removing and preventing Nuisances therein.

[30th May 1823.]

Cap. lxxi.

48G.3. c. xlii.
repealed.

An Act for regulating the Police of the Barony of *Gorbals* in the County of *Lanark*; paving, cleansing and lighting the Streets; erecting a Bridewell; and other Purposes relating thereto.

[30th May 1823.]

[Continuance of Act as to levying Assessments, appointing Officers, &c. Fourteen Years from the Passing thereof. Other Parts of the Act to be perpetual.]

Cap. lxxii.

See 46G.3.
c. cxvi.

An Act for lighting the Town and Burgh of *Paisley*, and Suburbs and Places adjacent, with Gas, and for other Purposes relating thereto.

[30th May 1823.]

Cap. lxxiii.

See 47G.3.
sess. 2. c. cxi.

An Act for lighting with Gas the Town of *Woolwich* in the County of *Kent*.

[30th May 1823.]

Cap. lxxiv.

An Act for lighting with Gas the City of *York*, and the Suburbs and Vicinity thereof.

[30th May 1823.]

Cap. lxxv.

55G.3. c. lxxvi.
continued and
in part repealed.

An Act for lighting, watching and cleansing the *Grange Road*, and other Parts of the Parish of *Saint Mary Magdalen, Bermondsey*, in the County of *Surrey*.

[30th May 1823.]

Cap. lxxvi.

41 G.3. U.K.
c. cxxviii.

An Act for explaining, amending and rendering more effectual an Act of His late Majesty, for draining certain Commons and Fens lying between the Rivers *Glen* and *Welland*, in the County of

of *Lincoln*, and for increasing the Rates thereby authorized, and imposing additional Rates for more effectually draining the said Lands. [30th May 1823.]

Cap. lxxvii.

An Act for more effectually repairing the *Wadsley and Langset* Turnpike Road, and extending the same in Two Lines to join the *Huddersfield* and *Woodhead* Turnpike Road, in the Townships of *Upperthong* and *Honley* in the West Riding of the County of *York*. (a) [30th May 1823.]

45G.3. c.cvii. repealed. Powers of 3G.4. c.126. extended to this Act.

[*New Trustees.*]

Cap. lxxviii.

An Act for continuing the Term and altering and enlarging the Powers of Three Acts, passed in the First, Twenty first and Forty second Years of the Reign of His late Majesty, for amending and widening the Road leading from the Town of *Falmouth* in the County of *Cornwall*, through the Towns of *Penryn*, *Helston* and *Marazion*, and from thence to and over *Marazion* River and Bridge, and Two hundred Feet to the Westward of the said River and Bridge. (b) [30th May 1823.]

1G.3. c.32. 21G.3. c.78. 42G.3. c.x. repealed. Powers of 3G.4. c.126. extended to this Act.

[*New Trustees.*]

Cap. lxxix.

An Act for better and more effectually improving and keeping in Repair the Road leading from the Town of *Kingston-upon-Thames* in the County of *Surrey*, to a Place called *Sheetbridge*, near *Petersfield*, in the County of *Southampton*. (a) [30th May 1823.]

43G.3. c.cxi. repealed. Powers of 3G.4. c.126. extended to this Act.

[*New Trustees.*]

Cap. lxxx.

An Act for making and maintaining a Road from *Norwich* to *Fakenham* in the County of *Norfolk*. (a) [30th May 1823.]

Powers of 3G.4. c.126. extended to this Act.

Cap. lxxxii.

An Act for amending and keeping in repair the Roads from *Dover* to *Barham Downs*, and from *Dover* to the Town of *Folkestone*, and from thence through the Parish of *Folkestone* to *Sandgate* in the County of *Kent*. (b) [30th May 1823.]

26G.2. c.68. 4G.3. c.78. 41G.3.U.K. c. xiv. all repealed. Powers of 3G.4. c.126. extended to this Act.

[*New Trustees.*]

Cap. lxxxii.

An Act for improving and keeping in repair the Road from *Tarporley* in the County Palatine of *Chester* to the South East End of *Acton Forge* near *Weverham* in the same County. (b) [30th May 1823.]

22G.3. c.106. 29G.3. c.99. both repealed. Powers of 3G.4. c.126. extended to this Act.

[*New Trustees.*]

3 T 4

Cap. lxxxiii.

2 G. 3. c. 61.
23 G. 3. c. 109.
44 G. 3. c. xvii.
all repealed.
Powers of
3 G. 4. c. 126.
extended to this
Act.

An Act for amending and maintaining the Roads from the North Gate of the City of *Winchester*, over *Worthy Cow Down*, through *Whitchurch* and other Places, to *Newtown River*, and from *Worthy Cow Down* aforesaid, through *Wherwell*, to *Andover* in the County of *Southampton*. (b)

[30th May 1823.]

[*New Trustees.*]

Cap. lxxxiv.

22 G. 2. c. 31.
7 G. 3. c. 64.
31 G. 3. c. 110.
38 G. 3. c. xxv.
49 G. 3. c. cxxxii.
55 G. 3. c. lxxvi.
in part repealed.
Powers of 3 G. 4. c. 126. extended to this Act.

An Act for more effectually repairing, amending and improving certain Roads in the several Parishes of *Saint Mary Magdalen Bermondsey* and *Saint Mary at Rotherhithe* in the County of *Surrey*, and *Saint Paul Depiford* and *Saint Nicholas Deptford* in the County of *Kent*. (a)

[30th May 1823.]

[*New Trustees.*]

Cap. lxxxv.

42 G. 3. c. lxiv.
repealed.
Powers of
3 G. 4. c. 126.
extended to this
Act.

An Act for more effectually repairing the Road from the South End of *Brown's Lane* in the Parish of *Great Staughton* in the County of *Huntingdon* to the *Bedford Turnpike Road* in the Parish of *Lavendon* in the County of *Buckingham*. (a)

[30th May 1823.]

[*New Trustees.*]

Cap. lxxxvi.

28 G. 2. c. 45.
16 G. 3. c. 70.
42 G. 3. c. xxiii.
all repealed.
Powers of
3 G. 4. c. 126.
extended to this
Act.

An Act for repairing, widening and maintaining the Road leading from *Horsham* in the County of *Sussex*, through *Dorking* and *Leatherhead*, to *Epsom* in the County of *Surrey*, and from *Capel* to *Stone Street* at *Ockley* in the said County of *Surrey*. (b)

[30th May 1823.]

[*New Trustees.*]

Cap. lxxxvii.

See 6 G. 3. c. 96.
10 G. 3. c. 102.
15 G. 3. c. 20.
16 G. 3. c. 32.
23 G. 3. c. 33.
37 G. 3. c. 36.
37 G. 3. c. 81.
42 G. 3. c. xxv.
49 G. 3. c. lxxxiii.

An Act to enable the Company of Proprietors of the Navigation from the *Trent* to the *Mersey* to make an additional Tunnel through *Harecastle Hill*, in the County of *Stafford*, and an additional Reservoir in *Knypersley Valley* in the said County; and to amend and enlarge the Powers of the several Acts for making and maintaining the said Navigation, and the several Canals connected therewith.

[17th June 1823.]

Cap. lxxxviii.

See 59 G. 3.
c. cxiii.
3 G. 4. c. lxxxvi.

An Act to amend an Act of the last Session of Parliament for erecting and maintaining Ferries across the River *Tay* in the Counties of *Fife* and *Forfar*.

[17th June 1823.]

Cap. lxxxix.

54 G. 3. c. cxi.
repealed.

An Act to repeal an Act passed in the Fifty fourth Year of His late Majesty, for building a new Church within the Town and Parish

Parish of *Liverpool* in the County Palatine of *Lancaster*; to vest the said Church and the Ground thereunto belonging in the Mayor, Bailiffs and Burgesses of the Town of *Liverpool*; to authorize the Purchase of Land in the said Town to be appropriated to the Use of Public Cemeteries; and to restrict the Burial of Corpses in the present Cemeteries of the Parish Church and Parochial Chapel there. [17th June 1823.]

Cap. xc.

An Act for paving, lighting, cleansing, watching and improving the Township of *Halifax*, and for supplying the same with Water. [17th June 1823.]

2G.3. c.40.
8G.3. c.44.
both repealed.

Cap. xci.

An Act for repairing, maintaining and improving the Highways and other public Places in the Parish of *Saint Mary Magdalen Bermondsey* in the County of *Surrey*. [17th June 1823.]

49G.3. c.cxxii.
in part repealed.

Cap. xcii.

An Act for improving, paving, lighting, cleansing and watching the Town of *Mansfield* in the County of *Nottingham*. [17th June 1823.]

Cap. xciii.

An Act for better supplying with Water the Town of *Skipton* in the West Riding of the County of *York*. [17th June 1823.]

Cap. xciv.

An Act for the Erection of a Bridge across the River *Shannon*, and of a Floating Dock to accommodate sharp Vessels frequenting the Port of *Limerick*. [17th June 1823.]

Cap. xciv.

An Act to alter, amend and enlarge the Powers of an Act of His present Majesty's Reign, intituled *An Act to establish an additional Company for lighting certain Parts of the Metropolis and Parts adjacent with Gas*. [17th June 1823.]

1 & 2 G.4.
c.cxvii. in part
repealed.

Cap. xcvi.

An Act to establish a Company for lighting with Gas the Town of *Northampton*. [17th June 1823.]

See 54G.3.
c.cxciii.

Cap. xcvi.

An Act to amend and explain the Powers of an Act of His late Majesty, for lighting with Gas the Town of *Brightelmstone*, and to raise a further Sum of Money for carrying the Purposes of the said Act into Execution. [17th June 1823.]

[15,000l.]
58G.3. c.lxxvii.
in part repealed.

Cap. xcvi.

An Act for lighting with Gas the several Parishes of *Saint Botolph Aldgate* and *Saint Paul Shadwell*, and certain Parts of the Parishes of

See 29G.2.
c.87.
11G.3. c.21.
of 17G.3. c.22.

22 G. 3. c. 86.
23 G. 3. c. 32.
42 G. 3. c. ci.
44 G. 3.
c. xxxvii.
47 G. 3. Sess. 2. c. xxxviii.

of *Saint George in the East*, otherwise *Saint George Middlesex* and *Saint John of Wapping*, and of the Hamlets of *Mile end Old Town* and *Ratcliff* in the County of *Middlesex*.

[17th June 1823.]

50 G. 3. c. ccviii. 57 G. 3. c. xxix.

Cap. xcix.

See 1 G. 4. c. lv. An Act to enable the Company of Proprietors of the *Dublin Gas Works* to raise more Money for the further lighting the City and Suburbs of *Dublin* with Gas. [17th June 1823.]

Cap. c.

An Act for lighting the Town of *Mansfield*, in the County of *Nottingham*, with Gas. [17th June 1823.]

Cap. ci.

An Act to establish a Company for lighting the Borough of *Stamford* in the County of *Lincoln*, and *Saint Martin's Stamford Baron* in the County of *Northampton*, with Gas.

[17th June 1823.]

Cap. cii.

An Act for lighting with Oil Gas the City of *Bristol* and the Parish of *Clifton* in the County of *Gloucester*, and certain Parishes adjacent thereto. [17th June 1823.]

Cap. ciii.

47 G. 3.
c. lxxxiii.

An Act to amend and render more effectual an Act passed in the Forty seventh Year of the Reign of His late Majesty King *George the Third*, for repealing several Acts therein mentioned, for draining certain Fen Lands in the Isle of *Ely* and Counties of *Suffolk* and *Norfolk*, near *Mildenhall River*, so far as relates to the Lands in the First District therein described, and for making better Provision for draining and preserving the said Lands. [17th June 1823.]

Cap. civ.

33 G. 2. c. 36.
22 G. 3. c. xcii.
43 G. 3. c. lxxv.
all repealed.
Powers of
3 G. 4. c. 126. extended to this Act.

An Act for amending and improving the Roads leading to the Town of *Oakhampton* in the County of *Devon*. (b)

[17th June 1823.]

[*New Trustees*.]

Cap. cv.

42 G. 3.
c. xxxviii. re-
pealed.
Powers of
3 G. 4. c. 126.
extended to this
Act.

An Act for amending, improving and keeping in Repair the Road leading from the Turnpike Road in the Horse Fair in the Town of *Banbury* in the County of *Oxford*, through *Swalcliffe* in the said County of *Oxford*, and through *Brailes* in the County of *Warwick*, to the Bridge crossing the River *Stour* in the Parish of *Barcheston* in the said County of *Warwick*. (b)

[17th June 1823.]

[*New Trustees*.]

Cap. cvi.

An Act for more effectually repairing and improving the Roads leading from *Whitechapel Church* in the County of *Middlesex*, unto *Passingford Bridge*, and through and to the End of the several Parishes or Places of *Shenfield* and *Woodford* in the County of *Essex*, and for other Purposes relating thereto. (b)
[17th June 1823.]

[New Trustees.]

Cap. cvii.

An Act for amending the Road leading from the New Wall on the *Parade*, in *Castleton* in the Parish of *Rochdale*, through *Middleton*, to the Meer Stone in *Great Heaton*, and to the Town of *Manchester*, all in the County Palatine of *Lancaster*; and for diverting certain Parts of the said Road. (b)
[17th June 1823.]

[New Trustees.]

Cap. cviii.

An Act for more effectually repairing the Road leading from *Beaconsfield* in the County of *Buckingham* to *Stoken Church* in the County of *Oxford*. (a)
[17th June 1823.]

[New Trustees.]

all repealed. Powers of 3G.4. c.126. extended to this Act.

Cap. cix.

An Act for more effectually making and maintaining the Road from *Modbury*, through the Town of *Plympton*, to the North End of *Lincotta Lane*, and from *Modbury* to within Four hundred Yards of the Bridge over the *Lary*, and also a Road from *Addistone Hill* in the Parish of *Holbeten*, to the *Totness Road* at *Lady Down* in the Parish of *Ugborough* in the County of *Devon*. (a)
[17th June 1823.]

[Additional Trustees.]

Cap. cx.

An Act for repairing and improving the Road leading from *Skipton* in the County of *York* to *Colne* in the County of *Lancaster*. (b)
[17th June 1823.]

[New Trustees.]

of 3 G. 4. c.126. extended to this Act.

Cap. cxii.

An Act for more effectually repairing the Road from *Wansford Bridge* in the County of *Northampton* to *Stamford*, and from *Stamford* to *Bourn* in the County of *Lincoln*. (b)
[17th June 1823.]

[New Trustees.]

1 G. 4. c. xxii. repealed. Powers of 3 G. 4. c. 126. extended to this Act.

Cap. cxiii.

An Act for making and repairing certain Roads from *Redrow* to *Peathill* in the County of *Stirling*. (b)
[17th June 1823.]

Cap. cxiii.

12 & 13 W.3.
c.9.
10 Ann. c.24.
11 G.2. c.8.
10 G.3. c.26.
recited.

An Act for more effectually improving and keeping in Repair the Pier and Harbour of *Minehead* in the County of *Somerset*.

[27th June 1823.]

[*Vessels in His Majesty's Service exempt from Rates.*]

Cap. cxiv.

An Act for altering and amending Two Acts passed in the Eleventh and Thirty third Years of His late Majesty King *George* the Third, for consolidating, extending and rendering more effectual the Powers granted by several Acts of Parliament for making, enlarging, amending and cleansing the Vaults, Drains and Sewers within the City of *London* and Liberties thereof; and for paving, cleansing and lighting the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages and Places, and preventing and removing Obstructions and Annoyances within the same.

[27th June 1823.]

11 G.3. c.29.

‘ WHEREAS an Act was passed in the Eleventh Year of the
‘ Reign of His late Majesty King *George* the Third, intituled
‘ *An Act for consolidating, extending and rendering more effectual*
‘ *the Powers granted by several Acts of Parliament, for making,*
‘ *enlarging, amending and cleansing the Vaults, Drains and Sewers*
‘ *within the City of London and Liberties thereof, and for paving,*
‘ *cleansing and lighting the Streets, Lanes, Squares, Yards, Courts,*
‘ *Alleys, Passages and Places, and preventing and removing Ob-*
‘ *structions and Annoyances within the same; it was thereby*
‘ enacted, that for defraying the Expence of paving, cleansing
‘ and lighting the Streets, Lanes, Squares, Yards, Courts, Alleys,
‘ Passages and Places, and preventing Annoyances therein, and
‘ of making, enlarging, widening, deepening, altering and remov-
‘ ing all or any of the common Sewers, public Drains and Vaults
‘ within the said City and Liberties, One or more Rate or Rates,
‘ Assessment or Assessments, should at such Time or Times as
‘ the Commissioners acting in the Execution of the said Act
‘ should think fit to order and direct, by Writing under their
‘ Hands and Seals, or the Hands and Seals of any Seven or
‘ more of them, be made, laid and assessed in the several Wards
‘ of the said City, by the Aldermen or their Deputies respectively,
‘ and the major Part of the Common Councilmen of each Ward,
‘ upon all and every Person or Persons who should inhabit, hold,
‘ occupy, possess or enjoy any Land, House, Shop, Warehouse,
‘ Cellar, Vault or other Tenement or Hereditament within the said
‘ several Wards, and who by the Laws then in being were or should
‘ be liable to be rated towards the Relief of the Poor in the re-
‘ spective Parishes where he, she or they should respectively live
‘ or reside, for raising such competent Sum or Sums of Money as
‘ the said Commissioners should from time to time judge needful
‘ and direct; so as such Rates or Assessments did not in any One
‘ Year exceed in the Whole the Sum of One Shilling and Six-
‘ pence in the Pound of the yearly Rents of such of the said
‘ Lands, Houses, Shops, Warehouses, Cellars, Vaults or other
‘ Tenements or Hereditaments respectively, as should be situated

‘ in

' in any Street, Lane, Square, Yard, Court, Alley, Passage or
 ' Place actually begun to be new paved by virtue and in pur-
 ' suance of the said Act or of any former Act of Parliament, and
 ' One Shilling in the Pound of the yearly Rents of such of the
 ' Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements
 ' or Hereditaments respectively, as should not be so situate;
 ' such Rates respectively to be from time to time ascertained by
 ' the Rates at which such respective Lands, Houses, Shops,
 ' Warehouses, Cellars, Vaults or other Tenements or Heredita-
 ' ments should be from time to time assessed towards the Land
 ' Tax: And Whereas an Act was passed in the Thirty third Year
 ' of the Reign of His late Majesty King *George the Third*, intituled
 ' *An Act to explain, amend and render more effectual an Act passed*
 ' *in the Eleventh Year of His present Majesty's Reign, intituled An*
 ' *Act for consolidating, extending and rendering more effectual the*
 ' *Powers granted by several Acts of Parliament, for making, en-*
 ' *larging, amending and cleansing the Vaults, Drains and Sewers*
 ' *within the City of London and Liberties thereof, and for paving,*
 ' *cleansing and lighting the Streets, Lanes, Squares, Yards, Courts*
 ' *Alleys, Passages and Places, and preventing and removing Ob-*
 ' *structions and Annoyances within the same: And Whereas, in*
 ' consequence of the Redemption and Sale of the Land Tax, by
 ' virtue of the several Acts of Parliament made and passed for
 ' that Purpose, the Rates to be assessed by virtue of the said
 ' recited Acts for paving, cleansing and lighting the said Streets,
 ' Lanes, Squares, Yards, Courts, Alleys, Passages and Places,
 ' and preventing Annoyances therein, and of making, enlarging,
 ' widening, deepening, altering and removing all or any of the
 ' common Sewers, public Drains and Vaults within the said City
 ' and Liberties, can no longer be fairly or justly ascertained by
 ' the Rates at which the said Lands, Houses, Shops, Warehouses,
 ' Cellars, Vaults, Tenements and Hereditaments, are assessed
 ' towards the Land Tax, some of the said Lands, Houses, Shops,
 ' Warehouses, Cellars, Vaults, Tenements and Hereditaments,
 ' being no longer subject to any Assessment towards the Land
 ' Tax, and the Rates at which others of them are assessed
 ' thereto having been considerably increased since any Assess-
 ' ment was made upon several of the said Lands, Houses, Shops,
 ' Warehouses, Cellars, Vaults, Tenements and Hereditaments,
 ' the Land Tax payable in respect of which has been redeemed
 ' or purchased: And Whereas it is expedient that the Rates to
 ' be assessed by virtue of the said recited Acts for the Purposes
 ' aforesaid should be just and equal Rates, and that the Powers
 ' and Provisions of the said recited Acts should be altered and
 ' amended; but as the same cannot be effected without the Aid
 ' of Parliament,' May it therefore please Your Majesty that it
 ' may be enacted; and be it enacted by the King's most Excellent
 ' Majesty, by and with the Advice and Consent of the Lords Spirit-
 ' ual 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 contained in the said recited
 ' Acts and hereinbefore recited, which require that the Rate or
 ' Rates, Assessment or Assessments to be laid or assessed for the
 ' aforesaid Purposes, upon any Lands, Houses, Shops, Ware-
 ' houses,

3SG.3. c.75.

Provisions in
 recited Acts re-
 quiring the
 Rates to be as-
 sertained by the
 Assessment to

the Land Tax,
repealed.

houses, Cellars, Vaults, Tenements or Hereditaments shall be ascertained by the Rates at which such respective Lands, Houses, Shops, Warehouses, Cellars, Vaults or other Tenements or Hereditaments shall be assessed towards the Land Tax, shall be and the same is hereby repealed.

11 G. S. c. 29,
§ 41. repealed.

II. And be it further enacted, That from and after the passing of this Act, the Restriction contained in the said recited Act of the Eleventh Year of the Reign of His said late Majesty, which prevents Rates or Assessments being made for the Purposes aforesaid, which shall in any One Year exceed in the whole the Sum of One Shilling in the Pound of the yearly Rents of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments as should not be situate in any Street, Lane, Square, Yard, Court, Alley, Passage or Place actually begun to be new paved by virtue and in pursuance of the said recited Acts, or of any former Act of Parliament, shall be and the same is hereby repealed.

Rates under re-
cited Acts and
this Act shall
be an equal
Pound Rate.

III. And be it further enacted, That from and after the passing of this Act, the Rate or Rates, Assessment or Assessments for defraying the Expences of paving, cleansing and lighting the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages and Places, and preventing Annoyances therein, and making, enlarging, widening, deepening, altering and removing all or any of the common Sewers, public Drains and Vaults within the said City and Liberties, to be made, laid and assessed by virtue of the said recited Acts and this Act, in the several Wards of the said City, and other Places within the Limits of the said recited Acts and this Act, shall be just and equal Pound Rates, and shall be made, laid and assessed according to the respective annual Rents or Value of all and every the Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements and Hereditaments respectively authorized to be assessed by the said recited Acts or either of them, but subject to the Exceptions and Provisions in the said recited Acts or either of them contained, so as such Rates and Assessments do not in any One Year exceed in the Whole the Sum of One Shilling and Sixpence in the Pound of the respective yearly Rents or Value of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements and Hereditaments.

Alderman and
Common Council
of each Ward
to deliver Copy
of Assessment
to Clerk of
Commissioners
of Sewers.

IV. And be it further enacted, That when and so often as the Alderman of any Ward or his Deputy, and the major Part of the Common Councilmen of such Ward, shall make, lay and assess any Rate or Assessment, by virtue of the said recited Acts and this Act, for the Purposes aforesaid, they shall and are hereby required, within Seven Days after such Rate or Assessment respectively shall have been made, to deliver or cause to be delivered the same, or a Duplicate thereof, to any One of the Clerks for the Time being of the Commissioners of Sewers of the City of London and Liberties thereof, at the Office for the Time being of the said Commissioners within the said City.

Commissioners
may rectify Er-
rors in the
Rates.

V. And be it further enacted, That if it shall appear to the said Commissioners 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 Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, for or in respect of which some other Person or Persons ought to have been rated or assessed, or that any Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments are not rated or assessed according to the true Value thereof, or that any other Alteration or Amendment of such Rate or Assessment may be necessary, then and in any of such Cases it shall be lawful for the said Commissioners 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 Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements 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 thereof, and also to alter the Amount of the Sum at which any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament shall be rated or assessed, and otherwise from time to time to alter and amend the said Rate and Assessment, as they may from time to time deem just and reasonable; 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 when the same was originally made, by the said Alderman or his Deputy, and the major Part of the Common Councilmen of the respective Ward.

VI. Provided always, and be it further enacted, That the said Commissioners shall, and they are hereby required, when and so often as any Addition, Insertion, Alteration or Amendment shall be made by them in any Rate or Assessment as aforesaid, to deliver or cause to be delivered to the Alderman of the Ward in which such Rate or Assessment shall have been made, or his Deputy, a Copy of such Rate or Assessment, with every or any Addition, Insertion, Alteration or Amendment which shall have been made therein, signed by the said Commissioners, or any Seven or more of them; and in case the Alderman of any Ward or his Deputy, and the major Part of the Common Councilmen of such Ward, shall think any Addition, Insertion, Alteration or Amendment, made by the said Commissioners in such Rate or Assessment respectively, unjust or unreasonable, it shall be lawful to and for them or any of them, to appeal against such Addition, Alteration or Amendment, to the Court of Mayor and Aldermen of the said City, at the next Court to be held next after a Copy of the Rate or Assessment, with such Addition, Insertion, Alteration or Amendment, shall have been delivered as aforesaid; and the

Commissioners to deliver a Copy of any Assessment, in which an Alteration shall be made, to the Alderman or his Deputy, and he, or any of the Common Councilmen, may appeal against the Alteration to the Court of Aldermen.

the Determination of the said Court of Mayor and Aldermen respecting the same shall be final and conclusive; and such Rate or Assessment, according to the Determination of the said Court, shall be valid and effectual in Law, to all Intents and Purposes whatsoever; 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 such Rate or Assessment had been made by the said Alderman or his Deputy, and the major Part of the Common Councilmen of such Ward respectively, and no Addition, Insertion, Alteration or Amendment, had been made therein:

Property in different Districts to be equally assessed.

VII. And be it further enacted, That if any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament, shall be partly within Two or more Wards or other Districts within the Jurisdiction of this Act, or partly within any Ward 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 the said recited Acts or this Act, for each of such Wards or other Districts, for a proportionable Part of the Rent or Value thereof, according to the Quantity and Extent or Value of the Part of any such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, which may be in each of such Wards or other Districts; and that it shall and may be lawful for the said Aldermen or their respective Deputies, and the major Part of the Common Councilmen in such Ward respectively, and they are hereby respectively authorized and required, to ascertain, settle and determine in what Proportion of the Rent or Value of such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, such Person or Persons shall be rated and assessed, and shall pay towards the said Rates or Assessments of each of such Wards or other Districts respectively; and in case the Aldermen or their respective Deputies, and the major Part of the Common Councilmen in any Two or more Wards, shall not agree upon any such Proportion as aforesaid, then and in any such Case the same shall be determined by the Court of Mayor and Aldermen of the said City, in Manner hereinbefore mentioned.

Where Houses are let out in Apartments, Lodgers to be deemed the Occupiers.

VIII. And be it further enacted, That where any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament, in respect whereof any Rate or Assessment shall be made as aforesaid, shall be let out in Apartments by the Lessee, Tenant or Landlord thereof, any One or more of such Lodgers shall be deemed the Occupier or Occupiers thereof for the Purposes of the said recited Acts and this Act: and that all and every such respective Lodger or Lodgers who shall pay any such Rate or Assessment, or any Part thereof, or from whom the same or any Part thereof shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable, or to be due and payable from him, her or them to such respective Lessee, Tenant or Landlord, and the Receipt for such Payment shall be a sufficient Discharge for such Lodger or Lodgers to his, her or their Landlord, for so much Money as he, she

she or they shall pay, or as shall be levied on him, her or them by virtue of the said recited Acts and this Act: Provided always, that no such Lodger or Lodgers shall at any Time be required to pay, or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Lodger or Lodgers to the Lessee, Tenant or Landlord of the Premises so occupied by him, her or them: Provided also, that in all Cases where any Person shall remove from or quit any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament, which shall be rated or assessed by virtue of this Act, such Person shall be liable to such Rate or Assessment in proportion to the Time that he or she occupied the same; and in all Cases where any Person shall come into or occupy any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament rated or assessed as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making any Rate or Assessment was empty or unoccupied, the Person coming into or occupying the same shall be liable to pay such Rate or Assessment in respect thereof, in Proportion to the Time that he or she occupied the same, which said respective Proportions, in case of Dispute, shall be settled and ascertained by the said Commissioners.

IX. And be it further enacted, That when the yearly Rent or Value of any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament within the said Limits shall not exceed Twenty Pounds, or where any House, Tenement or Hereditament shall be let to any weekly or monthly Tenants, or in separate Apartments, furnished or unfurnished, and the Rents thereof shall become payable, and be collected at any shorter Period than quarterly, then and in every such Case (but subject to the Proviso hereinafter contained) it shall and may be lawful to and for the Alderman or his Deputy, and the major Part of the Common Councilmen of the Ward respectively, or the said Commissioners, to compound, if they shall think proper, with the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of all and every or any such Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament within the said Limits, for the Payment of the Rate or Rates, Assessment or Assessments to be made by virtue of this Act, at such a reduced yearly Rental as the said Commissioners shall think reasonable; so that no such Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament be rated at less than Two thirds, or more than Four fifths of the Rack Rent at which the same respectively shall then be let, or of the annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of all such Lands, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, as shall not exceed the yearly Rent of Twenty Pounds, or as shall be let to any weekly or monthly Tenant, or in separate Apartments, furnished or unfurnished as aforesaid, and the several Rents whereof shall become due and be collected at any shorter Period than quarterly,

How Houses rated let at small Rents are to be rated, and for the better Recovery of the Rates.

Composition.

Landlord, &c.
refusing to
enter into Com-
position, Pro-
ceedings.

† Sic.

Proviso as to
increased Rent.

Goods of Occu-
piers liable
during Occu-
pancy only.

Occupiers pay-
ing Rate may
deduct from
Rent.

Proviso where
Rent exceeds
20L. per Annum.

is and are hereby required to enter into such Composition with the said Commissioners; and in case such Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors, shall refuse to enter into such Composition, he, she or they shall from thenceforth be rated to and from Time † shall pay or cause to be paid the Rates or Assessments charged upon their respective Premises, by virtue of the said recited Acts and this Act, unto the Collector or Collectors for the Time being, who is and are hereby authorized and empowered to receive and collect the same, and upon Nonpayment thereof, or of the Amount of such Composition, to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of the respective Premises aforesaid, wheresoever they may be found, or of the Person or Persons inhabiting the same respectively, in such Manner as by this Act is provided for the Recovery of the Rates in other Cases: Provided always, that no such Landlord, Owner, Lessee or Proprietor shall be charged with or liable to pay for any increased Rent, reserved or made payable to him for or on account of such Landlord, Owner, Lessee or Proprietor, having agreed to pay the Rates heretofore chargeable upon the several Occupiers of such Premises; and provided also, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors, is and are hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold for Payment of such of the said Rates or Assessments, and of all Arrears thereof, as become due upon the said Premises, during the Time of his, her or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay, or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due or payable by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners, Lessee or Lessees, Proprietor or Proprietors of the Premises so occupied by him, her or them: Provided also, that each and every Occupier who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrears thereof, or upon whom the same shall be levied, shall and may from time to time deduct the same from the Rent due and payable from him, her or them, to the respective Landlords, Owners, Lessees or Proprietors of the Premises, unless there shall be some Agreement to the contrary between the Landlord and Tenant; and the Receipt for such Payment shall be a sufficient Discharge to such Occupiers, and his, her or their Landlord or Landlords, for so much Money as he, she or they shall pay in the Manner directed by this Act: Provided also, that when the yearly Rent or Value of any House which shall be let out furnished, either altogether or in separate Apartments, shall exceed Twenty Pounds *per Annum*, it shall not be lawful for the said Commissioners, upon such Composition, being made as aforesaid, to take less than the

the full Amount of the Rate or Rates which shall be assessed in respect of such House; but nevertheless such Composition shall be made in Manner aforesaid, for Payment of the whole of such Rate, with and by the Landlord, Owner, Lessee or Proprietor of the said Premises.

X. And be it further enacted, That from and after any Composition at a reduced Rate shall have been made as hereinbefore is mentioned, the Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament therein comprised, shall be rated and assessed according to the same reduced Rental, until the Alderman or his Deputy, or the major Part of the Common Councilmen of the Ward or District respectively, or the said Commissioners, shall think proper otherwise to rate and assess the said Premises, and without any Notice to be given to the Landlord, Owner or Lessee of the same.

Composition for Rates to remain till altered by the Alderman, &c.

XI. And in order to prevent Disputes touching the Designation of Owner or Landlord, Lessee or Proprietor of Land, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments within the Limits of this Act; Be it further enacted, That the Person or Persons legally authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect the Rents of any Land, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, from the Tenants or actual Occupiers thereof, or any of them, shall be deemed and taken for the several Purposes of this Act and every of them to be the Owner or Owners, Landlord or Landlords, Proprietor or Proprietors thereof; and in all Cases in which either Owners or Landlords, Lessees or Proprietors are made liable by this Act, such Person or Persons respectively so authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect the Rents of any such Land, Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, from the Tenants or actual Occupiers thereof, or any of them, shall be liable as Owner or Owners, Landlord or Landlords, Lessee or Lessees, Proprietor or Proprietors thereof, unless the real Owner or Owners, Landlord or Landlords, Lessee or Lessees, Proprietor or Proprietors, shall be declared by himself, herself or themselves, or unless the real Owner or Owners, Landlord or Landlords, Proprietor or Proprietors, shall be distinctly and certainly known to be such, to the Satisfaction of the said Commissioners, and such Receiver or Collector of such Rents is hereby authorized to pay the said Rates and Assessments charged and payable for and on account of the respective Premises, and to deduct the same out of the Rents received or to be received by him.

Persons receiving Rents to be deemed Owners,

and liable unless the real Owner shall be declared.

XII. And be it further enacted, That the Lessee, Landlord or Owner of all other Houses, Shops, Warehouses, Cellars, Vaults, Tenements or Hereditaments, over and above the said yearly Rent of Twenty Pounds, within the Limits of this Act, which is or shall or may be let out ready-furnished to a Lodger or Lodgers, or furnished or unfurnished, in separate Apartments, for Counting Houses or other Purposes, shall be deemed and taken to be the Occupier thereof, for the Purposes of this Act, and shall be liable and subject to the Rates or Assessments directed by this

Ready-furnished Houses how assessed.

Act to be made, raised and levied, according to the yearly Value of the Premises; and that every Person renting or occupying any such ready-furnished House as aforesaid, or any Apartment or Apartments of any House, shall be liable and compellable to pay the said Rates and Assessments, to be recovered in Manner herein directed; and the Collector or Collectors for the Time being thereof is and are hereby authorized and empowered, upon Nonpayment thereof, to levy the same by Distress and Sale of the Goods and Chattels of the Lessee, Landlord or Owner of the said Premises, wheresoever they may be found, or of the Person or Persons occupying or renting the same, in such Manner as by this Act is provided for the Recovery of the Rates in other Places; and that every such respective Occupier or Occupiers who shall pay any such Rates or Assessments, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable from him or them, to such respective Lessee, Landlord or Owner, and the Receipt for such Payment shall be a sufficient Discharge for such Tenant or Tenants, Occupier or Occupiers, to his, her or their Landlord, for so much Money as he, she or they shall pay, or shall be levied on him, her or them by virtue of this Act; but no such Lodger or Lodgers shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rents actually due and payable by such Lodger or Lodgers to the Lessee, Landlord or Owner of the Premises so let out ready-furnished to him, her or them; provided always, that nothing herein contained shall extend to prejudice or vacate any Agreement between Landlords and Tenants.

Distress.

Lodgers, how far liable.

Rates how recovered.

XIII. And be it further enacted, That in case at any Time or Times hereafter, any Owner or Owners, or Occupier or Occupiers of any Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament within the Limits of this Act, for and in respect whereof he or they shall be rated or assessed, or liable to pay any Rate or Assessment made or to be made to and for the Purposes of the said recited Acts and this Act, 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 the said recited Acts and this Act, and all Arrears, it shall be lawful for any One of the Aldermen or Justices of the Peace for the City, County or Place within which such Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament shall be situate, and he is hereby authorized and directed, by Writing under his Hand, on Complaint made by the said Commissioners, 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 Alderman or Justice, or before any Alderman or Aldermen, Justice or Justices, who shall be then and there present, the Collector or Collectors of such Rates or Assessments having previously made Oath that he or they had duly demanded the said Rates or Assessments, and

Summons by Alderman or Justice of Peace.

and that the same were then in Arrear and unpaid ; and it shall be lawful for any Person authorized by the said Commissioners to serve all and every such Summons and Summonses upon all and every Persons and Person 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 Alderman or Aldermen, 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 such Return of Summons, it shall be lawful for any Alderman or Justice of the City, County or Place within which the Premises shall be situate, 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, and Proof on Oath that such Rate or Rates, Assessment or Assessments is or are actually due and owing, if the Person or Persons shall not attend ; and if the Person or Persons shall attend, and not shew sufficient Cause to the contrary as aforesaid, then upon such Proof that such Rate or Rates, Assessment or Assessments is or are actually due, to grant a Warrant under his Hand and Seal, authorizing or directing any 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 ; and if within Five Days next after any Distress shall be made, the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, together with all the said Charges for the said Warrant, and the Charges and Expences of executing the same Warrant, and of making such Distress, and of keeping such Goods and Chattels, shall not be paid, then the Person authorized by the said Warrant shall cause the said Goods and Chattels to be appraised, 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

Service thereof.

Persons summoned not attending.

Warrant.

Distress and Proceedings thereon.

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 cannot distrain the same; or in case, after such Distress and Appraisalment 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 such Case, upon Information thereof given to any Alderman or Justice of the City, County or Place in which the Premises shall be situate, it shall be lawful to and for any such Alderman or Justice, 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 said City, County or Place where the Premises 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 Costs, Charges and Expences, or so much thereof as shall remain unsatisfied by any such Distress or Distresses, or otherwise, shall be sooner paid.

Imprisonment.

Constables to assist in such Levy.

XIV. And be it further enacted, That in all Cases where a Distress is authorized to be made by the said recited Acts or by this Act, if any Constable or Headborough of any Ward, Parish or Place within which such District shall be situate, or of any other Ward, 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 of Distress from any Alderman or Justice), 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 any Sum not exceeding the Sum of Five Pounds, to be recovered in the same Manner as Penalties and Forfeitures are directed to be recovered by virtue of the said recited Acts and this Act.

Form of Warrant of Distress.

XV. And be it further enacted, That every Warrant of Distress for Non-payment of any Rates or Assessments, or Composition to be made by virtue of this Act, shall be in the Words or to the Effect following :

‘ London, } TO the Collector of the Rates for paving, cleansing
 ‘ to wit. } and lighting the City of London, and Liberties,
 ‘ and for making, enlarging, widening, deepening, altering and
 ‘ removing the Common Sewers, Public Drains and Vaults within
 ‘ the same, and to all Constables, Headboroughs, Beadles and
 ‘ Peace Officers, for the said City or County of *Middlesex* [as
 ‘ the Case may be]: Whereas the under or hereafter mentioned
 ‘ Person,

‘ Person, [or Persons, *if more than One*], now or late an Owner
 ‘ or Occupier [or Owners or Occupiers, *if more than One*] of
 ‘ Land, or a House, Shop, Warehouse, Cellar, Vault or Tenement,
 ‘ [or of Lands, Houses, Shops, Warehouses, Cellars, Vaults or
 ‘ Tenements, *if more than One Person be included in the War-*
 ‘ *rant*], or other Hereditaments, or Parts of Lands, Houses, Shops,
 ‘ Warehouses, Cellars, Vaults or Tenements within the said
 ‘ [*insert the Name of the Ward or 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 certain Acts
 ‘ passed in the Eleventh and Thirty third Years of the Reign
 ‘ of King George the Third, and the Fourth Year of the Reign of
 ‘ King George the Fourth [*set forth the Title of the said recited*
 ‘ *Acts and this Act*]: 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 the Aldermen of the said
 ‘ City, or Justice of the Peace for the said 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 Alderman or Justice upon Oath,
 ‘ and neither he or they, nor either of them [*as the Case may be*],
 ‘ having shown 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 here under
 ‘ or hereafter set at and opposite to his or their Names respect-
 ‘ ively [*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,
 ‘ Appraisalment 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 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
 ‘ A. B. - - - - - £. s. d.
 ‘ C. D. - - - - -
 ‘ E. F. (the Landlord for divided Premises) -
 ‘ G. H. Landlord for in
 ‘ compounded for K. L. Tenant. - -

In Cases of
 Persons removing Goods,
 how Rates to be
 recovered.

XVI. And for the better enforcing the Payment of the Rates or Assessments to be made by virtue of this Act, be it further enacted, That if any Person or Persons liable to pay any of the said Rates or Assessments, shall at any Time begin to remove his, her or their Goods or Furniture from the Land, House, Shop, Warehouse, Cellar, Vault, Tenement or Hereditament in his, her or their Occupation, within the Limits of this Act, or to sell or dispose of such Goods or Furniture therein by public Auction, or to sell or dispose of or carry away his, her or their Goods or Furniture as aforesaid, without paying all Arrears then due or rated in respect of such Premises, in which the current Quarter shall be considered as due, that then and in any of the said Cases, it shall be lawful for the said Collector for the Time being to the said Commissioners to collect and levy such Rates or Assessments, and all Arrears due thereon (the Rate or Assessment for such Quarter wherein such Removal or Sale shall begin to be made as aforesaid to be considered as due, although previous to the Time for Payment of the Rate or Assessment for such Quarter), by Distress and Sale of the Goods and Chattels of the Party so beginning to remove, sell or take away any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made, the said Rates or Assessments, and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments, together with all Arrears due thereon, and the reasonable Charge of making such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

Distress.

Actions may
 be brought for
 Rates.

XVII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, if they shall think it more expedient, to bring or cause to be brought, in the Name of any of their Clerks, or of any One or more of them the said Commissioners, any Action or Actions of Debt, or Special Action on the Case, in any of His Majesty's Courts of Record at Westminster, for all or any of the Rates or Assessments to be made by virtue of this Act, which shall exceed in Amount the Sum of Twenty Pounds, in which Action or Actions it shall be sufficient for the Plaintiff to declare that the Defendant is indebted to the Plaintiff in such Sum of Money as the Plaintiff shall suppose to be due, and if the Plaintiff shall recover such Sum so declared for, or any Part thereof, he or they shall have full Costs, to be levied and recovered as other Monies upon Judgments are now
 by

Full Costs.

by Law levied and recovered; in which Action or Actions no Essoign, Protection or Wager of Law, or more than One Impar- lance shall be allowed.

XVIII. And be it further enacted, That the Books of Rates to be delivered by the Collector or Collectors, or other Officers to the said Commissioners, and all Entries afterwards duly made therein, shall be received as Evidence of the Rates imposed by virtue of this Act, and of the Payment of such Rates, or such of them or such Part thereof as shall by such Entries appear to have been paid to such Collector or Collectors.

Rate Books to be received as Evidence.

XIX. And be it further enacted, That it shall and may be lawful from time to time and at all Times hereafter, for the said Commissioners, and they are hereby empowered, upon the Complaint of any Person or Persons subject to the Payment of any Rate or Rates, Assessment or Assessments, made or to be made by virtue of the said recited Acts or this Act, 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.

Rates may be remitted on account of Poverty.

XX. And Whereas by the said recited Act of the Eleventh Year of the Reign of His said late Majesty, it is enacted, that if any Person or Persons who should be liable to pay any Rate or Assessment to be made by virtue or in pursuance of the said Act, should become a Bankrupt or Bankrupts before he, she or they should have fully paid and satisfied all the Money then due and owing for such Rates and Assessments, then and in every such Case, the Assignee or Assignees of his, her or their Estate and Effects, or other Person or Persons possessing the same, should out of such Estate and Effects, after paying to the Petitioning Creditor or Creditors his, her or their Costs of suing out and prosecuting the Commission against any such Bankrupt or Bankrupts, in the next Place, pay unto the Chamberlain of the said City of *London* for the Time being all such Sums of Money as were due for such Rates and Assessments at the Time of the suing out any such Commission against him, her or them respectively, or so much thereof as the said Estates and Effects would extend to pay; and the Receipt of the said Chamberlain should be a good Discharge for the said Money; and every Assignee and Assignees, or other Person as aforesaid, might, to any Action or Suit commenced or brought against him, her or them, plead or give in Evidence the Payment of the same, and should be allowed such Payment out of the Estate and Effects of such Bankrupt or Bankrupts, prior to any other Debt or Demand whatsoever (except as before is excepted); and in case of Nonpayment of the same by the Space of One Calendar Month after the same should be demanded, it should and might be lawful to and for the said Commissioners to commence and prosecute One or more Action or Actions, Suit or Suits, for the same, in the Name of the principal Clerk of the said Commissioners for the Time being, in any of His Majesty's Courts of Record at *Westminster*, or within the said City, against such

11 G. 3. c. 29. §. 60.

repealed.

Owners and Occupiers of Markets to be subject to the same Payments as Farmers or Lessees.

Charges of Ward and Vestry Clerks to be paid out of the Rates.

Acts recited and this Act extended to Broker Row, Moorfields.

Powers of Commissioners to remove Projections extended to Places without the Liberties.

‘ such Assignee or Assignees, or other Persons as aforesaid;’ Be it further enacted, That the said Provision lastly hereinbefore recited shall be and the same is hereby repealed.

XXI. And be it further enacted, That the Owners and Occupiers of such Public Markets within the said City and Liberties, as for the Time being shall not be let on Farm or Lease, their Heirs, Successors, Executors, Administrators and Assigns, shall be subject to the Payment of the same or the like Sums of Money as the Farmers or Lessees of such Markets respectively, their Executors, Administrators and Assigns, would have been liable to by virtue of the said recited Acts and this Act, if the same respectively had been let on Lease or Farm; and such Sums of Money shall and may be recovered from the said Owners or Occupiers, their Heirs, Successors, Executors, Administrators or Assigns, and may be compounded for by them in like Manner as the same might have been recovered and might have been compounded for by such Farmers or Lessees, their Executors, Administrators and Assigns.

XXII. And be it further enacted, That all the reasonable Costs and Charges of the respective Clerks of the Wardmotes and Vestries within the said City and Liberties thereof, for making out Books, Duplicates and Copies of the Rates by the said recited Acts and this Act authorized to be assessed, or in anywise relating thereto, to be ascertained and allowed by the said Commissioners, shall be paid by the said Commissioners by and out of the said Rates.

XXIII. And be it further enacted, That the several Powers and Authorities vested in the said Commissioners by the said recited Acts and this Act, and all the Provisions and Regulations in the said recited Acts and this Act established, declared and provided, for the Purposes of paving, cleansing and lighting the said City and the Liberties thereof, and of making, enlarging, widening, deepening, altering and removing all or any of the said Public Sewers, Drains and Vaults within the same, and removing Encroachments, Projections and Annoyances, and all other Powers and Provisions whatsoever, shall respectively extend, and shall be in force and in all respects be executed by the Commissioners within the Street or Place called the North Side of *Broker-Row, Moorfields*, which is or is supposed to be out of the Liberties of the said City of *London*, and the Courts and Alleys leading into the same or communicating therewith; and the Inhabitants of the several Parts and Places as aforesaid shall be rated and assessed according to the Provisions by the said recited Acts and this Act made, by the Alderman of the Ward next adjoining to the same respectively, or by his Deputy, with the major Part of his Common Councilmen.

XXIV. And be it further enacted, That the said Commissioners shall have such and the like Power or Powers of causing to be removed all Signs, Emblems, Sign Posts, Sign Irons, Balconies, Penthouses, Shewboards, Spouts and Gutters, and all other Encroachments, Projections and Annoyances whatsoever, within the Parts of *Holborn*, the *Minorities* and *Aldersgate Street*, supposed to be out of the Liberties of the City of *London*, which are within the Limits of the said recited Acts and this Act, as by the

the said recited Acts or either of them is or are vested in them for causing the same to be removed within the said City of *London* and the Liberties thereof.

XXV. And be it further enacted, That the Penalty or Sum of Fifty Pounds, directed by the said recited Act of the Eleventh Year of the Reign of His late Majesty to be forfeited and paid by any Person elected or chosen Collector of the said Rates or Assessments, or such Sum or Sums of Money as shall remain due and unpaid thereof, who shall refuse to take the Oath, or, being one of the Persons called *Quakers*, to make the Affirmation in the said Act mentioned, or to take upon himself the said Office, or after having taken upon himself the said Office, shall refuse or neglect to serve and execute the same, according to the true Intent and Meaning of the said Acts and of this Act, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, in the Name of any one of the Clerks to the said Commissioners for the Time being, in which Action or Suit no Protection, Essoign or Wager of Law, or more than One Impar lance shall be allowed, and shall be applied towards the Purposes of the said recited Acts and this Act, or any of them.

How Penalty on a Collector not executing his Office recovered and applied, according to 11 G. 3. c. 29.

XXVI. And be it further enacted, That every Person appointed an Inspector of Pavements, or to be appointed from time to time by the said Commissioners to act as an Inspector of Pavements within the said City or Liberties thereof, shall reside within the District of the said City or the Liberties thereof to which he is appointed, and shall and he is hereby required, within Fourteen Days after the passing of this Act, or within Seven Days next after his Appointment (as the Case may be), to cause to be painted in Oil Colours, in a conspicuous Manner, on the Door of his Dwelling House or Office, his Christian and Surname, and the Title of his Office, and the Name of the District or Place to which he shall be appointed respectively; and such Inscriptions shall be painted in Roman Letters, at least One Inch in Height; and such Inscriptions shall be renewed or repaired and repainted as often as Occasion shall require; and if any Person appointed or to be appointed Inspector as aforesaid shall refuse or neglect to cause such Inscription to be painted, or to be renewed when necessary, he shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Names of Inspectors to be painted on their Doors.

XXVII. And be it further enacted, That every Inspector or other Officer appointed or authorized, or to be appointed or authorized by the said Commissioners to act in the Execution of the said recited Acts or this Act, who shall neglect any of the Duties of his Office, or shall wilfully misbehave himself in the Execution thereof, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Officers neglecting Duty,

XXVIII. And be it further enacted, That in case the Owners of any Houses or Buildings, forming the principal Part of any new Street, Lane, Square, Yard, Court, Alley, Passage or Place, laid out or made, or hereafter to be laid out or made within the said City or Liberties, which has not previously been paved or repaired by or under the Direction of the said Commissioners, shall be desirous of having the same paved, or if the said Commissioners

Penalty. Commissioners to pave new Streets, on One Third of the estimated Expence being paid by the Owners.

missioners shall deem it expedient or necessary that the same should be paved, then and in either of such Cases it shall and may be lawful to and for the said Commissioners of Sewers, and they are hereby required, as soon as conveniently may be after any such new or other Street, Lane, Square, Yard, Court, Alley, Passage or Place, or the Site thereof, shall be prepared and appropriated for the public Use, to lay out the Ground for proper Carriage Ways and Foot Ways, and well and sufficiently to pave the same, and from time to time to keep such Pavement in good and sufficient Repair; and the Owners of the Houses and Buildings forming the principal Part of such new Street, Lane, Square, Yard, Court, Alley, Passage or Place, shall on Demand pay to the said Commissioners One equal Third Part of the Amount of the estimated Expences of providing and laying such Pavement (such Amount to be determined by the Surveyor for the Time being of the said Commissioners); and in Default of Payment thereof, the same shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, or within the said City; in which Action or Suit no Protection, Essoign or Wager of Law, or more than One Impar lance shall be allowed; and the Charges of such Paving, or so much as shall be necessary, in addition to the Third Part of the estimated Expence to be paid to the said Commissioners as aforesaid, and of repairing such Pavement, shall be defrayed out of the Rates to be raised by virtue of the said recited Acts and this Act.

Payment of Difference between the Estimate and the actual Expence of paving new Streets, &c. how provided for.

XXIX. And be it further enacted, That in case the Sum of Money to be paid as the One Third Part of the Amount of the estimated Expences of providing and laying the Pavement of any such new Street, Lane, Square, Yard, Court, Alley, Passage or Place, as hereinbefore is mentioned, shall exceed One equal Third Part of the actual Charges of such Paving, then a Sum of Money equal to the Difference between the Third Part of such estimated Expences and the Third Part of such actual Charges, shall be repaid by the said Commissioners to the Owners of Houses and Buildings by whom the said Sum of Money shall have been paid; and in case the Sum of Money to be paid as aforesaid shall be less than One Third Part of the actual Charges of such Paving, then and in such Case the Owners of the Houses and Buildings by whom such Sum shall have been paid, shall on Demand pay to the said Commissioners such further Sum of Money as, together with the Sum which shall have been paid, shall amount or be equal to One equal Third Part of the actual Amount of such Paving respectively, which further Sum may be recovered in like Manner as hereinbefore is directed for the Recovery of the said One Third Part of the said estimated Expences.

Commissioners to pave Parts of the Sites of Houses laid into any Street, previously paved by them, for widening and improving it.

XXX. And be it further enacted, That if at any Time or Times after the passing of this Act, any Houses and Buildings situate in any Street, Lane, Square, Yard, Court, Alley, Passage or Place, within the said City and Liberties, which hath heretofore been paved or repaired by or under the Direction of the said Commissioners, shall be taken down for the Purpose of laying the Sites or any Part of the Sites thereof, or of the Yards and Appurtenances belonging thereto, into such public Street, Lane, Square Yard,

Yard, Court, Alley, Passage or Place, for widening, enlarging and improving the same, then and in any such Case it shall and may be lawful to and for the said Commissioners of Sewers, and they are hereby required, as soon as conveniently may be after such Sites or Parts thereof, or of the Yards and Appurtenances belonging thereto, shall be prepared and appropriated for the public Use, to lay out the same for proper Carriage Ways and Foot Ways, and well and sufficiently to pave the same, and from time to time to keep the Pavement so to be laid in good and sufficient Repair, and to defray the Charges of such paving and repairing out of the Rates directed to be raised by virtue of the said recited Acts and this Act.

XXXI. And be it further enacted, That no Pavement in the Carriage or Foot Ways of the Streets and Places hereinafter next mentioned (that is to say), *Aldgate High Street between Whitechapel Bars and Leadenhall Street, Leadenhall Street, Cornhill, Mansion House Street, the Poultry, Cheapside, Saint Paul's Church-yard, Ludgate Street, Ludgate Hill and Fleet Street to Temple Bar*, so as to include the whole Line of Street from *Whitechapel Bars to Temple Bar* aforesaid, *Gracechurch Street, Fish-street Hill and London Bridge*, so as to include the whole Line of Street from the North End of *Gracechurch Street* to the South End of *London Bridge* aforesaid, *Queen Street Cheapside*, from the North End thereof to *Thames Street, Bridge Street Blackfriars*, from the North End thereof to the South End of *Blackfriars Bridge, Upper and Lower Thames Street, Lombard Street, the Old Bailey*, between the End of *Fleet Lane and Ludgate Hill, Barbican and Long Lane*, between *Redcross Street*, crossing *Aldersgate Street*, to *Smithfield*, shall be broken, or taken up, or laid down, or repaired, except between the Hours of Six of the Clock in the Evening and Eight of the Clock in the Morning; and that no more Pavement shall be taken up in any One Night and Morning, for the Purpose of repairing or altering the same, or for any other Purpose (except as hereinafter is mentioned) than can be completely repaired and altered, or the Stones thereof replaced, so that Persons or Carriages may safely and conveniently pass over the same before Eight of the Clock in the Morning after the Night that the same shall have been taken up; and if any Paviour or other Person shall break or take up any such Pavement, or lay down or repair the same at any other Time, or shall not (except as after mentioned) repair, alter and repave or replace the same as aforesaid, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

XXXII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, by Writing signed by One of their Clerks, from time to time to authorize any Person or Persons to keep open any such Pavement as aforesaid, for such Time as shall be specified in such Writing respectively, for the Purpose of repairing a Sewer, or for any other Purpose which cannot possibly be completed before Eight of the Clock in the Morning: Provided also, that in every Case in which there shall be an immediate and urgent Necessity to take up or continue open after Eight of the Clock in the Morning any of the Pavements in any of the said Streets, it shall

Pavement in principal Streets to be taken up and laid down within certain Hours.

Paviour, &c. offending.

Penalty.

Commissioners may authorize Pavements to be kept open in certain Cases.

be

be lawful for the major Part of such of the said Commissioners as shall reside in the Ward within which such Pavement shall be situate, by Writing under their Hands, to authorize such Pavement to be taken up or continued open; and the Commissioners giving such Authority shall and they are hereby required to give a written Report of their Proceedings in such Case respectively to the said Commissioners, at the first Meeting to be held by them after such Authority shall have been given; but no such Authority shall continue in force for a longer Time than until the first Meeting of the Commissioners after the same shall have been given.

Provisions as to Water Companies extended to Gas Companies.

XXXIII. And be it further enacted, That all the Provisions, Powers, Authorities, Pains, Penalties and Forfeitures in and by the said recited Acts contained, for enforcing the Repair of the Pavements damaged or injured by means of the breaking, bursting or want of Repair of any Pipe or Pipes laid under the Surface of the Pavements in any of the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages or Places within the said City and Liberties, belonging to the New River Company, or any other Water Company, shall be and they are hereby extended to and shall be carried into effect with respect to all and every Gas Light Company established or hereafter to be established, and to any other Company, Person or Persons, to whom any such Pipe or Pipes laid under the Surface of the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages or Places within the Limits of this Act shall belong, and which shall happen to burst, break or be otherwise damaged, or where the Pavement may be broken or taken up for the Purpose of repairing or amending any such Pipe or Pipes.

Commissioners to direct Pavements injured by Water or Gas Pipes to be repaired.

XXXIV. And for the more speedy and effectual repairing and relaying the Pavements of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages and Places within the said City and Liberties, which shall at any Time hereafter happen to be sunk, broken, injured or damaged by reason or means of the breaking, bursting or want of Repair of any Pipe or Pipes belonging to any Water or Gas Light Company, and laid beneath the Surface of such Pavements, or of relaying or repairing any such Pavements which shall be broken or taken up for the Purpose of repairing or amending any such Pipe or Pipes; be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, or any One of their Clerks or Surveyor for the Time being, if the said Commissioners shall deem it proper and expedient, to cause Notice to be given to the Water or Gas Light Company, to whom it may appear such Pipe or Pipes shall belong, or otherwise to the Paviour or Paviours of such Water or Gas Light Company, or to cause a Copy of such Notice to be left at the Office or Counting House of such Water or Gas Light Company, or at the last Place of Abode of such Paviour or Paviours, forthwith well and sufficiently to repair and make good such Pavements; and if any Water or Gas Light Company, or the Paviour or Paviours of such Water or Gas Light Company, to or for whom such Notice or Copy thereof shall be given or left as aforesaid, shall not, within Twenty four Hours next after such Notice so given or left to or for them or him as aforesaid, take up such Pavement, and well and

Not repairing such Pavement.

and sufficiently repair and amend such Pipe or Pipes, and cause the Ground to be well and sufficiently filled in and rammed down, and the said Pavement to be relaid and repaved, to the Satisfaction of the said Commissioners, or of their Surveyor for the Time being, then such Water or Gas Light Company, or the Paviour or Paviours of such Water or Gas Light Company, to or for whom such Notice or a Copy thereof shall be given or left as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds. Penalty.

XXXV. And be it further enacted, That in case it shall happen, or it shall be discovered, after any Pavement in any of the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages or Places, within the said City or Liberties, shall have been taken up by any such Water or Gas Light Company, or the Paviour or Paviours of such Water or Gas Light Company, and the Ground shall have been opened, that the Pipe or Pipes beneath the Surface of such Pavements required to be repaired and amended shall not belong to the Water or Gas Light Company to whom or to whose Paviour or Paviours such Notice, or a Copy thereof, shall be given or left as aforesaid, but to some other Water or Gas Light Company, then such first mentioned Water or Gas Light Company, or the Paviour or Paviours of such Water or Gas Light Company, to or for whom such Notice, or a Copy thereof, shall have been given to or left as aforesaid, shall, within Twenty four Hours after such Discovery, cause a Copy of such Notice to be in like Manner given or left for the Water or Gas Light Company to whom such Pipe or Pipes shall belong, or their Paviour or Paviours, and require them or him to obey, conform and comply with the original Notice, instead of the Company or Paviour to or for whom such original Notice shall have been given or left as aforesaid; and such other Company or Paviour, to or for whom such last mentioned Notice shall have been given or left as aforesaid, shall reimburse and pay on Demand, to the first-mentioned Company, the reasonable Costs and Charges incurred in and about the taking up of the Pavements and opening the Ground; and the said last mentioned Company, or their Paviour, to or for whom such last mentioned Notice shall have been given or left as aforesaid, shall obey, execute and perform the said original Notice, in such and the same Manner, and within such and the same Time, in all respects, as if the said original Notice had been given to or left for such last mentioned Company, or the Paviour of such last mentioned Company; and they or he shall be liable to incur the same Penalties and Forfeitures on Neglect so to do, as they or he would have incurred and been liable to if the said original Notice had been given or left to or for them or him, in Manner before directed with respect to such first mentioned Company, or Paviour or Paviours; and that the Company or Paviour, by whom such Pavements shall have been first taken up, and shall have opened the Ground, who shall neglect to give the Notice hereby required to the Company to whom such Pipe or Pipes shall actually belong, or to their Paviour or Paviours, shall, for every such Neglect and Offence, forfeit and pay any Sum not exceeding Twenty Pounds. Penalty.

Company opening the Ground to repair a Pipe which shall be discovered to belong to another Company, to give Notice to such Company, and to be reimbursed Expenses.

Neglecting to give Notice.

Penalty.

XXXVI. And

All Works exceeding the estimated Expence of 50*l*. to be contracted for.

XXXVI. And be it further enacted, That all Works for the Performance of which the said Commissioners are authorized to contract by the said recited Acts, or either of them, or this Act, shall be performed by Contract, to be made in the Manner directed by the said recited Act, passed in the Eleventh Year of His said late Majesty's Reign, and not in any other Manner, except any Works respectively, the Expences of employing Persons to perform which will not, in the Opinion of the Surveyor for the Time being of the said Commissioners, exceed in Amount the Sum of Fifty Pounds.

Commissioners may compound for Breach of Contract before Action brought.

XXXVII. And be it further enacted, That it shall be lawful for the said Commissioners from time to time and at all Times, to compound and agree with any Person or Persons on account of any Breach or Nonperformance of any Contract or Contracts, although no Action or Suit shall have been brought for any Penalty or Forfeiture contained in any such Contract or Contracts, in like Manner as they are authorized and empowered to compound and agree on account of the same by the said recited Acts, after any Action or Suit shall have been brought in respect thereof.

After Michaelmas 1825, Tolls to cease.

XXXVIII. And be it further enacted, That from and after the Twenty ninth Day of *September* One thousand eight hundred and twenty five, all the Tolls by the said recited Acts authorized to be taken at the Turnpikes in the said Acts mentioned, shall absolutely cease and determine.

11 G. 3. c. 29.
§ 101.

XXXIX. And Whereas by the said recited Act passed in the Eleventh Year of His late Majesty King *George* the Third, it was amongst other Provisions in the said Act further enacted, that from and after the First *Sunday* next after the passing the said Act, there should be paid to the Receiver or Receivers, Collector or Collectors, to be nominated and appointed under the said Act, before any Cattle or Carriage should be permitted to pass on any *Sunday* through any or either of the Turnpikes following, that is to say, the Turnpike at *Mile End*, the Turnpike at *Bethnal Green*, the Turnpike at *Hackney*, the Turnpike at *Kingsland*, the Turnpike at *Balls Pound or Pond, Islington*, the Turnpike at *Holloway*, the Turnpike at the End of *Saint John Street*, the Turnpike at the End of *Goswell Street*, and the Turnpike on the *New Road*, commonly called the *City Road*, all such Turnpikes respectively being in the County of *Middlesex*, certain Tolls in the said Act mentioned: And Whereas since the passing of the said Act, a Turnpike and Toll House has been erected at *Islington* in the said County, and which is commonly known by the Name of the *Islington Gate*: And Whereas Doubts have arisen whether the said Toll is by the said Act authorized to be taken at the said last mentioned Gate; Be it therefore enacted, That nothing in the said recited Act shall extend or be construed to extend to enable the said Receiver or Receivers, Collector or Collectors, to demand and take, or cause to be demanded or taken the said Toll or Tolls at any Gate or Gates, save and except such Gates as are specifically named in the said Act.

Sunday Toll to be taken only at such Gates as are named in the said Act.

Monies borrowed on the

XL. And be it further enacted, That from and after the said Twenty ninth Day of *September* One thousand eight hundred and

twenty five, all the Sums of Money which, by virtue of the said recited Acts, or either of them, have been borrowed and raised upon the Credit of the said Tolls, and the Interest thereof, shall be and the same are hereby made payable out of and charged upon the Monies to arise from the Rates by the said recited Acts and this Act authorized to be made, for the Purposes of paving, cleansing and lighting the said City and Liberties, and of making, enlarging, widening, deepening, altering and removing the Common Sewers, Public Drains and Vaults, within the same, in the same Manner to all Intents and Purposes as the same would have been payable out of the said Tolls, if this Act had not been made; and every Person to whom any Security has been given, assigned or transferred, or shall be assigned or transferred by virtue of the said recited Acts or either of them, for Payment of any such Sums of Money out of the said Tolls, shall have and is hereby vested with such and the like Powers and Remedies for enforcing or recovering Payment thereof, as if the same had been originally charged upon the said Rates instead of the said Tolls, and shall be Creditors in an equal Degree with other Creditors for Monies borrowed on the Credit of the said Rates, by virtue of the said recited Acts or either of them, without any Preference in respect of Priority of the Advance of the Money lent by them, or any of them respectively.

Credit of the Tolls charged upon the Consolidated Rate.

XLI. And be it further enacted, That all the Regulations and Provisions in the said recited Acts or either of them, or in this Act contained, relating to Hackney Coaches, shall extend and apply to Hackney Chariots, Cabriolets and any other Carriages licensed to ply for Hire in the Streets, in the same Manner to all Intents and Purposes as if the same respectively had been included in the said recited Acts, together with Hackney Coaches.

Regulations respecting Chariots, &c. plying for Hire.

XLII. And be it further enacted, That from and after the passing of this Act, the Number of Coaches, Chariots, Cabriolets or other Carriages allowed to stand and ply for Hire at any one Time in the respective Streets or Places hereinafter named, shall be no more than is hereinafter directed; that is to say, in the Middle of *Fenchurch Street*, between the Ends of *Mark Lane* and *Mixing Lane*, Eight of such Coaches or other Carriages; in the Middle of *Leadenhall Street*, between the *East India House* and the End of *Gracechurch Street*, Six of such Coaches or other Carriages; in the Middle of *Gracechurch Street*, between the End of *Cornhill* and the End of *Eastcheap*, Fifteen of such Coaches or other Carriages; in the Middle of *Cheapside*, between the End of *Queen Street* and the End of the *Old Change*, Twenty of such Coaches or other Carriages; in the Middle of *King Street*, between *Cheapside* and *Cateaton Street*, Eight of such Coaches or other Carriages; and in the Middle of *Fleet Street*, between the End of *Water Lane* and the End of *Fetter Lane*, Fifteen of such Coaches or other Carriages; and the Owner or Driver of any such Coach, Chariot, Cabriolet or other Carriage, which shall stand or ply for Hire in any of the said Streets or Places, after such Number of Coaches, Chariots, Cabriolets or other Carriages as is hereinbefore limited shall be standing or plying therein, or shall stand or be placed within Eight Feet of any other Coach, Chariot, Cabriolet or other Carriage then standing or plying for

For limiting the Number of Hackney Coaches and other Carriages to stand in certain Streets.

Penalty.

Hire, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, to be recovered and levied by such Ways and Methods as by the several Acts of Parliament now in force concerning Hackney Coaches and other Carriages plying for Hire, or any of them, all or any of the Penalties and Forfeitures incurred by Hackney Coachmen may now be recovered and levied.

Court of Aldermen empowered to make Regulations for the standing of Carts.

XLIII. And be it further enacted, That it shall be lawful for the Court of Mayor and Aldermen of the said City, from time to time to appoint such Places for Carts, Wains or Waggon to stand and ply for Hire within the Limits of this Act, as they shall think proper; and shall make such Orders to regulate the Number of such Carts, Wains or Waggon, to stand in such Places respectively, and the Distances at which they shall stand one from another, and as to the Times of their so standing or plying for Hire, as to such Court shall think fit; and shall cause the Orders to be made by them from time to time to be advertised in the *London Gazette* and Two or more Newspapers circulated in the City of *London*, and a Copy thereof to be hung up for public Inspection in the Town Clerk's Office at the Guildhall of the said City; and if any Cart, Wain or Waggon shall stand for Hire in any Place which shall not be so appointed, or at any other Time than during the Hours appointed for such standing for Hire, or in any Manner contrary to the Orders to be made and advertised as aforesaid, the Person who shall so place the same, or if such Person shall not be known, the Owner of such Cart, Wain or Waggon shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; and it shall be lawful for any Person or Persons to seize or to assist in seizing every such Cart, Wain or Waggon standing for Hire, or contrary to the Regulations aforesaid, together with all and every Horse, Mare, Gelding, Mule or Ass, drawing, belonging or attached thereto, and to convey the same to the Common Pound or Green Yard of the said City, there to be impounded and kept until the Owner or Owners thereof, or his or their known Servant or Servants, shall claim the same, and shall have paid the Charges of removing and keeping every such Cart, Wain or Waggon, and any Horse, Mare, Gelding, Mule or Ass drawing, belonging or attached thereto, and also the Penalty or Forfeiture to be inflicted upon any Person convicted of such Offence; and in case the same shall not be claimed, and the Charges, Penalty or Forfeiture paid within the Space of Ten Days next after such Seizure, it shall and may be lawful to and for any Alderman of the said City to cause the same or a competent Part thereof to be appraised and sold for the Payment of the said Charges and Penalty or Forfeiture, returning to such Owner or Owners, upon Demand, such Part or Parts thereof as shall not have been sold, together with the Overplus (if any) of the Monies arising by such Sale.

For preventing various Nuisances. Wheelbarrows.

XLIV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall upon any of the Foot Ways or Foot Pavements within the Limits aforesaid, run, draw, drive or carry thereon any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier or Carriage whatsoever; or roll any Cask or Tub, other than for the necessary loading or unloading thereof,

hereof, unto, upon, from or out of any Carriage or Cart; or wilfully ride, load or drive any Horse or other Beast or Cattle whatsoever on any of the said Foot Ways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving or leading to go hereon; or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree or other Thing whatsoever, across any of the said Foot Ways or Foot Pavements; or hold, set or place any Pole, Placard, Basket, Bag, Cask, Tub, Pail, Bucket, Stool, Bench, Shewboard, Chopping Block, Stall, Goods, Wares, Merchandize, Apparel or other Things, on or in the said Foot Way or Foot Pavement; or erect, set up, put or place any Blind, Shade, Coverlid or Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in the Foot Way or on the Foot Pavement; or shall in any Street, Lane, Square, Yard, Court, Alley, Passage or Place within the said Limits, hoop, fire, cleanse, wash or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood or Timber, or bore any Timber; or make or repair, or place or leave, or wash or clean any Coach, Chaise, Waggon, Sledge or other Carriage, or the Wheel, Body, Springs or other Part of any Coach, Chaise, Waggon, Sledge or other Carriage, except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot be conveniently removed for that Purpose, and also except for the necessary Time of any Stage Coach, Hackney Coach or other Carriage let for Hire, taking up and setting down any Fare, or waiting for Passengers when actually hired, so that no Stage Coach shall wait for Passengers longer than Ten Minutes; or shoe, bleed or farry any Horse or other Beast (unless in case of sudden Accident); or clean, dress, drive or turn loose any Horse or other Beast or Cattle, or shew or expose any Stallion or Stone Horse (except only in such Place as the said Commissioners shall direct); or shew or expose, or exercise, or expose to Sale any Horse or other Beast, or kill, or slaughter, or scald, singe, dress or cut up any Animal, either wholly or in part, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop or Shamble into the Streets, or any of them; or shall sell or assist in selling by Auction or public Sale, or expose or assist in exposing to Sale any Cattle, Apparel, Goods, Wares, Merchandize or Thing or Things whatsoever, in any of the said Streets, Lanes, Squares, Yards, Courts, Alleys, Passages or Places; or hang up, place or expose to Sale, or cause or permit to be hung up, placed or exposed to Sale, any Goods, Wares or Merchandize whatsoever, or any Fruit, Vegetables or Garden Stuff, Butcher's Meat, Offal, or other Matter or Thing, in or upon, or so as to project over or upon the Foot Way or Carriage Way of any such Streets, Lanes, Squares, Yards, Courts, Alleys, Passages or Places, or beyond the Line or on the Outside of the Window or Windows, or in the Area or Areas of the House, Shop or Place at which the same shall be so hung up, placed or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage; or leave open after Sunset and before Sunrise the Door or Window of any Area, Cellar or other underground Room or Apartment, or Openings leading to any Build-

Horses, &c. on Foot Way

Shewboards, &c. on Foot-way.

awnings.

Washing Carriages, Tubs, cutting Wood, &c.

Stage Coaches waiting for Passengers.

Horses farrying, &c.

Blood from Slaughter Houses, &c. Auctions.

Exposing Goods, &c. to Sale on Projections.

Leaving Cellar Doors, &c. open.

ings or Premises, without having placed or left a sufficient Light therein to warn and prevent Persons passing in the Streets, Lanes, Squares, Yards, Courts, Alleys, Passages and Places within the said Limits, from falling into such Cellars or other underground Rooms, Apartments or Openings; or shall permit or suffer any Iron or other Plate commonly called a Coal Plate, over the Vaults, or otherwise belonging to any of the Houses and Premises within the Limits of this Act, to remain loose and unfastened, or shall permit or suffer any Gate or Gates, Door or Doors, to open over the Footways; or shall not inclose the Openings or Entrances to the Steps leading from the public Streets through Passages or Courts to Cottages or Buildings, with proper Iron or other Gates, or shall not lock up and fasten after Daylight and in the Nighttime the Iron or other Gates enclosing the Areas belonging to the said Houses and Premises, or Openings and Entrances as aforesaid; or shall throw at any Cock or Fowl in the Manner called Cock throwing, or set up any Cock or Fowl to be thrown at in such Manner; or play at Football, or at any other Game to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or shall willfully break, aid or abet, or assist in willfully breaking any Glass or Window Panes or Windows in or belonging to any Dwelling House or Building; or cause, make or assist in making any Bonfire, or wantonly discharge or fire off any Gun, Pistol or Blunderbuss, or other Fire Arms, or let off, set fire to or throw any Cracker, Squib, Rocket or other Firework; or shall occasion any kind of Obstruction or Annoyance in or upon any such Street, Lane, Square, Yard, Court, Alley, Passage or Place; or shall obstruct or incommode, hinder or prevent the free Passage of any Foot Way or Causeway; or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing or going thereon within the said Limits, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall and may be lawful to and for any Constable or other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her or them before some Alderman or Aldermen, or Justice or Justices of the Peace for the City, County or Place where the Offence shall be committed, in order to his, her or their Conviction of such Offence.

Obstructions may be seized. XLV. And be it further enacted, That not only shall the said Penalties lastly enacted become payable and 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 as aforesaid, without any Warrant or other Authority than this Act, to seize any such Truck, Wheel, Sledge, Wheelbarrow, Bier or Carriage, Horse, Beast or Cattle, Pole, Placard, Bag, Cask, Tub, Pail, Bucket, Stool, Bench, Shewboard, Chopping Block, Stall, Basket, Blind, Shade, Coverlid or Awning, or other Things, Stone, Wood or Timber, Coach, Chaise, Waggon or other Carriage, together with the Horse or Horses, Ass or Asses, Mule or Mules, if any shall be thereunto belonging, with the Harness, Gear and Accountments

trements thereof, or any such Goods, Apparel, Wares, Merchandize, Fruit, Vegetables or Garden Stuff, Butcher's Meat or other Things, or any of them; and in case any of the Wares, Goods and Merchandize 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 Directors of the Poor, or some of them, or to the Master of the Workhouse of the Parish in which the same shall be seized, and the same shall and may be given and distributed by them or him unto and among the poor Inhabitants of the said Workhouse, to and for his, her or their Benefit; but otherwise such Person or Persons shall cause the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, or any Materials or Things so seized, to be removed to the Common Pound of the said City called the Green Yard, or the Common Pound of the Place where the Offence shall be committed, if any such there be, or 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, Carriages, Horse or Horses, Ass or Asses, Mule or 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, Ass or Asses, Mule or Mules, if any; and in case the Goods, Carriages, Horse or Horses, Ass or Asses, Mule or Mules, 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 their Surveyor or other Person 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 selling the same, as the said Commissioners or the Alderman before whom the Offender shall be convicted shall ascertain and allow.

XLVI. And be it further enacted, That the said Commissioners shall and may be sued and otherwise proceed or be proceeded against at Law, or otherwise, in the Name of any One of the said Commissioners, or of their Clerks for the Time being, or any of them; and that all Actions or Suits which it may be necessary to bring for the Recovery of any Penalty or Sum of Money due or payable by virtue of the said recited Acts or either of them or this Act, or for or in respect of any Matter or Thing relating to the said recited Acts or either of them or this Act, shall be brought and prosecuted in the Name or Names of One of the said Commissioners or of any One of their Clerks for the Time being; and that no Action or Actions which may be brought, commenced or prosecuted by or against the said Commissioners, or any of them,

Commissioners may sue and be sued in the Name of their Clerk.

by virtue or on account of this Act, in the Name or Names of One of the said Commissioners, or One of their Clerks, shall abate or be discontinued by Death or Removal of such Commissioner or Clerk, or either of them, or by the Act or Default of such Commissioner or Clerk, or either of them, done or suffered without the Direction or Consent of Seven or more of the said Commissioners for the Time being, but One of the said Commissioners or One of the Clerks of the said Commissioners for the Time being shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be: Provided always, that every such Commissioner or Clerk in whose Name or Names 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 be raised by virtue of the said recited Acts or either of them, or this Act, all such reasonable Costs, Charges and Expences as he or they shall sustain, be put unto or become chargeable with, by reason of his being so made Plaintiff or Plaintiffs, Defendant or Defendants therein; and such Commissioner or Clerk shall not be personally answerable or liable for the Payment of the same, or of any Part thereof, unless such Action or Suit shall arise in consequence of his own Neglect or Default, or unless it should have been brought, commenced or defended without the Order or Direction of Seven or more of the said Commissioners assembled at a Meeting under this Act.

11 G. 3. c. 21.
§ 96.

‘ XLVII. And Whereas by the said Act of the Eleventh Year of the Reign of His said late Majesty, it ‘ was enacted, that if any ‘ Person or Persons whatsoever should forge or counterfeit, or ‘ procure to be forged or counterfeited, or wilfully act or assist in ‘ forging or counterfeiting any Assignment of any such Annuity as ‘ therein is mentioned, or any Certificate of the Age or of the Life ‘ of any Nominee, or any Order or Authority in Writing to receive ‘ any Annuity due or to grow due to any Proprietor thereof, or ‘ any Part thereof, or should knowingly or fraudulently demand or ‘ endeavour to have or receive any such Annuity or Annuities, or ‘ any Part thereof, by virtue of any forged or counterfeited Assign- ‘ ment, Letter of Attorney, Certificate, Order or Authority in ‘ Writing, or should falsely and deceitfully personate any true and ‘ real Proprietor or Proprietors of any such Annuity or Annuities, ‘ or the Assignee of any such Proprietor or Proprietors, and there- ‘ by receive or endeavour to receive the Money of any such true ‘ and lawful Proprietor or Assignee, as if such Offender were the ‘ true and lawful Owner thereof, then and in every and any of the ‘ said Cases, all and every such Person and Persons so offending, ‘ and being thereof convicted in due Form of Law, should be ad- ‘ judged guilty of Felony, and should suffer Death without Bene- ‘ fit of Clergy;’ Be it further enacted, That so much of the said recited Act, as makes the Person or Persons offending as lastly hereinbefore is recited liable to suffer Death without Benefit of Clergy, shall be and the same is hereby repealed.

repealed.

Gikspur Street
Prison, &c.

XLVIII. And be it further enacted, That in any Case in which by the said recited Acts any Person is authorized to be committed to One of the Compters of the said City, such Person may in like Manner be committed to the *Giltspur Street Prison*, or to the House of Correction for the said City.

XLIX. And

XLIX. And be it further enacted, That all Fines, Penalties and Forfeitures inflicted or imposed by the said recited Acts or either of them, or this Act, (the Manner of levying and recovering whereof is not otherwise particularly directed) may, in case of Nonpayment thereof, be recovered in a summary Way, by the Order and Adjudication of One or more Alderman or Aldermen, Justice or Justices of the Peace for the City, County or Place where the Offence shall be committed, or such Offender or Offenders shall be apprehended, and afterwards be levied, as well as the Costs of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such One or more Alderman or Aldermen, Justice or Justices, who is and are hereby authorized and required to summon and examine any Witness or Witnesses upon Oath of and concerning such Offences, Matters and Things, and hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties not herein directed to be otherwise applied shall be paid to the Chamberlain of the said City for the Time being, to be applied for the General Purposes of this Act; and it shall and may be lawful for the said Alderman or Aldermen, Justice or Justices, to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Alderman or Aldermen, Justice or Justices, for his, her or their Appearance before the said Alderman or Aldermen, Justice or Justices, on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Alderman or Aldermen, Justice or Justices, is and are hereby empowered to take, by way of Recognizance or otherwise; but if, upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, then it shall be lawful for such Alderman or Aldermen, Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction of the City, County or Place, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Alderman or Aldermen, Justice or Justices, or shall otherwise be discharged by due course of Law.

Recovery and Application of Forfeitures.

Distress.

Offenders may be detained.

‘ L. And Whereas Offences may be committed against this Act by Persons unknown to the Commissioners, Collectors or
 3 X 4 ‘ other

For securing
transient Of-
fenders.

other Officers appointed to put the same in Execution; Be it therefore further enacted, That it shall be lawful for any of the said Commissioners, or their Clerk or Clerks, Collectors or other Officers, or any Constable or Officer of the Peace respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons as shall commit any such Offence or Offences, and to take him, her or them before any Alderman or Justice of the City, County or Place where such Offence shall be committed, or such Offender or Offenders shall be seized and apprehended, and such Alderman or Justice shall and he is hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Appeal.

LI. And be it further enacted, That if any Person or Persons shall think himself, herself or themselves aggrieved by any Thing done in pursuance of this Act, and for which no particular Mode of Relief hath been already appointed, such Person or Persons may appeal, if the Cause of such Appeal shall arise in the City of *London*, to the Justices of the Peace for the said City at their General or Quarter Sessions, to be holden for the said City of *London*; or if the Cause of Appeal shall arise within the County of *Middlesex*, to the Justices of the Peace at their General or Quarter Sessions, to be holden for the said County of *Middlesex*, within Three Calendar Months next after such Cause of Complaint shall arise, unless the same shall arise within Ten Days preceding such Sessions, in which Case such Appeal may be brought at the Second Sessions after such Cause shall arise; and the said Justices are hereby authorized and required to take Cognizance thereof, and to hear and determine such Complaint or Complaints; and shall and may, if they see Cause, vacate or set aside the Conviction or Convictions, and set the Parties at Liberty, or otherwise may ratify or confirm the same, with such Costs as to them in their Discretion shall seem reasonable; and to levy by their Order or Warrant such Costs so awarded, by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to pay the same; and for want of sufficient Distress, to commit such Person or Persons to the Common Gaol for the said City of *London* or County of *Middlesex* for any Time not exceeding Three Calendar Months, or until Payment of such Costs: Provided always, that the Person or Persons so appealing as aforesaid shall, and he, she and they are hereby required to give Notice in Writing of such his, her or their Intention of bringing or prosecuting such Appeal, Fourteen Days before the said General or Quarter Sessions, and shall before such Notice given enter into a Recognizance before One or more Alderman or Aldermen of the City of *London*, or Justice or Justices of the Peace for the said County of *Middlesex*, in the Sum of Twenty Pounds, with two sufficient Sureties in the Sum of Ten Pounds each, with Condition to prosecute such Appeal, and to pay all Costs in case such Appeal shall be determined against the Party or Parties so appealing.

Limitation.

Costs.

Di'ress.

Extending the
Provisions of

LII. And be it further enacted, That the said recited Acts, and all and every the Powers, Authorities, Provisions, Regulations, Privileges,

Privileges, Penalties, Forfeitures, Matters and Things whatsoever therein contained, so far as the same are not altered, repealed or otherwise provided for, shall extend and be construed to extend to operate and be in full Force and Effect with respect to all Rates and Assessments to be made, and Matters and Things to be done, or which may arise in the Execution of this Act, as fully and effectually as if the same and every of them, and every Part thereof, were repeated and re-enacted in this Act, and were made Part thereof; and the said recited Acts and this Act shall, as to all Matters and Things whatsoever (except as aforesaid), be construed as one Act.

the former Acts
to this Act.

LIII. And be it further enacted, That the Charges and Expences of obtaining and passing this Act shall be defrayed by and out of the Rates to be raised by virtue of the said recited Acts and this Act.

Expences of
this Act.

LIV. 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. cxv.

An Act to alter, amend and enlarge the Powers of the several Acts passed for more effectually supplying with Water the Inhabitants of the Town of *Manchester* and *Salford*, in the Parish of *Manchester* in the County Palatine of *Lancaster*.

See 49 G. 3.
c. cxcii.
53 G. 3. c. xx.
56 G. 3. c. xii.
1 & 2 G. 4.
c. xlvii.

[27th June 1823.]

Cap. cxvi.

An Act to amend several Acts for erecting a Bridge over the River *Thames*, from the City of *London* to the opposite Bank in the Parish of *Saint Saviour* in the County of *Surrey*.

See 51 G. 3.
c. clxvi.
53 G. 3.
c. lxxxvii.
56 G. 3. c. xi.
58 G. 3. c. lxxviii.
1 G. 4. c. xlix.

[27th June 1823.]

[Former Tolls repealed and new ones granted.]

Cap. cxvii.

An Act for building a Church or Chapel of Ease in the Hamlet of *Far Town* and Parish of *Huddersfield*, in the West Riding of the County of *York*.

[27th June 1823.]

Cap. cxviii.

An Act for extinguishing Tithes, and customary Payments in lieu of Tithes, and all Demands for *Easter Offerings*, within the *London* or City Liberty of *Saint Andrew Holborn* in the City of *London*; and for making Compensation in lieu thereof.

[27th June 1823.]

Cap. cxix.

An Act to enlarge the Powers of the Gas Light and Coke Company, and to amend several Acts passed in the Reign of His late Majesty relating to the said Company.

[27th June 1823.]

50 G. 3. c. clxiii.
Charter, 30th
April 1812.
54 G. 3. c. cxvi.
56 G. 3. c. lxxxvii. 59 G. 3. c. xx. recited.

Cap. cxx.

32G.2. c.50.
2G.3. c.57.
5G.3. c.95.
19G.3. c.101.
41G.3. U.K.
c.xxix. all re-
pealed.
Powers of
3G.4. c.126.
extended to this
Act.

An Act for repairing the Roads from *Oxdown Gate* in *Popham Lane* to the City of *Winchester*, and from the said City through *Hursley* to *Chandler's Ford*, and from *Hursley* aforesaid to the Turnpike Road at *Romsey*, and from the *Hundred* at *Romsey*, through *Chilworth*, to the River at *Swathling*, in the County of *Southampton*; and from the said Turnpike Road at *Romsey*, through *Ringwood* in the said County, to *Longham Bridge* and *Wimborne Minster* in the County of *Dorset*. (a)
[27th June 1823.]

[New Trustees.]

Cap. cxxi.

33G.2. c. 51.
18G. 3. c. 86
42G.3. c.lxi.
repealed as to
the fourth dis-
trict. Powers
of 3G 4. c 126.
extended to this Act.

An Act for more effectually repairing the Roads leading from a Place called the *Welsh Harp*, in the Township of *Stonnall* in the County of *Stafford*, to *Stone Bridge*, and from *Castle Bromwich* to *Birmingham* in the County of *Warwick*. (b)
[27th June 1823.]

[New Trustees.]

Cap. cxxii.

33G.2. c.41.
21G.3. c.89.
43G.3. c.lxviii.
all repealed.
Powers of
3G. 4. c.126.
extended to this
Act.

An Act for repairing the Roads from the Borough of *Tamworth* in the Counties of *Stafford* and *Warwick*, to the Town of *Ashby-de-la-Zouch* in the County of *Leicester*, and from *Harrington Bridge* (heretofore *Sawley Ferry*) in the said County of *Leicester*, to a Turnpike Gate at or near the End of *Swarcliff Lane*, leading to *Ashby-de-la-Zouch* aforesaid. (a)
[27th June 1823.]

[New Trustees.]

Cap. cxxiii.

22G.2. c.47.
32G.2. c.6.
46G.3. c.
lxxvii. in part
repealed.

An Act to enlarge the Powers of and render more effectual certain Acts of the Twenty second and Thirty second Years of the Reign of His Majesty King *George the Second*, and the Forty sixth Year of the Reign of His late Majesty King *George the Third*, for the more easy and speedy Recovery of Small Debts within the Town and Borough of *Southwark*, and the several Parishes and Places in the said Acts mentioned, and to regulate the Fees payable to the Court thereby established.
[4th July 1823.]

Cap. cxxiv.

An Act to allow further Time for the Completion of the Docks and other Works belonging to the *London Dock Company*.
[10th July 1823.]

39 & 40 G.3.
c. xlvii. § 54.

‘ WHEREAS an Act was passed in the Fortieth Year of the
‘ Reign of His late Majesty King *George the Third*, in-
‘ titled *An Act for making Wet Docks, Basons, Cuts and other*
‘ *Works, for the greater Accommodation and Security of Shipping,*
‘ *Commerce and Revenue within the Port of London, whereby it*
‘ was

' was enacted, that it should be lawful for the *London Dock*
 ' *Company*, and they were thereby required, within the Space
 ' of Seven Years from the passing of the said Act, to make the
 ' Docks, Basons, Entrances and other Works therein mentioned: 45G.S. c.lviii.
 ' And Whereas another Act was passed in the Forty fifth Year § 3.
 ' of the Reign of His said late Majesty, intituled *An Act to alter*
 ' *and amend an Act passed in the Fortieth Year of the Reign of*
 ' *His present Majesty, for making Wet Docks, Basons, Cuts and*
 ' *other Works for the greater Accommodation and Security of Ship-*
 ' *ping, Commerce and Revenue within the Port of London, and for*
 ' *extending the Powers and Provisions of the said Act*, whereby
 ' the Time limited by the said first mentioned Act for the Com-
 ' pletion of the said Docks, Basons, Entrances and other Works,
 ' was extended for the Term of Five Years, to be computed from
 ' the Expiration of the said Term of Seven Years: And Whereas
 ' by another Act passed in the Fifty second Year of the Reign of
 ' His said late Majesty, intituled *An Act for allowing further Time* 52G.S. c.cxiv.
 ' *for the Completion of the Docks, Entrances and other Works and* § 1.
 ' *Buildings belonging to the London Dock Company*, the Period
 ' limited by the said recited Act of the Forty fifth Year aforesaid
 ' for the Completion of the Docks, Basons, Entrances, Cuts and
 ' other Works and Buildings authorized to be made, erected and
 ' built by the said Company was extended to the Twentieth Day
 ' of June One thousand eight hundred and fourteen: And
 ' Whereas by another Act passed in the Fifty fourth Year of 54G.S. c.x. § 1.
 ' the Reign of His said late Majesty, intituled *An Act for en-*
 ' *larging and amending the Powers and Provisions of the several*
 ' *Acts for making the London Docks*, the Period limited by the said
 ' recited Act of the Fifty second Year aforesaid for the Com-
 ' pletion of the said Docks, Basons, Cuts, Entrances and other
 ' Works and Buildings, was extended to the Twentieth Day of
 ' June One thousand eight hundred and twenty: And Whereas
 ' by another Act passed in the Fifty eighth Year of the Reign of 58G.S. c.lxii.
 ' His said late Majesty, intituled *An Act to amend the several* § 1.
 ' *Acts passed for making Wet Docks, Basons, Cuts and other Works for*
 ' *the greater Accommodation and Security of Shipping, Commerce*
 ' *and Revenue within the Port of London*, the Period limited by
 ' the said recited Act of the Fifty fourth Year aforesaid for the
 ' Completion of the said Docks, Basons, Entrances, Cuts and
 ' other Works and Buildings, was extended to the Twentieth Day
 ' of June in the present Year One thousand eight hundred and
 ' twenty three: And Whereas the greater Part of the Docks,
 ' Works and Buildings, Entrances and Basons, authorized to be
 ' erected, built and made under the said Acts, have been long
 ' finished and in use; but the remaining Part thereof cannot be
 ' completed within the Period last mentioned, and it is therefore
 ' necessary that such Period should be further extended; 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 Au-
 ' thority of the same, That the Period limited by the said last re-
 ' cited Act of the Fifty eighth Year aforesaid for the Completion
 ' of the Docks, Basons, Entrances, Cuts, Quays and Wharfs, and
 ' other

Period for
 Completion of
 Works further
 extended.

other Works and Buildings authorized to be made, erected and built by the said *London Dock Company* under the said several Acts, shall be and the same is hereby extended to the Thirty first Day of *January* One thousand eight hundred and twenty six, and that all the Powers, Authorities, Provisions, Penalties, Forfeitures, Clauses, Matters and Things, in relation to the making, building and completing all or any of the Docks, Basons, Entrances, Cuts, Quays, Wharfs and other Works and Buildings aforesaid, contained in any Act made and now in force relating to the Completion thereof, shall be and remain and continue in full Force and Effect, for the Purposes of the said several Acts and this Act, for the Completion of the Docks, Basons, Entrances, Cuts, Wharfs and other Works and Buildings of the said *London Dock Company*, during such further and extended Period as last aforesaid, as fully and effectually, in all Respects, and to all Intents and Purposes, as if such further and extended Period had been given by the said recited Act of the Fifty eighth Year aforesaid, and as if all such Powers, Authorities, Provisions, Penalties, Forfeitures, Clauses, Matters and Things had been severally and specially and particularly re-enacted in and made part of this Act.

Public Act.

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

Cap. cxxv.

An Act for altering the Time for holding General Annual Meetings for licensing Alehouses within the County of *Middlesex*, and for authorising the Justices of the Peace for the said County to remunerate High Constables. [11th July 1823.]

3G.4. c.77.

‘ WHEREAS by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act for amending the Laws for regulating the Manner of licensing Alehouses in that Part of the United Kingdom called England, and for the more effectually preventing Disorders therein*, it was enacted, that from and after the passing of the said Act, all General Annual Meetings of the Justices or Magistrates, for the Purpose of granting Licences to sell Ale, Beer and other exciseable Liquors by Retail, as well in Cities and Towns Corporate as in all other Places within that Part of the United Kingdom called *England*, should be held in the Month of *September* in each and every Year, any local Custom or Usage to the contrary thereof in anywise notwithstanding; but by a subsequent Clause of the said Act it was declared, that nothing therein contained should extend, or be construed to extend, to alter the Time or Times of granting Licences for keeping Common Inns or Alehouses in the City of *London*: And Whereas many of the Magistrates acting in and for the several Divisions of the County of *Middlesex*, being usually absent in the Month of *September* from their Residences in the said County, and therefore not able to attend such General Annual Meetings for licensing Alehouses within the said several Divisions, it is desirable that the Time for holding such General Annual Meetings should be altered, so far as re-

lates

‘lates to the several Divisions of the said County:’ May it there-
 fore please Your Majesty, that it may be enacted; and be it
 enacted by the King’s most Excellent Majesty, by and with the
 Advice and Consent of the Lords Spiritual and Temporal, and
 Commons, in this present Parliament assembled, and by the Au-
 thority of the same, That it shall and may be lawful to and for
 the Justices of the Peace acting in and for the several Divisions
 within the County of *Middlesex*, at their General Licensing Meet-
 ings in and for the several Divisions of the said County of *Mid-
 dlesex*, which shall be held in the Month of *September* next after
 the passing of this Act, to grant Licences (in such Manner as
 hath heretofore been used) to Persons to keep Common Inns or
 Alehouses, and to sell Ale and Beer, and other exciseable Liquors,
 within the said several Divisions, from the Tenth Day of *October*
 next ensuing until the Fifth Day of *April* then next ensuing, and
 not for any longer Term; and it shall also be lawful for the
 said Justices, at each of their said Meetings in the Month of
September next, to appoint not less than Three nor more than
 Four Days between the Day of such Meeting and the Fifth Day
 of *April* then next ensuing (and as nearly at equal Distances
 from each other as conveniently may be), for the Purposes for
 which such Special Meetings are directed to be appointed and
 held by any Act or Acts now in force, instead of appointing not
 less than Six nor more than Eight such Days for Special Meetings
 to be holden within the Year then next following, and to hold
 such Special Meetings accordingly, (any Law, Statute or Usage to
 the contrary thereof notwithstanding); and every Licence to be
 granted, transferred or continued at such General Annual Meet-
 ings in *September* next, or any such Special Meeting to be then
 appointed, shall be good, valid and effectual, to all Intents and
 Purposes whatsoever, until the said Fifth Day of *April* next after
 the granting thereof, subject nevertheless, in all other respects,
 to the several Laws in force for the better Regulation, Conduct
 and Management of Common Inns, Alehouses and Victualling
 Houses.

Justices for
Middlesex, to
 grant Licences
 to keep Ale-
 houses from the
 10th Day of
October to the
 5th Day of
April; and ap-
 point Special
 Meetings as
 herein men-
 tioned.

II. And be it further enacted, That it shall and may be lawful
 for the Commissioners of Excise in *England* for the Time being,
 and they are hereby required to receive and take, in respect of
 all such Licences so to be granted in the Month of *September*
 next after the passing of this Act, and to expire on the Fifth Day
 of *April* then next ensuing as aforesaid, One Moiety or equal
 Half-part only of the Duties and Sums of Money directed to be
 raised, levied, collected and paid, for and upon all Licences to be
 taken out by Retailers of Beer, Ale, Cyder, Perry or Spirits,
 within *Great Britain*, in and by an Act passed in the Fifty sixth
 Year of the Reign of His late Majesty King *George* the Third,
 intituled *An Act for repealing the Duties payable for Licences for
 retailing Beer, Ale, Cyder, Perry or Spirits in Great Britain, and
 for imposing other Duties in lieu thereof.*

Commissioners
 of Excise to
 take, for Li-
 cences granted
 in *September*
 next, Half the
 Duties directed
 by 56 G. 3.
 c. 113.

III. And be it further enacted, That from and after the said
 General Annual Licensing Meetings which shall be so held in
 the Month of *September* next after the passing of this Act, all
 General Annual Meetings of the said Justices for the Purpose of
 granting Licences to sell Ale and Beer, and other exciseable
 Liquors

After *Septem-
 ber* next Jus-
 tices to hold
 General An-
 nual Meet-
 ings in the
 Month of
March yearly,

for granting
Licences.

Liquors by Retail, within the said several Divisions of the said County, shall be held in the Month of *March* in each and every Year; and the first of such Meetings to be holden in the Month of *March* next after the passing of this Act shall be deemed to be an Annual Meeting within the Meaning of this Act and all former Acts in force relating to such Licences as aforesaid, although the Term of One Year shall not then have elapsed since the last preceding General Annual Meeting to be holden in *September* next as aforesaid; and from and after such next General Annual Licensing Meeting after the passing of this Act as aforesaid, all Licences for keeping any Common Inn, Alehouse or Victualling House within the said several Divisions, granted at any other Time than in the Month of *March* yearly, shall be null and void to all Intents and Purposes whatsoever.

Notices for
Meetings in
March as for
Meetings in
September.

IV. Provided always, and be it further enacted, That the same or the like Notices shall be given, and in the same or the like Manner and Form, of the General Annual Meetings to be held pursuant to this Act in the Month of *March*, as are by the Laws now in force required to be given of the General Annual Licensing Meetings thereby required to be held in the Month of *September* in every Year.

Licensed Per-
sons to enter
into Recogni-
zance as by
3G.4. c.77.
Sch. A. and
be subject to
Penalties im-
posed by the
said Act.

V. And be it further enacted, That every Person to whom any Licence or Authority to keep a Common Inn, Alehouse or Victualling House, and to sell therein Ale, Beer, Cyder, Perry or other exciseable Liquors by Retail, within the said several Divisions of the said County, shall be granted, transferred or continued after the passing of this Act, shall enter into such Recognizances as are required by the said Act of the Third Year of His present Majesty, and shall also be subject to such and the like Penalties as are imposed by the said Act, or any other Act now in force relating to such Licences or Authorities; and such Recognizances and Licences or Authorities shall be in the Forms respectively prescribed by the Schedules to the said Act of the Third Year of the Reign of His present Majesty, (except so far as it may be necessary to alter the same for the Purpose of conforming to the Provisions of this Act,) and all the other Provisions and Regulations contained in the said Act of the Third Year of His present Majesty, or any other Act or Acts now in force relating to such Licences as aforesaid, shall continue in force and applicable to the granting, transferring or continuing of Licences pursuant to this Act, save and except so far as respects the Time of granting the same, which is hereby altered.

After Septem-
ber next no Li-
cence to be
granted to any
Person for a
House not li-
censed at a pre-
ceding General
Annual Meet-
ing, unless
Notices be
given to the
Clerk to the
Justices, and

VI. And be it further enacted, That from and after the Month of *September* now next ensuing, no Licence or Authority shall be granted to any Person whatsoever by the said Justices to retail Ale, Beer or other exciseable Liquors in any House or Place which shall not have been used for such Purpose or Purposes, by virtue of a Licence which shall have been granted at a preceding General Annual Meeting of the said Justices, unless the Person intending to apply for such Licence or Authority shall give Notice in Writing to the Clerk or Clerks to the Justices at such General Meetings Three Calendar Months prior to the General Annual Meeting of the said Justices of the Peace for granting Licences for the Place in which the House shall be situated for which

such Licences shall be applied for, and shall affix or cause to be affixed Three Copies of such Notice, written in a fair and legible Hand, on the principal Door, or most conspicuous Part of the House for which such Licence is intended to be applied for, and on the Door of the Church of the Parish in which such House shall be situated, on Three several Days within the Months of *November* or *December*, between the Hours of Ten of the Clock in the Forenoon and of Four of the Clock in the Afternoon, and between each of which Days of affixing such Notices the Space of Seven Days or more shall elapse; which Notice, and the Copies thereof so to be affixed, shall be signed by the Party interested in such House, and intending to make such Application as aforesaid, or his, her or their Agent thereunto authorized; and every such Notice shall state and set forth the Situation of the said House in a true and particular Manner, together with the Rate of Building thereof, where any such Rate or Building exists or is prescribed, and the Name, Place of Abode and Description of the Party so applying, and also the Name and Place of Abode of the Person proposed to be licensed therein; and every Licence to be granted to sell Ale, Beer or other Liquors by Retail, in such new House or other Place, not having been used for any of the Purposes aforesaid by virtue of a Licence granted the preceding Year, without such previous Notice having been given as aforesaid, shall be void to all Intents and Purposes: Provided nevertheless, that such Notices to be given and published in the Months of *November* or *December* as aforesaid, shall be in lieu of and not in addition to the Notices for the like Purpose heretofore required to be given and published in the Months of *May* or *June*.

affixed in the
Manner herein
directed.

‘ VII. And Whereas the Population of the Parish of *Saint Pancras* in the County of *Middlesex*, within the said Hundred of *Ossulston*, is greatly increased, and now consists of Seventy five thousand Inhabitants and upwards, and it would tend to the better preventing of Disorders in Alehouses, Inns and Victualling Houses within the said Parish of *Saint Pancras*, if the said Parish were created a separate District or Division within the said Hundred and County, for the Purposes of the several Acts of Parliament now in force with respect to the granting and transferring of Licences to Persons keeping or desiring to keep Alehouses, Inns and Victualling Houses, and with respect to Certificates to be given respecting such Persons, and all other Matters appertaining to the granting, transferring or continuing of such Licences; Be it therefore further enacted, That from and after the passing of this Act, the said Parish of *Saint Pancras* shall be and be deemed to be, and the same is hereby made and constituted, for the Purposes aforesaid, a separate and distinct District and Division, and shall be, form and constitute a new Division of the Hundred of *Ossulston*, within the said County, and shall be described by the Name and Style of “The *Saint Pancras* Division of the Hundred of *Ossulston* in the County of *Middlesex*.”

St. Pancras
deemed a new
Division of the
Hundred of
Ossulston.

VIII. And be it further enacted, That it shall and may be lawful for the Justices of the Peace of the said County of *Middlesex*, as well at such of the Days fixed and appointed at their last General

Meetings of
Justices for li-
censing in St.
Pancras to be

first held in
September
next, and after-
wards in the
Month of
March.
32G.S. c.59.

General Licensing Meeting, for their Special Meetings in pursuance of an Act of Parliament made and passed in the Thirty second Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to amend so much of Two Acts passed in the Twenty sixth and Twenty ninth Years of the Reign of His late Majesty King George the Second, as relates to the licensing of Alehouse Keepers and Victuallers; and for better regulating Alehouses, and the Manner of granting such Licences in future, and also of granting Licences to Persons selling Wines to be drank in their Houses*, as are now to come, as also at their General Meetings to be holden in the Month of *September* now next ensuing, and in the Month of *March* in the Year next following, and in the same Month of *March* in each succeeding Year, and also at their Special Meetings, to be appointed at such General Meetings, and held pursuant to such Appointment, to meet at the Place called "*Saint Pancras Female Charity School*," in the *Hampstead Road*, within the said Parish of *Saint Pancras*, or at such other Place or Places within the said Parish as the said Justices shall from time to time direct and appoint, and then and there to do and transact all such Business relative to the granting, transferring and continuing of Licences for keeping Alehouses, Inns and Victualling Houses within the said new Division, as shall be necessary or proper to be done pursuant to the Acts of Parliament relating to Licences now in force and this Act, and to proceed therein in the same Manner, and with all the same Powers and Authorities, as the said Justices might otherwise proceed at any Place or Places within the Hundred of *Ossulston* heretofore used or appointed to be used for holding such General and Special Meetings respectively.

Justices autho-
rized to grant
Annual or other
Salaries to High
Constables.

IX. And Whereas it is expedient that Magistrates in the Commission of the Peace for the County of *Middlesex*, assembled in Quarter Sessions, should have Power to order Remunerations for the Chief or High Constables of the respective Hundreds or Divisions within the said County, for meritorious Services, the better to induce respectable Persons to act in that Office: Be it therefore further enacted, That from and after the passing of this Act, it shall and may be lawful for the said Magistrates in Quarter Sessions or General Sessions, or any Adjournment thereof from time to time assembled, to order such Payments from time to time to be made to the Chief or High Constables of the several Hundreds and Divisions of the said County, out of the County Rates, as the said Magistrates shall from time to time think fit and proper, regard being had to the Extent of the Duties and Services which each separate Chief or High Constable shall have performed, or may be liable to be called on to perform in the Execution of his said Office of Chief or High Constable; and all such Payments shall be paid by the Treasurer of the said County, and shall be allowed in his Account or Accounts.

Expences of
Act how paid.

X. And be it further enacted, That the Costs and Expences of preparing, obtaining and passing this Act, and all other Charges incident or relating thereto, shall be paid by the Treasurer of the said County of *Middlesex*, out of the first Monies which shall be in his Hands on account of the County Rates.

XI. And

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

Cap. cxxvi.

An Act for the better Government of the City of *Limerick*, and the due Appropriation of the Public Revenues thereof.

[18th July 1823.]

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 certain Lands in the Parish of *Croydon* in the County of *Surrey*.
[19th March 1823.]

Cap. 2.

An Act for vesting the settled Estates of *Thomas Molyneux Sed* Esquire, in the County of *Lancaster*, in Trustees to be sold, and for laying out the Monies to arise by such Sales in the Purchase of a more convenient and compact Estate, to be settled to the same Uses.
[2d May 1823.]

Cap. 3.

1&2 G. 4. c. 23. An Act for inclosing Lands in the Township or Quarter of *Oulton*, in the Parish of *Wigton* in the County of *Cumberland*.
[2d May 1823.]

[*Allotments in lieu of Tithes*, § 34. *Money to be paid where Allotments are insufficient for remunerating the Tithes Owners*, § 35. *Refusing, &c. to pay such Money, Distress, &c.* § 36. *Proviso for Vicarial Rights*, § 37. *When and in what Manner Tithes to cease*, § 38.]

Cap. 4.

See 41 G. 3.
U. K. c. 109.
1 & 2 G. 4. c. 23.

An Act for dividing, inclosing and improving a certain Moor or Open Pasture called *Hawdon Field* otherwise *Brown Moor*, in the Parish of *Warden* in the County of *Northumberland*.

18

[2d May 1823.]

Cap. 5.

An Act to amend an Act made in the Forty second Year of the Reign of His late Majesty King George the Third, for dividing, allotting, inclosing and appropriating the Commons, Waste Grounds and Mosses, within the Manor or Township of *Egton with Newland*, in the Parish of *Ulverston*, in the County Palatine of *Lancaster*. [12th May 1823.]

42G.3. c. xlii.
See 41G.3.
U.K. c.109.

Cap. 6.

An Act for inclosing Lands in the Parish of *North Burton* otherwise *Cherry Burton* in the East Riding of the County of *York*. [12th May 1823.]

[*Rector's Glebe Lands to be fenced and laid together*, § 26, 27. *Power for the Rector to grant Leases*, § 34. *Leases becoming void before Expiration of Term, Rector may with Consent of the Archbishop grant a new Lease, &c.* § 35.]

Cap. 7.

An Act for inclosing Lands in the Parish of *Ryton* in the County of *Durham*. [23d May 1823.]

[*Allotment to Rector of Ryton in lieu of Tithes*, § 16. *Allotment to said Rector for a Cemetery for the Township of Winlaton*, § 17. *Power for said Rector to purchase the Rights of Intercommon, and to sell his Allotments*, §§ 25, 26. *And to lease Allotments*, § 27. *Rector's Allotments, &c. to be fenced*, § 28.]

See 41G.3.
U.K. c.109.
1 & 2G.4. c.29.

Cap. 8.

An Act for inclosing Lands in the Parishes of *Thame* and *Sydenham* in the County of *Oxford*. [23d May 1823.]

[*Allotments to the Rector and Vicar for Glebe and Common Rights*, § 25. *Allotment to the Impropiator and Vicar for Tithes*, § 26. *Allotment to the Impropiator and Vicar to be apportioned*, § 27. *When Tithes made to cease*, § 28. *Allotments to Impropiator and Vicar, &c. to be fenced at the general Expence*, § 29. *Proprietors not having sufficient Open Lands, &c. to make Compensation in Money for their Tithes*, § 30. *Power for Tenants for Life, &c. of old Inclosures to charge their Estates with a Compensation for Tithes*, § 31. *Compensation for Tithes may be made out of old inclosed Lands*, § 32.]

See 41G.3.
U.K. c.109.
1 & 2G.4. c.29.

Cap. 9.

An Act for inclosing Lands within the Townships or Divisions of *Whitwell* and *Selside*, *Skelsmergh* and *Crook*, in the Parish of *Kirkby in Kendal* in the County of *Westmorland*. [23d May 1823.]

[*Curate of Crook may lease his Allotments.*]

See 41G.3.
U.K. c.109.
1 & 2G.4. c.29.

Cap. 10.

An Act for settling and securing Parts and Portions of the Lands and Barony of *Invermay* in the County of *Perth*, to and in favour of *Alexander Hepburn Belshes* Esquire, and the Series of Heirs
3 Y 2 entitled

entitled to take by certain Deeds of Entail made by *Barbara Hepburn* and others, and *Sir Patrick Hepburn Murray*, and under the Conditions and Limitations contained therein; and for vesting in lieu thereof the Barony and Estate of *Blackcastle* in the Counties of *Haddington* and *Berwick*, in the said *Alexander Hepburn Belshes*, and his Heirs and Assigns, in Fee Simple.
[30th May 1823.]

Cap. 11.

An Act for effecting an Exchange between the Provost and Scholars of the *King's College of Blessed Mary and Saint Nicholas* of *Cambridge*, and the Master or Keeper, Fellows and Scholars of the College or Hall commonly called *Clare Hall* in the University of *Cambridge*.
[30th May 1823.]

Cap. 12.

43G.3. c.cxxiii.
repealed. An Act to amend and enlarge the Powers and Provisions of an Act of His late Majesty King *George* the Third, for inclosing and improving *Beam Heath* in the Township of *Alvaston*, in the Parish of *Nantwich*, in the County Palatine of *Chester*.
[30th May 1823.]

[Trustees appointed.]

Cap. 13.

An Act to enable the Reverend *Richard Buck* Clerk and *Margaret* his Wife, and the Survivor of them, to grant Leases of a Moiety of the Coal Mines within the Estates devised by the Will of *John Hull* deceased, in the County of *Lancaster*.
[17th June 1823.]

Cap. 14.

An Act for exchanging an Estate in the County of *Wilts*, whereof *John Biddulph* Esquire and *Augusta* his Wife, and *Philip Jones* Esquire and *Sarah* his Wife, have joint Power of Disposition, for Estates in the Counties of *Warwick* and *Worcester*, settled by the Will of *Sarah Richards*, in Trust for the same Parties and their Children.
[17th June 1823.]

Cap. 15.

An Act for effectuating an Exchange of an Estate in the Parish of *Stone* in the County of *Stafford*, (to which *Ann Unett*, an Infant, is entitled in Tail), for an Estate of greater Value, belonging to *John Wilkes Unett* and *Elizabeth* his Wife, and *Lettice Unett*.
[17th June 1823.]

Cap. 16.

An Act for confirming certain Exchanges made by *Sir George Thomas* Baronet, deceased, and *George White Thomas* Esquire, deceased, of Estates at *Yapton*, *Walberton*, *Madehurst*, *Bilsham* and *Climping*, in the County of *Sussex*.
[17th June 1823.]

Cap. 17.

An Act for effecting an Exchange between the Right Honourable *Henry Hall* Viscount *Gage*, and the Dean and Chapter of the Cathedral Church of the Holy Trinity of *Chichester*, of Estates in the County of *Sussex*. [17th June 1823.]

Cap. 18.

An Act for enabling the President, Vice Presidents, Treasurer and Members of the Philanthropic Society to purchase from the Corporation and other Persons entitled thereto the Lands and Hereditaments in the Parish of *Saint George the Martyr, Southwark*, in the County of *Surrey*, upon which they have erected a Chapel, Buildings and other Works, and such other Land adjoining thereto as may be required for the Purposes of their Charity. [17th June 1823.] 46G.3.c.cxliv.

Cap. 19.

An Act to empower the Judges of the Court of Session to take an Account of the Debts and Burdens affecting, and that may be made to affect, the entailed Estate of *Wemyss* in the Counties of *Fife* and *Perth*; and to sell the said Estate, or such Part thereof as shall be sufficient to discharge the said Debts and Burdens. [17th June 1823.]

Cap. 20.

An Act for vesting in Trustees an Estate in the Parish of *Chievely* in the County of *Berks*, devised in strict Settlement by the Will of *William Capel* Esquire, deceased, and afterwards contracted to be sold by him, in order to effectuate the Sale thereof, agreeably to such Contract. [17th June 1823.]

Cap. 21.

An Act for exchanging certain Parts of the Estates devised by the Will of the late Sir *William Guise* Baronet, in strict Settlement for certain other Estates in the County of *Gloucester*; and for vesting other Parts of the said Estates in Trustees, to be sold for paying off Incumbrances, and for other Purposes. [17th June 1823.] See 34G.3. c.93. Pr.

Cap. 22.

An Act for authorizing the Investment of Monies belonging to the Infant Sons of Sir *Samuel Romilly* deceased, in the Purchase of certain Parts of his Daughter's Share of his Real Estate, to be conveyed to Trustees upon certain Trusts. [27th June 1823.]

Cap. 23.

An Act for inclosing Lands within the Manor of *Congerston* otherwise *Congeston*, in the County of *Leicester*. [27th June 1823.] See 41G.3. U.K. c.109. 1 & 2G.4. c.23.

[*Allotments to the Rectors and Vicar for Glebe and Common Rights, and for Tithes, § § 23, 24. When Tithes made to cease, § 25.*]

§ 25. *Apportionment of the Allotment for Tithes*, § 26. *Proprietors not having sufficient Land, to make Compensation in Money in lieu of Tithes*, § 27. *Tithe Allotments to be fenced off by Proprietors of Estates*, § 28. *Allotment of Residue*, § 29. *Allotments to belong to same Parishes as the Lands in respect of which they are made*, § 30. *Power for Rectors and Vicar to lease their Allotments*, § 39. *How Leases at Rack Rent exchanged or discharged from Tithes made to cease*, § 40.]

Cap. 24.

An Act for vesting Part of the Estates devised by the Will of *Thomas Viscount Wentworth* in Trustees, upon Trust to sell the same to the Right Honourable *Richard William Penn Earl Howe*, and to apply the Money arising from the Sale thereof in the Purchase of other Estates in the Counties of *Leicester* and *Warwick*, or one of them, to be settled to the subsisting Uses of the said Will. [4th July 1823.]

Cap. 25.

58G.3. c.39.
Pr.

An Act to amend an Act passed in the Fifty eighth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for vesting certain Pieces or Parcels of Land and other Hereditaments, belonging to Sidney Sussex College in the University of Cambridge, in Trustees for Sale, with Powers to lease on Fines, and for applying the Purchase Monies, and Monies to arise from Fines, in Manner therein mentioned.*

[4th July 1823.]

Cap. 26.

An Act to enable the Trustees of the Will of the late Sir *William East* Baronet, deceased, and Tenants under the See of *Canterbury*, to join in Grants of Building and Repairing Leases with the Archbishop of *Canterbury* for the Time being, of Lands in *Lambeth Marsh*, held under the said See. [4th July 1823.]

Cap. 27.

See 19G. 2.
c. 26.
20G.2. c. 41.

An Act for empowering the Judges of the Court of Session in *Scotland* to sell certain Parts of the *Dominium Directum* or Superiority of the Entailed Estate of *Park* in the County of *Banff*, presently belonging to *Thomas Gordon Esquire of Park*, and to apply the Price to be obtained for the same in the Payment of the Debts affecting the said Estate. [4th July 1823.]

Cap. 28.

10G.3. c.58.
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43G.3. c.58.
Pr. recited.

An Act for changing the Site of the Hospital at *Sheffield* in the County of *York*, founded by the Right Honourable *Gilbert Earl of Shrewsbury*; and for the better Regulation of the Affairs of that Charity. [10th July 1823.]

Cap. 29.

An Act for vesting Part of the Estates devised by the Will of *Edward Mynors Esquire*, situate in the Counties of *Stafford* and *Leicester*, in Trustees upon Trust to sell the same; and for laying out the Monies arising from such Sales in the Purchase of more convenient Estates, to be settled to the same Usea. [10th July 1823.]

I N D E X

TO THE

PUBLICK GENERAL ACTS, 4^o GEO. IV.

• *Signifies that the Act relates exclusively to Ireland.*

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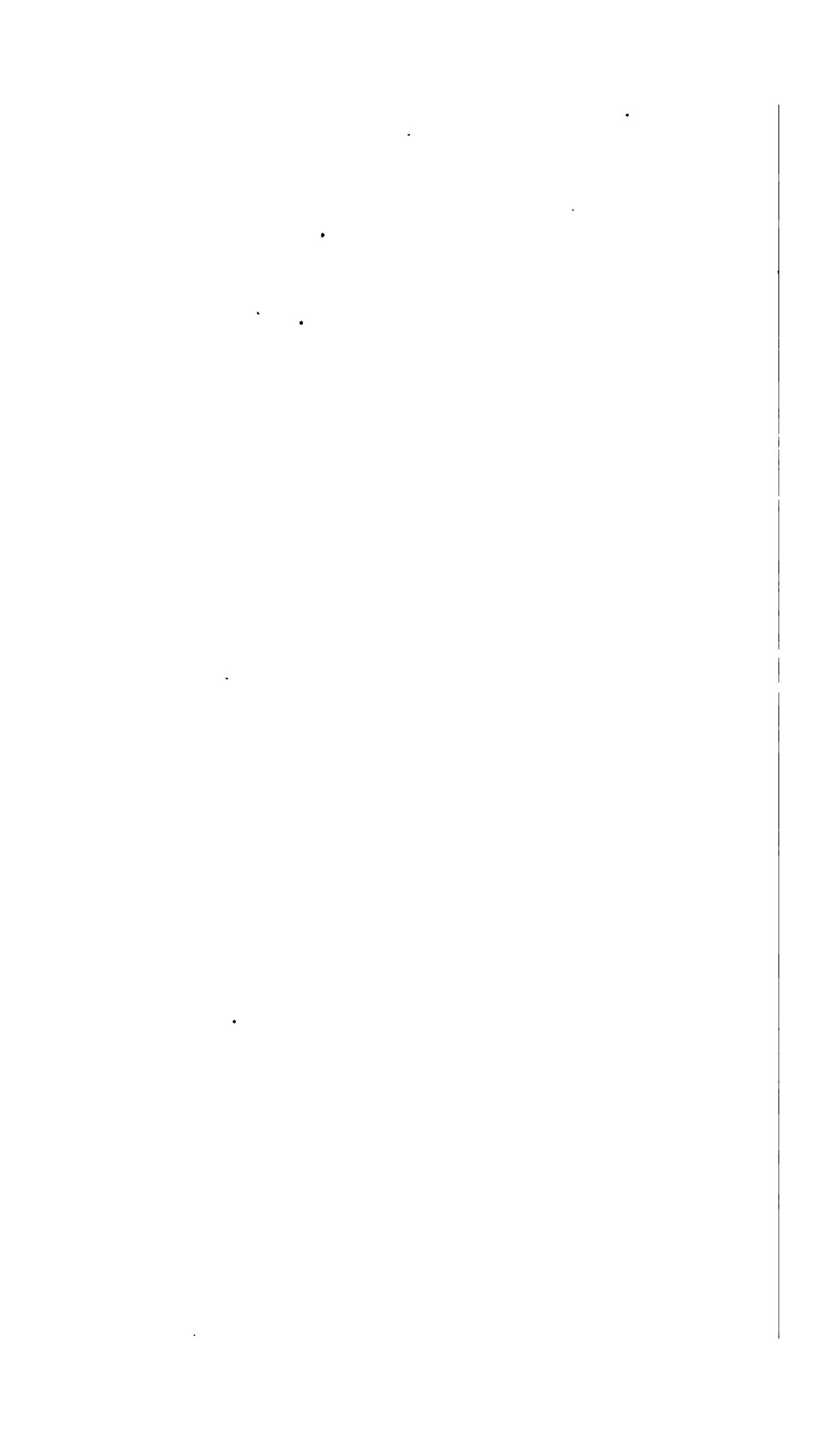
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